



25 Years in Support of
Small-scale Fishworkers

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ICSF'S NEWSLETTER ON GENDER AND FISHERIES

From the Editor

Fishing communities, as well as indigenous peoples and farming, pastoral and forest-dwelling communities, globally, face displacement from their lands, forests, fishing grounds and territories. Ongoing intergovernmental negotiations related to the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VG-Tenure), being led by the Committee on World Food Security (CFS), are, therefore, of great relevance. The Guidelines aim to improve the governance of tenure of land, fisheries and forests towards the goal of food security for all.

During the negotiations, civil society organizations (CSO) have consistently emphasized the importance of equitable access and tenure rights to land, fisheries, forests and other natural resources through policy measures that include restitution, redistribution and mandatory regulations to guarantee tenure, for indigenous peoples and small-scale food providers, particularly women. Reminding States of the need to uphold their human rights obligations, they have sought more support for small-scale food providers and their production models.

CSOs have also pointed out that, contrary to the proposals of some powerful governments and the private sector, economic growth, strong markets and corporate investments are not magic bullets to achieve food security. Not surprisingly then, at the October round of negotiations, the section on investments, particularly effective safeguards on investments, proved to be highly contentious.

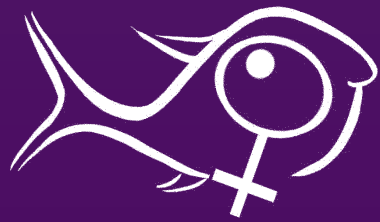
Fishing communities depend on resources that, traditionally, have been managed in a collective manner, through systems of internal governance that have evolved over time. Such systems have rarely received legal recognition; instead, new statutory and institutional arrangements have often been imposed, at odds with, and undermining, local practices. As a woman fishworker from South Africa (see interview on page 11) says: "In the past we didn't have a permit system. As fishers, we made our own laws. We looked after the lagoon and the species in it, and we caught fish wherever we wanted to."

At the negotiations, therefore, CSOs supported an earlier proposal from the UN Special Rapporteur on the Right to Food, Olivier de Schutter, for inclusion of the following para: "States must recognize, restore, respect and protect the natural commons, which comprise lands, forests and water bodies, which are accessible to everyone and are preserved and managed collectively. States should recognize such tenure as co-equal with statutory tenure. The governance of the natural commons should be rooted in collective rights and stewardship. States must guarantee that all user groups and communities secure access, tenure, and management of their commons, without prejudice".

Not all States agreed to this inclusion. Some Latin American countries said that the expression "natural commons" had no Spanish equivalent and was not a legal category. States were, however, willing to look at alternative formulations to protect the commons and associated systems of collective governance, where they exist.

Even as systems of collective governance need recognition, that such systems often discriminate against women, remains a disturbing reality. It is positive, therefore, that the Guidelines state: "Where constitutional or legal reforms strengthen the rights of women and place them in conflict with custom, all parties should cooperate to accommodate such changes in the customary tenure systems."

The Guidelines, incorporating provisions to protect small-scale food providers, must be finalized at the earliest. They could become a useful tool for farming, fishing and other communities to defend their legitimate tenure rights, especially from takeover by corporate and other powerful interests. **■**



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