

Recognize rights

The following statement was issued at the recent meeting of the Conference of the Parties to the Convention on Biological Diversity

We welcome and support the attention being given by the Seventh meeting of the Conference of Parties to the Convention on Biological Diversity towards development of the elaborated programme of work on marine and coastal biological diversity.

Over 200 million people worldwide are estimated to depend on inland and marine fisheries and fish farming for a livelihood. Most of them are in the artisanal and small-scale sector in the tropical multi-species fisheries of the developing world. While the artisanal and small-scale sector contributes significantly to the economy and to food security, there is enough evidence to indicate that a high proportion, especially in developing countries, continue to be among the poorest and most vulnerable sections of society.

Coastal and indigenous fishing communities have a long-term stake in the conservation and protection of biodiversity, given their reliance on coastal and marine biodiversity for livelihoods and income. Generations of close interaction with the coastal ecosystem have led to well-developed traditional ecological knowledge systems (TEKS). This knowledge is manifested in numerous ways, as in the diversity, selectivity and ecological sophistication of the craft and gear used, in the intimate knowledge of weather and climate-related factors, and in the varied ways in which coastal resources are used for medicinal and other purposes. Such TEKS have contributed to sustain both the livelihoods of these communities and the integrity of the ecosystems.

Today, however, coastal and marine biodiversity, including mangrove forests,

are under serious threat from various sources, important among which are the uncontrolled expansion of industrial fisheries and the use of non-selective and destructive fishing gear and practices such as bottom trawling, push-nets, dynamiting and cyanide poisoning, particularly in tropical multi-species fisheries. Unregulated forms of industrial aquaculture and pollution from land and sea-based sources also exacerbate this threat.

For coastal fishing communities, the implications of these developments are severe. As “beacons of the sea”, they have, in recent decades, been consistently drawing attention to such negative developments and, in many cases, have taken up resource management initiatives to nurture and rejuvenate their ecosystems.

Coastal fishing communities can be powerful allies in the efforts to conserve, restore and protect coastal and marine biodiversity. Critical to this involvement, however, is the need to recognize, protect and strengthen their rights to access and use biodiversity in a responsible manner, to pursue sustainable livelihoods, and to participate in decision-making and resource management processes at all levels.

Biological diversity

Recognition of these rights would provide an enabling framework for coastal fishing communities to fulfil their responsibilities towards biodiversity conservation and its sustainable use, and would contribute to the overall objectives of the CBD, namely, the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising from the utilization of genetic resources.



Moreover, protecting and supporting sustainable livelihoods in the artisanal and small-scale fisheries sector—a sector known for its high levels of vulnerability and poverty—would also help achieve international commitments on poverty alleviation outlined in the Millennium Development Goals. It is well accepted that eradication of poverty is an indispensable prerequisite for sustainable development.

In view of the above, we urge the Parties, other governments and relevant organizations to pay special attention to the following aspects while developing the elaborated programme of work on marine and coastal biological diversity:

(1) Recognize the preferential access rights of coastal fishing communities

The preferential rights of coastal fishing communities to responsibly and sustainably use and access coastal and marine resources, should be recognized by putting in place systems that promote legal security of tenure. This would also be in keeping with Article 6.18 of the FAO Code of Conduct for Responsible Fisheries that encourages States to “...appropriately protect the rights of fishers and fishworkers, particularly those engaged in subsistence, small-scale and artisanal fisheries, to a secure and just livelihood, as well as preferential access, where appropriate, to traditional fishing

grounds and resources in the waters under their national jurisdiction.”

(2) Recognize the use of sustainable traditional fishing gear and practices

Traditionally, coastal fishing communities have used a range of selective fishing gear and practices to target fisheries resources, including highly migratory fish stocks. The use of such gear and practices has been consistent with the principles of sustainable use of biodiversity. The rights of artisanal and small-scale fishworkers to pursue their livelihoods using such forms of selective gear, under effective management systems, including in all categories of protected areas, should be recognized, as a means of attaining the objectives of the Convention. This would be consistent with Article 10 (c) of the Convention that highlights the need to “protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements.”

Further, positive incentives should be provided to promote the use of selective gear and practices, as through social labelling and ecolabelling. Alternative livelihood opportunities, including community-based tourism, should be promoted with a view to phasing out destructive fishing practices and gear.

(3) Prioritize the livelihood interests of natural-resources-dependent communities

The importance of stakeholder participation is well recognized in the Convention and in its programmes of work. It is, however, imperative to recognize and prioritize, in all management initiatives and decision-making processes, including in the establishment and management of protected areas, and within the framework of sustainable resource use, the interests and participation of traditional and local communities who depend on the natural resource base for a livelihood.

(4) Recognize and support community-based management initiatives and their diversity

Coastal fishing communities in several parts of the world have traditionally been

regulating use of coastal and marine resources. In more recent years, in view of the degradation of coastal and marine ecosystems, coastal communities have taken up diverse initiatives, such as setting up zones of strict protection, for managing coastal and marine resources, through the establishment of community conserved areas. The plurality within traditional and other community-based management initiatives must be documented and accorded legal, institutional, financial and other forms of recognition.

We draw attention to the fact that the work on marine and coastal protected areas is considered as an integral part of the Convention's work on protected areas, and urge Parties to incorporate programme element 2 of the programme of work on Protected Areas on Governance, participation, equity and benefit sharing into programme element 3 under the programme of work on marine and coastal biological diversity.

The integration of the above aspects into the Decisions and programme of work on marine and coastal biological diversity would be effective in meeting both the objectives of the Convention and the livelihood interests of coastal fishing communities. It would ensure that coastal and indigenous fishing communities become powerful allies in conserving, restoring and protecting coastal and marine biodiversity.

Signatories

- World Forum of Fisher People's (WFFP)
- National Fishworkers' Forum (NFF), India
- Tambuyog Development Centre, the Philippines
- JALA, Advocacy Network for North Sumatra Fisherfolk, Indonesia
- Penang Inshore Fishermen Welfare Association (PIFWA), Malaysia

- Masifundise Development Organization, South Africa
- CeDePesca, Argentina
- Yadfon Association, Thailand
- Sustainable Development Foundation, Thailand
- Southern Fisherfolk Federation, Thailand
- Instituto Terramar, Brazil
- National Fisheries Solidarity (NAFSO), Sri Lanka
- Bigkis Lakas Pilipinas, the Philippines
- Asian Social Institute (ASI), the Philippines
- Fisheries Action Coalition Team (FACT), Cambodia
- JARING PELA, Indonesia
- CNPS, Senegal
- International Collective in Support of Fishworkers (ICSF)
- Kalpavriksh, India
- Forest Peoples Programme, United Kingdom
- AWARD, India

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