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# SAMUDRA

REPORT

THE TRIANNUAL JOURNAL OF THE INTERNATIONAL COLLECTIVE IN SUPPORT OF FISHWORKERS



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**Iceland's Fisheries Crisis**

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**Right to Food**

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**Tuna Certification**

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**Europe's Common Fisheries Policy**

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**Shrimp Industry in Bangladesh**

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**Oceans and Seas**

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ICSF is an international NGO working on issues that concern fishworkers the world over. It is in status with the Economic and Social Council of the UN and is on ILO's Special List of Non-governmental International Organizations. It also has Liaison Status with FAO.

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THORGEIR BALDURSSON

## FRONT COVER



"Boats at rest"  
Painting by P.B. Surendranath

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A tuna fishing vessel in Dakar, Senegal  
Photo: Olivier Barbaroux



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IT/SIMON L'EPINE EKLESS

A scene from Billingsgate Fish Market,  
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# Don't Miss the Point

**The reform of the European Union's Common Fisheries Policy must be radical but nuanced and seen not as a problem of the number of boats, but one of approach**

**R**ightly perhaps, the proposed fisheries policy reform of the European Union (EU) takes ecological sustainability as a basic premise for the economic and social future of European fisheries. The European Commission's Green Paper on the reform of the Common Fisheries Policy (CFP) sees the problem as one of overfished stocks combined with fishing fleets that are too large for the available resources (see "Blue Europe Turns Green", page 23). "This combination means that too many vessels chase too few fish", it states. This is not the first time such a conclusion has been reached. The 2002 review and reform process concluded much the same.

But by equating overcapacity with "too many vessels", and the overfishing problem with "too few fish", the EU is missing the point. In recent years, while vessel numbers have declined by 20 to 30 per cent, the actual fishing capacity of the EU fleet (measured in tonnage and horsepower) has reduced by considerably less. This implies that smaller, less powerful vessels have gone, leaving behind fewer, larger and more powerful vessels.

Capacity is not just a problem of too many boats, but one of how, when and where fishing is done. It is a combination of size, power, fishing technology and other factors. It includes the use of unselective and environmentally destructive gear, and of management measures that promote waste by discarding over-quota and lower-value fish, and inadvertently cause the degradation of fishing grounds and key fisheries habitats.

Sufficiently radical reform is unlikely to be achieved through management based on individually tradable rights, as suggested in the Green Paper. This invariably leads to concentration of ownership, and encourages illegal and unreported fishing, resulting in inequitable leasing arrangements and deteriorating working conditions.

Rather than just a stick to beat down vessel numbers, what is needed is more carrot to encourage

responsible and sustainable practices. This would include providing priority access to fishing operations that comply with responsible and sustainable criteria. In essence, this would mean favouring operators with a history of compliance, and encouraging activities based on low-impact and selective fishing methods, which have lower energy use, a smaller carbon footprint, and decent working conditions (as

established by the standards of the International Labour Organization), and which deliver high-quality products.

Such an approach needs to be applied within EU waters as well as in the distant waters where EU fleets operate and where the EU has influence—both on the access of its fleet to third-country waters through fisheries partnership agreements (FPAs), and

to its negotiating stance within regional fisheries management organizations (RFMOs). It is also vital that fleets currently fishing in Europe must not be allowed to add to overcapacity problems in distant waters, as in West African and international waters in the southeast Pacific (see "The Thievery of Fish", page 33).

The EU tuna fleet, in particular, requires reform, especially to reduce overcapacity in line with new realities. The EU fleet must make way for developing countries in the respective regions that have the right to build up socially, environmentally and economically sustainable tuna fishing.

Consumption patterns in Europe must change too, so that consumers eat less, but higher-quality fishery products provided through equitable commercial channels. A level playing field must also be established in the way non-tariff barriers, like sanitary and food standards, are applied to fishery products originating from EU fleets, and those from third-country fleets, particularly from small-scale fleets in the South.

In sum, it is not so much a case of too many boats chasing too few fish, but of too much fishing of the wrong kind.



# Fishy Financial Magic

**Icelandic fishermen will play a major role in getting the nation back on its feet after the recent economic disaster brought on by fishy financial excesses**

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If Icelanders had a choice, they would like to forget the year 2008. In the beginning of October, the Icelandic economy crumbled to the ground. The three major banks in the country went under and the national currency lost its value by more than 100 per cent overnight. Not surprisingly, a lot of Icelanders are fearful, confused and angry.

As I write this article, nine months after the crash, two things happened last week, far out of the ordinary daily peaceful life in Iceland. An individual destroyed a house that he had lost to a bank. He rented a bulldozer and in 10 minutes, levelled to the ground most of his former house. On 21 June another Icelandic drove his car in a frenzy into all the exit doors of the fire station

The worldwide depression is one, but the main reasons are homemade. The Icelandic banks were allowed to grow to a monstrous size, nine to ten times the size of the national economy. The surveillance system was weak, as were the laws and regulations set by the legislature.

Some have suggested that the roots of today's situation lie in the implementation of the individual transferable quota (ITQ) system in Iceland's fisheries, back in 1984. When the quotas became available for mortgage in 1990, a huge amount of money was 'released' into the financial system. As some economists and politicians said, "sleeping money was put to work". The snowball started to roll.

For me it is hard to tell if this is the main cause of the downfall of the Icelandic economy. But I have no doubts that the ITQ system did play a part, maybe a big one. It is a fact that the first huge sum of money the Icelandic public heard about—made by shuffling paper alone—was when a shareholder in one of the country's largest seafood companies sold out in 1999. The sum involved back then was huge. Today, when facts are unfolding about what was actually going on within the banking system, that sum appears tiny.

## Unrealistic prices

It is also a fact that some years ago, a few big quota holders started to pump up the price of the quotas to totally unrealistic heights. Then they took huge loans (based on a 'better' mortgage since the prices were up), went to the stockmarket and played

**...the roots of today's situation lie in the implementation of the individual transferable quota (ITQ) system in Iceland's fisheries, back in 1984.**

in Reykjavík and then took off to the police station, where he was stopped by police cars.

Most Icelanders expected a tough fall and winter in 2008. But nobody, at least not among the public, thought things would come to what they did. The economic disaster in Iceland is one of the worst—if not the worst—any nation in modern history has faced. In comparison, the Versailles Agreement, which the Germans were forced to sign after World War I, looks like an IOU at the local store.

There are several reasons for Iceland's financial disaster.

*This article is by **Arthur Bogason** (arthur@smabatar.is), Chairman, National Association of Small Boat Owners (NASBO), Iceland, and Co-Chair, World Forum of Fish Harvesters and Fishworkers (WFF)*

all kinds of speculative games that, on the surface, looked very sophisticated and intellectual. Among those money games was the buying of shares in the ill-fated Icelandic banks. All that turned out to be not so splendid by the end of the day.

It is impossible, in a short piece, to account for everything that has been going on since the crash in October. One important outcome was that the government that was in power, resigned. In Iceland, that episode was called the 'kitchenware revolution'. Thousands of people gathered for weeks on the square in front of the parliament (Austurvöllur), banging pots and pans, and screaming in unison to the drumbeat of "Incompetent government!". The demonstrations continued day and night. There are plenty of video clippings on YouTube that document this episode.

The government in power then had been put together by the Conservative party and the Social Democratic Alliance. The latter group was the one that ended the co-operation. For around 80 days, Iceland had a minority government, put together by the Social Democratic Alliance and the Left-Green party, supported by the Progressive party. After negotiations following Iceland's general elections on 25 April, the Social Democratic Alliance and the Left-Greens formed the government that reigns today. These two parties have 34 members out of the 63 in parliament. It is the first time that a leftwing government has won a majority in the Icelandic parliament since the nation got its independence in 1944.

The new government is dealing with enormous tasks. Today, the national treasury is buried in debts and liabilities. The main reason for this, ironically enough, is that the Icelandic banks were 'privatized' a few years ago. It turns out that they were privatized only to a certain extent. When they fell, the crash exploded in the faces of the public who would have to foot the bill. The banks had privatized their profits, while the debts were nationalized.

What a genius of a plan concocted by the greedy and irresponsible! The gangsters who robbed the banks from inside (someone said that the best way

to rob a bank is to own one) are still playing around while the government works day and night to increase taxes, cut public services and lower wages. The unemployment rate in Iceland is higher today than it has been for decades.

The Icelandic seafood industry is in trouble. It owes three to four times its annual turnover in debt. Technically, many of the seafood operations are

**The Icelandic seafood industry is in trouble. It owes three to four times its annual turnover in debt.**

bankrupt. The price of quotas for cod is estimated to have fallen by 60-70 per cent. Loans in foreign currencies, mainly used to buy quotas, are up 130 per cent. The export price for the most important species, cod, has fallen by 20-40 per cent. Service and maintenance costs are up 50-130 per cent. One needs no imagination to realize that the situation is almost unbearable.

Still, the fact is that the debts of the seafood operators are only 2 per cent of the total debts of Icelandic companies as a whole. The fisheries account for at least 40 per cent of the nation's currency income. As ridiculous as it may sound,

ÞORBJÖRN VÍGLUNDSSON



A 1392 GT midwater factory trawler in Vestmann Islands, Iceland. Fisheries account for at least 40 per cent of the nation's currency income

the seafood operators are in a better situation than most other businesses in the country.

It is important to keep in mind, when talking about the debts of the Icelandic seafood industry, that the operators do not comprise one company. Within the sector, there are many companies that do not owe a dollar. Most of these debt-free operators are in the small-boat sector. Today, these companies are doing relatively well, specifically after the devaluation of the Icelandic currency. As always, however, when dealing with fisheries, the reality is complicated.

The importance of the fisheries sector is maybe greater than ever in the history of the Icelandic nation. When the 'bank rage' was at its height, I heard a banker say that Iceland could easily exist without the fisheries sector. The future was the financial sector, he said. I hope to meet this man again. The fact is that the virtual world of people who think that wealth can be created without ever getting away from a computer, has to be set aside. The virtual world can only exist for a short time. The reality is that we have to work with our hands on the ground and at sea to create real wealth. And that is what Icelanders will do.

The Icelandic banks were privatized some six to seven years ago. Shortly afterwards, the media lost interest in the seafood business. Before the privatization, the media was in constant touch with the National Association of Small Boat Owners (NASBO) on a daily or at least weekly basis. News about the fisheries appeared regularly on television and radio. There was even a special radio programme on fisheries. That programme has since been shut down. Newspapers have cut down coverage on fisheries, and reporters who specialized in the field were fired. The editorial focus shifted to the financial magic that was advertized daily for years by the banks and the financial sector.

### Something fishy

Most fishermen watched in wonder and disbelief. They felt that there was something 'fishy' about all of this. Nevertheless, some of them sold out

and jumped on to the 'adventure' bandwagon. Some of the bigger companies played for large stakes.

The rest of the fishermen did not think much about all of this. They kept on doing their jobs, not caring less about whether or not they were of interest for the media. Now, post-crisis, the media has turned its focus back on the fisheries, and even the old radio programme is back.

The new government has on its agenda a plan to change the ITQ system. The first step has already been taken. On 18 June, the parliament agreed on a new system, which gives everyone who has a seaworthy boat and a skipper's licence, the opportunity to go jigging over the summer time, without buying quotas. As usual, the trawler association is furious when any 'slack' is given to the small boats. On the whole, the small-boat owners have welcomed the new system. They feel that the new government is actually putting a 'window' on the ITQ system—something that most thought impossible to do.

Icelandic fishermen are in no doubt about their future task. They will play a major role in getting the Icelandic nation back on its feet. I hope that in the future school books all over the world will tell the story of the Icelandic economic disaster. I say "hope", because it would be sad beyond words if something good is not brought about, something for others to learn from in the future.

#### For more



[www.fisheries.is/management/](http://www.fisheries.is/management/)  
**Information Centre of the  
 Icelandic Ministry of Fisheries and  
 Agriculture**

<http://eng.sjavarutvegsraduneyti.is/>  
**Ministry of Fisheries and  
 Agriculture, Iceland**

[http://fisheries.eplica.is/media/skjal/  
 Fisheries-in-figures-2008.pdf](http://fisheries.eplica.is/media/skjal/Fisheries-in-figures-2008.pdf)  
**Icelandic Fisheries in 2008**

# The Missing Element

**The fisheries sector can contribute to the progressive realization of the right to food, which, like other human rights, is a birthright inherent in every human being**

All over the world, the fisheries sector, among others, constitutes an essential component for achieving the right to food. According to a recent study by the Food and Agriculture Organization of the United Nations (FAO) (“Right to Food and Fisheries”, *Right to Food Studies*, FAO, 2009, available at [www.fao.org/righttofood](http://www.fao.org/righttofood)), this sector represents the source of livelihood for 41 mn people, most of them living in developing countries. This is the reason why it is crucial to put in place responsible practices to promote sustainable fisheries.

Yet, promoting sustainable fisheries is not enough if people do not have adequate access to them. Sound policies, strategies and laws are needed to guarantee accessibility in equal and sustainable ways, especially for the most vulnerable sectors of the population. When thinking about the final purpose of those strategies and policies, human welfare and the respect of people’s rights are, without any doubt, the main priorities to reach.

The right to food offers a legitimate framework for actions related to fisheries work at the national level: it is a human-rights obligation that serves as an overarching objective to be reached, as well as an operational tool which enables the translation of human-rights principles into concrete actions at local levels. Both the legal recognition of the right to food as a fundamental human right, and the Right to Food Guidelines (Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security, unanimously adopted by FAO’s Council

in 2004) as practical tool to achieve this right, are complementary mechanisms to fulfill the promise of food security for all by right.

This article points out three major issues of the fisheries sector that require concrete actions under a human-rights framework in order to realize the right to food:

- the access issue;
- the participation of rights holders in decisions affecting their livelihoods; and
- the need to focus on the most vulnerable sections of the population.

**...promoting sustainable fisheries is not enough if people do not have adequate access to them.**

The right to food is the inherent right of every human being to have physical and economic access, at all times, to nutritious and culturally acceptable food not only to be free from hunger, but, above all, to enjoy a healthy life. It is not charity, nor is it the right to free handouts. The right to food, like other human rights, is a birthright, inherent in every human being. A person does not have to do anything to deserve it.

## Human rights

First recognized in the Universal Declaration of Human Rights (UDHR) in 1948, the right to food has been gradually strengthened with the passage of measures at the international level. The 160 State Parties to the International Covenant on Economic,

*This article, by **Barbara Ekwall** ([Barbara.Ekwall@fao.org](mailto:Barbara.Ekwall@fao.org)), Co-ordinator, and **Luisa Cruz**, Legal Consultant, Right to Food Unit, FAO, is based on a presentation at a Side Event during the FAO Committee on Fisheries (COFI) meeting in Rome, March 2009*

GIULIO NAPOLITANO/FAO



A woman with dry fish in Kalmie Katanga Region, Democratic Republic of Congo.  
In ensuring the right to food, positive action needs to be taken in favour of those who are marginalized

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Social and Cultural Rights (ICESCR) have accepted the realization of the right to food as a legal obligation. This has profound implications.

For one, the right to food is not an option but rather a moral and a legal obligation for States. States Parties to the ICESCR have accepted the legal obligation to respect, protect and fulfill the right to food. By respecting the right to food, States must avoid undertaking measures that negatively affect the realization of this human right. For instance, if a State puts in place excessive taxes on fish trade, it could severely diminish the income of subsistence fishers and, therefore, affect their economic accessibility for purchasing food. The direct consequence of this type of action can result in a violation of the right to food of subsistence fishers.

Secondly, by protecting the right to food, States must prevent—by legal and other political measures—third parties such as interested private companies, for instance, from obstructing the enjoyment of people's access to food.

Finally, by fulfilling the right to food, States must facilitate and provide the right to food. To 'facilitate' means to promote the implementation of legislation, policies, strategies and programmes that are conducive to achieving the right to food for all. This comprises interventions regarding infrastructure, education, sound labour and social-security laws, and institutional mechanisms for participation, management and claims.

### Safe and nutritious food

Although the overall objective of the right to food is to reach sustainable ways for feeding oneself in dignity, when individuals are not able to access food by their own means for reasons beyond their control, States have the obligation to provide them with safe and nutritious food in order to protect them from hunger. Food assistance must be provided as a last resort in emergency situations, and it is not, as such, a final objective to be achieved.

In the implementation of these obligations, States will need to take

progressive steps to the maximum of their available resources until the full enjoyment of this human right.

With the adoption of the Right to Food Guidelines in 2004, States achieved consensus about what needs to be done in all the most relevant policy areas to make the right to adequate food a reality for all. The Guidelines comprise specific orientation, among others, on access to natural resources, education, institutions, monitoring, legislation, economic policies and food aid, and thus constitute a coherent framework to tackle the root causes of hunger.

Aiming to translate human-rights principles into concrete actions, the Guidelines complement the ICESCR and constitute a practical instrument at the national level. Fisheries is one of the sectors addressed in the Right to Food Guidelines. The most relevant recommendations relate to the access to natural resources, the participation of all stakeholders in decision-making processes, and the preferential treatment for vulnerable sectors of the population.

Regarding the access to fisheries resources, the Right to Food Guideline 8.1 calls States to “facilitate sustainable, non-discriminatory and secure access to, and utilization of, resources ...and protect the assets that are important for people’s livelihoods”.

The shift from an open-access regime to a limited access to fishing resources has often been motivated by considerations of environmental sustainability. Indeed, it is a concrete and essential measure to guarantee the availability of fish supplies in the future, and, consequently, the realization of the right to food. Limited access was introduced to tackle the severe consequences of open regimes, such as the depletion of stocks, excess harvesting, and their environmental, social and economic effects. At the same time, limited access potentially has a negative impact on the food-security situation of the poorer groups, as shown in the case of South Africa (see box). However, when properly targeted, limited fishing rights can be a step towards strengthening people’s capacity to feed themselves

in a dignified manner. It is, therefore, essential that fisheries strategies, policies, legislation and programmes pay particular attention to use rights of small-scale, subsistence and indigenous fishers. The human-rights principles of non-discrimination comes to play very strongly in this context, meaning that positive action needs to be taken in favour of those who are marginalized. A particular challenge is the empowerment of women. Transparency, accountability and the rule of law are other determinant principles for sustainable limited fishing rights. Finally, it is essential to rely on legislative and non-legislative accountability and claims provisions that ensure redress in case of human-rights violations.

Decisions in the fisheries area should provide mechanisms for engaging, in a meaningful manner, local fishing communities and other stakeholders in the formulation and implementation of policies.

## The South African Case

**T**he South African case shows the importance of having access to recourse mechanisms as a legitimate way to protect the rights of the most vulnerable sectors of the local population.

A group of 5,000 artisanal fishers in South Africa launched a class action following the adoption of the Marine Living Resources Act (MLRA) of 1998. The fishers claimed that the national authorities failed to provide them with adequate fishing rights since they were not given legal recognition as ‘artisanal fishers’ within the MLRA. They argued that the implementation of the MLRA violated their right to food as recognized in the South African constitution of 1996. A decision issued by the Court, as well as an agreement reached with national authorities, enabled the group of fishers to reach interim relief measures and initiate a negotiation process for a new fishing policy in which their condition would be changed.

The Right to Food Guideline 2.6 echoes this concern by encouraging States to “promote the participation of the poor in economic policy decisions”, and Guideline 5.4. calls on States to

**The obligation of the State to prioritize disadvantaged groups requires measures which explicitly benefit these groups or which compensate them for disadvantages suffered.**

ensure that institutions provide for “full and transparent participation of the private sector and of civil society, in particular, representatives of the groups most affected by food insecurity”. Active participation can range from consultations to the establishment of mechanisms of co-management which contribute not only to increasing participation but also to the empowerment of communities that depend on fishing activities. In this regard, access to transparent information as well as educational means for active and meaningful participation are essential conditions for the realization of the right to food in the fisheries sector. Capacity and needs assessments and evaluations are necessary to ensure that the voice of marginalized groups are heard. Legal mechanisms for participation will also enable persons and groups to use legal

institutions and procedures to defend their rights, including the right to food.

A third subject to consider when implementing the right to food in the fisheries sector is preferential treatment for the most vulnerable sectors of the population. The guiding principle of non-discrimination entails that measures do not exclude individuals or groups on the basis of race, sex, religion, language or social status, and that corrective measures should be taken to redress a violation that is taking place.

Specific positive measures in the fisheries sector can be undertaken to redress discriminatory violations. For instance, if subsistence fishers are not able to ensure their livelihoods as a consequence of the restricted access to fishing resources, targeted policies need to be put in place to redress this *de facto* discrimination. Right to Food Guideline 3.7 specifically encourages States to increase, in a sustainable manner, the productivity of the fisheries sector through the adoption of policies targeting small-scale and traditional fishers. The obligation of the State to prioritize disadvantaged groups requires measures which explicitly benefit these groups or which compensate them for disadvantages suffered. The South African case mentioned above is a tangible example for this: fishers were protected through an interim relief measure that enabled the artisanal sector to have access to fishing resources until the government had finalized its new subsistence fishing policy. Special attention needs to be given to indigenous peoples and their relation to natural resources, and to the access to opportunities and economic resources of vulnerable groups, as mentioned in Guidelines 8.1. and 8.2.

### People's welfare

A sound understanding of the linkages between the right to food and the fisheries sector is necessary in order to ensure that measures related to fisheries are truly conducive to the realization of the right to food at the national level. In the implementation of national policies, people's welfare is the final objective to reach. Thus, human-rights considerations must

IVO BALDERI/FAO



A scene from the 2nd Session of the FAO Committee on World Food Security, 2006. A sound understanding of the linkages between the right to food and the fisheries sector is necessary

GIULIO NAPOLITANO/FAO, 2008



Shrimp fishermen on the way from Sarankola to the Sundarban region in Bangladesh. Fisheries and food policies must factor in preferential treatment for vulnerable populations.

11

be an integral part of the diagnosis and the recipe addressing gaps within the fisheries sector. Focusing on the obligations of the State to respect, protect and fulfill the right to food, and on the integration of right-to-food principles in measures related to the fisheries sector, will ensure that the root causes of food insecurity are tackled. At the same time, in the design of the solution, a human-rights-based approach will ensure the promotion of economic, social and environmental sustainability, social justice and equity.

When designing and implementing strategies, policies and laws, States should concentrate their efforts in integrating and improving vulnerable people's livelihoods. In that sense, establishing concrete mechanisms facilitating active participation from civil society and the private sector is essential to define long-term strategies ensuring benefits for all. The realization of the right to food is a final objective to be achieved. It also constitutes a framework under which the fisheries sector can contribute to its progressive

realization. In the past decades, measures to eradicate hunger focused mainly on the technical aspects of food production and supply. They hardly addressed the structural, political and social root causes of hunger. By putting the integrity of every human being at the centre of political discussions, the right to food provides the missing element in today's efforts to fight hunger, including efforts in the fisheries sector. 3

#### For more



[www.fao.org/righttofood](http://www.fao.org/righttofood)

#### Right to Food

[www.un.org/en/rights/](http://www.un.org/en/rights/)

#### United Nations and Human Rights

[www.fao.org/righttofood/publi\\_01\\_en.htm](http://www.fao.org/righttofood/publi_01_en.htm)

#### Voluntary Guidelines: Right to Food

# Certifying Tunas

Only high-level awareness and continuous efforts by all stakeholders will ensure that the tuna certification scheme succeeds in conserving and managing tuna stocks

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Tunas are highly migratory species, and their conservation and management are realized through the co-operation of all countries concerned, in accordance with Article 64 of the United Nations Convention on the Law of the Sea (UNCLOS). Regional fisheries management organizations (RFMOs) have been established from region to region, and have engaged in various activities to achieve the goal of conserving and managing tunas. Do the activities of RFMOs ensure the sustainable utilization of tuna resources around the world?

The world's annual catch of tunas, which stood at around 500,000 tonnes in the 1950s, has now reached 4.5 mn tonnes. Notably, the development of super-large-scale purse-seine fishing

It is our expectation that the tuna certification scheme, explained in detail below, will function as an effective measure to solve this problem. Needless to add, fishing activities by vessels not complying with resource management measures are one of the causes of overfishing—specifically, those vessels engaged in illegal, unreported and unregulated (IUU) fishing.

Since its establishment in 2000, the Japan-based Organization for the Promotion of Responsible Tuna Fisheries (OPRT) has been striving to eliminate IUU tuna fishing vessels, with the co-operation of major tuna longline fishing organizations in the world; trade, distribution and consumer organizations in Japan; and the governments concerned (see “Tuning tuna”, *SAMUDRA Report* No.33, November 2002, page 32). The tuna certification scheme by the RFMOs has assisted us greatly in our efforts toward this goal.

During the 1990s, about 250 large-scale tuna longline fishing vessels in the world had been operating without abiding by the international resource management rules established by the RFMOs. They are what are now known as IUU tuna fishing vessels, but at that time they had been called flag-of-convenience (FOC) tuna fishing vessels. The catches by those vessels had been exported almost in their entirety to Japan, the largest *sashimi* tuna market in the world.

## Loopholes

As a result, Japan had been accused by the international community of being a country that provides loopholes to the

Since its establishment in 2000, the Japan-based Organization for the Promotion of Responsible Tuna Fisheries (OPRT) has been striving to eliminate IUU tuna fishing vessels.

vessels and fish aggregating devices (FADs) in recent years has enabled efficient catch of tunas in large quantities.

Such an expansion of the catch rate has created concerns over the sustainability of tuna resources among many people in tuna fisheries. The stock levels of some species, such as Atlantic bluefin tuna and Southern bluefin tuna, have declined conspicuously as a result of overfishing. It may not be an exaggeration to say that the most important task now facing the RFMOs is control of overfishing of tunas.

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international resource management scheme established for conservation and management of tuna resources. With a clear determination to rectify this situation, the Government of Japan and the Japanese tuna fishing industry united in their efforts to eliminate FOC tuna fishing vessels in order to establish Japan's position as a responsible tuna fishing country with a responsible tuna market.

Such FOC fishing vessels have been finally eliminated now. The clue to the success in such efforts was that tunas caught by FOC fishing vessels were shut out from the international market. Without markets, there can be no production. FOC fishing vessels were ousted from the world's oceans as the market that supported their activities disappeared; in other words, the economic incentives for activities by FOC vessels were eliminated.

The statistical documentation scheme, introduced first by the International Commission for the Conservation of Atlantic Tunas (ICCAT) and then by other RFMOs, was a model for the tuna certification scheme. Japan applied the certification scheme rigorously, grasped the actual situation of production of tunas imported to Japan, identified IUU tuna fishing vessels, and prevented entry of such catches into the Japanese market, thus succeeding in eliminating the presence of IUU fishing vessels.

Based on OPRT's experience, the tuna certification scheme is useful in that it clarifies how and where the tunas were caught. Its effective application can lead to the elimination of IUU tuna fishing vessels. What is of concern now is the possibility for fishing vessels, currently registered as legitimate vessels with each RFMO, to be turned into IUU fishing vessels.

Along with the increasingly excessive catch of tuna resources, the state of the resources is deteriorating. As a measure to hold in check this trend, the fishing regulations of the RFMOs have been tightened, with rigorous catch quotas being established. It is not easy for any country to comply with reduced catch quotas without curtailing the fishing capacity, which has already become excessive. In order to have

the catch quotas strictly complied with, a reduction of fishing capacity corresponding to the catch quotas will be an appropriate approach. In point of fact, the Government of Japan reduced the number of longline fishing vessels in Japan by 87 in March this year in order to cope with the reduction in catch quotas for Atlantic bluefin tuna and Western and Central Pacific bigeye tuna. It will be physically impossible to

**Based on OPRT's experience, the tuna certification scheme is useful in that it clarifies how and where the tunas were caught. Its effective application can lead to the elimination of IUU tuna fishing vessels.**

abide by reduced catch quotas while at the same time maintaining an excessive number of fishing vessels; if, however, the number of fishing vessels is not cut back, it would induce the occurrence of IUU fishing activities.

It is highly possible that the rigorous implementation of fishing regulations would lead to falsification of catch reports by legitimate fishing vessels registered with the RFMOs, non-reporting and falsification of tuna species caught (for example, reporting bluefin as bigeye), as well as falsification of fishing grounds (for example, reporting that tunas were caught in the Pacific although in actuality they were caught in the

BRYAN ALLISON



Inside the Tsukiji Market, Tokyo.  
Auctioneers selling deep-frozen tunas of *sashimi* grade

Atlantic). In short, there is a concern that legitimate fishing vessels may turn themselves into IUU fishing vessels. It is a well-known fact that in bluefin tuna fishing in the Eastern Atlantic and the Mediterranean, catch quotas have not been complied with, giving rise to a number of problems.

The tuna certification scheme may serve in solving these problems. However, in order for the scheme to become truly effective, it is crucial that both tuna-exporting countries and importing countries apply the scheme earnestly and seriously. Concretely, certification officers need to have the capacity to examine the accuracy of the information to be certified. Those who are in charge of certification in exporting countries are asked to examine rigorously the information supplied for certification, and are also required not only to examine the documents but also to inspect and verify, as appropriate, the data reported on the tunas actually caught.

In importing countries, on the other hand, efforts should be made to examine and analyze the catch information on certified tunas, and, in case where even a slightest suspicion exists, the management authorities should hold fast to the position of not allowing importation of the catch in question until such suspicion is dissipated. Furthermore, clear identification of fish species and fishing grounds has become possible by the progress of deoxyribonucleic acid (DNA) inspection technology. Japan has been reinforcing the use of DNA inspection systems and has been exposing cases of falsified reports. It is important for other countries to also carry out DNA inspection, where necessary, and enforce supplementary measures to make certification more accurate and objective.

### Fleet restructured

Taiwan was once subjected to ICCAT's sanction when it was exposed that Taiwanese fishing vessels that actually caught bigeye tunas in the Atlantic reported them to have been harvested in the Indian Ocean. As a result, Taiwan scrapped 160 of its large-scale tuna longline fishing vessels. After



*Sashimi-grade tunas. A certification scheme may conserve tuna stocks*

that, Taiwan restructured its tuna fisheries by establishing a responsible fisheries management system. As the Taiwanese case shows, elimination of IUU fishing vessels can be expected when such rigorous punitive measures are applied.

At any rate, in order to make the tuna certification system viable and effective, high-level awareness and continuous efforts are needed by all stakeholders who wish to ensure the sustainable use of tuna resources, which are a common property of humankind. Without such efforts, the tuna certification scheme will end up as a scheme that only compels futile paperwork.

### For more



[www.oprt.or.jp](http://www.oprt.or.jp)

**Organization for the Promotion of Responsible Tuna Fisheries**

[www.tuna-org.org](http://www.tuna-org.org)

**Tuna Regional Fishery Management Organizations (RFMOs)**

[www.iccat.int](http://www.iccat.int)

**The International Commission for the Conservation of Atlantic Tunas**

# Becoming Proactive Agents

**Galicia, in the northwest of Spain, has initiated a bottom-up implementation and shared governance scheme for marine protected areas for small-scale fisheries management**

In the northeast Atlantic coastal waters of Galicia, in northwest Spain, the bottom-up implementation of marine protected areas (MPAs), as a means to promote the sustainable co-management of small-scale fisheries alongside biodiversity conservation, was initiated in 2003, with the implementation of the Os Miñarzos MPA in Lira.

As elsewhere in the world, the future of small-scale fisheries in Galicia is uncertain and threatened by a range of interdependent factors such as the progressive decline of fishery resources due to overfishing, illegal fishing, environmental degradation and habitat loss; the increasingly fragile economic viability of small-scale fishing enterprises; fish marketing issues; abandonment of artisanal fishing activities; and the loss of local fishing cultural heritage (like traditions, architecture, boats, fishing arts, jobs and ecological knowledge). Considering the great social, economic and cultural importance of small-scale fisheries in Galicia—which in 2004 had 5,565 fishing vessels (of which 4,671 were less than 12 m in length) and 25,756 registered fishermen, out of a population of 2,750,985—it is crucial to address and revert such trends. To effectively accomplish this task, Galician fishermen must see themselves—and be seen by society and by the relevant authorities—as legitimate partners in every stage of decisionmaking related to fishery resource management, which must incorporate their needs and priorities, and value and fully utilize their experiences and ecological knowledge systems through the shared

governance of marine and coastal resources.

In this context, for small-scale fisheries management purposes, MPAs can provide an effective framework to empower resource users through shared governance arrangements, improve their quality of life, generate new socioeconomic opportunities through tourism and recreation, recognize their ecological knowledge and cultural identity, and contribute to the sustainability of small-scale fisheries and natural resources. The bottom-up

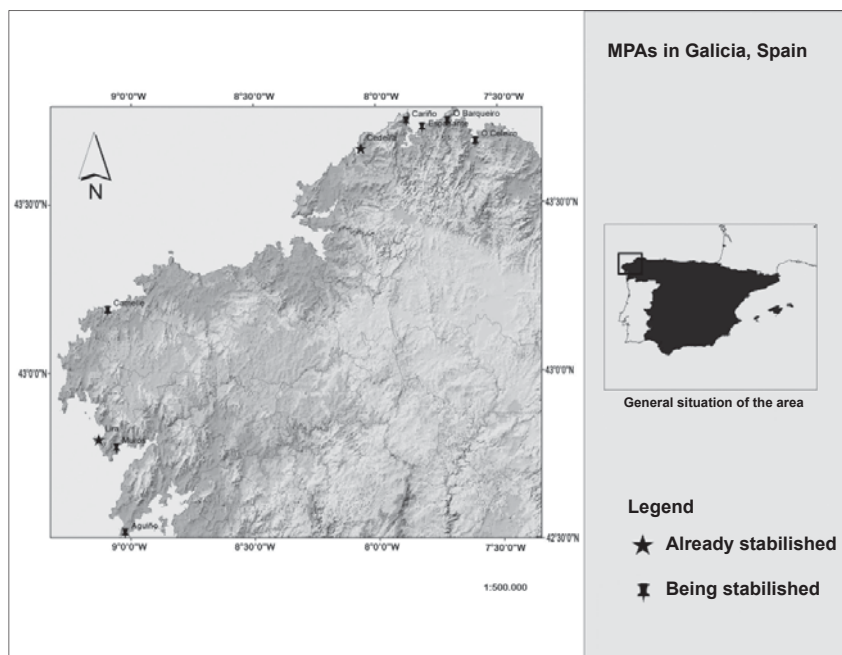
**...for small-scale fisheries management purposes MPAs can provide an effective framework to empower resource users through shared governance arrangements...**

approach arose as an alternative to the conventional top-down fisheries policies of local authorities, which failed to deliver sustainability, encouraged non-compliance among resource users, and invested substantial resources in inefficient enforcement mechanisms.

## Local fishermen's organizations

In Galicia, the implementation of MPAs for small-scale fisheries management is a process led by local fishermen's organizations. It started with a proposal by the *Cofradía de Pescadores de Lira*, based on fishermen's detailed and function-oriented knowledge about the marine ecosystems and species that they exploit. (*Cofradía* is the Spanish term for fishermen's guilds, which are traditional organizations that include all the fishermen working

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MPAs for small-scale fisheries management purposes already established or being established in Galicia

by five other initiatives—Aguíño; Muros; Camelle; Cedeira, Cariño, Espasante and O Barqueiro; and O Celeiro—all of which are currently in the design stage, including one (Cedeira, Cariño, Espasante and O Barqueiro) that is being carried out by four fishermen's organizations working together (see figure).

The MPAs for small-scale fisheries management purposes being implemented in Galicia (locally known as *Reservas Marinas de Interés Pesquero*) correspond to Category VI ("Protected area with sustainable use of natural resources") of the IUCN classification. They aim to promote the sustainable exploitation of fishery resources by balancing the social and economic needs of human communities with the maintenance of healthy and biodiverse ecosystems. Thus, these MPAs are designed and planned to preserve and restore areas of significant importance as spawning, nursery and feeding grounds for commercially valuable fish and shellfish species; promote sustainable and responsible fishing practices; generate livelihood diversification opportunities and value-addition strategies; encourage scientific research, environmental education, public awareness and recreational opportunities; and implement participatory and inclusive fishery resources management mechanisms based on socioeconomic and environmental sustainability criteria.

The bottom-up implementation of an MPA for small-scale fisheries management purposes in Galicia comprises several methodological phases, all of which are underlined by the fundamental principles of participation, legitimacy, representativeness, shared governance, and the use of traditional ecological knowledge systems.

### Transparent process

Additionally, these processes demand the use of transparent and efficient communication and information mechanisms. Therefore, to initiate such a process, it is essential to legitimate it within the fishermen's organization itself, ultimately by voting for it; to

in a certain geographical area, and have a democratic structure with two representative groups—of owners and crew—who elect an equal number of members to the executive bodies of the organizations.) The formulation of this proposal started in 2003, four years before its promulgation in 2007, technically supported by the *Fundación Lonxanet para la Pesca Sostenible*. It subsequently received the necessary financial and legal support from the Autonomous Government of Galicia ('Xunta de Galicia') for its implementation.

**The bottom-up implementation of an MPA for small-scale fisheries management purposes in Galicia comprises several methodological phases.**

The creation of the Os Miñarzos MPA in Lira generated important methodological and legal precedents that were acknowledged by the Galician government for the future implementation of such MPAs, opening the door for other fishermen's organizations to initiate similar processes. The Ría de Cedeira MPA was the second of its kind to be decreed in Galicia, on 29 January 2009, followed

elect a Committee of Representatives, which would normally include external facilitators who gather periodically to work on the MPA proposal; and to establish efficient communication and information channels among resource users to enhance their participation during the whole process. During the meetings, the Committee of Representatives starts by identifying the main features that will influence the MPA design and planning. Fishermen's experiences and traditional ecological knowledge are the major sources of information used to thoroughly characterize the area in terms of resource uses and users, threats, conflicts, most productive fishing grounds, annual fishing cycles, species life cycles, key habitats, and so on. Integrated in a geographical information system (GIS) database, this information will provide the basis for decisions on the MPA location, size, shape and zoning, and subsequently on how resources are to be used and protected. Therefore, at the end of the Design Phase (as at the end of every phase), it is very important to organize a plenary session (or a General Assembly, in this particular context) with all the fishermen to legitimize the proposal elaborated up to that point by the Committee of Representatives.

Subsequently, during the Planning and Management Phase, the Committee formulates a Preliminary Management Plan defining long-term goals, identifying and prioritizing management needs, and proposing adaptable regulatory measures to address these needs in each one of the previously identified management zones (no-take zones, special protection zones and use zones). Regulatory measures applied to use zones generally comprise restrictions on recreational and commercial fishing on the type of gear and the number of devices per vessel or fisherman, catch limits, minimum landing sizes, and seasonal closures.

The Committee will also discuss fishing rights allocation, biological and social monitoring, capacity building, performance evaluation, surveillance and enforcement, funding and self-financing, and the functioning of the

co-management body. After being subject to consensus approval in the Committee, the final proposal for the MPA must be voted for during a General Assembly, and adjusted, if necessary, in order to be submitted for government approval. In case of an affirmative feedback, the participatory formulation of the MPA establishment decree is initiated.

The Implementation and Shared Governance Phase starts with the election of the official MPA

**...at the end of the Design Phase (as at the end of every phase), it is very important to organize a plenary session (or a General Assembly, in this particular context) with all the fishermen to legitimize the proposal...**

co-management body (*Órgano de Gestión*), which will be composed of an equal number of government officials and fishermen's representatives. This body is responsible for the co-management of the MPA, elaboration of its annual operational plan, co-ordination of monitoring and enforcement activities, and for the development of internal communication channels and external communication strategies. The content of the Preliminary Management Plan should be complemented and

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Fishermen preparing the bait on a longline fishing vessel in Cedeira, Galicia, Spain. Small-scale fisheries management in Galicia is sometimes led by fishermen's organizations

ANA JESUS



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A fish auction market in Cedeira, Galicia, Spain.  
Fish marketing issues often hamper the development of small-scale fisheries

continuously reviewed, updated and adapted by the co-management body, according to the new knowledge generated by the management process itself, and by monitoring outcomes, and through continuous consultations with fishermen.

The implementation of MPAs for small-scale fisheries management purposes in Galicia is a recent phenomenon with a lot of potential to develop and strengthen. From our experience in *Fundación Lonxanet para la Pesca Sostenible*, a non-governmental organization (NGO) working directly with these processes, the effectiveness of this kind of MPAs would be reinforced by developing strategies to increase co-ordination among stakeholders, by drawing on other experiences through mutual learning processes and networking, by strengthening internal communication channels, by developing efficient external communication strategies and promoting public awareness campaigns on the importance of small-scale fisheries, by implementing efficient conflict resolution mechanisms, by strengthening the relationship between

fishermen and the government, and between fishermen and NGOs, by increasing management flexibility, and by reinforcing monitoring and evaluation processes.

Above all, it is important to bear in mind that the implementation of MPAs for small-scale fisheries management purposes involves a continuous process of social change and empowerment, with the potential of reconverting small-scale fishermen into proactive agents working towards the sustainable management of coastal and marine resources.

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#### For more



[www.mardelira.net](http://www.mardelira.net)

**Cofradía de Pescadores de Lira**

[www.fundacionlonxanet.org](http://www.fundacionlonxanet.org)

**Fundación Lonxanet para la Pesca Sostenible**

[www.recopades.org](http://www.recopades.org)

**Red de Comunidades de Pescadores Artesanales para el Desarrollo Sostenible**

# Hope for the Future

**A recent National Dialogue on Fisheries sought to shift the focus of Malaysia's forthcoming national fisheries policy to issues that concern inshore fishers**

**D**uring 28-29 April 2009, Sahabat Alam Malaysia (SAM) or Friends of the Earth Malaysia, successfully organized in Penang, a National Dialogue on Fisheries. For the first time, all the relevant stakeholders in the country's fisheries—ranging from government agencies and enforcement bodies to non-governmental organizations (NGOs), academicians and fishermen's leaders—gathered under one roof to discuss common issues.

The participants were mainly drawn from fishermen's groups in Langkawi, Kuala Perlis, Kuala Kedah, Penang, Kuala Kurau and Johor. Also in attendance were representatives from government agencies like the Malaysian Marine Enforcement Agency (APMM), the Fisheries Department, the Maritime Institute of Malaysia (MIMA) and the Marine Department, as well as NGOs like Jaringan Kerja untuk Pesisir dan Laut (JARING), the Indonesian NGO network for marine and coastal resources; the International Collective in Support of Fishworkers (ICSF); Koalisi Rakyat untuk Keadilan Perikanan (KIARA), or the People's Coalition for Fisheries Justice, Indonesia; Malaysian Nature Society (MNS) and the World Wide Fund for Nature (WWF), along with academicians from local universities.

The main objective of the dialogue was to discuss aspects of Malaysian fisheries, identify problems and weaknesses in current policies and practices, and suggest ways for sustainable and effective management of the fisheries sector. The focus was also on advocating strong and sustainable fisheries policies that emphasize the

interdependency of ecosystems and communities.

In his opening remarks to the meeting, S.M. Mohamed Idris, the president of SAM, said the major issue in the country's fisheries is overexploitation, depletion and extinction of resources. Past policy focused on growth and increase of fish landings, while neglecting issues of resource sustainability, environment

**The focus was also on advocating strong and sustainable fisheries policies that emphasize the interdependency of ecosystems and communities.**

protection and socioeconomic upliftment of the fishing community. Since 2003, the country's annual total fish landings have been exceeding the maximum sustainable yield, which is 900,000 tonnes. As a result, several species of local fishes have disappeared. Moreover, marine life habitats such as mangroves, seagrass beds and coral reefs, which are sanctuaries for the reproduction and regeneration of marine life such as fish, prawns and crabs, have been destroyed. Much of this is due to the absence of protective measures in the national fisheries policy, Idris added.

## Modern fisheries practices

He also stressed the impact of modern fisheries practices that often create conflicts between traditional fishermen and those operating trawlers. SAM is concerned about the extensive use of destructive gear that destroy the

*This article has been prepared by **Sahabat Alam Malaysia** (sam\_inquiry@yahoo.com), Penang, Malaysia*

marine habitats and, consequently, the sources of affordable protein for fishing households. The current fisheries policy encourages deep-sea fishing without prior consideration of its risks, including its potential to decimate fish stocks. Aquaculture is being promoted as a quick-fix solution to maintain a high growth rate in fisheries production, despite its several drawbacks.

Another issue, Idris pointed out, is the management of coastal and ocean spaces, which includes the physical development of coastal areas, and mining, which is a major source of pollution. The absence of a coastal zone management law has only aggravated matters. These gaps in the management, governance and welfare of Malaysia's fishing communities require urgent remedial measures, he said.

The Dialogue was then officially launched by the honorable Dato' Dr. Baharom Jani, Deputy Secretary General, Ministry of Agriculture. He lauded SAM for holding such a meeting to discuss issues in fisheries with respect to the forthcoming national policy that calls for participation from all relevant parties. Moreover, the ministry is looking forward to enhancing the effectiveness of fisheries management. While acknowledging that fish landings have contributed significantly to the

economic growth of the country, Jani said the demand for fishery products continues to rise, leading to mounting expectations on aquaculture and deep-sea fishing to meet national targets and earn export revenues, as mandated in the country's Third National Agriculture Policy. The Agriculture Ministry is also building up the research and development capacity of government agencies to rehabilitate marine habitats and tackle overexploitation of marine resources.

The third session of the Dialogue featured presentations of papers by distinguished persons from diverse backgrounds. The representative from Malaysia's Fisheries Department addressed the key issues in the gaps in policy, and provided answers to questions on marine resource depletion and vessel licensing, among other issues. The Department is aware of the problems faced by the fisheries sector. However, a greater political will is needed for any significant change to happen, especially in terms of a comprehensive and integrated management mechanism. Enforcement agencies are often overburdened with a large enforcement jurisdiction as they have to tackle the smuggling of goods, trafficking of illegitimate immigrants, encroachment into fishing zones, and other illegal fishing activities. The absence of sufficient resources and facilities is another impediment. Being newly established, APMM, the enforcement agency, is devoid of adequate infrastructure.

### Socioeconomic issues

The other important issue that was extensively discussed throughout the Dialogue was the impact of aquaculture and deep-sea fishing on the marine ecosystem and traditional fishermen. Welfare and socioeconomic issues, including those related to licensing and diesel subsidies, were hotly debated. As a national policy, aquaculture is being seen as an alternative that will offset the depletion of fisheries resources while sustaining high yields from the sector. Yet, the large and ever-increasing presence of aquaculture industries in Malaysia is causing massive destruction of

SAM



Norsalila Aris (SAM), Mohamad Shahrul Anuar (Moderator), Choo Poh Sze (WorldFish Centre) and Jamaluddin Mohamad (JARING) at the meeting

## Memorandum

*The following Memorandum was submitted to Malaysia's Minister of Agriculture and Agro-based Industry by the Malaysian Inshore Fishermen Action Network (JARING), the Penang Inshore Fishermen Welfare Association (PIFWA) and Sahabat Alam Malaysia (SAM) or Friends of the Earth Malaysia.*

The fishery industry in Malaysia is a very fast-growing one. Unfortunately, apart from advancing the growth of the industry, many of the fisheries and fishermen's issues and problems have not been tackled seriously or effectively.

The situation has raised concerns among the inshore fishermen. Hence, the Malaysian Inshore Fishermen Action Network (JARING), the Penang Inshore Fishermen Welfare Association (PIFWA) and Sahabat Alam Malaysia (SAM) or Friends of the Earth Malaysia take this issue seriously and feel obliged to raise these concerns and bring them to the attention of the Minister of Agriculture in the hope that the issue could be well resolved collaboratively.

JARING, PIFWA and SAM have outlined a few related issues that need serious attention. Among the principal issues and problems are:

Malaysia's national fisheries policy is seen to be neglecting the development and welfare of the country's inshore fishermen as its focus is more on two sectors, namely, deep-sea fishing and aquaculture, which are believed to be able to ensure that the targets of annual national fish production are met.

The expansion of aquaculture industry through high-impact aquaculture industrial zones (ZIA HIP) not only involves high costs but their effects to the environment, society and economy, especially to mangrove forests and coastal ecosystems, are also negative, and tend to increase the income gaps among inshore fishermen, thus threatening their livelihoods.

Trawl nets, and *pukat boya* or *pukat apollo* (pair-trawl net) have major negative impacts on the seabed and marine environment. Their operations have also spelt disaster for inshore fishermen. Zones were introduced to prevent conflicts between the inshore fishermen and the deep-sea fishermen. The laws, however, have not been able to resolve the issue as the deep-sea fishermen continue to encroach into Zone A, which is reserved for inshore/traditional fishermen. JARING, PIFWA and

SAM demand a total ban on this type of fishing using trawl nets and *pukat boya* or *pukat apollo*.

Destructive fishing practices and gear, which affect the ocean ecosystem, continue to exist due to the absence of specific laws against them and also due to poor enforcement of existing laws. Amongst the nets proposed to be banned or whose use should be regulated are *jaring tagan kurau*, *pukat siput retak seribu* (carpet clam nets), *pukat kisa* (boat-seine), *pukat cekam* (barrier nets), and *pukat rawa sorong* (push-nets). These fishing gear destroy the small fish and shrimps as well as the seabed.

The freeing up of licences for vessels was something long awaited by the inshore fishermen. However, there should be proper management and transparency in the process. One issue of concern is that the Fisheries Department has approved and issued licences to non-traditional fishers or recreational fishers. Moreover, the traditional fishermen, who come from a background of poor education, find it difficult to cope with the tedious licensing procedures and conditions put up by the Fisheries Department. As a result, the fishermen have lost trust in the Fisheries Department. They would rather risk going out to the sea without licences, although fully aware of the peril of being detained by the authorities for doing so.

There is need to improve the integrity of the management and enforcement authorities, who now face widespread distrust among the fishermen and the public on account of corruption and inefficiency.

Improvement in fish marketing is needed, through initiatives and incentives to encourage direct selling by fishermen via local fishery co-operatives, transparently managed by the fishermen themselves. The Ministry of Agriculture should try to reduce the functioning of middlemen in fish marketing.

Immediate actions should be taken by the Ministry to arrest the depletion of fisheries resources through an appropriate conservation policy that will seek to regenerate areas like mangrove forests, seagrass beds and marine parks.

Specifically with regard to the cockle fishery, permits should be given to local fishers and the community to harvest the cockles rather than collecting toll fees from private individuals and companies to harvest the cockles.

mangroves and coastal habitats. Official statistics show that the mangrove area in peninsular Malaysia has declined by 65 per cent between 1973 and 2004 due to development activities, including aquaculture. Seagrass beds are now found in only 81 areas, totalling 295.5 ha. Aquaculture is being promoted mainly to generate export revenues and not for local consumption needs, even

though its negative impacts are on local ecosystems.

The rampant issue of licences to fishermen, both deep-sea and traditional, has led to overexploitation of resources, destruction of marine habitats and breeding grounds, and conflicts. However, the more important matter is the lack of transparency in the issuance of these licences, and mismanagement, since bona fide

SAM



A *saman*, a traditional fishing boat in Malaysia, used by inshore fishermen operating in Zone A (up to five nautical miles). Malaysia's national fisheries policy is up for review

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fishermen claim that many of the licences go to non-fishers.

At the Dialogue there were also calls to ban trawling operations, which have historically been shown to repeatedly encroach into the inshore zone. Malaysia should follow the models of its neighbouring countries, namely, Indonesia and the Philippines, and some regions in Thailand, which have moved to ban such destructive fishing gear. There is a need for environment-friendly fishing technology to replace destructive gear. Priority should be given to traditional fishermen who are the ones who have long been practising environment-friendly methods of fishing.

The Dialogue was equally vociferous on the need to reconsider the development of the aquaculture industry through high-impact aquaculture industrial zones (ZIA HIP), and make proper assessment of the impacts on fishing communities, marine resources, mangroves and inshore ecosystems. Forest Department statistics reveal that between 1980 and 1995, almost 9,000 ha of mangrove forests have been cleared for shrimp ponds. Mangrove areas should no

longer be converted into zones for aquaculture activities, it was stressed.

Several participants said that the Fisheries Department should issue licences in a transparent manner through open and widespread dissemination of information, especially on the bona fides of applicants, thus ensuring that only genuine fishermen are entitled for permits and assistance.

The Dialogue ended with great hope for change and betterment of the lives and livelihoods of Malaysia's fishing communities.

#### For more



[www.fao.org/fishery/countrysector/FI-CP\\_MY/en](http://www.fao.org/fishery/countrysector/FI-CP_MY/en)

**Fishery and Aquaculture Country Profiles: Malaysia**

[www.foe-malaysia.org/](http://www.foe-malaysia.org/)  
**Sahabat Alam Malaysia**

# Blue Europe Turns Green

**The reform process for Europe's Common Fisheries Policy proposes stringent cuts but offers differentiated approaches to small-scale fishing**

**T**he Common Fisheries Policy (CFP) of the European Union (EU) is up for review and reform again. This once-in-ten-year event is the third such review and reform process in the history of the CFP. Created in 1983, the CFP was previously reviewed and reformed in 1992 and again in 2002. According to sources inside the Fisheries Directorate (DG Mar) of the European Commission (EC), while there is a legal obligation for such a review to be carried out, policy reform is vital given the failure of previous reform processes to establish sustainable fisheries in the EU.

Many consider the CFP to be dysfunctional. In its Green Paper on CFP Reform, DG Mar points to five main structural failings of the CFP: the inability to tackle the problems of fleet overcapacity; imprecise policy objectives; short-term decision-making focus; insufficient responsibility given to industry for the policy framework; and a lack of political will to enforce compliance.

DG Mar kicked off a public debate on the review of the CFP on 22 April with the publication of its Green Paper. The public consultation will end on 31 December 2009, by which time "all interested parties" should have commented on the questions set out in the Green Paper, along with any additional comments on the reform process.

The EC will sum up the debate by the first half of 2010 and produce conclusions on the direction of the CFP reform. An impact assessment will then be conducted and after further consultations with stakeholders, the EC will draft a proposal for a new basic regulation, which will be presented

to the Council and the European Parliament together with all other legal base proposals in the context of the new Financial Framework after 2013.

The reform process will address all aspects of the CFP, including conservation, fleet structure, markets, aquaculture, and external policy. The reform process has implications for the EU's small-scale coastal fisheries, which represent the overwhelming majority of fishermen in all EU Member States—81 per cent of the EU-25 (see box, page 26) fishing fleet is made up of vessels less than 12 m in length and 87 per cent less than 15 m. Approximately 100,000 fishers are employed as crew in such fisheries in the EU.

**The reform process will address all aspects of the CFP, including conservation, fleet structure, markets, aquaculture, and external policy.**

The reform process comes at a time of several crises in the EU's fisheries sector. Eighty per cent of fish stocks in EC waters are deemed overfished, and the fishing capacity of EU fleets exceeds the resources available by two to three times.

## **Diminishing opportunities**

Consequently, there are ever-diminishing returns to fishing, and ever-diminishing fishing opportunities, as well as a fuel crisis since most fishing operations are highly dependent on fuel, and fuel costs are escalating and there is uncertainty over future supplies, which undermines the economic basis of fishing. Additionally, the ongoing

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## John O'Brien's Misfortunes

The story of John O'Brien, a fisherman from the west of Ireland, epitomizes many of the problems faced by small-scale fishers in the European Union (EU). His story shows how the implementation of the CFP at the Member State level, and the influence of powerful lobby groups on policy processes and decisionmaking can completely undermine the fishing-based economies of small island communities, and ruin the livelihoods of fishing families.

For generations, John's family lived on the island of Inis Bo Finne (Inishbofin), a small Gaeltacht island (some 120 ha or 300 acres in area), two miles off the north coast of Donegal, with a population of around 100 islanders, many of whom spend the winter months on the mainland. The island has little year-round economic activity, and lacks good infrastructure. It was only in 2002 that running water and electricity were supplied to the island. It has no wharf or other fish-landing facility.

Over the last decade, like many others in remote coastal communities, John's fortunes have taken a turn for the worse. He is now struggling to make a living in a fishery where alternative options are being closed.

John and his predecessors, like small-scale and artisanal fishers all over the world, have respected the changing seasons and the variations that they impose on the fishery. For two summer months of the year, in June and July, the coastal salmon fishery was by far the most important source of family income for the islanders.

During the autumn and start of the winter months, a reasonable lobster fishery existed, and for the rest of the year, there was a mixed finfish fishery, including for herring and mackerel. However, the fishery for small pelagic species became non-viable for small operators like John with the advent of producer organizations and the controversial 'withdrawal pricing' schemes. These allowed bumper catches to be made irrespective of the capacity to process and market them. Fish prices collapsed; fish caught were paid for, but not used; and catches were sprayed with dye to stop them being landed and

paid for twice. Vast quantities of fish were dumped at sea, and plenty went for fishmeal production.

In 2007, the coastal salmon fishery was closed. According to John, this was due to pressure from the anglers' associations, which wanted the fishery to be managed as an inland fishery. Pressure was put on the Irish government to close the fishery, which was said to be a mixed-stock fishery, that is, fish caught off the coast of Inishbofin were destined for various rivers in Ireland, England, Wales and elsewhere. It was also argued that "the balance of national economic interest is overwhelmingly with salmon angling and not salmon netting".

Salmon fishers like John were offered compensation payments, or buyouts, which, if accepted, meant that they could never fish for salmon again. John has persistently refused to accept such compensation payments, insisting on his right to fish.

Once the salmon fishery was closed, the lobster fishery was extended year-round, and very soon became non-viable. John was then encouraged to take up crab fishing, whose main market—for live crabs—was in France. The crabs could not be kept alive and in good condition in John's vessel. What was needed was a vessel of at least 12 m (a 'crabber') to accommodate a 'vivier' system for keeping the crabs alive; an investment for such a new vessel would cost over one million Euros. John eventually decided to invest in a secondhand 12-m vivier crabber from Scotland, which pushed him beyond the 10-m threshold at which various EU regulations come into play, severely restricting his flexibility for fishing.

John and his family are now struggling to make a living from crab fishing for the French market, amidst competition from others from Ireland, Scotland, England and France. The costs of transporting live crabs to France are huge, representing about 75 per cent of gross earnings. John also has to buy bait for his crab pots.

Ironically, on a recent visit to the Isle of Houat in France, news arrived that that day's local crab catches had gone unsold.

*contd...*

global economic crisis, which is creating a scarcity of credit and other funds for investment, and is eroding consumer purchasing power, is also leading to a food-security crisis. There is a rapidly increasing gap between supply and demand for fisheries products, in a situation where over 60 per cent of EU demand for fisheries products must be met by imports. The socioeconomic crisis in fishery-dependent coastal

communities arises from the combined impact of all these other crises.

In its Green Paper, the DG Mar points out that "economic and social sustainability requires productive fish stocks and healthy marine ecosystems" and that "the economic and social viability of fisheries can only result from restoring the productivity of fish stocks". DG Mar concludes that: "ecological sustainability is, therefore,

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"That's why I want to continue catching salmon", joked John, "At least that way, you will be able to sell your crabs!"

Based as he is in Area 6, a cod recovery zone, John is not even allowed to carry any nets on his boat, or to landline caught fish, because he has no track record of catching cod. This means that he is not allowed to catch his own bait, or even to experiment with other gear for different species that may be commercial.

Like many others, John now finds himself caught in a vicious circle of ever-decreasing options. The implementation of EU policies at the national level has ruined multi-species, multi-gear fishing, based on seasonal conditions. In its place has come single-species, single-gear, year-round fishing, with consequent oversupply of markets and reduced catch per unit effort. This has shrunk earnings from fishing, and rendered largely unfeasible, fishing as a way of life and source of livelihood.

The current review of the CFP could provide an opportunity to safeguard fishing-based economies in remote communities, and help sustain and defend the livelihoods of fishers like John. In particular, the possibility of applying a "differentiated fishing regime to protect small-scale fleets", of regulating fishing activities within the 6- and 12-mile zones to favour small-scale, environmentally sustainable, and socially and economically equitable fishing practices could provide important opportunities for fishers like John.

But for this to happen, small-island and other small-scale fishery-dependent communities must organize themselves to make their voices heard collectively. This will not be easy. At the EU level, small-scale fisheries have become incorporated into monolithic professional structures, including Europeche (the association of EU fishery

LOIC JOURDAIN



John O'Brien, a fisherman from the the island of Inis Bo Finne (Inishbofin) in the west of Ireland. Small-scale fishers like O'Brien are caught in a vicious circle of ever-decreasing options

enterprises, representing shipowners) and Cogeca (agricultural co-operatives, and fisheries producer organizations, which receive the lion's share of fishing quotas), among others. In such monolithic associations, the voices of the small-scale sector are drowned by those who shout the loudest, namely, the larger-scale interests.

The European Small Island Federation (ESIN) could play an important role in this regard. ESIN is a federation of associations for small islands and archipelagos in Europe, and a forum for co-operation between member associations who work in these islands and archipelagos. There are about 1,200 small islands in ESIN, with about 343,000 inhabitants. Most have populations of fewer than 1,000, well below the threshold (4,000 to 5,000) deemed necessary to sustain the social and economic structures to support community life on islands. According to research by Eurostat, the EC's statistical agency, any island with a population of under 4,000 is likely to experience net emigration, an ageing population and inadequate provision of facilities. This makes island life highly fragile and vulnerable to changing circumstances.

a basic premise for the economic and social future of European fisheries". This will involve de-coupling social and economic objectives from the overall goal of achieving ecological sustainability.

To achieve the goal of ecological sustainability, the EC proposes that a rights- and results-based approach to fisheries management should

be adopted; an approach that will push fishing companies "to use their investments more efficiently and to eliminate their surplus capacity." It is further proposed that access to fish stocks should be linked to performance. "Rights, responsibility and accountability should, of course, go hand in hand: those who exercise responsibility in a proper and effective

## The EU by Numbers

The European Union (EU) is an economic and political union, currently comprising 27 Member States (EU-27). The EU evolved from the European Coal and Steel Community formed in 1951 by six countries. Then, in 1957, following the Treaty of Rome, the European Economic Community (EEC) was established. The EEC was subsequently enlarged to 12 Member States between 1973 and 1986, and in 1993, the EU was established by the Maastricht Treaty (EU-12).

In 1995, three new Member States joined the EU, forming the EU-15. In 2004, the EU was enlarged to 25 Member States (EU-25), and in 2007, to the current 27 Member States (EU 27).

manner should be the ones to enjoy the access to fish stocks,” notes the Green Paper.

Further, DG Mar is considering “the use of market instruments such as transferable rights in fishing” as a potentially more efficient and less expensive way to reduce overcapacity. It also notes that “such systems can be complemented with proper safeguard clauses to avoid excessive concentration of ownership or negative effects on smaller-scale fisheries and coastal communities”.

## Small-scale fisheries could play a vital role in placing EU fisheries on a more sustainable footing.

Such an approach has far-reaching implications for small-scale fisheries, where adopting a rights-based approach to fisheries management, and the use of market-based allocation mechanisms, as proposed by the EC, may lead to concentration of ownership of access rights, and put small-scale fisheries at a disadvantage. Such a free market in fishers’ rights has many implications for the equitable sharing of benefits from the fishery, particularly when the rights are leased.

The question also arises as to whose rights will be given priority when push comes to shove: Will the transferable rights of the big companies be given precedence over the rights of the small-scale sector?

Since capacity reduction became an objective of the CFP in the 1990s, the number of vessels in the EU-15 was reduced by 24 per cent (from 95,000 in 1998 to around 83,000 in 2005). But, over the same period, the fishing capacity—in kilowatt (kW) and gross tonnage (GT)—reduced by only 10-15 per cent. This implies that it was mainly the relatively smaller vessels that left the fleet.

As the small-scale fleet contributes more to employment on board, fleet reduction alone has accounted for about 40 per cent of the loss of employment on board fishing vessels. Over the period 1998 to 2003, employment on board fishing vessels in the EU-15 decreased from about 240,000 to about 190,000, that is, by 21 per cent, with the small-scale sector bearing the brunt. Planned fleet capacity reductions through CFP reform in 2012 have serious implications for employment in the sector, and steps must be taken to ensure that these cuts do not fall disproportionately on the small-scale sector. In this regard, the Green Paper highlights the need to adapt fisheries management to the requirements of the small-scale sector through “differentiated management regimes”: one for large-scale fleets, and one for “small-scale fleets in coastal communities with a focus on social objectives”.

Small-scale fisheries could play a vital role in placing EU fisheries on a more sustainable footing, and cushioning fishery-dependent communities from the economic and social consequences of the capacity reduction cuts proposed.

### Employment opportunities

If developed in the right way, this sector does have greater capacity for employment, more equitable distribution of benefits from fishing, less requirements for fuel and other inputs (with potentially less impact on the environment), and greater capacity

to adapt seasonally, annually and multi-annually to changing circumstances, economically, ecologically and socially.

But just being small does not necessarily make fishing activities more sustainable or socially equitable. As noted in the Green Paper, “many vessels are small-scale and have a limited environmental impact, but small-scale fishing can also be harmful to sensitive coastal habitats and its aggregated impact can be significant, with real consequences on the state of the stocks”. Thanks to modernization and “technological creep”, many small-scale activities should now be classified as “semi-industrial”. These operations may exert significant impacts on the environment and contribute to fish stock depletion.

Adapting fisheries management to the requirements of the small-scale sector implies that there is consensus on how small-scale fisheries are defined, or at least that there is some common understanding on the scope and scale of small-scale fishing activities. Currently, no such understanding exists at the EU level; only that vessels under 10 m in length are small in scale and, as such, are afforded special treatment and derogations to some regulations.

### CFP Policy Pillars

**T**he CFP is founded on four policy pillars that relate to: conservation of fish stocks (including conservation measures, total allowable catches and quotas, and technical measures); structure of the fishing fleet; organization of markets; and the external dimension of EU fisheries (fishing in distant waters and international dimensions of fisheries governance, including RFMOs, etc.).

In 2002, for the first time ever, the EU adopted a strategy for the sustainable development of EU aquaculture. Increasingly, aquaculture is becoming a fifth dimension in the policy framework of the CFP. All these aspects of the CFP are included in the current review and reform process leading up to a ‘new’ reformed CFP in 2013.



A punt fisherman in Árainn Mhór, the second largest island in Ireland. Small-scale fisheries can cushion fishery-dependent communities from economic and social hardships

It is, therefore, vital that small-scale fishing interests engage in the CFP review and reform processes to ensure that the criteria used to define small-scale fishing are based on appropriate logic. Such logic should transcend physical size and fishing capacity, and should explicitly incorporate the economic and social linkages that make small-scale fishing so vital to the economies, social fabric and cultural traditions of coastal communities.

In this regard, it is crucial that the review and reform process also considers the role of women in fisheries, and in the wider social and economic contexts of the EU’s fishery-dependent coastal communities. Women play a vital, though often hidden or invisible, role in the fishery production and post-harvest processes in European fisheries. At one level, they may be wives and mothers of fishermen, but they are also physically, economically and socially engaged in providing inputs for fishing, fish processing and fish vending and marketing, and in the administration of small fishery enterprises. Currently, no explicit attention has been given to the role of women in the Green Paper process. This absence needs to be addressed. The consultation process also needs to listen to, and heed, their voices.

Representatives from small-island and other communities should stress the sustainability of their operations (in terms of gear selectivity, fuel efficiency,

CORNELIE QUIST



Traditional women shellfish collectors in Cambados, Galicia, Spain.  
Small-scale fishing is vital to the economies, social fabric and cultural traditions of coastal communities

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low impact on the environment, and so on), and equity (in terms of distribution of economic benefits, employment and food to small-island and remote communities). The sector needs to demonstrate that it is the most appropriate model for sustaining the economies, food supplies and social fabric of coastal communities.

Policymakers must take note of the special characteristics that make the small-scale sector the most appropriate for sustaining the economies, food supplies and social fabric of coastal communities.

Long experience with “fisheries management from Brussels” has left many small-scale fishers cynical about the possibilities for change, or that they will be given a fair hearing in the CFP reform process.

#### For more



[http://ec.europa.eu/fisheries/cfp\\_en.htm](http://ec.europa.eu/fisheries/cfp_en.htm)

#### About the CFP

[http://ec.europa.eu/fisheries/cfp/2002\\_reform\\_en.htm](http://ec.europa.eu/fisheries/cfp/2002_reform_en.htm)

#### The 2002 Review of the CFP

[http://ec.europa.eu/fisheries/cfp/review\\_en.htm](http://ec.europa.eu/fisheries/cfp/review_en.htm)

#### The Current Review of the CFP

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0163:FIN:EN:PDF>

#### The Green Paper on the Reform of the CFP

[www.fif.ie/news.htm](http://www.fif.ie/news.htm)

**Federation of Irish Fishermen**

# Lights, Camera, Action!

The making of the Indonesian film, titled '*Peujroh Laot*', shows how modern media can be used to revive customary practices in fisheries resource management

The *Panglima Laot* ('Commander of the Sea', in the Acehese dialect) has been the customary institution that has regulated and managed the coastal fishery of the Indonesian province of Aceh. However, in the period following the December 2004 Indian Ocean tsunami and with the opening up of Aceh to new democratic influences, several factors have combined to weaken the role of the *Panglima Laot*. Many of the older *Panglima Laot* died during the tsunami. The new incumbents, who were quickly elected to take the place of their departed leaders, were not fully cognizant of their roles and responsibilities or the procedures to be adopted for conflict resolution. The recent strengthening of the State has also led to greater interference and takeover of the role of conflict resolution in the sea, at times by the police and the navy, and at other times, by the Fisheries Department.

It is important that conflicts over resource and space be settled quickly and effectively if co-management of the fishery is to succeed. In the case of Aceh, this would imply that we need to reaffirm the role of the *Panglima Laot* in continuing to do what they did in the pre-tsunami period. How can this be done most effectively? Traditional advocacy and awareness-raising media tools like brochures, posters, talks, and discussions between the *Panglima Laot* and the State authorities are possible. However, given the general influence of the medium of cinema in Aceh, the use of a film to drive home the role and importance of the institution of the *Panglima Laot* would perhaps be more appropriate.

That realization was the driving force behind the idea to make the film titled '*Peujroh Laot*' (meaning 'Sustain the Sea' in Acehese). First mooted by the Food and Agriculture Organization of the United Nations (FAO)/UN's American Red Cross-funded project in Aceh, the idea of cinema as the apt medium to document the customary and traditional knowledge of the fishers of Aceh came about as a result of collective brainstorming in the group.

Once the medium of cinema was selected, the choice was between making a customary educational

**...the idea of cinema as the apt medium to document the customary and traditional knowledge of the fishers of Aceh came about as a result of collective brainstorming...**

documentary and a more 'popular' film with a good storyline, believably arresting characterization and a strong message. From discussions and reviews of existing documentaries, it became apparent that the latter option would be more acceptable to the audiences in Aceh and elsewhere in Indonesia. A conventional documentary approach would have been viewed as mere 'preaching', while a storytelling approach, laced with humour and romance, would have been closer to the lives and hearts of the common folk of entertainment-starved Aceh.

## History and development

A researcher who had been working closely with the *Panglima Laot* on its history and development was

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commissioned to write the script for the film. When they were shown the final script, Eumpang Breuh (Sack of Rice) Foundation, the well-known Acehese comic film group set up by actors from the poorer, rural sections of the community, was so impressed that

**Produced in Acehese, the film draws heavily on the humour and the idiom of the coastal population of the region.**

they readily agreed to take up *Peujroh Laot* as the seventh production in their series of very popular and commercially successful films.

The storyline of *Peujroh Laot* takes off from a conflict between two groups in a fishing village over the netting of a shoal of fish. One group sights the shoal and stakes a 'claim' to it by using the customary signal of waving caps. In fact, however, the other group, which is faster in manoeuvring their boat, actually reaches the fishing ground first, encircles the shoal and hauls the fish on board. A conflict erupts around the question: Who has the right to the earnings from the fish catch—the group that caught the fish or the group that first sighted it? Or both?

The film's script seeks to establish that there is an inherent process within the customary rules of the *Panglima Laot* for settling such conflicts. However, the awareness of this mechanism is not widespread. The *Panglima Laot* has special customary court procedures to mete out speedy justice in a manner that does not create animosity or rancour. The film depicts the court procedures involved, and highlights the role and significance of the *Panglima Laot* in the fishery, and the legal and cultural landscape of Aceh.

In the process of the story's unfolding, several messages about responsible fisheries, care for the coastal environment, the good practices that have to be adopted for fish processing, and the importance of co-management, among other issues, are also communicated. The cultural practices of Aceh and the religious significance of protection of marine resources are also showcased.

As a strategy to make the production process more participatory, the producer and the director of the film agreed to call for screen tests, numerous local people who were involved in the *Panglima Laot*, in the fisheries and in the community, including staff from the navy, the police and FAO.

Produced in Acehese, the film draws heavily on the humour and the idiom of the coastal population of the region. Stylistically, the film is the inevitably delectable mishmash of romance, comedy and Bollywood-style songs so greatly appreciated in Aceh. Little wonder then that the film had a huge appeal. Yet, because of the fact that it was set in the context of the larger backdrop of the fishery conflict and its resolution, the film's kitschy style actually served to create greater recall of its message.

### Discouraging piracy

In order to discourage piracy of the film video, a marketing strategy was devised that ensured greater monetary returns and wider distribution of the film—and hence its message. Rights were granted to the Eumpang Breuh Foundation to produce and sell additional copies of the film, provided they made no change to its contents. They could sell each

JOHN KURIEN



A love song sequence from the Indonesian film, *Peujroh Laot*. The film depicts the role and significance of the *Panglima Laot* in the fishery, and the legal and cultural landscape of Aceh

## *Panglima Laot: A Unique Institution*

Ever since the devastating Indian Ocean tsunami of 26 December 2004, the popular customary institution in the northern Indonesian province of Aceh known as *Panglima Laot* has gained new recognition by the government, and local, national and international non-governmental organizations (NGOs). *Panglima Laot*, which translates as "sea commanders", is a customary social institution that organizes the nature and modality of fishing in the sea. It is not just a regulatory body, but also a system of leadership for the fishermen community in Aceh.

The origins of *Panglima Laot* can be traced to the reign of Sultan Iskandar Muda (1590-1636), the famous twelfth sultan of the Islamic Kingdom of Aceh. During that era, the main duties of the *Panglima Laot* were to collect tax from those arriving at the harbour and to mobilize the local men, especially fishermen, for warfare.

The history of *Panglima Laot* is replete with interesting incidents. The celebrated traveler from Morocco, Ibn Battuta is said to have had to first meet the *Panglima Laot* before he could meet the reigning sultan. The great Acehnese *ulema* (religious leader), Syaikh Abdul Rauf, needed permission from the *Panglima Laot* to make his home in the river mouth of Syiah Kuala.

Sultan Iskandar Muda is said to have ordered the *Panglima Laot* to provide fish to Marco Polo while he waited in Aceh for six months for favourable winds to take his fleet back to Europe. Incidentally, on that journey Marco Polo was taking along with him the Chinese princess Co-Ca-Chin, from Kublai Khan's Mongolia, to be given in marriage to King Arghun Khan of Persia.

After Indonesia's independence on 17 August 1945, *Panglima Laot's* mandate shifted to organizing fishing in Aceh's coastal areas, and solving the conflicts that took place at sea among fishermen. Each *Panglima Laot* had his own independent base called a *lhok* (bay), which is a socio-ecological unit in which there is usually a *kuala* (river mouth) and a *dermaga* (boat docking centre). In 1982, in Langsa, the capital of East Aceh, a congress for the entire *Panglima Laot* was held. That resulted in the establishment of the District *Panglima Laot* (*Panglima Laot Kabupaten*). This institution used the traditional adat (customary law) court to solve the conflict between two *lhoks* that they could not solve themselves.

In 2000, at another *Panglima Laot* congress, attended by all the *lhok* sea commanders, held on the island of Sabang in Aceh, the provincial *Panglima Laot*, named *Panglima Laot Aceh*, was established. This institution was meant to co-ordinate the *hukom adat laot* (traditional marine law), to liaise between fishermen and the government, and to advocate for a marine and fisheries policy, including legislation, which would advance the prosperity of Aceh's fishing community.

*Panglima Laot Aceh* played an important role in the post-tsunami recovery and reconstruction phase. It co-operated with international donors such as the United States Agency for International Development (USAID) and the United Nations Development Programme (UNDP). In 2007, the *Panglima Laot* collaborated with the Food and Agriculture Organization of the United Nations (FAO) to run a fisheries co-management programme. In 2008, *Panglima Laot* also became a member of the World Forum of Fisher Peoples (WFFP).

In 2008, after the Helsinki Declaration, which brought peace to Aceh after three decades of conflict with the central government, *Panglima Laot* gained official legal recognition as one of the legitimate customary institutions in Aceh.

In sum, the *Panglima Laot*:

- regulates fishing and days at sea, as well as revenue sharing;
- settles conflicts and disputes among fishermen;
- co-ordinates and implements the customary law, thus enhancing the region's fisheries resource base; and
- advocates for a marine and fisheries policy that will increase the all-round prosperity of Aceh's fishing community.

As the customary repository of leadership for Aceh's fishing community, as the key liaison between the government and the community, and as a partner in the sustainable development of the region's marine and fisheries sector, the *Panglima Laot* plays a very important and strategic role in the province, and can serve as an example, for traditional fishing communities elsewhere, of community-based natural resource management.

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FAO-ARC



5,000 copies of the film were distributed free in Aceh. Overall, retail sales have crossed 20,000 copies

of these videos at IDR15,000, which was IDR 5,000 below the retail market price (US\$1 = approx. IDR10,000). This lower retail price was stamped on the video cover to prevent retailers from cheating customers. From the sales revenue generated, the Foundation would give IDR1,000 per video to the Panglima Laot to fund their own awareness campaigns. The remainder was to be used by the Foundation for fostering arts, acting and dramatic skills among the youth in Aceh.

Shot in different locations in Aceh between January and March 2009, *Peujroh Laot* premiered in Banda Aceh on 6 April 2009 in a coastal settlement. Five thousand copies were distributed free along the coastal districts of Aceh through community motivators and the *Panglima Laot*. Sales of the commercial version of the film, which had exactly the same content, and was titled *Panglima Laot*, began at 6 pm on the same day. By 8 April, all 5,000 copies had been sold out.

By the end of April, the video shops in Banda Aceh had no stocks left. Overall, retail sales have crossed 20,000 copies. This is evident from the IDR20 mn that was paid to the *Panglima Laot* as per the agreement. Factoring in the public distribution, the unit cost of the film to the FAO project would probably work out to only around US\$1 per video. There are reports of the film being viewed by the Acehnese diaspora in Malaysia, and it is regularly demanded for viewing on the long-distance buses plying between Banda Aceh and Medan.

### Survey results

An impact assessment survey of about 600 persons along the west and north coasts of Aceh found that about 88 per cent had seen the film. Most men watched the movie in the coffee shops (Aceh has no movie theatres) and most women on their home television sets. On average, each person viewed the film thrice. Some respondents reported seeing it over 15 times. Over 90 per cent of the

respondents have watched the earlier movies of the Eumpang Breuh Foundation, and 55 per cent rate this film as being better than the Foundation's earlier films. As many as 96 per cent recalled the key message of the movie—that conflict in fishery should be first solved by the *adat* (customary law) court. Ninety per cent of the men and 60 per cent of the women in the fishing communities interviewed said that the movie related very closely to the reality of their lives. In the non-fishing communities, this percentage was only about 30 and 25, respectively.

The participatory process of making the film, its commercial success and the fact that its key message was well understood by the viewers provide a good example of how contemporary media can be effectively used to propagate the good aspects of customary institutions in sustainable fisheries management.

### For more



[http://en.wikipedia.org/wiki/Panglima\\_La%C3%B4t](http://en.wikipedia.org/wiki/Panglima_La%C3%B4t)

#### Panglima Laot: from Wikipedia

<http://hendrasiry.wordpress.com/2009/04/09/film-on-indonesian-customary-marine-law-premiered-by-fao/>  
**Film on Indonesian Customary Marine Law Premiered by FAO**

[http://74.125.153.132/search?q=cache:uZq9IHrjKlgJ:www.icsf.net/icsf2006/uploads/resources/usefulDocs/docs/english/%253C1178366644302%253Eadli\\_pl.ppt+Panglima+Laot&cd=1&hl=en&ct=clnk](http://74.125.153.132/search?q=cache:uZq9IHrjKlgJ:www.icsf.net/icsf2006/uploads/resources/usefulDocs/docs/english/%253C1178366644302%253Eadli_pl.ppt+Panglima+Laot&cd=1&hl=en&ct=clnk)

#### Who is Panglima Laot?

[www.panglima.net](http://www.panglima.net)  
**Lembaga Hukum Adat Panglima Laot** (in Bahasa)

# The Thievery of Fish

**Two veterans from West Africa discuss how fisheries agreements with the European Union ought to evolve, in the light of the ongoing review of the Common Fisheries Policy**

In April 2009, the European Union (EU) initiated the third review and reform process in the history of its Common Fisheries Policy (CFP). A public consultation this year will feed into a reform process over the next three years. Following that, and based on a proposal from the European Commission (EC), the European Parliament and the Council will then decide on a new 'basic regulation', that is, a new CFP, in 2013.

The International Fishing Policy represents one of four policy pillars of the CFP under review. The policy includes the management of EU fleets in distant (third-country and international) waters, and covers the EU's engagement in international fisheries policy forums, such as the regional fisheries management organizations (RFMOs). Fisheries agreements with African, Caribbean and Pacific (ACP) and other third countries are, therefore, also under review.

The last CFP reform in 2002 led to a transition from the more commercial-style 'pay, fish and go' fisheries agreements to 'fisheries partnership agreements' (FPAs). FPAs strive to adopt a more comprehensive and co-operative approach with the aim of "strengthening partner countries' capacity to ensure sustainable fisheries in their own waters".

Under the current review, the EC is taking the opportunity to see how the FPAs can be improved, including in ways that promote good governance and development in the partner country, and lessen the financial burden on EU taxpayers. The EC is also

giving consideration to "the promotion of aquaculture development in third countries and to increase business opportunities for EU aquaculture firms, in the framework of the external dimension of the CFP".

In the following section, two seasoned veterans from West Africa, who have witnessed firsthand the effect of EU international fishing policy in their respective countries, give their views on how EU fisheries

**Under the current review, the European Commission is taking the opportunity to see how the fisheries partnership agreements can be improved.**

relations should be conducted in the future, particularly on how fisheries agreements between EU and West Africa need to evolve.

Abou Bangoura (AB) is Fisheries Adviser to the Prime Minister of the Republic of Guinea, and El Hadj Dao Gaye (DG) is President of the Senegalese artisanal fishing sector organization, CONIPAS. Bangoura has participated in many fisheries-agreement negotiations with distant-water fishing nations. El Hadj Dao Gaye was the first artisanal fisherman to have attended a fisheries-agreement negotiation between Senegal and the EU in 1994.

## FPA protocols

**AB:** Even if we have just signed a new FPA protocol with the EU, primarily for tuna fishing, it is important both for us and for the other ACP countries, to

*This article is an edited version of a conversation recorded by **Béatrice Gorez** (cffa.cape@scarlet.be), Co-ordinator, CFFA, for the bimonthly fisheries news report, Agritrade, June 2009*

think about how we would like these agreements to evolve. I must also point out that the EU is not the only foreign fishing power with which we sign agreements. We also have an agreement with China, but which has not, up to now, been renegotiated. It seems to me that today our people have the overall perception that we get few benefits from these agreements with foreign countries, including with the EU.

I will give you an example concerning Guinea. A particular cause of the riots of January 2007, which led the government to prohibit the export of basic staples, including fishery products, was the high price of basic food products. And the most expensive item in the Guinean housewife's shopping basket is fish. Meanwhile, we had a fisheries agreement with the EU, with a provision for local landings to supply our markets. But the infrastructure required to conserve the fish, as well as fish from the artisanal sector, a crucial supplier for local markets, is non-existent. Consequently, the implementation of that provision from the fisheries agreement did not have the anticipated results. People find it inconceivable that they should sell access to their fish resources to foreigners when there is a scarcity of fish on the local market, and whatever fish is available is both expensive and of bad quality. For me, this example highlights the need for a real partnership that

should be centred on the development needs in our countries and should envisage how the EU can help us fulfil these needs.

**DG:** Since 2006 we have not had a fisheries agreement in Senegal. Yet, the impact of the EU fleets on food security for our people remains a pertinent issue. The fish we find on our plates, especially of those of the poorest, are the small pelagics, particularly sardinella. We know that giant European trawlers are catching sardinella off the Mauritanian and Moroccan coasts, thanks to their fisheries agreements with those countries. But, as these small pelagic stocks are shared among our countries, we are also affected. The sardinella caught in Morocco or in Mauritania, within the framework of the agreements with the EU, will never reach the Senegalese artisanal fishermen's nets. Today, what worries us is that the catch quotas of large European trawlers for their own waters have been drastically reduced. To compensate for that, they will now search for greater fishing possibilities off west Africa. If that happens, there will inevitably be negative impacts on our artisanal fishing activities.

**AB:** There is a real choice here before our governments because, if I am not mistaken, the large European trawlers that fish for small pelagics unload part of their catches in west Africa, where the market demand for fish is great. A better option for our governments to ensure supplies for local markets may be to reserve this fishery for European trawlers as they are able to land good-quality raw material—frozen fish—rather than leave the fish for the artisanal sector, which, because of infrastructural problems, is not able to offer the same quality of product.

### Food security

**DG:** For us, food security is something that depends first and foremost on the state of our resources. If the sardinella stocks are overexploited in west Africa, I don't see how that will contribute to reinforcing food security. Thanks to the Sub-Regional Fisheries Committee (SRFC), and particularly its project

ROMAIN LE BLEIS/ PÊCHE ET DÉVELOPPEMENT



Sekou (left) and Mohamed, teenagers helping out with the fishing in Guinea Conakry. Fisheries agreements between the EU and West Africa should promote sustainable fisheries

## CFP Reform: Issues for Developing Countries An NGO Perspective

With its increasing dependence on fish from third countries, including developing countries, to supply its markets, and with one of the largest long-distance fishing fleets in the world, the EU, through its fisheries policy, has important impacts on developing countries' fisheries. There is no doubt that the process initiated to review and reform the CFP will also affect developing countries.

As for the future of EU-ACP fisheries relations, the Coalition for Fair Fisheries Arrangements (CFFA) insists that the EU should propose to developing countries a framework for fisheries governance that establishes an open dialogue, with the participation of civil society, on how sustainable fisheries can be promoted in the partner countries. This should be on the basis of the third country's priorities for the sector, in terms of fisheries management, but also in terms of food security, support for integrated coastal communities' development, value-added processing, and regional/international trade operations.

This framework should mobilize the necessary funding to achieve these priorities but should no longer pay for EU fleet access. This requires good co-ordination among the various EU services dealing with third countries' fisheries issues (fisheries and maritime policy, development co-operation, sanitary aspects, etc.).

Access costs to third countries' waters within such a framework should be fully paid for by EU boatowners. Access for EU boatowners should be restricted to those operators who can demonstrate that their operations fit with EU sustainable fisheries development criteria, as jointly defined by the two parties (such as the use of selective gear, history of compliance with legislation, the number and quality of jobs created, whether the fish caught is destined for human consumption, etc.) and where there is no competition with the local small-scale sector, which should be given priority access.

Looking at the EU fish markets and the future of ACP-EU fish trade, CFFA feels that, in a global context of decreasing fish resources, it is important to ensure that fishermen, in developing countries as well as in Europe, receive a fair price for their fish, so that they can catch less, and contribute to the establishment of sustainable fisheries, while enjoying decent working and living conditions. There is, therefore, a need for a fundamental change of the European consumer's approach to fish consumption, to become compatible with a model of fishing that is environmentally and socioeconomically sustainable, and which promotes lower volumes of catches and better prices for fishermen. In short, consumers should eat high-quality products and pay a fair price, even if it means they eat less fish.

An important condition for higher prices for fishermen is for them to get better organized and informed about markets and prices. In Europe, a price-monitoring agency, combined with producers' organizations, could influence prices. Particular attention should be paid on how to organize the dialogue between the producers and big retailers, who are highly organized and tend to impose low prices on the producers.

Such a situation, where fishermen do not receive a fair price for their fish, also exists in the third countries where the EU has partnerships, either through EPAs or FPAs. In granting support to these third countries for promoting sustainable fisheries, trade-related aspects should be included.

—Extracts from CFFA's preliminary comments on the European Commission's  
Green Paper for the reform of the European Common Fisheries Policy



A woman in Bongolon, Guinea, standing in front of an inactive surveillance boat. West African nations need more monitoring, control and surveillance mechanisms

on the sustainable management of small pelagics, we now know that the regional sardinella stocks are showing signs of overexploitation. We find this very disturbing, since these stocks fluctuate a lot from one year to another, according to climatic conditions. When bad conditions make sardinella scarce, and, at the same time, the fishing efforts of the EU fleet increase, the nets of Senegalese artisanal fishers are likely to remain empty of sardinella. That will not only directly affect our incomes but also supplies to the local markets. Moreover, while it is true that these trawlers now supply certain west African markets, tomorrow they may go elsewhere if it is more profitable for them. However, we, artisanal fishers from Senegal, will always be here to feed our people.

**AB:** I completely share your views about the role of the artisanal fishing sector in supplying local markets. In Guinea, the relations between the coastal communities and the interior of the country are very important and dynamic. Women from the fishing sector process and sell fish products far inland. Some undertake trips of several hundred kilometres, and bring back other food products, such as shea butter.

There is a real flow of commerce, which helps create bonds between the various communities and groups in our country. As I conceive it, the role of the State and the EU as a partner in fisheries is to help formalize and improve the conditions under which these commercial flows happen, both inside the country and within the larger region, for example, by improving the infrastructure for fish conservation and processing and transport. It seems that can be done within the framework of the regional economic partnership agreements (EPAs), but it would be also important to find a mechanism to ensure that our bilateral fisheries agreements with the EU are complementary. We must also make great efforts to harmonize the access conditions offered under the fisheries agreements with various foreign countries, and also make them conform to Guinean legal provisions.

#### **Partnership agreements**

**DG:** Our professional artisanal fishing organizations have discussed these partnership agreements, including EPAs and FPAs. But when we are at sea, we find boats of European origin operating there, outside of any of these agreements, which raises many questions for us. In Senegal, most of our

resources are overexploited, and our professional organizations are taking initiatives to rationalize the sector, through the introduction of fishing permits, registration of *pirogues*, and so on. But our fishermen wonder why they should reduce their own fishing efforts, when foreign trawlers can engage in unsustainable fishing because the authorities turn a blind eye to it. How is it that although our authorities decreed a freeze of the fishing effort in 2006 for coastal fisheries, today, when there is no longer a fisheries agreement between Senegal and the EU, there are twice as many trawlers of European origin in our waters as in 2006?

These trawlers are supposedly 'Senegalized'. But what do they bring to Senegal? Their captains are Spanish, the fish they catch goes to Spain, and they directly compete with our *pirogues* in the fishing zones. Even if they do create some jobs, how many others do they destroy in our sector? Really, there is a major problem of transparency in how access to our resources is granted.

**AB:** Indeed, there must be the greatest degree of transparency in the way we implement our fisheries policies, especially concerning access to resources, and the allocation of fishing licences, in particular. That also could be a topic for the partnership with the EU. The EU should make proposals on this matter, and not wash its hands off the issue of transparency and good governance by citing the sovereignty of third countries. You know, there is now an initiative to improve transparency for the exploitation of mining resources in our country. Well, I think the EU should contribute to launching a similar initiative for the management of fishery resources. I am persuaded that our populations and our governments are ready to discuss a formal framework to improve transparency in the exploitation of our fishery resources.

**DG:** Greater transparency will also help us fight illegal, unreported and unregulated (IUU) fishing. True, we need more monitoring, control and surveillance (MCS) mechanisms, but it is also the absence of political will—in

our coastal States as well as in foreign fishing States—that explains why the fish thieves can act with impunity. Some of our States which, by day, strongly advocate fighting against IUU fishing are the same ones that, by night, behave like true 'countries of convenience', giving asylum to boats that they cannot control and that contribute to the plundering of our fish, to the detriment of our fishermen and our populations.

**AB:** On this issue, an important component, introduced in recent years into our fisheries agreement protocol with the EU, is the support for improving the MCS capacities of our countries. For example, in Guinea, we were provided with a surveillance boat. Coupled with an initiative for greater transparency, these efforts could improve fisheries governance, and benefit our populations.

**DG:** Of course, that is why we view with interest the new European regulation to fight IUU fishing. If this regulation is applied without penalizing the trade of products legally caught by the artisanal fishing sector, it could help fight the fish thieves. But for that, it is necessary that we are closely associated with the implementation of the European regulation. For this, as for other issues, the voices of professional fishers should be heard, and their experiences included in the dialogue between our countries and the EU.

At the end of 2008, with colleagues of eight other west African countries, we decided to set up a confederation of west African artisanal fishing sector professionals. One of our objectives is to become a mouthpiece, as well as a source of proposals, for the implementation of sustainable fisheries in our region.

We believe that if people in the EU are serious when they say they want to support sustainable fishing in our countries, it will be necessary that the partnerships that they propose—FPAs, EPAs—are rooted in the participation of our coastal communities, and in a guarantee that our people are properly informed about the issues at stake within these partnerships.

#### For more



<http://agritrade.cta.int/index.php/en/Fisheries>

#### Agritrade

[http://ec.europa.eu/fisheries/reform/index\\_en.htm](http://ec.europa.eu/fisheries/reform/index_en.htm)

#### The CFP Reform Subsite

[http://ec.europa.eu/fisheries/reform/consultation\\_en.htm](http://ec.europa.eu/fisheries/reform/consultation_en.htm)

#### Consultation on CFP Reform – Have Your Say

# Starry, Starry Night

An innate knowledge of astronomy among the traditional fishers of the southwest coast of India has, for generations, helped them in their fishing activities

Coming from a fishing family in Kerala, in the southwest coast of India, I have naturally been attached to the sea and the folklore of fishers, which is now on the brink of extinction. For the past six years, I have been collecting examples of such folklore, with the help of student friends from 'Friends of Marine Life', a group based in Kerala.

Although labouring from *kattumarams* (the traditional three-log catamarans used by small-scale artisanal fishers of south India—

The traditional fishers of southern Kerala have relied on planets, stars and constellations to tell time, to navigate, fish and locate offshore reefs. While fishing at sea, the non-motorized traditional fishers of the region, who employ hooks-and-line or driftnet fishing gear, still rely mainly on observation of planets and stellar positions to tell time at night.

The setting of *Chottu-velli* (Venus), the rise of *Vidia-veli* (also Venus) and the position of *Mulakka-meen* (Belt of Orion), for instance, are all markers of time. The fishers believe the rise of *Malaya-meen* (Spica) or the setting of *Ara-meen* (Pleiades) influences the movement of fish, and is an important determinant in the deployment of fishing gear. Traditional fishers still rely on *Kappal-veli* (Ursa Major), *Kurisu-veli* (Southern Crux) or *Mulakka-meen* (Belt of Orion) to navigate. Further, they rely on *Kania-veli* (Pole Star) to determine the position of reefs.

In southern Kerala, soon after sunset, *Chottu-veli*, or Venus, is visible for two to three hours on the western horizon from May to August. Fishers believe fish migrate, and forage, in the bright light of this 'white giant'; hence the brief hours, when *Chottu-veli* is up in the sky, are deemed favourable for fishing. The setting of *Chottu-veli* (which literally means 'dinner star') also marks the fishers' dinner time at sea.

## Morning star

*Vidia-veli* ('morning star') is also Venus, but this time, visible in the east before daybreak during the same season. The time between the sighting of this planet and sunrise is also considered

The traditional fishers of southern Kerala have relied on planets, stars and constellations to tell time, to navigate, fish and locate offshore reefs.

Ed.), traditional fishers of southwest India have detailed knowledge about sea-bottom topography, and have developed techniques to accurately return to fishing reefs, again and again. The traditional knowledge of fishers encompasses knowledge about the sea, its turbidity, currents, waves and the movement of fish. It also extends to interesting facets of astronomy.

The United Nations General Assembly has declared the year 2009 as the International Year of Astronomy. What do traditional fishing communities of southwest India know about astronomy, and how has this knowledge been used in their fishing activities? What are their beliefs about astronomy?

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conducive for a type of fishing called *kavar-achil* especially for *kannan para* (*Alectis indicus* or Indian threadfish).

In the traditional knowledge of the fishers, *chottu-velli* and *vidia-velli*, although they refer to the same planet, Venus, are considered separate stars, also called *sandhya nakshatram* ('evening star') and *prabhata nakshatram* ('morning star'), respectively, in Malayalam, the language of Kerala.

Lift-net fishers of southern Kerala believe the position of *ara-meen* or Pleiades (visible to them during October to February) has a significant influence on tides, and on the availability of *mada-meen*, or reef fish such as *kora* (*Protonibea diacanthus* or black-spotted croaker), *parava* (*Alectis indicus* or Indian threadfish), *chilavu* (*Sphyaena jello* or banded barracuda) and *mural* (*Hemiramphus far* or blackbarred halfbeak). They time their fishing trips in such a manner as to reach fishing reefs when Pleiades is visible just overhead. Fishers believe the light emitted from Pleiades, which is 630

light-years from Earth, does influence the movement of fish.

*Malaya-meen*, the star Spica, visible from January to March, has the most unique influence on fishing, according to the fishers of southern Kerala. It also assists in sailing because the rise of *Malaya-meen* coincides with the onset of the land breeze. It helps hook-and-line fishers launch their sail-based *kattumarams* to reach their fishing grounds. When *Malaya-meen* rises, fishes migrate landward, and *vice versa* when it sets in the west, the fishers believe. Ray fish, in particular, take the bait during the rise of *Malaya-meen*. Similarly, net fishers find *kiri-meen* (*Amblygaster clupeioides* or sharpnose sardine) available during this time.

The traditional fishers of Kerala imagine the sky to be a gigantic dial, with certain stars functioning as the moving hands of the clock, indicating the time at night. The fishers have a keen visual sense of the distance between stars, and their positions, which are used to tell time more or less accurately while they work at night under a clear sky.

P. ROBERT



Artisanal fishermen in a *kattumaram*, a traditional craft, off the coast of Trivandrum, Kerala, India. The traditional knowledge of south Indian fishers extends to interesting facets of celestial astronomy

SIFFS



Small-scale artisanal fishermen with a four-log *kattumaram* at Valiyathura, Kerala, India. Fishermen like these rely on the position of stars for navigation and determining time

The position of *Uli-uli-kol* (which literally means a ‘measuring rod’) or *Mulakka-meen*, the Belt of Orion, in the middle sky (from November to March) plays an important role in navigating between offshore reefs and the shore, as well as for determining time while fishing at sea. Fishers also rely on *Kappal-velli* (literally, ‘ship star’), Ursa Major, seen in the northern sky during the months of March to September, and *Kurisu-velli*, Southern Crux, seen in the southern sky, again during March to September, and *Erana-velli*, Sirius, for navigation during November to March.

*Kania-velli*, or the Pole Star, sited in the far north throughout the year, has an entirely different role for the reef fishers of southwest India. The star is visible to the naked eye only from the shore or beyond in the seaward direction. Reef fishers triangulate the position of different fishing reefs in relation to *Kania-velli* and landmarks. This traditional system of locating reefs using the triangulation technique is called *kanicham*.

### Spring tide

Finally, how do the southwest fishers using *kattumaram* view Earth’s moon? The spring tide evokes mixed feelings since bigger waves during the spring tide make it difficult to launch *kattumarams*. Moreover, in the moonlight, migratory fish avoid fishing gear, the fishers believe.

However, the story is different as far as *koru-kanava*, or squid, and different

species of reef fish are concerned. Different species of squid are believed to aggregate in offshore reefs to lay eggs during the days just before the full moon, and to remain there for a fortnight until the eggs are hatched. During moonlit nights, fishers catch squid from such reefs.

Apart from squid, other different species of fish that forage in reefs are also caught during moonlit nights. Fishers would, during that time, stay overnight, fishing in these reefs. This fishing practice is called *thangal* or ‘stay’ fishing. The fishers expect a good catch in lunar months, when the moon is tilted towards the south at the beginning of the lunar phase. Also, crabs, cuttlefish and clams, the fishers believe, are meaty during the waning phase of the moon, and lean during the waxing phase of the moon.

How should we regard these astronomical beliefs of the traditional fishers of southern Kerala? Do stars, planets and the earth’s moon really influence the movement of fish and fish catches? Such knowledge exists not only in Kerala, but also wherever there is traditional fishing. It is up to the community of astronomers to examine the scientific basis of these beliefs of traditional fishing communities, and to gauge their relevance for a better understanding of fish migration, and conservation and management of marine fish stocks.

### For more



[http://en.wikipedia.org/wiki/Celestial\\_navigation](http://en.wikipedia.org/wiki/Celestial_navigation)

### Celestial Navigation

[http://en.wikipedia.org/wiki/Navigational\\_stars](http://en.wikipedia.org/wiki/Navigational_stars)

### Navigational Stars

[www.cbd.int/tk](http://www.cbd.int/tk)

### Traditional Knowledge Information Portal

# Pitiful Plunder

The social, environmental and economic destruction that results from the plunder of land in Bangladesh by the shrimp industry is pitiful

**A**round half a million acres (203,071 ha) of Bangladesh are inundated by shrimp farms. Almost half of these are located in the Greater Khulna region, comprising Khulna, Bagerhat and Satkhira Districts, with the remaining spread over Bhola, Noakhali and Cox's Bazaar Districts.

The easy availability of farmland in these poor southern districts and the lure of quick profits initially motivated farmers to shift from traditional agriculture to industrial shrimp cultivation. Successive governments and the shrimp industry associations have extolled the great benefits and money that the shrimp industry brings to the nation. Shrimp farming is the second-largest earner of foreign exchange in Bangladesh.

Long-term inundation of saline water and the extensive use of chemical fertilizers, pesticides and insecticides in shrimp cultivation have significantly diminished the fertility of the soil. Non-shrimp areas too are affected: the yields of most of the crops grown in the shrimp districts have declined drastically. The yields of wheat, jute and sugarcane have met with a similar fate. Fruit trees and vegetable gardens have gradually disappeared. Traditional practices like kitchen gardening, poultry and livestock rearing have waned where shrimp farms flourish. The lack of grazing land and fodder, and widespread, contagious cattle diseases arising from saline water have reduced the numbers of livestock. Cow dung, which is used both for manuring and as a household fuel, is now in short supply.

The salinity in the soil has totally destroyed the habitat for earthworms, which are 'natural farmers'. Shrimp-processing industries drain their

production wastes into the rivers and other natural water bodies and, consequently, pollute the natural ecosystems in the areas. Wildlife like snakes, birds, lizards and mice have vanished from the affected areas.

Prior to shrimp cultivation, sweet-water fish like *rui* or *rohu* (*Labeo rohita*), *katla* (*Catla catla*) and *koi* (*Anabas testudineus*) were found in abundance in these areas. Cultivation of fish in homestead ponds has now become impossible due to the salinity of groundwater.

**Prior to shrimp cultivation, sweet-water fish were found in abundance.**

The nets used to catch shrimp fry are very fine-meshed and, consequently, their use depletes fish stocks: fry collectors retain the shrimp larvae while discarding the rest, dead. The harvest of shrimp seedlings from nature is considered to be very harmful for the marine environment and is banned in many countries. The practice is rampant in Bangladesh—wild shrimp fry is more resistant to virus attacks compared to its hatchery counterpart.

## Mangroves destroyed

Several types of reeds, grasses and weeds, like *durba*, *baju*, *thankuni* and aquatic plants like *kachuripana*, have completely disappeared due to the high salt content of water and soil. Thousands of hectares of mangrove forests have been cleared to make way for shrimp farms. The destruction of the Chokoria Sunderban, a unique

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mangrove patch in Chokoria Thana of Cox's Bazaar District, stands as a testimony to the severe consequence of shrimp cultivation. Mangrove forests control flooding, preserve water quality and protect shorelines from storms and erosion. Arguably, the physical impact of Cyclones Sidr and Aila would have been less had the mangrove forests been left standing.

The nature of work in shrimp farms requires workers to stand for long periods in stagnant, saline water, which results in skin ailments and infections.

People draw water from unsafe drinking water sources, due to the acute shortage of safe drinking water. Even the water from deep tube wells in most areas is too saline for drinking. As a result, cases of diarrhoea and dysentery in the local population have increased. Childhood malnutrition may have become more prevalent due to the lower yield of local varieties of paddy and the impoverishment of marginal and landless farmers.

The social costs have been equally devastating. According to a recent report, as many as 70 per cent of the shrimp fields in the greater Khulna District are owned or controlled by outsiders; 20 per cent by local rich landowners; and the remaining 10 per cent by small and marginal farmers. Local farmers and landowners fall

prey to the shrimp mafia and end up leasing or renting out their land at very low rates. Some lands are forcibly seized. Often the government *khas* land, allotted to poor landless farmers, is grabbed by the local shrimp mafia. Protests are countered with false lawsuits, death threats and violence by hired goons. Under such pressure, marginal farmers are often forced to sell their lands and migrate to urban areas to seek a livelihood.

In essence, the growth of the shrimp industry has been made possible by systematic and organized intimidation, fear and the violence perpetrated by powerful shrimp farmers and businessmen. While there has been much concern voiced by civil society organizations, there has been very little government intervention of significance to regulate the sector and prevent the grave social and environmental abuses that are synonymous with it.

The highly profitable export of shrimp in Bangladesh has hit major economic setbacks in recent years for a number of reasons. In 2009, the European Union countries imposed a trade embargo on shrimp from Bangladesh, when harmful levels of the antibiotic nitrofurans were detected in 50 consignments exported from Bangladesh. The global economic recession has brought about a dip in the demand for shrimp as a result of which the price of shrimp in the United States and European countries has fallen by 40 to 45 per cent. The use of low-cost Indian and Burmese shrimp seedlings, which are of much inferior quality and are easily afflicted by virus attacks, has lowered yields and reduced quality, and subsequently fetches lower profits. The PCR laboratory set up by the government to detect shrimp viruses, at a cost of Taka 1 crore (US\$145,096), has not been able to function effectively. As a result, only 52 out of the 84 government-approved shrimp-processing companies are in operation. The rest have temporarily closed due to the lack of orders from importing nations.

### Cyclone Aila

Further complicating matters, the recent cyclonic storm Aila washed away

NATASHA AHMAD/ASIA



Women and men of fishing communities protesting against the shrimp industry in Bangladesh. Many believe that aquaculture and shrimp farms have ruined their lives

50 to 55 per cent of shrimp enclosures, especially in Bagerhat, with the loss estimated at over TK 150 crore (US\$22 mn). The shrimp cultivators are now in a dire situation, with the additional burden of bank loans taken in the hope of a boost in production this year. The sector was just in the process of recovery from the heavy blow from Cyclone Sidr in 2007. The farmers are now expecting help from the government in the form of low-interest loans and speedy repairs of ravaged embankments to guard against tidal waters.

A large number of the labourers in shrimp-processing activities are women and children. The majority of these women are single mothers who are now helpless as there is no alternative source of livelihood in these areas. As a result, they struggle to scrape together the minimal subsistence income. A coalition of different shrimp workers' organizations in Khulna District is spearheading a movement to demand basic rights for shrimp-processing labourers. In spite of being such a large economic sector, a minimum wage for shrimp-processing labourers has not been standardized. The workers now demand a minimum wage of Tk 7,450 (US\$108) per month as against the current scale between Tk 1,600 and Tk 4,000 (US\$23 and 58), based on skills and experience. They are also demanding overtime pay for their 12 hour-a-day input. The demands also included appointment letters, maternity leave, congenial working environment for all, including the children involved, and medical compensation. The benefits of shrimp cultivation accrue to a privileged few, while its high socioeconomic and environmental costs are borne by landless and marginal farmers.

In a sign of the bad times afflicting the shrimp sector, disillusioned shrimp farmers, especially those in the Dakope, Paikgacha and Batiyagacha areas of Khulna District, are reverting to the cultivation of paddy and other crops. However, this has not been without problems. The high salinity of the soil, delayed rainfall and lack of adequate amounts of freshwater required for paddy cultivation, has hit the yield of *boro* paddy in Khulna this year. Opening

sluice gates to allow saline water into arable land is banned by law. However, unscrupulous shrimp cultivators continue this practice with impunity. The return to paddy farming by shrimp farmers has also been hampered by the lack of knowledge of paddy cultivation among the new generation of farmers who have been engaged in shrimp

### A large number of the labourers in shrimp-processing activities are women and children.

cultivation for the last 20 years or so. It is this new generation of paddy farmers who, in association with some non-governmental organizations (NGOs) and the Agricultural Department are trying to raise awareness against shrimp cultivation. They are hopeful of better yields in the coming years, in the expectation that the salinity in the soil will lessen with rainwater and repeated cultivation of crops.

The economic justification for shrimp cultivation will cease to exist if a comprehensive cost-benefit analysis is carried out. The reported annual revenue of around US\$ 360 mn is pitiful compensation for the social, environmental and economic holocaust that the shrimp industry has perpetrated.

The local community in Bangladesh believes that this 'rape-and-run' industry has ruined their lives, taken away their livelihoods and left them with no food or drinking water. The dream of profit has left them with nothing in hand. The local community is now coming together to gain control over their lost lands. The local political leaders have joined them in this movement but the local administration is still working for the rich gher owners. The situation in these areas is very tense but the people are hopeful that they will be able to win this battle and return to agriculture again.

#### For more



[www.idrc.ca/en/ev-5533-201-1-DO\\_TOPIC.html](http://www.idrc.ca/en/ev-5533-201-1-DO_TOPIC.html)

#### Shrimp Culture in Bangladesh

[www.fao.org/fishery/countrysector/naso\\_bangladesh/en](http://www.fao.org/fishery/countrysector/naso_bangladesh/en)

#### FAO's National Aquaculture Overview for Bangladesh

[www.usaid.gov/bd/files/gendered\\_analysis\\_shrimp.pdf](http://www.usaid.gov/bd/files/gendered_analysis_shrimp.pdf)

#### Gendered Approach to Shrimp Culture

[www.usaid.gov/our\\_work/cross-cutting\\_programs/wid/pubs/Bangladesh\\_Shrimp\\_Value\\_Chain\\_Feb\\_2006.pdf](http://www.usaid.gov/our_work/cross-cutting_programs/wid/pubs/Bangladesh_Shrimp_Value_Chain_Feb_2006.pdf)

#### A Pro-poor Analysis of the Shrimp Sector in Bangladesh

<http://asia-solidarity.org/>  
Asia Solidarity against Industrial Aquaculture (ASIA)

# A People's Perspective

The tenth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea called for sustainable development of the oceans and seas

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The United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS) was established in 1999 by the United Nations General Assembly (UNGA) to facilitate the annual review of developments in ocean affairs and to suggest particular issues to be considered by UNGA, with an emphasis on areas that require co-ordination and co-operation at the inter-governmental and inter-agency

**ICSF highlighted the importance of recognizing small-scale fisheries as the model for fisheries in the entire exclusive economic zone.**

levels. The meetings are open to all States, and inter-governmental and non-governmental organizations (NGOs). UNICPOLOS, or its shorter version, Informal Consultative Process (ICP), meets for one week each year. Through the organization of discussion panels, UNICPOLOS also receives inputs from representatives of the major groups, as identified in Agenda 21.

The International Collective in Support of Fishworkers (ICSF) has been invited twice to speak on the discussion panels, first in 2005 at ICP-6, on small-scale fisheries and sustainable development, and then in 2009 at ICP-10, on sustainable development of oceans and seas from a people's perspective. ICP-10 focused its discussions on reviewing the

achievements and shortcomings of its first nine meetings.

At the 2005 panel discussion, ICSF highlighted the importance of recognizing small-scale fisheries as the model for fisheries in the entire exclusive economic zone (EEZ). In 2009, however, the focus was on reaffirming the social and human dimensions of sustainable development of the oceans and seas, and the need to seek, in this context, greater coherence between measures for integrated management of ocean resources and the UN human rights instruments. ICSF also argued for greater protection of the social pillar of sustainable development (see box on ICSF's presentation).

ICSF brought to the attention of UNGA the deliberations at the Global Conference on Small-scale Fisheries in October 2008, in Bangkok, and the preparatory processes of civil society organizations, including ICSF and the World Forum of Fisher Peoples (WFFP), towards that conference.

## ICSF presentation

During discussions after the ICSF presentation, Brazil, South Africa and Sudan, on behalf of the Group of 77, and Sweden, on behalf of the European Union, commented on the presentation. Brazil said the presentation "highlighted an area conspicuously absent" during the previous ICP meetings. Maria Teresa Mesquita Pessoa, Minister Plenipotentiary, who spoke on behalf of Brazil, said the social dimensions of sustainable development of oceans and seas has been lacking in the ICP deliberations, and demanded a

*This report was written  
by **Sebastian Mathew**  
([icsf@icsf.net](mailto:icsf@icsf.net)), Programme Adviser, ICSF*

review of the ICP mandate to bring in that dimension.

Sweden welcomed the role of civil society participation in the ICP meetings, and, on behalf of EU, sought inputs on how ICP processes can more effectively address sustainable development goals, especially those related to the social dimensions of sustainable development.

Amanuel Yoanes Ajawin of Sudan, on behalf of the Group of 77, welcomed the panel presentation and sought greater emphasis on sustainable development and the Millennium Development Goals at the ICP process.

Dire David Tladi, on behalf of South Africa, welcomed the presentation and highlighted “the need to reclaim social dimensions of sustainable development” at the ICP, and sought an in-depth discussion to arrive at a common understanding of sustainable development of the oceans

and seas. In the advance, unedited text of the report to UNGA on the work of UNICPOLOS at its Tenth Meeting, prepared by Paul Badji of Senegal and Don MacKay of New Zealand, Co-chairpersons of ICP-10, paragraph 27 reads: “The question of whether the Consultative Process should address issues related to human rights, including ownership of resources in the marine environment, was raised by several delegations. In this context, it was noted that a greater focus on social dimensions and human rights would also enhance stakeholders’ involvement, especially in coastal communities. This could be achieved with a greater focus on co-operation and co-ordination, not only at the global level, but also at the national level, by ensuring that all relevant national authorities and other stakeholders participated in the integrated management of oceans and seas.”

INTERNATIONAL INSTITUTE FOR SUSTAINABLE DEVELOPMENT (IISD)



Opening and exchange of views session at the Tenth Meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS), 17-19 June 2009, in New York

## Presentation: Social and Human Aspects of Ocean Development

The broad range of issues discussed by the Consultative Process during its first nine meetings has included topics of interest to small-scale artisanal fishworkers, such as responsible fisheries and illegal, unreported and unregulated (IUU) fisheries; the economic and social impacts of marine pollution and degradation in coastal areas; fisheries and their contribution to sustainable development; and maritime security and safety. There is, however, a great interest among small-scale artisanal fishworkers to see, at the Consultative Process and at the General Assembly, a better recognition of the social and human dimensions of sustainable development of the oceans and seas.

At the Global Conference on Small-Scale Fisheries, co-organized by the Food and Agriculture Organization of the United Nations (FAO) and the Government of Thailand, in Bangkok in October 2008, and at several preparatory meetings organized by the International Collective in Support of Fishworkers (ICSF), in partnership with the World Forum of Fisher Peoples (WFFP) and other civil society partners in Asia, Africa and Latin America, small-scale artisanal fishworkers were of the view that fisheries resources should be responsibly shared towards the greater benefit of all fishing communities.

Small-scale artisanal fishers consider that responsible and sustainable fisheries can be assured only if human development and human rights of fishing communities are secured, including the right to decent work and labour standards. Small-scale artisanal fishworkers further believe that human rights are indivisible and that the development of responsible and sustainable fisheries is possible only if their political, civil, social, economic and cultural rights are addressed in an integrated manner.

Small-scale artisanal fishworkers recognize the importance of developing a coherent management framework and the importance of establishing effective inter-agency mechanisms for coastal and marine areas in a consultative and participatory manner, taking into account the economic, social and environmental dimensions of fisheries, including the impacts of climate change.

Although co-ordination and co-operation at different levels are recognized as crucial for conservation and sustainable development of ocean resources, and their integrated management, *how to* achieve such co-ordination and co-operation still remains a formidable challenge. Excessive political and economic power, for instance, wielded by some sectors exploiting marine and coastal space, against too little power and influence wielded by sectors such as small-scale artisanal fisheries, leads to the latter having to unfairly bear a larger share of blame for degradation of marine ecosystems.

Small-scale artisanal fishworkers also become victims of environmentally damaging activities of other resource users, such as industrial aquaculture, tourism and industrial fishing, mining and other polluting activities. They also sometimes

become victims of biodiversity/fisheries conservation and management measures. This happens when they are forced out of their traditional fishing grounds by the creation of marine and coastal protected areas without their active participation, or when conservation programmes to protect certain flagship species are thrust upon them, without their prior consent.

Co-ordination and co-operation mechanisms, therefore, should protect the social pillar of sustainable development, and ensure that the burden of environmental degradation caused by powerful sectors is not shifted to weaker and less organized ones. These mechanisms should further ensure accountability proportional to the impact of different sectors on marine and coastal ecosystems, and implement conservation and management measures, in consultation with indigenous, small-scale artisanal fishworkers and their communities.

In this context, disadvantaged sections of coastal communities, including women, need stronger support and representation in all decision-making bodies and should be afforded a say in regulating coastal and marine activities that have an impact on their lives and livelihoods.

Further, in relation to fisheries and habitat protection, there should be recognition of bottom-up processes to adapt conservation and management legislation and policy to local conditions. Such processes should also have the scope to recognize local governance structures, and use of traditional knowledge that might have strong in-built equity principles. Major groups such as non-governmental organizations and trade unions can play an effective role in facilitating such processes. Their views can be sought in attempts to enhance inter-agency co-ordination and co-operation.

Ensuring human development and protecting human rights that uphold human dignity and well-being can help generate greater ownership, particularly amongst fishing communities, to conservation and management measures. Inter-agency co-ordination mechanisms should, therefore, rope in agencies, such as those in health, education, and rural development, which deal with social aspects of sustainable development, especially of small-scale artisanal fishing communities.

In the long run, the central goal of sustainable development of the oceans and seas should be to create conditions whereby coastal communities, including men, women and children, enjoy their human rights, including improved working and living conditions. Protecting human rights need not, thus, only be a means to an end, but it can be an end in itself.

The objective of greater co-ordination and co-operation for implementing conservation and management measures should extend to seeking greater coherence between these measures and, *inter alia*, the Universal Declaration of Human Rights, the United Nations International Covenant on Economic, Social and Cultural Rights, the United Nations International Covenant

*contd...*

R. MESSORI/FAO



Fishers in Oman. Fisheries and habitat protection policies should be tailored to local conditions and traditional knowledge

...contd

on Civil and Political Rights, the United Nations Convention on the Elimination of Discrimination Against Women, and the United Nations Declaration on the Rights of Indigenous Peoples. This is a crucial missing link in the current approach to sustainable development that needs to be quickly established.

We, therefore, urge the Consultative Process to suggest to the General Assembly to adopt a resolution to reaffirm the social and human dimension of sustainable development of the oceans and seas and, in this context, to seek greater coherence between measures for integrated management of ocean resources with the human-rights instruments. Restoring a balance between the economic, social and environmental

dimensions of sustainable development may lead to effective action being taken at the national level to follow up General Assembly resolutions and the outcomes of the Consultative Process, particularly in relation to fisheries and the marine habitat.

—*This Presentation was made at a Discussion Panel at the Tenth Meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS), 17-19 June 2009, in New York, by Sebastian Mathew on behalf of the International Collective in Support of Fishworkers (ICSF)*

#### For more



[www.un.org/depts/los/consultative\\_process/consultative\\_process.htm](http://www.un.org/depts/los/consultative_process/consultative_process.htm)

**United Nations Open-ended Informal Consultative Process**

<http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/64/66&Lang=E>

**UN Report of the Secretary General to the General Assembly**

[www.ohchr.org/EN/Pages/WelcomePage.aspx](http://www.ohchr.org/EN/Pages/WelcomePage.aspx)

**Office of the High Commissioner for Human Rights**

# Remembering Chris

Francis T. Christy, Jr. (1926 – 2009)

Fisheries economist, social scientist, photographer, flyfisher, compassionate human

Christy, who was born on 4 November 1926 and died on 19 June 2009 at Washington, D.C., leaves behind his wife, Barbara Cleveland, and children, Catherine, Susannah and Sam

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**T**he passing away of Francis T. Christy, Jr. draws a curtain on the earthly life of a man who was a true scholar, a great humanist, resource economist, photographer and friend of fishers.

His working life spanned over six decades, and included pathbreaking work at the Resources for the Future Institute and the Food and Agriculture Organization of the United Nations (FAO) on fisheries resource economics, property rights and subsidies. Christy then went on to document people's

he was ever willing to change long and dearly held perceptions.

Chris, as he was known to his friends, was a great inspiration in my professional life. I am so proud that I had the unique opportunity of knowing him well and being one of his close friends. I had read much of his writings before I first met him. That was during his first visit to my home State of Kerala, in south India, in the early 1980s. That visit had been organized by Rolf Willmann who was then working in the FAO Bay of Bengal Programme in Chennai, in the neighbouring State of Tamil Nadu. That encounter, I believe, changed both our perspectives on fisheries. Chris got a unique insight into small-scale fisheries during that visit and has always acknowledged this fact in many of his subsequent writings. I got my first perspective into the issue of rights, which he was so passionately propagating in those days.

**Christy's working life was marked by a lack of fear of making paradigm shifts if the reality which he confronted warranted such action.**

lives as a photojournalist. He was marked by a lack of fear of making paradigm shifts if the reality which he confronted warranted such action. His transition from being probably the first fisheries economist to propose the idea of individual quotas in fishing to one who questioned their relevance in small-scale fisheries in the developing countries is a case in point. His keen understanding of econometrics did not sway him away from immediate empathy with real-life situations, which could not be so neatly presented. He viewed these as challenges that ought to be squarely faced, and, if needed,

## Fishworkers conference

Later, in Rome in July 1984, when I was instrumental in putting together the first International Conference in Support of Fishworkers, held in parallel to FAO's World Conference on Fisheries Management and Development, Chris was a tacit supporter of that alternative conference that highlighted the central role of "small people" in fisheries. I still recall the day in Rome during that fisher people's conference when we had organized a fishers' cultural festival at the Piazza Novona. It was after office

*This remembrance comes from*  
**John Kurien** (*kurien.john@gmail.com*),  
Member, ICSF

hours. I was on the podium, which was erected near the fountain, introducing the Indian delegation. In the distance, I saw Chris mingling in the large crowd that had gathered to hear the music and watch the multi-coloured costumes of fishers from around the world. A while later, I slowly sneaked up behind him and poked my fingers into his ribs, exclaiming, "I caught you spying for the FAO!" He turned around abruptly. Seeing me, he burst into his characteristic laugh, muffled only by his grizzly beard!

Later, in 2000, he donated a large portion of his collection of books and journals to the library of the Centre for Development Studies in Trivandrum, Kerala, where I was then working. That was a great gesture.

Chris continues to inspire. His writings will continue to be re-interpreted. His concern for fisherfolk in the small-scale sector and their rights continues to be a topic of great concern. His memory will live on. People like me, who came to know him well as an economist and as a great human being, will always feel his real presence in our midst. 3



NICO VAN DOORN

A true scholar, a great humanist, resource economist, photographer and friend of fishers, Francis T. Christy, Jr. continues to inspire through his writings

### In Christy's Words

There is not, however, a general understanding that the condition of open-access is the fundamental source of the problems. This is due, in part, to the conventional Western approaches to fisheries management that emphasize the welfare of the fish rather than the fishermen and which seek to preserve catch levels rather than economic returns.

—from *Common Property Rights: An Alternative to ITQs*

To a considerable extent in the past, the problems of fisheries in the South were exacerbated by misguided and damaging development projects from the North. This was due to two deficiencies in development aid: (a) an almost total lack of understanding of the special characteristics of the nature of fisheries, and (b) an insensitivity to the organization of the social customs and cultural mores of local fishing communities. The North has subsequently learned something more about the former factor but has responded generally by throwing up its hands and doing nothing, because it has not figured out how to provide the continuity of attention that is necessary. There are also some improvements with regard to the latter factor. In both cases, the North has much to learn from the South if it is to provide useful aid to the South on fishery.

—from a personal email communication to John Kurien, reproduced in *People and the Sea: A Tropical-majority Perspective*, First MARE Lecture, Amsterdam, 2001

For more



[www.imariba.com](http://www.imariba.com)  
**Imariba Photos**

## TRADE AND ENVIRONMENT

### WTO and UNEP launch report on trade and climate change

The report on "Trade and Climate Change" published by the World Trade Organization (WTO) and the United Nations Environment Programme (UNEP) examines the intersections between trade and climate change from four perspectives: the science of climate change; economics; multilateral efforts to tackle climate change; and national climate change policies and their effect on trade.

The scientific evidence is now clear that the Earth's climate system is warming as a result of greenhouse gas emissions which are still increasing worldwide, and will continue to increase over the coming decades unless there are significant changes to current laws, policies and actions. Although freer trade could lead to increased CO<sub>2</sub> emissions as a result of raising economic activity, it can also help alleviate climate change, for instance by increasing the diffusion of mitigation technologies.

The global economy is expected to be affected by climate change. Sectors such as agriculture, forestry, fisheries, tourism and transport infrastructure which are critical for developing countries are more specifically affected. These impacts will often have implications for trade.

For more, see [http://www.wto.org/english/news\\_e/pres09\\_e/pr559\\_e.htm](http://www.wto.org/english/news_e/pres09_e/pr559_e.htm)

## RESEARCH ARTICLE

### Management effectiveness of the world's marine fisheries

Mora C, Myers RA, Coll M, Libralato S, Pitcher TJ, et al. (2009). Management Effectiveness of the World's Marine Fisheries. *PLoS Biol* 7(6): e1000131. doi:10.1371/journal.pbio.1000131

The research article reports on a survey on the management effectiveness of the world's fisheries. It found that only 7 per cent of all coastal States in the world carried out rigorous assessments of the stocks and ecosystem effects of fishing, 1.2 per cent also have transparent and participatory political processes to convert scientific recommendations into policy, and less than 1 per cent also provide for an efficient process for the enforcement of regulations. Policy transparency was the prime factor determining fisheries sustainability, while in non-transparent systems, subsidies also had an additional significant toll on sustainability. In 33 per cent of the poorest countries in the world, mostly countries in Africa, Asia and the Pacific, most of their commercial fishing is carried out by the fleets of the European Union, Japan, China, South Korea, Taiwan and the United States.

The paper, published in the *Journal PlosBiology*, is free and can be located at: <http://www.plosbiology.org/article/info%3Adoi%2F10.1371%2Fjournal.pbio.1000131>



## BUZZWORDS

As the ecosystem approach to fisheries gains currency, and fisheries managers increasingly turn to tools like marine protected areas (MPAs) and private ownership of fisheries, a new discourse is emerging in the world of fisheries. A sampling of fashionable terminology, which some have labelled "linguistic scam" and "doublespeak":

COZ	= comprehensive ocean zoning
DAP	= dedicated access privilege
EAF	= ecosystem approach to fisheries
EAM	= ecosystem approach to management
EBFM	= ecosystem-based fisheries management
EBM	= ecosystem-based management
IFQ	= individual fishery quota (used particularly in Alaskan fisheries)
ITQ	= individual transferable quota
LAPP	= limited access privilege programme (also known as 'catch share')
MSP	= marine spatial planning

## ORGANIZATIONAL PROFILE

### KIARA

### Koalisi Rakyat untuk Keadilan Perikanan (People's Coalition for Fisheries Justice)

KIARA was established in 2003 as a non-profit non-governmental organization, initiated by civil society organizations likely WALHI – Friends of the Earth Indonesia, Bina Desa, Federasi Serikat Nelayan Nusantara (FSNN) and individuals concerned with the marine and fisheries sector. KIARA is committed to strengthening the lives and livelihoods of fisherfolk and fishing communities in the coastal areas of the archipelagic State of Indonesia, which consists of around 17,000 islands.

KIARA's advocacy work focuses on four areas: (1) Women and Fisheries; (2) Shrimp and Aquaculture; (3) Trade and Fisheries; and (4) Community-based Coastal Resources Management (CBCRM). Though primarily concerned with domestic matters, KIARA realizes that due to globalized trade flows, there is also a need to look into the agenda of trade liberalization in the fisheries sector.

A specific focus is the Indonesia-Japan Economic Partnership Agreement (JEPA), which became effective 1 July 2008, and under which as many as 311 fishery products from Indonesia will be eligible for 0 – 15 per cent import tariff into Japan. KIARA believes that the State must

- recognize and protect traditional fishing grounds;
- secure general rights for fisherfolk as

enjoyed by other citizens, and secure particular rights for traditional fishers, namely, the right to fish, to build on traditional practices, to avail of insurance

and social security protection, and the right to manage their fisheries;

- understand the value and significance of traditional fishery activities, including the role of women; and
- work towards resource sustainability in production, prioritizing domestic consumption needs over export considerations.

For more details: [www.kiara.or.id](http://www.kiara.or.id)



EXCERPTS

# Trade in fish and fishery products

From the *World Food Outlook: Global Market Analysis*, Food and Agriculture Organization of the United Nations (FAO):

## Global fish trade

According to the FAO statistics (2009), the estimated value of exports of fish and fishery products was US\$98 bn, while in terms of quantity (live weight), it was 52 million tonnes. In terms of value, there was a 1.5 per cent decrease from that of 2008 (US\$99.5 bn), and 0.1 per cent decline in terms of quantity (52.6).

The global fish trade with imports topped US\$100 bn for the first time in 2008, with China confirming its position as the dominant exporter, and Japan regaining its top position among fish importers, helped by a stronger yen. Prospects for 2009 are dominated by overriding concerns over the impacts of the economic crisis on demand and prices. Sales are sluggish in all major markets and prices and margins are under pressure for most seafood products. The only exception is for species facing tight supply situations due to lower catching quotas or production problems in aquaculture.

## Per capita consumption

The per capita food fish consumption in 2008 is estimated at 16.9 kg, unchanged from the previous year, of which 8.5 kg came from capture fisheries and the remainder from aquaculture. Lower prices for most fish species have helped sustain consumption, although falling purchasing power is leading consumers in many countries to cut purchases and shop for cheaper alternatives.

## Fish prices

According to the FAO Globefish Price Index, fish prices reached an all-time high in September 2008, but have been dropping

ever since, and much more than normal for the season. As a result, in February 2009, prices were 3.4 per cent lower than 12 months earlier, and 10.2 per cent below their September peak. The report highlights that there can be further weakness in price for most species over the next six months in 2009.

## Shrimp

In the case of the shrimp sector, there is a weakness in demand, which is tightly linked to demand for food

tuna supplies, there was a decrease in prices in 2008. Frozen skipjack was selling for US\$1,100 per tonne in Bangkok in March 2009, about US\$500 per tonne below the March 2008 price. Similarly, the price of frozen yellowfin fell to US\$1,600 per tonne, compared to US\$2,200 per tonne in March 2008. But the US canned and fresh tuna markets seemed to have stabilized after years of weak consumption arising from concerns over mercury

high prices. However, prices of squids moved downwards, notwithstanding lower catches. Japan's octopus imports fell by 4 per cent in volume and 1 per cent in value (when compared to 2007), while the faltering demand for squids in Spain, the main importer of Argentine squid, shows bleak prospects for the squid trade. A major development in squid markets in 2008 was China taking over as main importer from Argentina, with almost double the figures from 2007.

## Fishmeal

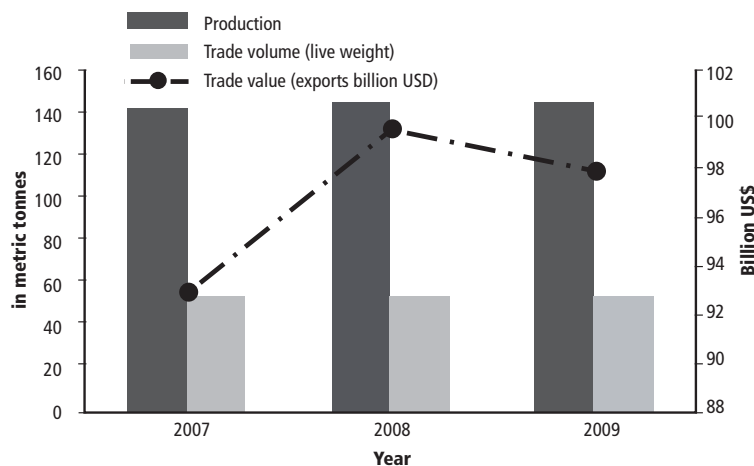
The world demand for fishmeal has been affected negatively by the slowing economic growth, especially in China. However, there has also been a decrease in production of fishmeal by the five world's major exporting countries.

## Tilapia

The global economic downturn is depressing demand for tilapia and other Chinese export species, causing the domestic market prices to fall. But demand has been picking up in US and Europe, as lower prices make tilapia more attractive than other fish. In the case of Vietnamese catfish (*Pangasius*), lower prices have made production uneconomic for farmers. While official forecasts state that there could be an increase in production, it is still expected that production could be lower than 2008.

For more, see <http://www.fao.org/docrep/011/a1482e/a1482e10.htm>

World fish production and trade (volume in live weight and value)



services, including restaurants. This demand has been much affected by the economic problems, as consumers reduce consumption of expensive seafood products. This has led to depression in producer prices, leading many farmers to convert to alternative production such as tilapia. Imports decreased by 5 per cent in Japan, 7 per cent in Spain, 2 per cent in France, and 8 per cent in the United Kingdom (UK), whereas they recovered by 1 per cent in the United States (US). The report states that prospects for 2009 still remains downbeat.

## Tuna

The demand for fresh and frozen tuna for direct consumption has been falling, while canned tuna demand has increased due to price-sensitive consumers. Despite declining

presence in tuna. Japan's tuna imports have declined every year since 2005. In 2008, they shrank by a further 17 per cent in quantity and 2.4 per cent in value. Only UK increased its imports by 10 per cent, while Thailand's exports increased by over 8 per cent from 2007.

## Cephalopods

Trade in cephalopods also increased in 2008, especially octopus, which was traded at

## VERBATIM

At its core, resource renewal envisions new priorities: of the livelihoods of small producers over production for profit and of domestic consumption over the rapidly expanding export trade in fish.

—AJANTHA SUBRAMANIAN  
IN 'SHORELINES: SPACE AND RIGHTS IN SOUTH INDIA'

## INFOLOG: NEW RESOURCES AT ICSF

ICSF's Documentation Centre (DC) has a range of information resources that are regularly updated (dc.icsf.net). A selection:

### Videos

*Abandoned, but Not Forgotten: The Plight of Burma's Migrant Fishers*

A film from the International Transport Workers' Federation that exposes the brutal treatment of migrant workers from Burma employed in Thailand's fishing industry.

*Badabon-er Katha: A Tale of the Sundarbans*

A documentary film in Bengali that focuses on different communities in Bangladesh who depend on the vast wetlands, largely regarded as uninhabitable and inhospitable, for their lives and livelihoods.

*Point Zero*

A documentary on the proposed nuclear plant at Haripur, East Midnapur, West Bengal, India.

*Terramar - Pela Afirmação da Vida dos Povos do Mar*

The video, in Portuguese, which is a dialogue between coastal communities and the staff of Terramar, a non-governmental organization (NGO) based in Ceara, in the northeast of Brazil, records the 15-year history of the NGO and highlights issues of life in the coastal zone of the area.

### Publications

*COFI Reports*

The Committee on Fisheries (COFI), a subsidiary body of the Food and Agriculture Organization of the United Nations (FAO) Council, is the only global inter-governmental forum where major international fisheries and aquaculture problems and issues are examined and recommendations addressed to governments, regional fishery bodies, NGOs, fishworkers, and the international community, periodically on a world-wide basis. COFI has also been used as a forum to negotiate global agreements and non-binding instruments. COFI has held 27 sessions, the first in 1966, and thereafter annually until 1975. Since 1977 the sessions have been held biennially. ICSF's DC has all COFI reports, from 1966 to 2008.

*Shorelines: Space and Rights in South India*

This work by Ajantha Subramanian argues that the struggle of fishers in southwest India requires a rethinking of democracy, citizenship and environmentalism. Rather than seeing these fishers as non-moderns inhabiting a bounded cultural world, or as moderns wholly captured by the logic of State power, the author illustrates how they constitute themselves as political subjects.

## FLASHBACK

### A world of double standards

There are two possible perspectives on global fisheries: a pessimistic one and an optimistic one. According to the pessimistic view, we live in a world of double standards, of virtuous yet empty rhetoric. While world leaders pontificate on responsibility and sustainability, industrial fishing fleets are encouraged to strip global fish stocks down to the last shoal, destroying fish habitats, ruining the coastal commons and causing the collapse of fishing communities world-wide.

The optimistic view, on the other hand, is one of a world in transition, where we are moving from an inherently unsustainable industrial model of fishery extraction, towards a new sustainable pattern of resource use and management.

In response to a worsening situation of world poverty, declining resource bases and environmental deterioration, the last decade has witnessed increasing efforts at the international level to establish a framework and a commitment towards sustainable development. Yet, at the same time, the forces of the free market and commercial interests are being allowed to undermine these efforts.

In 1983, the Brundtland Commission (the World Commission on Environment and Development) received a mandate from the UN General Assembly to formulate a global agenda for change. In their report of 1987, the Commission members were unanimous in their conviction that "the security, well-being, and very survival of the planet depends on a fundamental change towards sustainable development."

Nowhere else is such a change needed as in fisheries. And perhaps more than anywhere else in the world, it is in Europe that the fishery crisis is acute. It has become clear that the Common Fisheries Policy of the European Union (EU) is neither able to address this crisis nor direct the longer-term sustainable development of European fisheries.

The industrial fisheries model, which has sounded the death-knell of European fisheries is now being exported by the EU to the waters of other countries. The redeployment of the EU's surplus fleet capacity can neither be considered responsible nor in the interests of sustainable development.

— from *Comment in SAMUDRA Report No. 13, October 1995*



## ANNOUNCEMENTS

### CONSULTATION

**Technical Consultation to draft a legally binding instrument on port State measures to prevent, deter and eliminate illegal, unreported and unregulated fishing (FI-807-3) (Third resumed session)**  
24 - 28 August 2009, FAO, Rome, Italy

The purpose of the Technical Consultation is to elaborate a draft text of a legally binding

instrument on port State measures, based on the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and the 2005 FAO Model Scheme on Port State Measures to Combat Illegal, Unreported and Unregulated Fishing (Model Scheme).

### WORKSHOP

**Regional Workshop for Africa on the Review of Implementation of the**

**Programme of Work on Protected Areas 6 - 9 October 2009, Convention on Biological Diversity (CBD), Government of Côte d'Ivoire and the PoWPA Friends Consortium, Abidjan, Côte d'Ivoire**

A capacity-building and progress-review workshop for the programme of work on protected areas (PoWPA) to propose ways and means for strengthening the

implementation of the PoWPA for consideration by the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA).

### WORKSHOP

**13 - 15 October 2009, APFIC, Manila, Philippines**

Regional Consultative Workshop on Best Practices for Supporting and Improving Livelihoods of Small-scale Fisheries and Aquaculture Households



## Endquote

maggie and milly and molly and may

*M*aggie and milly and molly and may  
went down to the beach(to play one day)

*and maggie discovered a shell that sang  
so sweetly she couldn't remember her troubles,and*

*milly befriended a stranded star  
whose rays five languid fingers were;*

*and molly was chased by a horrible thing  
which raced sideways while blowing bubbles:and*

*may came home with a smooth round stone  
as small as a world and as large as alone.*

*For whatever we lose(like a you or a me)  
it's always ourselves we find in the sea*

— *by e e cummings*

