

## Running too fast?

**For traditional fisheries in Madagascar, it is a long road to recognition**

**H**indsight, they say, is a great teacher, and we all know the benefits its wisdom can bring! However, its lessons are often learned at great cost. This is particularly so in Madagascar, where, for a number of years, the attention of several European NGOs has focused on the Malagasy maritime sector. In the last few years, the approach of these NGOs has changed dramatically, thanks mainly to the several hard lessons of the past. Issues of livelihood rights and food security in the traditional fisheries sector have only really come on to their agenda in the last four years. Previously, the NGO development agenda had largely been determined outside Madagascar, and had focused on technology transfer, foreign training, and institutional support in the seafarer sector.

Given what we now know about traditional fisheries in Madagascar, it is easy to be critical of French agencies that financed the transfer of a trawler to Madagascar over a decade ago. If they knew then what we know now, it is likely that the project would have drowned in the water long before it came to grief in Madagascar. At the time, however, the initiative was strongly supported by, on the one hand, NGOs—the Catholic Committee for Development and Relief from Hunger (CCFD) and the Apostleship of the Sea) and, on the other, by the French fishing sector—Le Marin, Credit Maritime and people from several fishing communities.

For them, the northern development model was still the model to be followed by the small-scale fisheries in developing countries, and institutional development was along the lines of Northern NGOs. Perhaps, there was also some confusion in understanding about artisanal fisheries. The official French and Malagasy

government definitions of artisanal fisheries bear little relation to the reality of small-scale, traditional coastal fishing communities in Madagascar. In France, where a “small inshore boat” is a 20-25 m trawler, powerful trawlers up to 25 m in length are classified as “artisanal”. In Madagascar, the artisanal fishing sector describes a small fleet of trawlers, with a maximum of 50 HP. The traditional fisheries, which would be described as small-scale or artisanal in other countries, are still not officially recognized in Madagascar.

To a large extent, it is thanks to such lessons that earlier this year, in March 2001, for the first time ever, representatives from several traditional fishing communities were able to meet with government officials to jointly discuss the development priorities of their sector. This roundtable meeting was organized by the Collective of Malagasy Maritime Organizations (COMM), with support from CCFD, Coalition for Fair Fisheries Agreements (CFFA) and the International Collective in Support of Fishworkers (ICSF). It was entitled *Sustainable Development, Poverty Alleviation and Food Security: the Role of Traditional Malagasy Fishing Communities*. The meeting was a further step in the “long march” towards the recognition of the Malagasy traditional fishing sector by the Malagasy authorities.

### **Dominant interests**

In the current context of Malagasy fisheries, where French government and fishing industry interests are dominating the scene (see *Pink gold, muddy waters*, SAMUDRA Report No 25), the road ahead seems a long and daunting one. In addition to the task of building up a national network of groups representing their interests and developing their

capacity to participate in management and decision-making processes, traditional fishing communities find themselves in a highly confusing and competitive situation. Two significant national programmes in fisheries and coastal area development are currently being initiated, whilst the European Union (EU) is providing significant revenues to the Malagasy government to pay for fishing rights. Some of the latter have been earmarked for the development of the traditional fishing sector.

**B**acked by French public monies for development aid, the French industrial fishing interests in Madagascar (the GAPCM) are promoting “Fisheries Concerted Management Zones (ZACs)” as an experimental tool for resolving resource allocation problems and conflicts between fishing sectors. The scheme has the backing of the Malagasy Ministry of Fisheries, and is to be piloted over the next five years primarily as a means of resolving conflicts and encouraging the rational development of the shrimp sector.

The GAPCM acknowledges that the ZAC is not fully developed as a tool, and that the concept requires testing and refinement. However, the fact remains that with the backing of French public funds, this ZAC project and the agenda of the French fishing industry will dominate the fisheries management debate in

Madagascar. Rather than promoting the autonomous development of traditional fisheries in Madagascar, the GAPCM would like to see the development of small-scale coastal fisheries as a service sector to the shrimp industry. At another level, the National Office for the Environment (ONE) is promoting integrated coastal area management. Through a decentralized approach to management and resource conservation, the GELOSE (Protected Local Management) project is being developed. This will encourage the formation of local groups and their participation in autonomous provincial councils to manage coastal resources and activities (mainly forestry, farming, aquaculture and fishing). The GELOSE approach would seem to be entirely different to ZAC in that GELOSE is about local management, whilst ZAC is mainly about allocation of access rights.

As regards the EU fisheries agreement compensation monies, it is ironic that the first steps taken towards recognizing the traditional Malagasy fishing sector were perhaps precipitated by the renewal of the 1998 EU-Madagascar fisheries agreement. That agreement, for the first time, included provisions for supporting the development of traditional fisheries in Madagascar.

#### **Recognition**

This first symbolic recognition came about as a result of the efforts of the Madagascar

Maritime Programme (the PMM, an NGO and trade union platform), and thanks to the campaign initiated by the Brussels-based CFFA. At their request, letters of support were sent by several development NGOs (CCFD, ICSF, Entraide et Fraternité, etc.) to the Malagasy and European authorities.

**T**he first step was to get to know the traditional sector. In May 1998, at the time of renewal of the Fifth Fishing Agreement between the EU and Madagascar, a series of exchanges were initiated between Malagasy and European NGOs. These focused on the recognition of traditional fisheries in Madagascar.

Several meetings were then organized with traditional fishing communities in the regions of Mahajanga, Toliary and Toamasina. Fishermen were informed about the existence of the Fishing Agreement, and about the articles of special relevance to their sector (which included a budget line for traditional fisheries and also for surveillance, monitoring, etc.).

There were also discussions about the activities of European companies in the industrial shrimp fisheries sector, which were seen as a threat to the traditional fisheries sector. Fishermen from the west coast were a special focus of the debate. Meetings were also held with official representatives (Malagasy political authorities, FAO, EU, etc.). A press campaign was subsequently organized to create a debate on the contents and implementation of the Fishing Agreement. This concluded with a press conference organized on 15 May 1998, entitled *For a Fishing Agreement Consistent with Sustainable Development*.

One of the key lessons arising from this initial step was an understanding that for actions to be more effective, it is necessary for the fishermen themselves “to be aware, first of all, of their rights and duties”. In other words, fishworkers must realize that while they are the ones mainly affected, they are also principally responsible for the actions to be undertaken towards improving their lot. Up to that point, all major information exchanges and decisions had been made by actors from

outside the sector (international NGOs and other organizations, government officials, etc.).

It was this principle that formed the basis of a new collaboration between Malagasy and European NGOs, with the strategic objective of achieving recognition for the Malagasy traditional fishing sector. As a short-term measure, a workshop on the *Future of Traditional Fisheries* was organized to bring together traditional fisheries representatives from the entire country. The motivation and organizational strategy for preparing the workshop were influenced, to a large extent, by a training programme organized by ICSF in Ghana in August 1998 (see *An African Briefing*, SAMUDRA Report No 21). Two members of the Malagasy NGO platform were invited to this workshop on *Social Analysis and Organizational Strategies*. Their participation was to have a major influence on future approaches of NGOs to fishing community development in Madagascar.

The aspects that particularly influenced the Malagasy participants were the discussions around the various approaches to development (i.e. modern and traditional). These included the transmission of knowledge; choice of technology (boats, fishing gear and processing); and social control (resource management and division of labour between men and women).

For the Malagasies, one of the key messages from the Ghana workshop was expressed by the women processors of the National Collective of Artisanal Fishworkers (CNPS) of Senegal: “The partners of fishworkers can only be other fishworkers! European NGOs or those from other countries can only help us by supporting these partnerships.”

#### Questionnaire

Following the Ghana workshop, a questionnaire was drawn up to help understand different aspects of the lives of traditional fishing communities, the basis of their social structure and how it had evolved over the last few decades. Based on this questionnaire, which was translated into Malagasy, a series of field studies were conducted in 10 localities

representative of traditional fisheries: Nosy Be, Ankazomborona, Majunga, Maintirano, Morondava, Tulear, Fort-Dauphin, Farafangana, Manakara, Marosiky, Vatmandry, Toamasina, Soanierana-Ivongo (Manakatafana) and Sainte Marie.

**F**ollowing the programme of field visits, a meeting was held in Majunga in May 1999 to bring together delegates, both men and women, from these localities to discuss their future. For many of them, this provided a first opportunity to interact with representatives of Malagasy authorities. Several high-ranking officials and experienced technicians were present.

A “Fishworkers’ Recommendation” setting out 20 specific points was issued by the participants and presented to the official delegates. The main points included issues of: ownership of equipment and boats; production, processing, and preservation; trade and markets; roles and responsibilities of women (in fish trade and collection of products); the need for fishermen themselves to take charge of decision-making in their own sector.

The issue of the two-mile traditional fishing zone was raised as a matter of particular concern. This, it was felt, had to be addressed as a priority, as the Malagasy government was in the process of developing a decree on “utilization and access rights in the two-mile zone”. In addition to being the zone where most traditional fishing activities take place, it is also here that most disputes with the industrial shrimp fisheries sector occur.

The second step was to define the rights and responsibilities of the traditional fishing sector. The issue of the two-mile zone was taken up by the NGOs not only because of the demands of the fishermen, but also because it was seen as important to influence the fisheries policy debate in Madagascar (particularly the government decree on the two-mile zone). As a result, a collaboration was established between local and international NGOs. Such collaboration was necessary to investigate the relevance of reserving a fishing zone for traditional fisheries in Madagascar (to clarify the two-mile zone issue). These

investigations were carried out in Madagascar as part of a wider study being conducted by ICSF to analyze whether legally reserving a zone for traditional fisheries was a useful tool for fishery management, and, in particular, to determine whether such a zone promotes sustainability (by restricting access to fishery resources), and whether it protects the rights of coastal communities dependent on small-scale and traditional fishing practices to life, livelihoods and food — rights recognized in the FAO Code of Conduct for Responsible Fisheries (Article 6.18).

The following approach was adopted for the study:

A questionnaire was drawn up and fishermen were contacted by mail in May/June 2000. They were sent a series of documents to help prepare for their participation in the study. Local interviewers visited eight major traditional fisheries sites in June/July 2000: Nosy-Be, Mahajanga, Maintirano, Toliary, Manakara/Farafangana, Vatmandry, Toamasina and Manakatafana.

Twenty-eight local associations were interviewed, 1,650 fishermen contacted and the estimated number of active fishermen in these fishing sites was put at more than 10,000. The findings of these studies were set out in two documents (a region-wise document and a general document) and transmitted to the fishermen delegates at these eight sites (two per site) for discussion during the meeting that was to take place between 25 and 28 August 2000.

A meeting was then organized in Toamasina for 20 traditional fishermen delegates whose communities had been involved in the study. Local and international NGO resource persons (from COMM, ICSF and CFFA) participated. The aim was to validate, analyze and share the findings of the study. The main issues arising from the discussion included:

- how to define the sector;
- who is considered a traditional fisherman; and



- what criteria are recognized by the fishermen themselves to qualify to be a traditional fisherman.

**T**he majority of fishworkers interviewed came from fishing families. All the traditional fishermen answered that fishing was their main activity or source of livelihood.

The use of special fishing gear, observance of family traditions, restrictions and taboos were also referred to in the study as elements that were common to all traditional fishermen.

A key issue for the sector was vulnerability, relating to:

- traditional fishing gear and boats, bad weather and collisions (especially with industrial fishing boats);
- traditional fishing communities, faced with competition from other activities (like industrial aquaculture and different types of pollution in the coastal area); and
- fishery resources on which traditional fishermen depend: if the coastal area becomes overexploited, the very survival of coastal families and communities is threatened.

Given this vulnerability and the fact that traditional fisheries plays a key role in the development of the country (in terms of employment and the protein it provides to Malagasy families and communities living along the coast), it is important to protect the activities of this sector.

Also of significance is the need to get the sector formally recognized by the public authorities in terms of the nature of representation at national level, and the kind of actions the public authorities should undertake (as in operations relating to census, taxation, subsidies, etc.).

The participants underscored the problem of recognition of traditional fisheries by the administrative and political authorities. The meeting was informed that, in many countries, recognition of the small-scale fisheries sector had resulted in a certain amount of formalization at the administrative level. But fisheries policies do not recognize traditional fisheries or do so inadequately.

The administrative representatives who were present explained that formalization of the sector was extremely difficult due to ignorance about the sector and due to the fishermen's distrust of the authorities. They also pointed out that formalization could have a negative impact on their activities (through red tape, taxes, etc.).

## Two Controversial Miles

In Madagascar, the issue of the two-mile zone has become highly controversial. The first official references to the zone would seem to come from a decree of 5 June 1922 which stipulates (Article 10) that "...the use of...trawls for fishing all fish species is only authorized at a distance of two (nautical) miles from the coast..." The industrial shrimp trawlers assert that the legal basis of this is questionable, as a 1971 decree overturns this ruling by stating that "...by derogation to Article 10 of the decree of 5 June 1922, trawler fishing licences may authorize their holders to fish for prawns in the two-mile zone..." They also argue that fishing is not profitable unless they are allowed to fish in this zone. Furthermore, they dispute the legal definition of coast, and question where the baselines should be drawn from which the two miles should be measured.

**H**owever, it is worth noting that the representatives of the national authorities present acknowledged that "traditional fisheries exist", that they "help earn foreign exchange for the country", and that "they play an important role in the fight against poverty". The Deputy Mayor of Toamasina said that "improving the living and working conditions of the traditional fishermen should be a priority."

Any recognition of the rights of fishworkers had to be reflected in the protection given to the traditional fisheries zones. The fishermen present reasserted their property rights in the traditional fishing zones as well as to the resources found in them. Consequently, they wanted their rights of access to be recognized and protected. They also wanted to be involved in the management of their coastal zones and their resources in order to ensure sustainability of stocks and to fight against coastal pollution.

The third step involved recognizing the rights of traditional fishing communities. After the Tamatave meeting, several developments took place. Madagascar has recently completed all the necessary internal procedures to ratify the United Nations Convention on the Law of the Sea (UNCLOS). However, there is a difference between "ratification" by a parliament under internal law and ratification under

international law, which means the deposit of the instrument of ratification with the depository (here, the Secretary-General of the UN).

It is also hoped that with the ratification of UNCLOS, the communities of traditional fishermen would be in a stronger position to defend their rights of access to the two-mile zone.

During the French Presidency of the EU from June to December 2000, a campaign was launched through the offices of the French NGO, Agir Ici. This questioned the use of French and EU public funds for development of industrial fishing in Madagascar, and was aimed directly at the French Ministry responsible for Development Co-operation and the European Commission. Eleven thousand people sent letters to the French and EU authorities. This precipitated the French industrial fishing sector in Madagascar to demonstrate publicly that they were taking the local traditional fishing sector into consideration. The ZAC proposal (which the French NGO CEASM was contracted to produce) was their response.

Felix Randrianasoavina, Executive Secretary of COMM, says, "Engaging in a debate with the industrial fisheries sector, as things stand today, could entrap the genuine traditional fishermen. They have already come a long way together in their struggles. They want to get their due recognition. We must respect their struggles, try to listen to them and be patient, even if they are not yet ready to tell us anything because, perhaps, it is not that the fishermen are slow but that we want to run too fast."

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