

# SAMUDRA

REPORT

INTERNATIONAL COLLECTIVE IN SUPPORT OF FISHWORKERS

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WOMEN IN TAMIL NADU FISHING VILLAGES

CONVENTION ON BIOLOGICAL DIVERSITY

CANADIAN FISHERS' CO-OPERATIVE

SHARING THE FISH CONFERENCE

POST-TSUNAMI REHAB WORKSHOP

CAMBODIA'S AQUARIAN REFORMS

ESA WORKSHOP

CONSERVATION AND LIVELIHOODS

NEWS ROUND-UP

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SAMUDRA Report No. 43 March 2006 TRIANNUAL REPORT OF ICSF

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## SAMUDRA News Alerts

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## Comment

# An uncommon tragedy

Recent reports about suicides by fishermen in Kendrapara, Orissa, India can only be described as shocking, particularly as there have rarely, if ever, been reports of fishermen committing suicide. Notably, these suicides have taken place in a State considered one of the poorest in India, with about 47 per cent of the population estimated to be below the poverty line.

Investigations have indicated that the suicides were linked to the restrictions on fishing activity and subsequent declines in income following the declaration of the Gahirmatha (Marine) Wildlife Sanctuary in 1997, to protect the olive ridley sea turtle in its nesting and breeding habitat (see page 37). Declining incomes from fishing in a context of high indebtedness, lack of social security nets, and few alternative livelihood options have proved to be a shock fishermen have found difficult to bear. Many fishermen are reported to have migrated out of Kendrapara district, some are burdened with extreme mental distress, while, over the past four years, at least seven fishermen have taken the extreme step of the final exit.

That this should have happened is unacceptable, even more so as various measures suggested over the past few years, if implemented, would perhaps have made it possible to improve turtle conservation, while enabling the continuation of sustainable fishing operations and livelihoods based on them. Several of these suggestions have emanated from organizations like the Orissa Traditional Fish Workers Union (OTFWU).

It is important that the message from this tragedy does not go unheard. Traditional fishworkers must be made equal and effective partners in identifying socially-just conservation and management measures, and specific steps to cushion the socioeconomic impacts of conservation should be implemented. For example, where research conclusively establishes that certain types of fishing gear, whether traditional or trawl, have detrimental impacts, regulation on their use should be accompanied by adequate financial assistance for shifting to other permissible gear. Training and other financial assistance for alternative livelihood programmes for fishworkers displaced from the fishery as a result of conservation measures should also be considered.

The importance of comprehensive socioeconomic data on communities living adjacent to turtle conservation areas, to gauge the potential impact of conservation programmes on them, cannot be overemphasized. There needs to be a specific focus on the issue of indebtedness, especially in view of the rising costs of inputs, such as fuel. High rates of indebtedness have also been a major factor in the suicides of an estimated over 10,000 farmers in India in the past few years.

The approach to conservation adopted in Orissa is by no means an isolated example. Fishing communities living adjacent to marine protected areas (MPAs) in several countries in Asia and Africa have similar experiences to recount, and their concerns must be addressed, as articulated in the Joint NGO Statement on Protected Areas presented to the 8th meeting of the Conference of the Parties (COP 8) to the Convention on Biological Diversity (CBD) in Curitiba, Brazil on 23 March 2006 (see page 24).

Coastal fishing communities can be powerful allies in the efforts to conserve, restore and protect coastal and marine biodiversity. And needless to say, coastal fishing communities dependent on the resource base for their livelihoods, can also be the prime beneficiaries of well-designed conservation and management programmes. To ensure that happens, is the challenge ahead. It is completely unacceptable and totally unnecessary that the cost of conservation should be paid in human lives.

## Don't be hasty and impetuous

**This note cautions against hasty judgement of the role of women in the fishing-caste *panchayats* of Tamil Nadu, India**

**T**he tsunami of 26 December 2004 and the relief-and-rehabilitation efforts that followed have swung the spotlight on to the fishing-caste *panchayats* (village councils) of the Coromandel coast of Tamil Nadu, India.

Non-governmental organizations (NGOs), government agencies and concerned intellectuals in India have suddenly discovered, amongst the physical wreckage, the heartbeat of an unknown and vibrant institution. It stood in their way, mediated their well-intended efforts, and, in the end, won many of their hearts.

However, in assessing the role of fishing-caste *panchayats* for the future, one must keep in mind some troubling aspects. One of the most tenacious of these is gender. All observers agree that caste *panchayats* are dominated by men. Opinions differ, however, on whether this is harmful to the interests of fisherwomen, and whether the situation can be remedied.

Having studied the functioning of caste *panchayats*, particularly with regard to their role in the regulation of marine fisheries, I would caution against hasty judgement and impetuous action. *Panchayats* should be understood in relation to their social and historical contexts. One should also take care not to throw the baby out with the bathwater.

Caste *panchayats* of the Coromandel coast are remnants of pre-colonial village administration forms of government that have survived the imposition of colonial rule and, subsequently, the establishment of the democratic republic of India. They have endured, first of all, because of the isolation of coastal areas and the government's long-term disinterest in the affairs of coastal villages. Above all,

however, they have lasted because of their essential role in village life. Settling disputes with regard to a wide range of problems—from fishing rights to domestic affairs—*panchayat* leaders decide on issues that otherwise tend to split the community.

They determine the rules for fishing in their sea territories as well as the arrangements for marketing at landing sites. In times of collective need, such as during the yearly offseason, it is the *panchayat* that distributes food and other necessary items.

When disaster strikes fishermen at sea, the *panchayat* takes action to support the widows. Finally, the *panchayat* is the community's voice to the outside world: an intermediary with the police station, the Fisheries Department, NGOs, and so on. It is in the latter capacity that *panchayats* have recently attained renown.

But the caste *panchayats* of the Coromandel coast are not standalone institutions. They are the tip of the iceberg resting on other village structures, in all of which gender distinctions are a core element. Let us, therefore, take a look at the fishing village as a social entity.

### **Single ethnic group**

Most of the fishing villages of the Coromandel coast are dominated by a single ethnic group: the Pattinavar caste. Each Pattinavar village is broken up into several lineages, or *pangaali* groups, which are constituted according to the patrilineal principle. Patrilinearity implies that children 'belong' and are loyal to their father's family group, rather than to their mother's relatives. As a political unit, each fishing village of the Coromandel coast has three layers: the household, the lineage and the village. Households are

represented in the *pangaali* group, each of which has several leaders.

**A** selection of these leaders is deputed to the village *panchayat*, which is composed in such a way that it reflects the relative weight of each *pangaali* group. Dominant lineages (either in number or in economic-political significance) exercise more influence in the *panchayat* than do lesser lineages.

Throughout this sequence of institutions—household-*pangaali* group-village—it is men who exercise most influence. This emerges also in the list of village membership, which, along the Coromandel coast, is an official matter. Membership is the prerogative of adult fishermen alone. It is the collective of village members (*varikkaarar* or taxpayer) that maintains the village fund, decides on issues of joint importance, and takes action to enforce whatever decisions have been reached.

It is they who defend the village in times of danger. Contrarily, when a village enjoys an economic bonanza—and tsunami relief can be considered an example of such a bonanza—the goods are divided over the collective of village members. In this case, the system of dividing rights and responsibilities gives advantage to households with a large number of adult men, in opposition to those with many womenfolk. (However,

when it comes to taxes, the situation is reversed.)

From an institutional perspective, therefore, men enjoy more authority in village life than women do. But does this mean that the fishing villages of the Coromandel coast are glaring examples of patriarchal society? There is reason to deny such an interpretation. Fisherwomen along the Coromandel coast are vocal and quite capable of voicing their opinion, even though it sometimes needs to be channeled through men. They tend to control the household's purse strings and have an important say in expenditure. Such an economic position precludes subservience and contributes to clout.

This does not mean that women's position in the village's political system, which culminates in the *panchayat*, cannot be improved upon. It definitely can. There are indications too that the *panchayat* system is flexible enough to incorporate change, provided it is given time.

#### **Debate and negotiation**

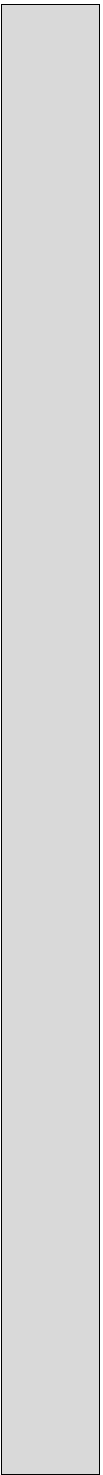
However, any movement in the direction of larger women's representation should, in my opinion, emerge from the inside, and not from the outside. It should result from debate and negotiation within village society, and follow the local pace, and not be imposed. This, on the one hand, is a matter of respecting indigenous

cultures. It is also a recognition of the value of effective village government, also with regard to fisheries. We should take proper care of our institutional heritage, even though it sometimes contains unpalatable elements.

Gender

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Canada



## Us and them

**This article traces the history of the Prince Rupert Fishermen's Co-operative Association in British Columbia, Canada**

**T**he Prince Rupert Fishermen's Co-operative Association was created in 1931 by a group of fishermen eager to take control of their own economic destiny. Their aim was to bypass the large canning companies' control of the fishery and sell fish directly to fresh-fish agents in the urban centres.

These early co-operators opted to develop direct links between fishers and the fresh-fish market rather than challenge the existing sets of producer-processor relations of production and form a trade union. The new co-operative succeeded in increasing its members' earning potential, which, in turn, allowed them to reinvest in more efficient fishing technologies. As PRFCA's success grew, so too did the conflicts between the co-operative and its developing shoreside processing workers.

PRFCA's formation was facilitated by the low capital investment required at that time to enter the troll fishery and the flexible market potential of troll-caught salmon. Trollers' economic freedom was partly the result of a technological process that required a minimal investment in gear. Net fishers, however, were effectively tied to the private canneries by the high cost involved in replacing their linen seines and gillnets and through restrictive fishing licence regulations. The canneries offered easily accessible credit. In return, net fishers were contractually obligated to deliver all of their catch to the cannery.

The consistently higher quality product produced by trollers meant that troll-caught fish could also be sold in the fresh-fish market. However, the private fish-processing firms were indifferent to the market potential of troll-caught salmon and chose instead to concentrate on canned fish. The founders of PRFCA

thus organized their resistance to private capital by taking advantage of the unrealized market potential of troll-caught salmon. They used their resource-sharing networks of kin and close friends to establish a coalition of small boatowners who, together, could market their catch in the domestic, fresh-fish market.

The different strategies adopted by fishers to circumvent the control of the large companies reflect the differences in their respective class characters. Those fishers who lacked formal control over their labour power tended toward unionization. The unionist strategy emphasized the working-class character of fishers and had the restructuring of capitalist society as its implicit goal. Those fishers, such as the independent trollers and longliners, who maintained some degree of control over the means of production, but lacked the power to confront the companies individually, opted for co-operative organizations.

The co-operativist strategy emphasized the business character of fishers. The co-operative organizer attempted to use the mechanisms of capitalism to improve the individuals' material status. Nonetheless, whether fishers were members of a union or a co-operative, they shared a similar ideological focus in regard to their 'place' as fishermen vis-à-vis the companies.

### **Shoreworkers**

PRFCA and the union initially co-existed without conflict. However, the shift to processing immediately expanded PRFCA's shoreworkers and created a situation in which the co-operative was more vulnerable to strikes by their non-member shoreworkers. The first open conflict between the union and PRFCA in



1943 set the pattern for future conflicts between the two fisheries organizations.

**P**RFCA had recently begun processing halibut and was building a new cold-storage facility. Since an agreement had already been signed with the co-operative's shoreworkers in the spring, PRFCA fishers did not anticipate a summer strike. However, when unorganized workers struck the companies for a first contract, the co-operative's shoreworkers joined the strike. PRFCA fishermen, infuriated at having their fishing so interrupted, threatened to operate the plant themselves. The matter was resolved after the companies signed an agreement with the union that, according to the PRFCA's Board of Directors, was "less than what the co-operative was already paying."

During the 1960s and 1970s the PRFCA's economic development focused on expanding production. A shrimp and crab cannery was built 1961 and expanded a few years later to also can salmon. In 1965 a half-million dollar plant was built in Vancouver. In the early 1970s PRFCA built an expanded cold-storage facility and a modern trawl-fish-processing plant in Prince Rupert. Through 1978 to 1988 the co-operative's average annual production was 38 mn pounds, with annual gross sales of Can\$67 mn.

Following five decades of continuous expansion, PRFCA's practices were looking increasingly less co-operative and more corporate.

Despite the many similarities between PRFCA and corporate fish-processing plants, the co-operative was different. PRFCA members owned and controlled the operations of their fish plant. PRFCA membership included all fishers, irrespective of whether they were boatowners or not. To become a member, a fisher had to sign a marketing contract and agree to purchase a set number of shares of the co-operative. The profit made on the sale of their fish was returned to the membership. While the share structure changed over the life of the co-operative, the basic principle of one member-one vote was maintained. For a brief period during the 1940s, shoreworkers were also given an option of becoming members. However, the fishermen members were concerned that shoreworkers would "take over the co-operative" and, by the end of the 1940s, had reverted to a fishermen-only membership.

#### **Democratic response**

The democratic structure of PRFCA reflects yet another important difference between it and the private companies. PRFCA attempted to remain responsive to the interests of its membership through a system of elected regional boards and

committees. Whereas most company fishers are employees of the company and have little, if any, say over company policy, PRFCA fishers had a direct voice in shaping the policies of their association.

**W**hile PRFCA's economic development was, for most of the post-war years, a picture of a steadily expanding enterprise, the co-operative's relationship with organized labour was the reverse. Contrary to the majority of sources, which suggest that conflicts between PRFCA and the United Fishermen and Allied Workers Union (UFAWU) are a product of the mid-to-late 1960s, the co-operative and organized labour were in conflict since their formative years. Initial tensions were relatively insignificant, but as both organizations grew, the animosity of the conflicts intensified, culminating in a major dispute in 1967.

PRFCA members saw the 1967 dispute as an attempt by UFAWU to destroy their co-operative. Letter writers to the local newspaper argued that "the so-called fisheries dispute is not a dispute at all but a planned attack by the UFAWU to raid the membership of the Deep Sea Fishermen's Union (DSFU), the union representing most co-operative crew, and capture the security of PRFCA." The UFAWU leadership, however, argued that the 1967 dispute signalled the takeover of PRFCA by the big capitalist boat skippers.

At the conclusion of the 1967 dispute, the relationship between the UFAWU and PRFCA had been fundamentally changed. The UFAWU's shoreworker section was decertified. All co-operative fishers were represented by the DSFU. Two of the UFAWU's leaders received jail terms for their part in the dispute and the union was fined Can\$25,000 for counselling its members to disobey the 23 March 1967 court injunction.

The conflicts of 1952, 1959 and 1967 intensified the animosity between UFAWU and PRFCA. The increasing level of conflict between these institutions underlined the fundamentally antagonistic class interests they represented. After having successfully pushed the UFAWU out of the Prince Rupert plant in 1967, co-operators might be forgiven for believing that they

had resolved the fundamental contradiction between capital and labour. However, as the events of the 1970s and 1980s demonstrated, the issue of labour (or, more precisely, the question of class and class struggle) remained at the heart of the co-operative's difficulties. While it may be argued that PRFCA's labour history affirms the big-boat takeover thesis, something far more crucial was at stake in terms of evaluating the progressive potential of co-operative forms of production.

In the post-Soviet era, market-based solutions are advocated as the only way forward by Left and Right alike. While commentators may disagree over how far one should go, the questions of whether or not one should go is rarely given serious attention. However, the example of PRFCA and its relationship to working-class people raises crucial questions about the possibility of finding equitable solutions to the ravages of a capitalist economy—especially in the context of neoliberal globalization. PRFCA's ongoing labour strife points to a fundamental contradiction between the possibility of social ownership and capitalism.

As long as PRFCA persisted as a marginal player and restricted its activities to selling members' fish, it could, and did, avoid conflicts with organized labour. However, the moment PRFCA changed from marketing to processing, it was forced to confront the inherent contradiction of trying to act in the interests of one segment of the subaltern (small boatowners) while necessarily having to suppress the interests of a second segment (shoreworkers and, to a lesser extent, deckhands). Up until the economic crises of the 1980s, the interests of deckhands were subsumed within the category of "members." But, except for a brief moment in the early 1940s, shoreworkers were always excluded from membership.

#### **Growth period**

Meeting the needs and aspirations of the shoreworkers ultimately stood in the way of PRFCA's economic viability. That this was so was not as noticeable during the exceptional period of growth in the capitalist world economy after World War II. In the context of generalized growth,

PRFCA could afford to pay its workforce a slightly better rate than the social average.

**A**t the point when the world capitalist economy began to contract in the early 1970s, PRFCA was forced to either rationalize its operation (holding down wages and fish prices and increasing management privileges such as contracting out to non-union work sites) or face the prospect of bankruptcy. This was, and remains, the limit to the progressive potential of co-operative forms of organizing production.

Economic and management upheavals during the late 1980s and early 1990s led to the dissolution of PRFCA. Despite having survived the crisis period of high interest rates and low fish prices during the late 1970s and early 1980s—a crisis that caused the financial collapse of many of the medium-scale private companies—PRFCA was unable to maintain its position in a fishing industry constantly beset by regulatory, ecological and economic crises. PRFCA's strength had resided in the support of a core group of members who owned their own fishing vessels. However, the continued retreat of the UFAWU throughout the 1980s (which led to lower fish prices for all fishers) plus a fundamental change in the structure of the international market for fish and fish products, combined with government regulations aimed at forcing small-scale fishers out of the British Columbia fishery, ultimately destroyed the core membership base of PRFCA.

In a sequence of emergency meetings during the fall of 1989, PRFCA's membership was asked to approve a series of cost-saving measures designed to save it. But it was too little too late and in 1991, the PRFCA membership voted to end its half-century of operation as a producer's co-operative. The road to PRFCA's collapse is littered with accusations of mismanagement and vested interests. Underlying it all, however, was the simple reality that PRFCA was unable to make the complete transition from co-operative enterprise to capitalist firm and, in the midst of the 1980s' economic crisis, lacked the flexibility of a fully capitalist firm to do

what was 'necessary' in terms of rationalization, cost cutting and taking the turn into the neoliberal marketplace. When all was said and done, one option was left: privatization.

Ultimately, co-operatives must respond to the inherent laws of accumulation under capitalism. At particular points in a co-operative's history, it may be possible, due to ideological commitment or favourable economic conditions, to ignore or override this economic imperative. However, the laws of the marketplace inevitably intervene and, as the history of PRFCA suggests, a co-operative either becomes a fully developed capitalist firm or collapses. 3

This article by Charles R. Menzies (cmenzies@interchange.ubc.ca; www.charlesmenzies.ca), Associate Professor of Anthropology, Department of Anthropology and Sociology, University of British Columbia, Vancouver, Canada, is excerpted from "Us and Them: The Prince Rupert Fishermen's Co-op and Organized Labour, 1931-1989," *Labour/Le Travail*, Fall 2001 (<http://www.historycooperative.org/journals/lt/48/04menzie.html>)

## Who's sharing the fish?

**This is a reaction to the 'temperate minority'-worldview on the allocation of fishing rights that dominated the *Sharing the Fish Conference 2006***

**F**remantle, Australia, the site of the *Sharing the Fish Conference 2006*, was not exactly temperate between 26 February and 2 March 2006, with Celsius temperatures in the mid- to high-30s. Nonetheless, the intellectual climate of the conference was distinctly Northern. In retrospect, perhaps this should not have been a surprise, given that it was hosted and supported by various Australian fisheries agencies and the New Zealand Ministry of Fisheries. However, the lack of representation from the South was still a shock, considering that the theme of the conference—allocation issues in fisheries management—is of enormous global importance currently, and also considering that the Food and Agriculture Organization of the United Nations (FAO) co-hosted the conference.

As someone with experience of primary fisheries research in both the South (India) and the North (Canada)—sufficient to have generated an international perspective—I offer this review from the perspective of the majority of world fishers, whose interests and concerns were largely left out of the conference, which was, nonetheless, a stimulating and thought-provoking experience.

*Sharing the Fish 2006* was an expensive event. Conference fees were AUD700 (US\$500). For those who wished to stay in the hotel where the conference was held, room rates were another AUD175 (US\$125) a night. Such rates allowed the conference committee to hire a professional event management company to run the event, and thus it was extremely well organized. The downside, of course, was that ordinary participants from other parts of the world, not already dissuaded from attending by the high cost of travel, would have had to think twice about participating because of the high fees.

There was thus a paucity of representation from the most important fishing regions of the world and even a surprisingly small number of academic participants, particularly from the non-economic social sciences. I counted only three of this last group, along with the economists, lawyers and biologists who made up the academics at the conference, although there may have been several more than were immediately apparent. The character of the conference was thus professional and corporate. Tables 1 and 2 give a breakdown of conference participants by region of origin and by work.

The allocation theme of *Sharing the Fish 2006* was divided into three subtopics: “allocation across jurisdictions” (26 papers); “allocation across sectors” (51 papers); and “allocation within sectors” (25 papers). Thirteen papers did not fit into these categories. The three conference subtopics were further divided. The “allocation across jurisdictions” subtopic included “high seas, regional and national cases”. “Allocation across sectors”

Table 1. Origin of Speakers

Country	Speakers
Australia	61
New Zealand	15
United States	11
Northern Europe	8
Canada	7
Africa	4
South Pacific	3
Southeast Asia	3
Asia	2
Latin America	1
FAO	1

included “extractive vs. non-extractive uses”; “allocation between commercial and recreational sectors”; “indigenous, recreational and commercial allocation”; and a number of more conceptual papers grouped under the headings of “temporal and spatial systems of allocation” and

Table 2. Speaker Affiliations

Affiliation	Speakers
Government	62
Academic	27
NGO	13
Private sector	11
Other	3

“approaches to the allocation problem”. “Allocations within sectors” included “recreational allocation” and “allocation and reallocation within the commercial sector”.

The notion of “sector” was debatable, in the sense that the indigenous sector overlaps with the commercial and that some papers did not fit into either the “allocation across sectors” or the “allocation within sectors” subtopics. On the whole, however, the logic of the division was clear and as consistent as possible under the messy circumstances that characterize fisheries.

A final distinctive element of the conference was the large number of keynote and invited speakers, who numbered 22 out of the total 116 speakers. In combination with the effective use of daily rapporteurs and conference overview speakers on the last day, this innovation gave the conference an admirable coherence and sense of purpose.

Allocation can be seen as the implementation challenge of assigning rights to fish. In this sense, *Sharing the Fish 2006* built directly on the foundation laid by its predecessor, the *Fish Rights 1999* conference. Whether deliberate or not, the selection of keynote speakers for *Sharing the Fish 2006* fostered the impression that individual transferable quotas (ITQs) are the ideal path to allocation. Two of the three conference keynote speakers, Peter Pearse and Gary Libecap, purveyed this

point of view along with Ragnar Arnason, one of the invited speakers for the conference.

The argument for ITQs is well known and was clearly presented by these three speakers. When quota rights can be assigned such that they are secure, transferable and permanent, they result in fisheries that are ecologically sustainable because quota holders gain the incentive to care for the resource that they now own. Ecological considerations, previously externalities, are now internalized under ITQ systems.

Of most interest in relationship to this perspective, and perhaps in dissonance with the intentions of the conference organizers, several strong voices pointed to the limitations of the ITQ approach. The most forceful critique came from the invited speaker and representative of the International Collective in Support of Fishworkers (ICSF), Chandrika Sharma, whose staunch advocacy of the small-scale fisher perspective came like a cry in the wilderness. Sharma pointed out that a very small minority of the world’s fishers are subject to ITQs and wondered why such a high-profile conference was devoting so much attention to an issue of relevance only to a small proportion of the globe. As she and members of the small South African delegation to the conference noted, ITQs threaten the livelihood basis of small-scale fishers. Moeniba Isaacs and Andrew Johnston showed in their presentations how artisanal fishers in South Africa have been badly divided, and had their ability to make a living from fishing undermined by the recent South African legislation that has based all South African fisheries on ITQs. The inequity of ITQs was echoed by Frank Alcock and the two end-of-conference overview speakers, Susan Hanna and Ray Hilborn, who affirmed the challenge to equity that ITQs represent even in countries of the North.

#### Weak defence

The three proponents of ITQs seemed unable to defend themselves against these challenges, saying that while ITQs might increase inequity, the broader environmental and social benefits they brought were worth it. Pearse succinctly encapsulated this response by stating that

it is the end, not the means that is important, a statement I personally found highly problematic as it goes against the increasing emphasis on process and social justice that has informed theories of co-management and fisheries governance in recent years. I was also troubled by the amiable reasonableness of the ITQ proponents, which softened an otherwise harsh message.

**T**he lack of sufficient participation by delegates representing the world's most populous fishing regions meant that the conference did not adequately discuss allocation and rights-based approaches appropriate to the majority of the world's fisheries, which are highly complex, diverse and rapidly changing. The invited speaker Mahfuzzudin Ahmed did list allocation alternatives for tropical fisheries but at a level of generality that sparked little debate. ITQs are clearly of little relevance in most complex developing country fisheries. What is the cutting edge in community-based quotas? How can allocation be worked out between semi-industrial fleets and small-scale subsectors with thousands of units? While I can see the real advantages of introducing ITQs for semi-industrial fisheries in developing countries for capacity reduction and sustainability, how could such ITQs co-exist with other forms of rights for the small-scale subsector that would have to be extremely

well protected? How do we manage large and complex fisheries that are also data-poor and in regions where governance is weak? How can fishers be protected when coastal tourism, industrial development and oil exploration move into traditional fishing grounds? It is not enough to leave such questions to the very end of the deliberations, for the conference overview speakers; and it makes me wonder why the FAO was not able to put such questions more forcibly on to the agenda of the conference.

Despite these concerns about the conference, within the confines of the largely antipodal group of papers at the conference, there were many that provided examples of challenges—and creative solutions—similar to those encountered in the fisheries of the South. The Maori case in New Zealand, for example, as introduced by the invited speaker Alison Thom, shows that strong communities can participate in an ITQ process and come out ahead.

#### **Equity implications**

It would be interesting, nonetheless, to see a more disinterested presentation of that process, and to hear about the equity implications of sharing quota for the communities. The Alaskan native quota allocation case would be another example to consider. There are surely lessons from many of the other papers presented at the

conference that may be helpful for the majority-world fisheries. One example was the paper presented by Claire Anderson, which discussed the development of a more transparent instrument for inter-sector allocation by the Queensland government.

If the debate over the applicability and equity of ITQs bumped along mostly in the background during the conference, two topics created a buzz during the event. The first of these followed the presentation of Rosemary Rayfuse, who talked about allocation across jurisdictions. She argued that the principle of freedom of the high seas has now been sufficiently constrained by international agreements that it should be withdrawn.

In effect, obligations under international law, particularly when regional marine fisheries organizations are involved, have created a situation where there are now legal instruments to control access and allocate fish stocks on the high seas. These instruments are still far from perfect, and illegal, unreported and unregulated (IUU) fishing persists to the degree that some observers, such as another invited speaker, Gordon Munro, are pessimistic about their ever being controlled.

The increasing concern of international organizations like Greenpeace, represented at the conference by Alistair Graham, for the protection of deep-sea mounts may be a recognition that the time may have come for effective restrictions on such sensitive areas. The question that arises, however, is whether so much effort on the part of international organizations should be invested in environmental areas that are marginal to the livelihoods of the world's fishers. In terms of social benefit, it would seem a better use of resources to focus on threats to the tropical coastal waters where most of the world's fishers and marine biodiversity co-exist.

The second topic that stimulated considerable interest at *Sharing the Fish 2006* was triggered by an example given by Pearse, and relates to ITQs and allocation across sectors. Pearse stated that the Canadian Minister of Fisheries has recently given an ITQ share to the

recreational fishery sector for halibut on Canada's Pacific coast. This arrangement satisfied the commercial halibut sector, which had been increasingly concerned about the growing share of fish caught by the recreational sector. The advantage for the commercial sector was that, in future, any further growth in the recreational catch would have to be purchased from them, and they would thus get a fair market rate instead of the gradual erosion of their quota as had been occurring. The buzz at the conference revolved around the innovation of giving a transferable quota to a disparate group of unorganized recreational fishers who would have little choice but to become organized in order to administer their new right. This experiment clearly stimulated the minority-world fisheries managers present, all of whom face large and growing demand from recreational stakeholders. It is less relevant for places like India, where recreational fishing is virtually nonexistent. Nonetheless, it does raise an interesting comparison with small-scale sectors in majority-world fisheries, which also have large numbers of diverse stakeholders who often lack effective institutional means for negotiating their rights.

As these points demonstrate, the *Sharing the Fish Conference 2006* was a stimulating forum. Clearly, however, it would be preferable, in future, to seek much greater participation from the majority areas of the fisheries world. If that is not possible, then it would be wise to indicate more clearly that such a conference is geared primarily towards the interests of the fisheries of the North, a small minority in global terms. It would be a pity if this were the outcome, however, as *Sharing the Fish 2006* and its predecessor *Fish Rights 1999* have been important milestones on the path to improving fisheries management. 3

This review is by Derek Johnson (dsjohnson@marecentre.nl) of the Centre for Maritime Research (MARE), Amsterdam, the Netherlands

## Learning from experience

The following is excerpted from the Proceedings of the ICSF workshop on post-tsunami rehabilitation of fishing communities

The tsunami that struck countries in the Indian Ocean region on 26 December 2004 caused severe damage to life and livelihood. The impact on fishing communities in affected countries was particularly severe. Apart from loss of life and injury, many households dependent on fisheries lost their houses, craft, gear, equipment and other means of livelihoods. Estimates indicated that damages to the fishing and aquaculture industry were substantial, to the order of US\$568 mn in India, US\$511 mn in Indonesia, US\$335 mn in Sri Lanka, about US\$139 mn in Thailand and about US\$25 mn in Maldives.

It is well known that while natural disasters make no distinction, the ability to face them and recover from them differs substantially, depending on the social, economic, environmental and political reality.

Clearly, the damage from the Indian Ocean tsunami was much greater than it should have been, because of certain underlying realities facing fishing communities along the coast. If longer-term resilience to natural disasters has to be increased, rehabilitation interventions would need to take into account, and address, issues requiring interventions of a longer-term nature.

To obtain a comprehensive understanding of the interventions that have taken place to rehabilitate the fisheries sector and communities dependent on fisheries and to identify the emerging issues/challenges, ICSF commissioned studies in four countries, namely, Indonesia, Thailand, Sri Lanka and India, in October 2005. In addition to these four studies, ICSF also commissioned a study in India on “The Role of

Traditional *Panchayats* in Coastal Fishing Communities in Tamil Nadu, with Special Reference to their Role in Mediating Tsunami Relief and Rehabilitation.”

These studies were presented at the *Regional Workshop on Post-tsunami Rehabilitation of Fishing Communities and Fisheries-based Livelihoods* held in Chennai, India on 18 and 19 January 2006.

The workshop provided a constructive space for dialogue between fishworker organizations, NGOs, policymakers and representatives of multilateral agencies, from India, Sri Lanka, Thailand, Indonesia and Maldives. It was aimed to:

- analyze the status of rehabilitation efforts in the fisheries sector and fishing communities; and
- identify issues that need to be addressed in ongoing rehabilitation projects vis-à-vis the fisheries sector for sustaining livelihoods in the longer term.

A one-day meeting of fishworker organizations and NGOs working with fishing communities in tsunami-affected countries was held on 17 January, prior to the regional workshop. The meeting was meant to:

- provide an opportunity for participants from various countries to share experiences and learn from one another; and
- enable participants to agree on basic issues that need to be addressed by ongoing rehabilitation interventions, some of which are likely to be country-specific.



**T**he one-day NGO meeting was held at the YWCA Conference Hall, Chennai. A total of 50 delegates participated in the meeting. The meeting enabled organizations working with fishing communities to share experiences and to learn from one another. It also took stock of rehabilitation interventions and agreed on some basic issues that need to be addressed by ongoing rehabilitation interventions, keeping in mind the fact that rehabilitation initiatives by NGOs, multilateral agencies and governments are still underway. These recommendations were presented to the workshop on 19 January 2006.

The regional workshop was organized at the IMAGE Auditorium, in Chennai, Tamil Nadu, India. A total of 90 persons, primarily from the tsunami-affected countries of Indonesia, India, Sri Lanka, Maldives and Thailand, participated in the workshop. They included representatives from fishworker organizations, NGOs and multilateral organizations such as the Food and Agriculture Organization of the United Nations (FAO), the World Bank, the Asian Development Bank (ADB) and the United Nations Development Programme (UNDP). Government representatives from all the above countries also participated in the workshop.

The workshop programme included presentations of the country-level

studies, followed by discussions in the plenary. Multilateral agencies present provided an overview of their work and proposed future interventions. In a panel discussion, representatives of governments and NGOs highlighted their future priorities for tsunami rehabilitation work. The recommendations from the NGO meeting were also presented.

The field visit provided participants with an exposure to post-tsunami interventions as related to house construction, habitat restoration, appropriate technologies, alternative employment and co-ordination of aid, taking place in the districts of Nagapattinam and Villupuram in the State of Tamil Nadu, India, through interactions with government officials, women's self-help groups, NGOs and fishing communities. Initiating the inaugural session, Chandrika Sharma, Executive Secretary of ICSF welcomed the participants to the workshop and gave a short background about the organization. ICSF was formed in 1986 to defend the interests of the small-scale fisheries sector, particularly in the developing world, and to ensure their participation in important decision-making processes affecting their lives.

#### **Sharing information**

An important part of ICSF's work is to make available information for, and about, small-scale fishworkers, to bring

greater visibility to the sector, through its Documentation Centre. Towards this end, ICSF brings out various publications, such as *SAMUDRA Report*. A more recent initiative is the *SAMUDRA News Alerts* that go out free to subscribers all over the world on a daily basis.

**T**he Documentation Centre also maintains active links with other such centres in the French and Spanish-speaking regions. ICSF has also been organizing workshops for small-scale fishworkers and NGOs, providing a constructive space for dialogue between fishworker organizations, NGOs, scientists, governments, researchers and others. The present workshop was in line with this, Chandrika Sharma said in conclusion.

R. Santhanam, Special Commissioner and Commissioner for Revenue Administration and State Relief Commissioner, Government of Tamil Nadu, India, in his inaugural address, said that the workshop was being organized at the right time, just over a year after the tsunami disaster struck the State. This is a good time to take stock of the situation, to review the state of rehabilitation efforts, to identify issues that need to be addressed, and to chalk out issues for the implementation of projects that are sustainable in the long run, said the State Relief Commissioner.

Santhanam congratulated ICSF on the reports brought out. He complimented, in particular, the author of the India study for covering the entire gamut of fisheries rehabilitation, and for the indepth analysis of significant issues in the rehabilitation process, namely, relief and compensation, livelihood restoration, relocation, role of institutions like fishermen's *panchayats* in India, the problem of surplus boats, the dilemma of workers-turned-owners, and the rights of fisherwomen in the changed structure and scenario.

Santhanam also referred to various other studies, including those brought out by the Tata Institute of Social Sciences (TISS), the Fritz Institute, the South India Producers' Association (SIPA) and others, pointing out that such studies undertaken by independent organizations, made

useful and important contributions towards providing directions to the rehabilitation processes, and identifying corrective actions, wherever necessary.

He drew attention to the fact that the tsunami disaster was the worst in living memory with the largest proportion of the damage concentrated in fisheries, housing and infrastructure. He said that it was not surprising that there was a greater focus on fishers during the relief and rehabilitation process.

The Government of Tamil Nadu not only concentrated on fishers but also took into account the requirement of other affected sections like small and marginal farmers, agricultural labourers, businessmen, petty traders, orphaned children, adolescent girls, students and various other categories of people, and provided relief packages to every category.

Just as ICSF has commissioned studies for improving the lot of fishers, similar studies by others on other affected groups would be appreciated, as the common objective is to strive for a safe and secure future for all those who are affected by the tsunami in some way or the other.

Santhanam stressed that the Tamil Nadu government's response to the tsunami disaster has been characterized by a willingness to provide adequate space for civil society organizations (CSOs), to remove bottlenecks for their functioning, and be accessible and receptive to feedback and act upon it promptly. The State Relief Commissioner then proceeded to flag three main issues that are the main areas of concern:

**(i) Proliferation of boats after the tsunami**

In the post-tsunami period, the Coromandel coast saw the presence of a large number of NGOs and their desire to do something quick and visible in the tsunami-affected areas. This resulted in a large number of people who previously had no boats now getting boats.

This is likely to result in a chain of other events such as shortage of people working as crew; increased dropouts from schools due to fishers taking their children to sea; competition by more boats from the same village for finite fishery resources in the

same fishing area, causing tensions both at sea and on shore; and finally, an aggravation of tensions resulting from the changed social structure of workers-turned-owners.

**S**anthanam also pointed out that beneficiaries who have received boats have expressed concerns over the quality of boats built in a hurry and supplied by the NGOs. This, in turn, raises safety concerns.

The other issues include a surplus of boats, alongside a shortage of nets and other equipment required for fishing; the high cost of maintenance; the unsuitability of boats to local conditions or requirements; and variations from the preferred design and make of engine. These are very serious issues that have to be dealt with and for which solutions have to be found, said the Commissioner.

#### **(ii) Relocation**

The State Relief Commissioner said that the Chief Minister of Tamil Nadu had announced a well-thought policy on housing in March 2005. The fishing communities in the tsunami-affected areas were faced with a difficult situation of deciding between safety and livelihoods. He said that while safety concerns required them to go inland, their livelihood interests forced them to be at the shoreline.

The governments' housing policy is in accordance with the coastal regulation zone (CRZ) notification, and gives the option to the fishers to relocate beyond 200 m from the high tide line (HTL) if they so wish, reiterated the Commissioner. There is no compulsory relocation. Those who are willing to relocate have been assured of a house worth Rs150,000 (US\$3,388), along with land. Those not willing to relocate would be allowed to repair, without government's assistance, if the structures are authorized and were in their current plots prior to 1991.

The Commissioner said that the government's policy is driven purely by safety considerations. There is a misconception among some people that the space vacated by fishermen who chose to relocate would be given to some other industries, which would totally destroy the fishers' livelihood.

The Chief Minister had already assured the State Legislative Assembly that the vacated land would be entered in the Prohibitory Order Book (POB) and would be maintained for public purposes, which include the occupational use of beach by the fishing community. The community would be allowed to keep their boats, nets, etc. in this area. Since new houses are to be built as per the technical specification of the government for safety and durability, it is in the interest of the community to

look at the relocation issue in the right perspective, he stressed.

### (iii) Alternative livelihoods

Santhanam said that the issue of alternative livelihoods was important in the current situation where the tsunami has brought to the fore the risks involved in coastal lives. The limited nature of the aquatic resources has added another dimension. The government has addressed these needs in right earnest, and a dedicated programme of alternative livelihoods is being formulated in consultation with the affected communities.

Recognizing the advantages of group-based activities, special attention is being paid to ensure that these opportunities are delivered through self-help groups. Initiatives such as seaweed farming, crab and lobster fattening, etc. are being looked at as options. Generally, all these have got very good export markets, and can make a lot of difference to the fishers. The State Relief Commissioner emphasized the importance of establishing forward linkages if such activities are to be done in a sustainable manner.

He said that the coastal economy supply chain could be substantially altered through the identification and implementation of alternative livelihood opportunities. These will not only supplement the income gained but also provide for substantive risk diversification for the fishing communities. There is a provision of nearly US\$50 mn for livelihood promotion in the Asian Development Bank (ADB) Tsunami Emergency Assistance Project, which is now being implemented in Tamil Nadu.

Similarly, the post-tsunami sustainable livelihood programme funded by the International Fund for Agricultural Development (IFAD) focuses mainly on community resources management, community institutions, micro- and rural financial institutions and micro-enterprise development. He hoped organizations working with fishing communities, such as those present at the workshop, would help in the identification and implementation of

projects, as that would go a long way in the restoration of the community that was the worst affected in the tsunami.

V. Vivekanandan Chief Executive, South Indian Federation of Fishermen Societies (SIFFS) and a Member of ICSF, provided the background to the workshop. He said that one year on, it was a good time to take stock and reflect on post-tsunami relief and rehabilitation processes. ICSF had been, from the very beginning, monitoring and trying to follow up on the tsunami relief and rehabilitation process. He pointed out that, even though coastal areas are disaster-prone, many present at the workshop did not have much previous disaster experience.

The experience that has been gained in the post-tsunami period will help us to be better prepared for future disasters. There have also been amazing opportunities for comparison due to the vast diversity of the affected areas/countries. Areas and countries seen as distinct geopolitical entities, which previously had rarely come together to think of common approaches and programmes, were united by the indiscriminating tsunami. This has also given an excellent opportunity to look at fisheries issues with a common perspective.

Vivekanandan pointed out that Southeast Asia, for example, is way ahead of south Asia in terms of community-based coastal resource management (CBCRM). It is with this kind of a regional perspective that ICSF decided to take stock of the situation one year after the tsunami by launching country-level studies in India, Indonesia, Thailand and Sri Lanka. It was decided to present these studies and organize a discussion and debate around them. The Fisheries Department of the Maldives had also expressed its interest in the workshop even though ICSF itself has not been able to commission a study in the Maldives. The workshop thus offers the opportunity to discuss the post-tsunami situation in five tsunami-affected countries in Asia.

### Long-term interventions

Vivekanandan then proceeded to give the schedule of the workshop. He pointed out that this was the time that multilateral agencies, with large funds at their disposal, were starting their longer-term

interventions. It is important to know their plans for tsunami rehabilitation, with the aim of coming out with the best way to take the whole process of rehabilitation forward. Therefore, following the presentations of country studies and inputs by government officials present on the country situations, multilateral agencies would present their plans for the coming period.

And finally, the fishworker perspective would be presented in the form of a set of recommendations that had been drafted during the NGO meeting prior to the workshop. The recommendations, he said, were based on issues that emerged during country-level processes and consultations with affected communities.

*The Regional Workshop on Post-tsunami Rehabilitation of Fishing Communities and Fisheries-based Livelihoods was held at Chennai on 18 and 19 January 2006*

# Aiming for integrated intervention

**These recommendations were made at the ICSF's Chennai workshop on post-tsunami rehabilitation**

**T**he past year has seen considerable mobilization of aid and diverse interventions towards relief and rehabilitation of tsunami-affected populations in Asia, including fishing communities, who are considered among the worst affected.

A little over a year after the tsunami and after taking stock of interventions aimed at rehabilitating fishing communities, we—organizations that have been working with fishing communities for a considerable period of time in Sri Lanka, Indonesia, Thailand and India—wish to emphasize aspects that need to be integrated into the ongoing interventions of governments, multilateral agencies and NGOs.

## **Land and shelter**

1. It is important to urgently resolve issues still hindering completion of permanent housing as part of tsunami rehabilitation, particularly issues of land allocation, after paying special attention to the problems of tenants and the homeless. Where communities decide to relocate, rights to vacated coastal lands should remain vested with the community.

2. Housing sites for fishery-dependent tsunami victims should be located at a convenient distance from areas where fishing communities store fishing equipment, access fishing grounds and dry fish. It is important to ensure common quality standards, use of locally available material and technology, proper habitat planning, basic amenities, equity and the involvement of the fishing community in the reconstruction process.

3. Titles to houses built as part of tsunami rehabilitation should be provided, and should be in the joint names of the woman and the man of the household.

## **Quality of rehabilitation assistance**

4. Tsunami rehabilitation programmes should adopt a broader coastal development approach, and should aim to improve the quality of life and livelihood of coastal communities, including those not directly affected by the tsunami. Particular attention should be paid to historically marginalized communities and victims of conflict.

5. Governments should put in place mechanisms for the maintenance of public utilities provided by donors/NGOs as part of tsunami relief/rehabilitation programmes.

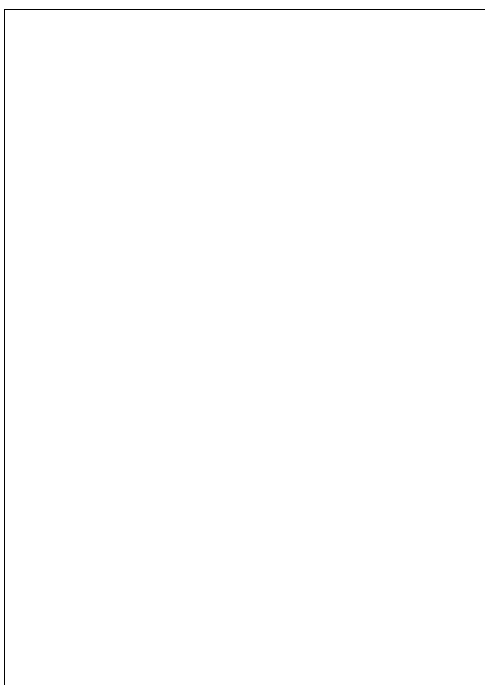
6. Mechanisms for maintaining community assets created post-tsunami, such as auction halls and fish drying and processing facilities, should be assessed, and, where lacking or inadequate, should be established, in participation with communities.

7. Transparent, single-window mechanisms should be set up to register complaints about the quality of the tsunami rehabilitation that has been delivered, as, for example, poor housing and poor-quality boats. Such complaints should be addressed in a timely manner.

8. Regional and other imbalances in the provision of tsunami rehabilitation assistance should be assessed, and equity in access to aid, ensured.

9. Mechanisms for co-ordination of tsunami rehabilitation at different levels, and between various actors, should be established/strengthened. Government-NGO partnerships for co-ordination of tsunami rehabilitation should be fostered.

10. Mechanisms to promote accountability of the different actors



involved in tsunami rehabilitation—governments, NGOs and others—should be established.

#### **Local institutions**

11. Under tsunami rehabilitation, local and traditional institutions should be strengthened, after assessing their roles, potentials and limitations. A coherent and sensitive strategy should be developed to work with them and to strengthen them in the long run.

#### **Protection and restoration of coastal habitats**

12. Protection and restoration of coastal habitats and biodiversity should be undertaken on a priority basis and should not be confined to tsunami-affected areas. It is necessary to implement/put in place measures to regulate activities that can pollute, degrade or otherwise harm the coastal environment and its capacity to protect coastal communities from future natural disasters.

13. Habitat restoration programmes in tsunami-affected areas should be undertaken in participatory ways, and should not lead to alienation of communities from coastal lands. The focus of coastal afforestation programmes, such as shelter belts, should be on native, indigenous species, and on building local awareness about their importance.

#### **Fisheries management**

14. A scientific assessment to improve understanding about the possible impact of the tsunami on fishery resources and habitats should be undertaken in affected and unaffected areas. There is, for example, reason to believe that even some “unaffected” areas are facing problems of high tides and waves after the tsunami.

15. Further construction and distribution of small-scale fishing vessels as part of tsunami rehabilitation should be undertaken only if there is clear evidence that there has been a shortfall in replacing vessels in particular regions. Where affected persons have not received vessels in a situation of oversupply, mechanisms to provide replacements should be established without further addition to the fishing fleet.

16. Efforts should be made to ensure that appropriate and selective fishing gear compatible with the status of fishery resources are distributed under tsunami rehabilitation programmes.

17. Diversification of fishing activities to target offshore fishery resources as part of tsunami rehabilitation should be undertaken only if there is evidence of resource availability and financial viability of such fishing operations.

18. Replacement of fishing vessels lost to the tsunami that have habitually been targeting fishery resources in the waters of neighbouring countries should be done only after due consultation with stakeholders to lay down conditions of access to such fishery resources.

19. Brackishwater aquaculture and mariculture should be promoted as an alternative source of employment in tsunami-affected areas only after addressing concerns of environmental and social sustainability.

20. Systems for effective registration of craft, gear, engines and fishers should be established to streamline post-tsunami rehabilitation of the fisheries sector and, where appropriate, governments should establish such systems in co-operation with relevant local institutions and NGOs.

21. Participatory programmes to improve and strengthen management regimes for the conservation of fishery resources and protection of fish habitats should be undertaken in the context of post-tsunami rehabilitation programmes. Failures on this account in the past underline the need for greater co-operation amongst fishing communities, departments of fisheries, fishworker organizations, NGOs and scientists.

#### **Sea safety**

22. Safety of fishing vessels and fishing operations should be given greater attention under tsunami rehabilitation programmes. Setting standards for boatbuilding and developing awareness among fishers about safety aspects need to be undertaken on a priority basis. Fishers should be imparted sufficient training in basic sea safety in accordance with the draft revised FAO/ ILO/ IMO Fishing Vessel Safety Code and Voluntary Guidelines.

#### **Post-harvest operations in fisheries**

23. Tsunami-rehabilitation programmes to support the post-harvest sector should promote labour-intensive, locally appropriate, low-cost technologies of fish processing. The establishment of cold chains should ensure that they benefit, and not displace, the small-scale fish processors and traders.

#### **Insurance, compensation and social security**

24. Vessel and crew insurance should be made mandatory for all fishing operations at affordable premia. Social security schemes in tsunami-affected countries, including accident benefit schemes for fishing and other coastal communities, should be developed to enhance long-term resilience and to ensure rapid recovery from disasters. The experiences of State-run systems, commercially run systems and community-managed systems need to be reviewed, to develop systems appropriate to the social, economic and legal environment of each country affected by the tsunami.

#### **Census of fishing communities**

25. A periodic census of men and women involved in fishing and fishery-related activities, including migrant fishers, should be undertaken on a priority basis

to facilitate proper enumeration and effective compensation during natural calamities, such as a tsunami.

#### **Disaster preparedness**

26. Programmes to enhance community-based disaster preparedness and training should be initiated/continued.

#### **Women in fisheries**

27. Women of fishing communities engaged in fisheries operations (fishing, marketing processing, etc.) should be recognized as workers in their own right. Tsunami rehabilitation programmes should be tailored to meet their requirements and should aim to improve women's livelihoods, conditions of work, access to resources and social security.

#### **Diversification of livelihood options**

28. The quality of education and opportunities for skill development should be enhanced to enable diversification of the livelihood options of tsunami-affected fishing communities. 3

These recommendations were presented at ICSF's "Regional Workshop on Post-Tsunami Rehabilitation of Fishing Communities and Fisheries-based Livelihoods", held in Chennai on 18 and 19 January 2006. The complete Proceedings can be downloaded from <http://www.icsf.net/jsp/english/pubPages/proceedings/pros08.jsp>.



## Biodiversity

# Only four years left to 2010!

## A joint NGO statement at the recent Convention on Biological Diversity meet called for the involvement of indigenous/local communities

**A**s Parties to the CBD, you did yourselves proud by framing a historic Programme of Work on Protected Areas. Civil society across the world saw this as a potentially powerful tool to meet the global goals of halting biodiversity loss on land by 2010, and at sea by 2012.

We acknowledge the progress made in implementing the Programme of Work. Several countries, NGOs, and indigenous/local community organizations have achieved considerable success on many fronts. We also acknowledge the work done by the Expert group on Protected Areas, just before COP8, to design a more specific Evaluation Matrix.

However, we are concerned that in general, progress with implementation of this Programme of Work appears to be painfully slow. Our concern is both on substantive and procedural matters.

On substance, we flag the following key issues:

1. The world's biodiversity continues to face threats from unsustainable land and water use activities, including inside many protected areas. In particular, we are alarmed at the continuing spread of commercial plantations and monocultures, unregulated commercial fisheries, extractive industries, illegal and unsustainable logging and related trade, uncontrolled tourism, and in general the still-unsustainable patterns of 'development' and consumption. There is little sign of governments moving towards meeting the target laid out in Activity 1.5.5 of the Programme of Work.
2. In particular, we would highlight the need for urgent action to safeguard relatively large intact forests from illegal and unsustainable logging and extractive industry, and deep-sea biodiversity from the impacts of high-seas bottom-trawling and industrial fishing. A representative network of protected areas of such ecosystems is urgently needed.
3. Very few countries appear to be moving towards the larger landscape and seascape level planning that is required under Activity 1.2.2, as protected area management remains an isolated, usually very weak part of the overall decision-making apparatus of government.
4. Issues of governance, equity, and participation, as laid out in Activities 2.1.2, 2.2.1, 2.2.2, and 2.2.3, remain weakly developed in most countries. The paradigm shift that the Programme of Work represented, in terms of democratizing protected area design and management, is yet to find a place in the relevant legislation of most countries. On the contrary, in many countries indigenous peoples and local communities continue to face dispossession by protected areas. Local people still pay heavy costs, while the tourism industry and global society receives substantial benefits. This trend is exacerbated by the widespread privatization of protected areas over which indigenous and local communities

have customary or traditional rights.

5. In particular, very few countries have moved to recognize indigenous and community conserved areas, though the Programme of Work explicitly requires this.

Equally of concern are problems of process. In particular, we flag the following:

1. Most countries don't seem to have thought it important enough to report back on their national level progress, with only 15 having responded to the Secretariat's questionnaire and 50 having provided some information in their National Reports. We note that the lack of financial and other implementation support from donor countries is also a factor in this.
2. The failure to provide funding to hold the second meeting of the Ad Hoc Working Group on PAS (AHWGPA), scheduled for late 2005, is indicative of the lack of interest shown in this Programme of Work.
3. In general, funding commitments remain woefully inadequate.

Given the above concerns, we urge parties to the CBD to commit to:

- Rescheduling, well within 2006, the aborted 2nd meeting of the Ad Hoc Working Group on PAS; and making Element 2 a major focus at this meeting;
- Adopting an Evaluation Matrix that requires very specific reporting on progress of implementation, including in it the question of how protected areas are meeting the socio-economic and equity needs of indigenous peoples and local communities (also in line with the Elaborated Programme of Work On Marine and Coastal Biological Diversity, under Decision VII/5 (COP7, Kuala Lumpur, 2004), that stresses that this programme of work aims to make a direct contribution to poverty alleviation, in accordance with the Millennium Development Goals). Specific revisions of the draft Evaluation Matrix are appended to this statement.
- Preparing, through participatory processes that fully and meaningfully involve indigenous/local communities and NGOs, their national reports on

progress of implementation of the PA POW, especially with regard to the 2006 activity targets; and sending these reports to the Secretariat before the 2nd meeting of the AHWGPA.

- Finishing full transparent and participatory reviews on key measures needed to comply with the Programme of Work, and initiating substantive actions on each of these measures.
- Exchanging key lessons from successes and failures in achieving the various targets of the PA POW, bilaterally and through the CBD mechanisms.

The donor community too needs to realize that a renewed focus on protected areas, using the paradigm of the CBD PA POW, would help address not only conservation but also livelihood, poverty, and sustainability issues. The PA POW needs political commitment, skills and capacity, but it also needs funds, which are currently sorely lacking.

In turn, we in civil society commit to taking the actions we can, to help implement the Programme of Work.

We thank you for your attention.

[Delivered by Ashish Kothari, Kalpavriksh, on behalf of the undersigned alphabetically listed NGOs, and several other NGOs, gathered at COP8]

- Association of Private Nature Reserves of Minas Gerais, Brazil
- CARE International
- Equitable Tourism Options (EQUATIONS), India
- Fauna and Flora International
- International Collective in Support of Fishworkers
- Global Forest Coalition
- Global Justice Ecology Project, USA
- Greenpeace International

- International Institute of Environment and Development
- Kalpavriksh, India
- Pastoralist Integrated Support Programme, Kenya
- Royal Society for the Protection of Birds, United Kingdom
- Social Equity in Environmental Decisions, United Kingdom
- The Nature Conservancy
- Wildlife Conservation Society
- WWF

The Joint NGO Statement on Protected Areas was presented to the 8th meeting of the Conference of the Parties (COP 8) to the Convention on Biological Diversity (CBD) in Curitiba, Brazil on 23 March 2006

# Braving the perils of the sea

**The Third International Fishing Industry Safety and Health Conference addressed the issue of safety and health in the fishing industry**

**F**ishing at sea has been rightly described as the most dangerous occupation in the world. Based on statistics maintained by countries on fatalities at sea, it is estimated that about 24,000 deaths occur annually. The problems are more acute in small-scale fisheries where safety and health aspects are totally neglected and, in the absence of reliable statistics, it is difficult to get a clear picture of the issues that confront the small-scale fishers. While the government has paid little attention to this growing problem, the fishers themselves appear least concerned about their safety and health, continuing to brave the perils of the sea, and living on the edge.

Overexploitation of the coastal fish stocks has forced more and more small-scale fishers to move offshore in pursuit of fish. In many developing countries, small-scale boats fish all over the exclusive economic zone (EEZ). While there have been significant advancements in fishing technology, similar improvements have not happened to fishing boats, resulting in increased accidents at sea. Poor boat and engine maintenance, fatigue from excessive days at sea, and lack of communication and safety devices on board are some of the larger issues contributing to the poor safety and health regimes in small-scale fisheries.

The Third International Fishing Industry Safety and Health Conference (IFISH 3) held at Mahabalipuram, Chennai, India, from February 1 to 4, 2006 focused on the safety and health issues of small-scale fishers. Organized jointly by the Bay of Bengal Programme Inter-Governmental Organization (BOBP-IGO), the Food and Agriculture Organization of the United Nations (FAO) and the National Institute for Occupational Safety and Health (NIOSH), Alaska, US, the conference

brought together 52 experts from small-scale and commercial fisheries as well as from governments, who debated many aspects of the subject. They included worldwide safety challenges facing the fishing industry; regional approaches to sea safety; safety equipment and training of crew; injury prevention and health promotion; fishing vessel and equipment design; and international standards and status reports.

Lack of reliable statistics has been a major constraint in addressing the sea-safety issues of small-scale fisheries in developing countries. Better estimates are needed on causes of accidents leading to deaths and injuries. This would enable proper understanding of the problems and also in finding solutions. While governments should set up mechanisms for systematic collection, collation and analysis of information, it is also essential to involve fishers and their associations and families, as well as epidemiologists.

Small-scale fisheries often lack a proper certification system for boats, and vessels are constructed by persons with traditional skills handed down from one generation to another. Some small vessels go into the deep seas in search of fish, though they are not equipped to do so; they run into both safety and legal problems.

#### **Poor certification**

Registration and insurance of small fishing boats, and better co-ordination of vessel monitoring and community participation programmes can strengthen safety at sea. Also important are the introduction of a vessel monitoring system for larger vessels, and first aid for victims of injuries at sea. In many developing countries the responsibility

for fishing vessel safety lies with many government departments, creating ambiguity.

**R**epetitive training, constant re-enforcement, management commitment and safety inspections have together reduced, to a large extent, fatalities at sea in the commercial fisheries; the same needs to be done in small-scale fisheries too.

A good balance is needed between 'hardware' and 'software'. At present, the cost of safety and communication equipment is prohibitive for small-scale fishers. While very high frequency (VHF) devices are inexpensive sea-safety tools, their range needs to be extended. A coastal radio network can be very useful for fishermen. The benefits of satellite weather prediction and of simple devices like hand-held radios should be made available widely to artisanal and subsistence fishermen.

In many countries the Coast Guard is responsible for protecting fishermen and assisting them at sea. They are also responsible for undertaking search and rescue (SAR) of fishermen in distress. However, SAR operations are expensive. For example, the Indian SAR region comprises 4.6 mn sq km, and the annual expenditure on SAR is estimated at approximately US\$ 1 mn. Clearly, the cost of SAR operations must be lowered.

Savings from such reduction could be used to subsidize sea-safety measures.

A related area of neglect is health. HIV/AIDS is a major threat to the health of fishermen in many parts of the world. A community health model should be adopted to tackle this and other diseases such as tuberculosis, which is commonly prevalent among small-scale fishworkers.

The United Nations agencies responsible for fisheries (FAO), working conditions of labour (the International Labour Organization, ILO) and maritime safety of vessels, equipment and life (the International Maritime Organization, IMO) have so far not been successful in their efforts to bring out guidelines/regulations that address the issues of small-scale fishing vessels, including the safety and health of workers on such vessels. The SOLAS (Safety of life at sea) and GMDSS (Global maritime distress and safety system) regulations do not apply to small-scale fishing vessels. The proposed ILO work-in-fishing Convention is strict in relation to larger vessels but flexible with small-scale vessels. There seems to be a lack of interest in the safety of fishing vessels below 12 m.

#### Various codes


The FAO/ILO/IMO Code of Safety for Fishermen and Fishing Vessels (Parts A and B) as well as the FAO/ILO/IMO Voluntary Guidelines for the Design,

Construction and Equipment of Small Fishing Vessels are currently being revised and will be published soon.

**T**he Code of Conduct for safety of fishing vessels should also be implemented. Fisher groups should be involved in the decision-making process. However, safety instruments can be useful only if they are implemented and enforced; this is mainly the responsibility of the governments.

Safety at sea depends largely on awareness, prevention and mitigation. Documenting best practices and disseminating sea-safety information through popular literature and the electronic media would help fishers gain the right knowledge. Also, family members, including women and children, should be approached for long-term success with safety. Women constitute a powerful pressure group and they have often taken the lead in highlighting problems of sea safety and work conditions in fishing.

The 26 December 2004 Indian Ocean tsunami killed a quarter of a million people, and made many more homeless and jobless. The absence of a proper system for boat registration, and of systematic data, compounded the problem of relief for fishermen. The tsunami generated several lessons and forced a fresh look at the development agenda in the tsunami-affected countries. The proliferation of new boats in the post-tsunami period throws up safety considerations too.

IFISH 3 succeeded in increasing awareness on the safety and health issues of fishers, especially those belonging to the small-scale category. The challenges for the future relate to government regulations, awareness and outreach programmes, and data organization and collection. Improvements are needed in the areas of communication, equipment and materials, training, community health, data collection and surveillance mechanisms. Political will is also essential to improve the safety of fishers worldwide. 

This piece is by Yugraj Singh Yadava (yugraj.yadava@bobbigo.org), Director, Bay of Bengal Programme Inter-Governmental Organization, Chennai, India

IUU fishing

## Pillagers or victims?

**The plight of Kenyan fishermen on board foreign-flagged trawlers is often shocking**

**M**ost Kenyan sailors (usually fishermen) are employed on trawlers flying Kenyan or foreign flags. There are 20 trawlers flying the Kenyan flag, 17 of which are owned by Italian companies and three by Koreans. A study carried out in 2002 by the Seafarers Assistance Programme (SAP) showed that 165 Kenyan fishermen were working on board these trawlers. Another 295 were working on European-flagged vessels, the majority of which were Spanish trawlers and longliners. A further 65 sailors were employed by Korean longliners.

Andrew M Mwangura, Co-ordinator of SAP, strongly condemns the working conditions of the Kenyan sailor-fishermen employed on both Asian and European industrial fishing boats, some of which are fishing illegally in east African waters. "Whether local or foreign, none of these vessels that employ Kenyan sailors comply with the international conventions and standards of the International Labour Organization," he says.

About ten years ago, SAP set up a programme to monitor the well-being of the sailors. It revealed that neither their working hours nor their rest periods are legal: once the vessels are out fishing, rest periods are rare. Kenyan fishermen taken on board these vessels generally have no fixed working hours and no work clothing. Most of them earn, on average, US\$100 per month, well below the US\$800 earned by crew members from other countries on the same boats.

There are no agreements in place or measures taken to ensure health on board. There is no medical care at sea and no social security system for these sailors. Between 1983 and 2003, 64 fishermen (one

Senegalese, 16 Tanzanians and 47 Kenyans) perished at sea; 121 were seriously injured and 37 had their fingers frozen.

Some of these boats are fishing off the Somali coast. This fishing zone is extremely rich in resources: it is estimated that fisheries off the 3,300-km long Somali coast could produce annually, on a sustainable basis, 300,000-500,000 tonnes of fish.

Even before the civil war in Somalia began in 1991, official fisheries statistics showed annual production levels of 20,000 tonnes, that is, only 4 per cent of the potential. Artisanal fishermen and foreign vessels holding licences accounted for half of this catch.

Since the beginning of the civil war, and in the absence of any central government in Somalia, large-scale illegal fishing operations have increased. These operations stem from all over the world and use fishing methods and gear banned internationally.

Statistics on fishing operations carried out by foreign vessels off the Somali coast have been collated by the Somali researcher M. Abdirahman Jama Kulmiye. There are some 300 vessels carrying out IUU fishing operations off the coast of the self-proclaimed Republic of Puntland, and 700 others fishing along the Somali coast. They target high-value seafood products such as shrimp, lobster and other demersal species, for which high prices are paid in the EU and other international markets.

### Flags of convenience

A further deception is that the true identity of the vessel owners is often hidden as a result of registering vessels

under flags of convenience and using fronting companies in Kenya. Kenyan ports are thus *de facto* the advanced bases for organizing illegal fishing campaigns in the rich waters of Somalia. Numerous Kenyan seafarers are hired to work on board such vessels that take part of illegal fishing operations in Somali waters.

**U**nder the pretext of fighting this large-scale illegal fishing, some Somali people have decided, in order to “protect” their territorial waters, to start the business of taking hostages. In response, the trawler owners hire militiamen to guard ships while they are fishing within Somali territorial waters.

SAP reported that, despite the presence of militia on board the fishing boats, Somali pirates have succeeded in taking several fishing boats with crew members that include Kenyan seafarers. In recent years, five Kenyan, two Korean, three Italian and three Russian fishing boats have been seized by pirates.

Examples include the 1997 seizure by pirates of a Kenyan-registered, Italian-owned ship, the *Bahari Hindi*, which was held for 45 days at Kismayo, Somalia. The pirates demanded a US\$500,000 ransom in order to release the crew of 36, comprising Italians, Poles, Kenyans, Romanians, Tanzanians and Senegalese. In December 2001, the *Bahari Kenya*, also a Kenyan-registered, Italian-owned vessel, was held at Elly Port, Somalia for 99 days, with a crew of 33 on board that included Italians, Kenyans, Romanians, Somalis and Spaniards. This time, the ransom demand was US\$1 mn. In 2003, 15 Kenyan, nine Indonesian and three Korean fishers were held as hostages aboard the Korean-flagged *Beira 3*, and were released after six months. Some fishermen have even been caught twice or thrice but, driven by the need to earn a living, they have developed a sense of daredevilry.

The fishermen victims of such piracy explain that their captors are always armed with AK-47 assault rifles, bazookas and rocket-propelled grenade launchers. The first thing the hijackers do is draw off all the fuel from the vessel. They also take with them all the fresh food, and feed the hijacked crew with stale food from

Somalia. As the ransom negotiations drag on, the captives are often beaten up and told that if the ransom is not paid, they will be killed.

Illegal fishing is also affecting the protein intake of Kenyans. Kenya has a population of 30 mn, and 9.5 kg of fish are required per year to meet the protein needs of an individual. Thus 300,000 tonnes of fish are needed annually. But according to the Food and Agriculture Organization of the United Nations (FAO), the per capita supply of fish in Kenya was only 6.1 kg in 1999, and in 2002, 5.6 kg (from marine fisheries). According to the Ministry of Livestock and Fisheries, Kenya is currently experiencing a serious shortage of fish and fish products, to the tune of over 200,000 tonnes. National production, combined with regional trade, could help address this shortage; but the lack of a national fisheries policy, and the extent of illegal fishing operations in the region by local boats (owned by European or Asian interests) and foreign fleets from Europe and Korea represent serious obstacles.

This article by the Coalition for Fair Fisheries Arrangements (CFFA) is based on *The Safety and Health of Kenyan Fishers on Board Industrial Fishing Vessels, with Specific Reference to Illegal, Unreported and Unregulated Fishing* by Andrew Mwangura, Co-ordinator, SAP, published in March 2005



Legal handbook

## New from ICSF

**ICSF has just published a handbook on international legal instruments relevant to fisheries and fishing communities**

**I**nternational Legal Instruments Relevant to Fisheries and Fishing Communities: A Handbook provides detailed information for a wide range of legal instruments relevant to fisheries and fishworkers. It covers 114 legal instruments, categorized into the

fisheries/ small-scale fisheries/ fishworkers.

The companion CD-ROM provides the full texts of the instruments in a searchable database. The handbook will be useful for fishworker and non-governmental

following seven themes: (1) Human Rights, Food Security, Women and Development; (2) Environment and Sustainable Development; (3) Oceans and Fisheries Management; (4) Environmental Pollution; (5) Fishing Vessels and Safety at Sea; (6) Labour; and (7) Trade.

The handbook also includes the working of the instruments (decision-making bodies, monitoring and implementation agencies, periodicity of meetings, rules for participation in meetings of the decision-making bodies and implementation agencies for States and non-governmental organizations), regional instruments/agencies and follow-up. Apart from being a ready reckoner to the instruments, it highlights the important sections of relevance to

organizations, and also for researchers and others interested in fisheries issues. It is also available online at [www.icsf.net](http://www.icsf.net).

For more information on *International Legal Instruments Relevant to Fisheries and Fishing Communities: A Handbook*, please contact ICSF ([icsf@icsf.net](mailto:icsf@icsf.net))

## A meaningful beginning

The following is from a document published by the Inland Fisheries Research and Development Institute (IFReDI), Cambodia

**T**he main objective of this document is to make a modest attempt to highlight the challenges which are emerging with the current phase of Cambodia's aquarian reforms—the most important component of which is the current transition from fishing lots to community fisheries. The challenges include the realms of institutional and policy reform, local action, innovation and research. We contextualize our effort by commencing with an assessment of the importance of the aquatic resources and by providing a brief historical background to the reforms. This is followed by an examination of the changes in the access and property rights and the system changes which have been brought about as a result of the reform.

How some of the transitional changes can be assessed and the manner in which the efforts at community fisheries can be made more economically and socially viable are also addressed. We deal with the complex issue of social identity and the aspirations for creating a new sense of community. The new role of women, the importance of creating networks and closer collaboration with Cambodia's local governance structures and vibrant civil society organizations are also highlighted. The reforms have created new legal realms of local 'micro' ecosystem space and resource governance.

But this should not detract from the need for an understanding of the larger 'global' context—be it in relation to the ecosystem dynamics or governance priorities. We suggest that research and development priorities must be re-oriented to consider ways of dealing with the vast number of new and evolving 'local realities' and yet, link them up contemporaneously to the big 'global picture'. We end with a few

recommendations addressed to different actors involved in the process of aquarian reforms. There is a call for a new mission and greater collaboration by research institutions; new methodologies for data collection; greater participation with local governance structures; an exit strategy for aid agencies and the need for setting up a national institute for co-management applications and training.

Developing countries have been recently challenged by many opportunities and problems pertaining to their efforts to facilitate economic growth and promote human development. Providing a growing population with the entitlements and capabilities needed to meet rising aspirations in a globalized, market-dominated economy is often a daunting task before policymakers and politicians. Tapping into the renewable natural resources in a country—its real wealth—is often the 'fallback option' which both the State and the people adopt when crisis brews in the other sectors of the economy. The market-oriented option of converting natural resources to wealth often ends up in what economist Herman Daly recently referred to as the tragedy of artificial or self-inflicted scarcity. This approach generally leads to private riches for a few and exclusion from the public wealth for the many.

### Under pressure

Recognizing the pitfalls of such an approach, but often under pressure from the people and civil society, States have increasingly resorted to measures to open up the terrain of renewable natural resources to communities who depend on them for a livelihood. Doing so without the appropriate institutional arrangements to modulate the use and management of these resources has often led to the tragedy of open access.

**F**inding the ‘middle-path’—wherein both efficiency and equity considerations can be adequately met within their social, cultural and political frameworks—has been on the agenda of many developing countries.

Cambodia is pictured in international per capita income comparisons to be one of the poorest countries in the world. There is certainly much truth in this statistic. However, viewed from the perspective of availability of per capita natural resource—land, aquatic resources, particularly fish, and forests—it is certainly one of the richest countries in Asia. Converting this latter statistical average into equitable access and well-being for the majority is indeed the greatest challenge before the State and the people of Cambodia. The challenges to achieve this goal with respect to the most valuable aquatic resource of the country—the fish in its inland waters—are the focus of this document.

We term the efforts at aquatic resource management which have been unfolding in Cambodia as ‘aquarian reforms’. We adopt the term ‘aquarian reforms’ rather than ‘fishery reforms’ for a variety of reasons. The reforms have a historical context. In the past, government intervention in the sector was focused on gathering revenue rather than managing fish production or promoting local livelihoods. In the current phase, the

attention of the reforms is focused on the institutional changes which are being made—contemporaneously by the State from above and the communities from below. These reforms are meant to empower people to relate collectively to the country’s rivers, lakes, floodplains and the fishery resources therein. In future, the reforms will play a role in conditioning the technological choices and organizational decisions that people make in order to obtain sustainable gains from their collective action. In brief, we are concerned with a dynamic process of transformation. The focus is not merely on fish but on the whole aquatic terrain and the evolving manner in which people relate and intervene in it. Our contention is that the ecological and socioeconomic initial conditions have a definite bearing on these evolving circumstances. The present course and the future trajectory of the new institutional changes sought to be introduced need to be envisioned with this perspective. Aquarian reforms cover this entire canvass.

#### **Good scholarship**

An excellent body of scholarship already exists about these reforms written before the sub-decree of community fisheries management was formally approved. Our efforts build upon that corpus of information and on recent (late 2005) discussions with fishery officials and researchers and field visits to several provinces for firsthand information from

the women and men in the villages most impacted by these reforms. The document primarily addresses the various actors associated with the aquarian reforms in Cambodia. It seeks to provide them with some guideposts on the range of issues that may arise if the reforms are to be taken to their logical conclusions.

**T**he community access to resources, if managed well and strengthened, can yield significant familial and societal changes that sustain resources and foster convivial livelihoods.

More than mere poverty alleviation, it can contribute significantly to enhancement of the capabilities and entitlements of the rural masses in Cambodia. Combined with enlightened advice and support from research and development agencies, local control over resources can lead to greater care and nurture of the unique aquatic ecosystem of Cambodia.

During our visits to community fisheries we were informed about the greater livelihood opportunities available for men and the increased employment and income-earning opportunities for women.

People spoke about the manner in which the availability of greater money income was utilized to keep children healthier and educated. They spoke about reduced domestic violence.

The greater control over local natural resources also leads to reduction in 'push-pull' migration of men in search of work. These factors taken together can yield intergenerational reduction in infant mortality, family size, enhancement of educational levels and greater gender justice.

Such positive ecological, socioeconomic and demographic changes will create different occupational expectations in the next generation. This can yield reduced population pressure on the aquatic resources in the not-too-distant future.

Coupled with changes in the access right to aquatic resources, if there is a general revival of economic growth and employment opportunities in the country, this can result in the new generation opting for other gainful occupations.

These opportunities can arise in small and medium village enterprises dealing with aquatic resource processing, which can be rural-based, urban- or export-market-oriented, and yielding higher incomes.

Greater economic democracy is a necessary condition for raising human dignity and creating stable political democracy and peace. This will have far-reaching implications for the future of the country.

Aquarian reforms in Cambodia have a long history. The earlier phases were measures taken with considerations aimed at efficiency and maximum rent extraction, and tempered in accordance with some sociopolitical considerations.

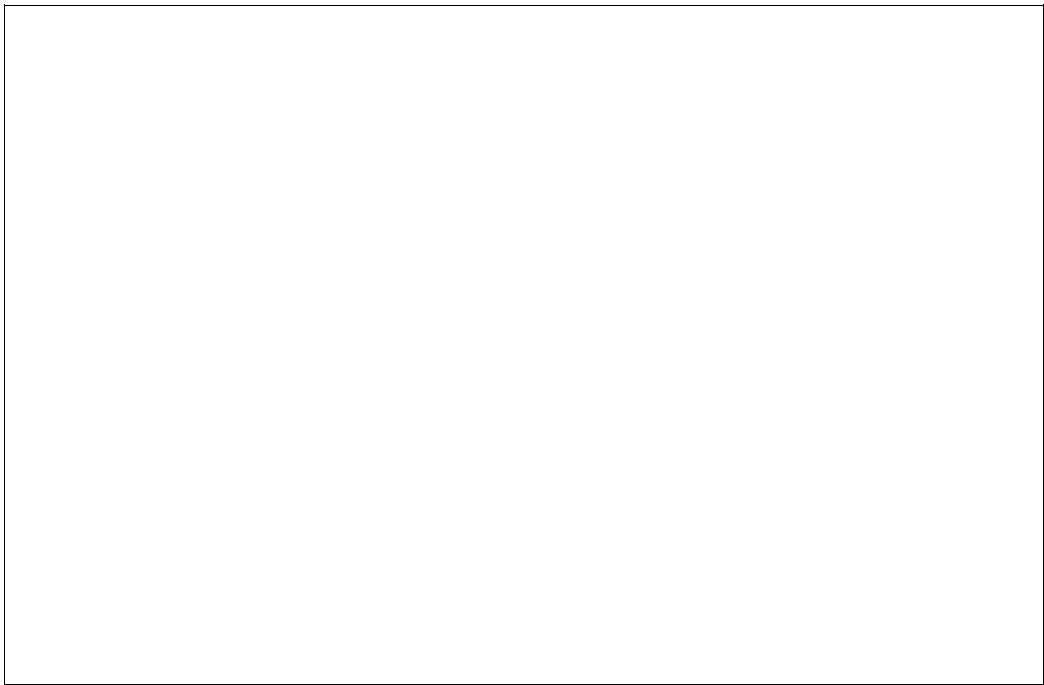
The current phase is anchored in the context of the country's recent voyage towards greater democratization and integration into the global economy. It is part of the government's Rectangular Strategy which is intended to "firmly and steadily build Cambodian society by strengthening peace, stability and social order, entrenching democracy and promoting respect for human rights and dignity."

These are indeed laudable objectives. The current move towards community fisheries should be seen as an important commitment towards achieving these goals. Being simultaneously a top-down and bottom-up approach, it is only natural that there will be doubts and anxieties about the sense and the viability of the whole enterprise, both on the part of the government and the people.

There is no need to concentrate excessively on the organizational form of the reforms. The debate is not about whether the inland fish of Cambodia are better harvested through large fishing lots or small community fisheries organizations.

#### **Complete reforms**

Aquarian reforms are complete only when those who directly relate to the aquatic resource through their labour, to give value and meaning to it, are assured the freedom and given their rightful rewards for doing so on a sustainable basis. On this



count, a meaningful beginning has been made in Cambodia. But there will be many challenges ahead and a long way to go.



This excerpt is from *Cambodia's Aquarian Reforms: The Emerging Challenges for Policy and Research* by John Kurien (kurien.john@gmail.com), Fellow, Centre for Development Studies, Trivandrum, India, So Nam, Deputy-Chief, Fisheries Domain and Extension Division, Department of Fisheries, Phnom Penh, Cambodia, and Mao Sam Onn, Deputy-Chief, Administration and Personnel Division and Assistant of the DG, Department of Fisheries, Phnom Penh, Cambodia

## Life studies

### A seasonal fishing ban meant to conserve turtles in Orissa, India, has fatally affected fishing communities

On 27 September 1997, the Gahirmatha Marine Wildlife Sanctuary was set up in the Indian State of Orissa to protect the olive ridley species of sea turtles in their nesting and breeding habitat, under Section 26 A of the Indian Wildlife Protection Act 1972. The sanctuary of 1,440 sq km is the world's largest nesting site of the endangered olive ridley turtles. It is demarcated into a core area of 725.5 sq km and a buffer zone of 709.5 sq km.

The Indian Coast Guard was appointed Wildlife Warden of the Gahirmatha sanctuary in 1998, with the power to stop and seize fishing vessels, especially trawlers, and to hand them over to the Forestry Department for further action. (The Wildlife Protection Act 1972 is implemented by the Ministry of Environment and Forests, at the national level, and by the State Forestry Departments, at the State level.) All forms of fishing are prohibited in the core area—10 km from the high-tide line—of the Gahirmatha marine sanctuary throughout the year. However, innocent passage through the core area is permitted to fishing vessels with no mechanical means of propulsion. Non-trawl forms of fishing, both mechanized and non-mechanized, are permitted in the buffer area—10 km to 20 km from the high-tide line. Trawlers that are permitted to fish beyond 20 km, however, are required to use turtle excluder devices (TEDs).

For the coastal communities of Orissa, which is amongst the poorest States of India, the fishing prohibitions and the olive ridley issue have turned into a bone of contention because the turtles' breeding habitats in the river mouths also happen to be the richest fishing grounds of the State. The marine turtle congregations

occur in the peak fishing season. Interactions between such congregations and bottom-trawl and gillnet fishing have been reported from 1974. This is perhaps the most striking example of such interactions in the world, involving the protection, almost every year, of an estimated 150,000 adult olive ridley population and their breeding and nesting grounds, on the one hand, and the livelihood interests of about 50,000 fishermen and fishworkers entirely dependent on coastal fisheries, on the other.

Fishing is considered to be the greatest threat facing the olive ridleys in Orissa. The main cause of turtle death is believed to be drowning in bottom trawls and entanglement in certain types of gillnets, which account for about 90 per cent of mortality during the December to February fishing months.

For the first two to three years after the declaration of the sanctuary in 1997, enforcement of the fishing ban was not very strict. As a result, according to forest officials, the mortality of the turtles increased. According to the Wildlife Society of Orissa and Operation Kachhapa (Operation Turtle), during the last 13 years, more than 129,000 turtles have been found dead along the Orissa coast in the Bay of Bengal. With the sandy beaches turning into turtle graveyards, pressure soon began to mount from environmentalists and conservationists from around the world. As a result, the Coast Guard and the Forest Department intensified patrolling, and began strictly enforcing the conservation law.

#### Traumatic effect

The net effect, however, has been traumatic for Orissa's traditional fishing community, which has to battle poverty

and starvation induced by the fishing ban.

According to Narayan Haldar, the president of the Orissa Traditional Fish Workers' Union (OTFWU), the fishing ban has already broken the backs of the fishing community, especially in the coastal areas of Kendrapara district, where suicide deaths have been reported (see case studies below).

According to Haldar, the fishermen have raised their voices in different ways. On 21 November 2005, around 2,000 fishermen demonstrated in Bhubaneswar, demanding that the sanctuary's seaward boundary should be redrawn up to 10 km from the high-tide line, from the existing 20 km. Similarly, the boundary of the core area of the sanctuary should be reduced to 5 km from the existing 10 km, and innocent passage through the sanctuary should be afforded to all their fishing units. The government should provide them larger boats and engines so they could go offshore for fishing. A 30 per cent loan and a 70 per cent subsidy should be provided to purchase fishing equipment, they demanded.

In January 2006, about 3,000 fishermen blockaded a road in Kendrapara district to protest the ban. Forest Department officials had seized three gillnetters and a trawler, and arrested nine fishermen on charges of illegally fishing in the prohibited area. The irate fishermen blocked the main road at Jamboo village for three hours, demanding the release of the arrested fishermen.

The fishermen alleged that the Forest Department officials were preventing them from fishing even beyond the 10-km distance. "They arrested the fishermen illegally when they were fishing outside the prohibited area," Tushar Kanta Sardar, secretary of the Kendrapara district fishermen's association, said.

The fishermen of the area say they use small motorized boats, and pay their nets manually, and do not hurt turtles. The large trawlers kill turtles, they allege. Turtle conservationists, however, have a different view. They say that traditional

fishing with 10-14-hp motorized boats also causes turtle mortality.

According to Mangraj Panda of OTFWU, since the fishing ban limits all options for a decent living, the fishermen should be provided an alternative source of income. The union had filed a petition with the Central Empowered Committee (CEC) constituted by the Supreme Court of India. After a visit to Orissa between 10 and 14 February 2004, the CEC directed the State government to demarcate the prohibited zone where fishing is banned.

The 2004 CEC report recommended that innocent passage through the core area of the sanctuary should be allowed only for "traditional fishermen" on local non-mechanized fishing vessels. There should be a committee at the grassroots level, constituted by the fishermen's unions, turtle conservationists, the Forest Department, the Fisheries Department and local representatives. Wildlife protection should be done with the involvement of the community of the area, the CEC proposed.

Unfortunately, nothing has been done yet. The Forest Department has neither demarcated the sea zone nor formed any grassroots committee. As a result, the resentment and misery among the local people have increased, said Narendra Behera, the president of the Mahakalpada *zilla parishad* (village council).

While local fishermen complain, the Forest Department has different views. "The fishermen are trying to make a plea in the name of demarcation. Till date, all those arrested, have been arrested within the 9-10 km sea zone, which is the prohibited area. Of course, the CEC has directed for the demarcation, but it is not an easy task. It requires millions of rupees, which the government has not yet been able to allocate," said A. K. Jena, District Forest Officer (DFO), Rajnagar.

#### **No proposal**

He added that there was no proposal from the Fisheries Department for innocent passage. Nor has the fishermen's community given any memorandum to anybody regarding such passage. He also said that the Forest Department does not even know how many boats have been

issued licences. There seems to be a major communication gap or lack of co-ordination between the Fisheries Department and the Forest Department. The fishing ban has a great impact on the fish markets also. According to data from the Fisheries Department, there has been a decline in fish production in Kendrapara district during the last few years.

**G**reenpeace, the international environmental group, launched *Sugaytri*, a boat specially equipped to undertake exhaustive patrolling to protect the sea turtle. The first event to mark the launch of the campaign was the laying of buoys outside the periphery of the Gahirmatha sanctuary to demarcate the non-fishing zone. Greenpeace also solicited the support of the State Forest Department for the demarcation of the remaining boundaries of Gahirmatha and eventually, the no-fishing zones of other breeding sites, said Sanjeev Gopal, Ocean Campaigner, Greenpeace India.

The CEC is clear in its directives of the need to strike a balance between the rights of traditional fishworkers and the responsibility to protect olive ridleys. The demarcation of the marine protected area in Orissa was the first step in implementing the directives, says Gopal.

Now the immediate intervention that should be made is to give passage to

traditional fishermen to venture into their fishing grounds. There should be proper demarcation in the sea, and the fishermen should be covered under special welfare schemes. They should be provided with alternative sources of income, through vocational training, says Ashish Senapati, the project director of Project Swarajya, an NGO in Kendrapara district.

The fishermen in the Mahakalpada area are mostly post-Partition immigrants and a large number are Bengali refugees from the then East Pakistan (now Bangladesh), who settled on land provided by the government. Most—80 per cent—of the coastal villagers are Bengali-speaking people who eke out a living by fishing. Being immigrants, they are a political minority, and their voices remain unheard. They are just used as a vote bank, says Rajesh Behera, a freelance journalist.

In last two years, the coastal villages of Kharnasi and Ramnagar have seen at least seven persons committing suicide and seven more reporting severe mental distress, unable to feed their families and repay bank loans after they lost their traditional means of livelihood due to the fishing ban.

#### **Official ignorance**

Both Jyotiprakash Das, the District Collector of Kendrapara, and Suresh Mohanty, the Chief Wildlife Warden, claimed to be unaware of the deaths in the



fishing community, reportedly induced by the poverty that resulted from the fishing ban. But they did not hesitate to accept the fact that the livelihoods of the fishermen have definitely been affected by the ban and that they are yet to provide a single alternative source of livelihood for them. “Definitely, the turtle conservation and fishing ban has had a great impact on the fishermen. From time to time, we visit the places that have reported the deaths, but officially, I can’t say that the deaths are due only to the fishing ban. A proper investigation is needed,” said B. C. Hembrum, a Fisheries Department official at Kujang.

It is high time that the whole international community, the government machinery, turtle conservationists, environmentalists and NGOs start thinking of the interests of the fishermen and their families and communities, and link these with the protection of the olive ridley turtles.

#### CASE STUDY 1: Gauranga Saha

Gauranga Saha of Kharnasi village died on 14 March 2004 at the age of 50, leaving behind his 44-year old wife, Arati, and five children—two sons and three daughters, one of whom, the second, Tulasi, 20, got married last year. The eldest son, Deepak, is 24 years, and the youngest, Debabrata, 15, studies in the ninth class. The other two daughters are Nilima, 22, and Bulu, 18.

Saha committed suicide by consuming poison, confirmed his widow. She said that after the fishing ban, he was increasingly worried about the family’s source of livelihood. The family owned four boats, outfitted in 1997 with 10-14 hp motors. A boat costs around Rs250,000 (US\$5,666) and typically, six persons work on each boat.

Saha was the *sarpanch* (village council leader) of Kharnasi during the last term. He had borrowed Rs150,000 (US\$3,399) from the fish merchants Nari Tarai and Bapina Saha of Paradeep to repair his nets and gear. In 2001 the Forest Department seized two of Saha’s boats. Another boat had already been destroyed in the 1999 supercyclone. In 2002 Saha’s second daughter got married, so he had to borrow Rs2,500 (\$56) from the fish

merchant for the dowry. Thus Saha’s loan burden multiplied as time went by—moneylenders in the coastal villages of Orissa double their interest rates for every three months of default.

According to Arati, since 2001 the family had virtually lost their source of livelihood. Though they had one boat left, the fishing ban prevented Saha from going fishing. Since then, he was a very depressed man. He constantly worried about how they would marry off their two daughters. The elder son had already dropped out of school to help his father. But as they could not venture into the sea to fish, he too sits idle. “Just two days before his death, he bought me a cotton saree as I was managing with just two sarees. He assured me that everything would be fine. He also, at the same time, said he regretted not being able to do a lot of things for the family. Destiny did not seem to support us...Who knew those would be his last words?” Arati sobbed.

Saha ended his life by consuming poison when the entire family was asleep. When they did not find him on the bed in the morning, they searched all around and finally found his body in an isolated room, which had been lying unused for a long time.

The family plans to hand over their only boat to Bapina, the fish merchant, to repay a debt of Rs70,000 (\$1,577). Their current financial condition is miserable. Deepak, the elder son, is unemployed and idles out the fishing ban period; he can get work on other boats as a deckhand for only two months, earning Rs500 (\$11) per month. Arati sells puffed rice, for which she earns Rs2 (\$0.05) a day. Her daughters roll *beedis* (cigarillos). “For 1,000 *beedis*, we make Rs30 (\$0.7). To bind 1,000 *beedis*, we take two days, so per day, we get only Rs15 (\$0.35). And in a month, we get work for only 12 to 14 days,” Nilima said. That means that on average both sisters earn about Rs225 (\$5) per month. Add to this their mother’s income of about Rs90 (\$2), and their total monthly income comes to about Rs 315 (\$7), or yearly, Rs4,780 (\$108).

#### CASE STUDY 2: Bidyadhar Ram

Bidyadhar Ram, 35, of Kharnasi village committed suicide by hanging himself one night in an abandoned thatched

building near his house in December 2005. His widow, Sikha, is 32 years old. “For the last few years, he was depressed and frustrated,” she said. “One day two months ago, in December 2005, he came and told me that he could no longer maintain us because he had a loan burden of Rs10,000 (\$225), accumulated over time from borrowings from the trawler owners of Paradeep.

Ram did not have any boat of his own; he worked on trawlers as a helper, earning Rs100 (\$2.25) daily. I decided to go to my parent’s home for some time, thinking that I would return with my children when the fishing starts.

The day after reaching my parent’s house with my children, I was informed that Ram had committed suicide by hanging himself. If I could have smelled his intention, I would never have left him,” Sikha lamented. Sikha said that though they were not financially very sound, they managed a hand-to-mouth existence. Their problems started over the last five years. When the fishing ban got longer, Ram could not earn anything, and so he started borrowing money from the trawler owner whom he used to work for earlier.

Asked whether they had had a fight before she left for her parent’s house, Sikha said: “It soon came about that we couldn’t provide a square meal for our children.

That irritated me and frustrated him. So we had arguments and fights sometimes, like any family in a similar situation, I guess. My husband was rendered helpless. He tried to go outside and get work as a wage labourer but in this area, no work was available.”

Sikha now stays in a one-roomed thatched house with her three children and old mother-in-law. The eldest daughter, Mausumi, is 14 years old. The two sons, Bitu, 10, and Bibekananda, 7, are with her mother. The family does not own any land. They built their thatched house on government land. Their only source of income is the daughter, Mousimi, who now works as a maidservant in a nearby village. “I have to walk at least 2 km to reach that village. They pay me Rs2 (\$0.05) daily,” Mousimi said. Both the sons have been withdrawn from their schools and will be sent to the town to work as child labour, according to their mother.

#### **CASE STUDY 3: Sukumar Sarkar**

Sukumar Sarkar, 54, of Pitapata village committed suicide by consuming pesticide in March 2004. He had three children—daughters, Sabita, 23, and Binita, 21, and a son, Bhabani, 20. His daughters had been married off before his death. His widow, Golapi, left the village with her son last year.

Though we could not contact them, we could gather information of the family

from the president of the *panchayat* (village council), Narayan Haldar, and the villagers. According to them, Sarkar owned two gillnet boats, fitted with 10-15 hp motors. In 2002, the Forest Department seized both the boats. Though Sarkar managed to work on other boats for some time, after the fishing ban, all fishermen, including the trawler owners, were in financial difficulty. Sarkar managed to marry off his daughters by borrowing some money. Meanwhile, he fell ill and could not go out in search of work. The fish merchants from whom he had borrowed money would frequently badger the family for repayment, so one day, Sarkar's son, Bhabani, migrated elsewhere and his widow Golapi went to stay with her daughter-in-law.

#### CASE STUDY 4: Rashyamaya Mandal

50-year old Rashyamaya Mandal of Ram Nagar village committed suicide on 10 April 2002. Mandal had six children—three daughters and three sons. The eldest daughter, Sabitri, is 26 years old; the other children are: Ganesh, 24; Laxmi, 22; Bijili, 21; Sanjay, 15; and Pintu, 14.

According to Mandal's widow, Kalidasi, they had one motorized 20-ft gillnet boat, which they had already lost to the 1999 supercyclone. Besides, they had one country boat and two acres of land, on which they sometimes grew paddy. "We were living hand-to-mouth because we

had a large family, with six children. My elder son abandoned his studies to go fishing with his father. When the ban was imposed, our economic condition got worse. Meanwhile, the marriage of our elder daughter, Sabitri, was finalized. My husband took a loan from the bank for her marriage. To repay the loan, we mortgaged our two acres of land to Ranjit Mandal of Ramnagar and Mahant Babu of Kharnasi village. During the fishing ban, we faced lots of problems in meeting our daily needs. My husband's frustration from the financial crunch cost him his mental balance. He began to behave abnormally and went out for days together. My children had to search for him and bring him back home. One day, all of us went to attend a social function and when we returned home late in the evening, he was no more. He had committed suicide by hanging himself," Kalidasi burst out in tears.

After Mandal's death, the family had to sell their country boat for Rs2,500 (\$56), though its market value is almost Rs7,000 (\$158). Their land was confiscated by Ranjit Mandal and Mahant Babu, as they could not repay their debt. Now they have neither land nor a source of livelihood. The elder boy, Ganesh, is now the sole earning member of the family. Ganesh used to work as a casual labourer for Rs50 (\$1) per day. But since there are no jobs easily available in the village, he has to go far off in search of work, and gets to work for only 10 to 12 days in a month during the seven-month fishing ban period. Occasionally, he finds work on a trawler when the fishing ban has been lifted. His monthly income is about Rs600 (\$14). His mother sells dried cowdung cakes, but makes very little income from her work. The total monthly income of the family is Rs720 (\$16). The six members of the family have to survive on that amount.

#### CASE STUDY 5: Sripad Jagdar

48-year-old Sripad Jagdar of Ramnagar village died in November 2004, leaving behind four children: Ranajan, 24, Ranjit, 23, Sapan, 16 and Sanjay, 12. His wife, Srimati, said that Jagdar had one motorized 10-hp gillnet boat, which is still with the Forest Department. Though they did not have any land of their own, Sripad could earn enough for his family, hiring other boats for fishing. Before the ban was

imposed, he was earning up to Rs4000 (\$90) per month. After the ban, gradually the family income shrunk and soon became insufficient for a decent living. Meanwhile, Sripad contracted a tumour in his abdomen, and doctors referred him to the city hospital.

“At first, we somehow managed to collect Rs15,000 (\$338) by borrowing and got his operation done in a hospital in the capital. When he fell ill again, the doctor diagnosed it as a stone in his kidney, and advised us to take him to Hyderabad for treatment, but we could not since we were left without even a single paisa,” Srimati said. As a result, he remained at home and ultimately died for want of proper treatment.

“If fishing had not been banned, and our fishing activities had continued as earlier, we would not have lost our father. You are directly or indirectly forcing people to die. It’s happened to us,” laments Jagdar’s eldest son, Ranjan. All the three brothers now collect shrimp fry from the river, each earning about Rs7-10 (\$0.22) per day. They have no cultivable land, and only a mud house to live in, and their mother does not even get a widow’s pension from the government.

#### CASE STUDY 6: Jagdish Das

Jagdish Das, 55, committed suicide by consuming poison in September 2003. His wife, Kalpana, said that after the fishing ban, both his 14-hp motorized boats got destroyed. Das has seven children: four sons and three daughters. The earnings from his two boats were not sufficient for the large family. Besides, all the children were studying, and there were loans to be repaid.

Being very introvert by nature, Das never discussed his financial condition with anyone, not even with his wife. The couple had great hopes for their two sons who were doing undergraduate studies. Both hoped to get good jobs once they graduated. Meanwhile, Das developed a physical ailment, but the family had no money to take him to the hospital. Kalpana then decided to sell their only house to treat her husband. Though she broached the subject with him, he never responded. Two days later, he committed suicide.

Now the Das’ do not have a source of income. Though the two sons gained some sort of employment in a private school, they have not started getting salaries. Das’ sons were very reluctant to give an interview. They wished to regard the whole thing as a family affair.

#### CASE STUDY 7: Birat Haldar

Birat Haldar of Kharnasi died in January 2003 after consuming poison. He leaves behind his wife Deepali, and two sons. They now survive by working on trawlers and collecting shrimp fry from the creeks. Though we could not meet them, the villagers of Kharnasi confirmed Haldar’s death and his family’s plight.

#### CASE STUDY 8: Jodan Biswas

Jodan Biswas, 46, of Ram Nagar, committed suicide by consuming poison. He leaves behind a son. The small family had been earning a living from fishing. Biswas had one boat, which has since been taken over by the fish merchant, to whom he owes Rs40,000 (\$903), which he had borrowed for the treatment of his wife’s tuberculosis, which she never survived. His wife’s death and the financial crisis following the fishing ban forced Biswas to commit suicide. His only son has since left the village. 3

This report has been filed by Sarada Lahangir (sarada\_india@sify.com), correspondent, ANI, Bhubaneswar, Orissa, India

ESA workshop

## Empowering co-management

The issue of co-management came up for detailed discussion at the ESA Fish Workshop organized by ICSF at Dar es Salaam, Tanzania

The workshop on “Fishing Communities and Sustainable Development in Eastern and Southern Africa (ESA): The Role of Small-scale Fisheries” was organized by the International Collective in Support of Fishworkers (ICSF) in collaboration with the Western Indian Ocean Marine Science Association (WIOMSA), the Masifundise Development Trust and the Coalition for Fair Fisheries Arrangements (CFFA). It was held at Dar es Salaam, Tanzania, from 14 to 17 March 2006.

Among the various issues discussed, considerable interest focused on co-management in fisheries. Simeao Lopes of the Institute for the Development of Small-scale Fisheries (IDPPE), Mozambique, said fishing contributes to the country’s employment, food security and foreign exchange. The sector is organized into the industrial, semi-industrial and artisanal fisheries. Private and joint-venture companies engage in industrial fisheries, especially for shrimp resources in the Sofala bank. The semi-industrial fishing vessels are mainly Mozambique-based trawlers that target shrimp. They also include handlines as well as freshwater fishing platforms for *kapenta*. The artisanal fisheries are spread along the seaboard and the inland waters, employing about 130,000 in canoe fishing and fish processing. There are about 11,000 artisanal fishing vessels, only 3 per cent of which are motorized. Beach-seines, gillnets and handlines are the popular artisanal fishing gear.

The development of co-management in Mozambique began, Lopes said, with the structural adjustment programme (SAP) in the post-Second World War era, as demands increased on Africa to democratize and implement SAPs, from

its traditional Western donors, led by the World Bank and the International Monetary Fund (IMF), who stressed resource management based upon participatory approaches, devolution of authority and decentralization of powers. Thus, by the early 1990s, user participation had become almost a *given* requirement for donor-funded development projects in Mozambique.

Within the fisheries sector, studies were conducted to evaluate fisheries programmes and projects implemented during the previous two decades so as to draw lessons and propose appropriate future interventions. A Fisheries Master Plan (FMP) was developed and approved by the Mozambican government in 1994. The process of elaboration of the FMP involved many central fisheries institutions, fishing communities and other stakeholders, Lopes said.

The FMP laid out the priorities and strategies for development to be pursued in the subsequent years. With regard to the management of small-scale fisheries, the FMP emphasized the involvement of fishermen in setting and enforcing management regimes. It was from the FMP that co-management approaches were formally declared as part of the general new strategic interventions for fisheries management and development.

### Better analyses

A subsequent evaluation underscored the importance of more careful and comprehensive analyses and discussions, and the development of more active participation of beneficiaries. Pilot measures for user-sensitization began in the late-1990s. Several co-management committees were since set up in the marine coastal areas of the country to improve the efficacy of fisheries

management through developing a sense of ownership of management programmes amongst active fishers.

**H**owever, Lopes identified several constraints to realizing co-management goals in Mozambique. Firstly, the State acts as the custodian of all natural resources, including marine resources. Through the Ministry of Fisheries' directorates and autonomous institutes, the State has the right to manage marine resources for the benefit of the people. In artisanal fisheries, the users (coastal communities) have the right to use fisheries resources; however, they do not have the right to participate in planning for the use nor the right to legally act, individually or collectively, in respect of management of the fishery resource. This is a serious constraint to the goal of better resource management.

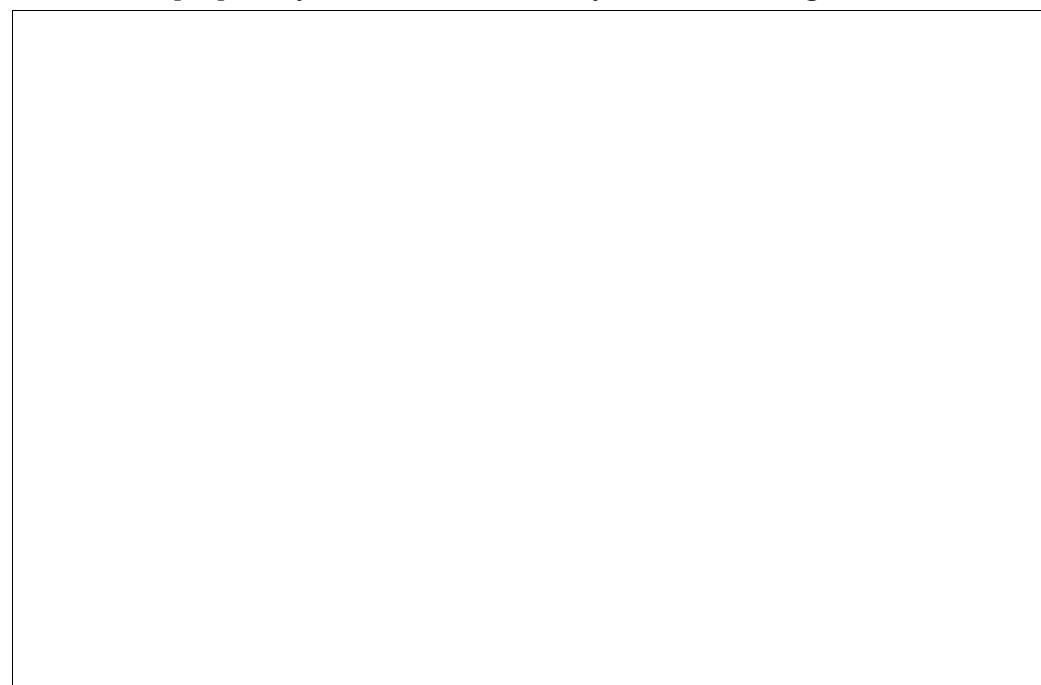
Secondly, there are restrictive meanings associated with the concept of participation. Thus, for example, as far as fishing communities and their traditional leadership are concerned, participation does not apply to the crew on board fishing vessels. It applies only to those who have the political and economic power to take strategic decisions, to the local elite, the traditional and religious leaders and other individuals who are willing to offer their services on behalf of others. These people may not be the most

appropriate to deal with issues related to fisheries co-management. There could thus be conflicts between participatory democracy as demanded by the main donors, and effective fisheries management. However, to guarantee the success of co-management, the government should understand these sociocultural aspects (as traditional leaders are still respected by the majority of rural people), and ensure that all relevant institutions, individuals or interest groups, which are considered legitimate by different members of fishing communities, are engaged in the process, Lopes added.

Thirdly, the government has not been able to empower fishing communities (legally, through economic incentives or through capacity building) to cope with resource management responsibilities. Neither has there been an effort to use local knowledge in decision-making processes or to explain the criteria used to make some management decisions. As long as there is poor understanding of fisheries management amongst the fishermen, there might be unwillingness to comply with fisheries regulations.

#### **Local knowledge**

It is important to integrate traditional/local authorities, as well as local knowledge, into co-management as a means to connect political and scientific objectives of the government to the



community. For the fishing community, it could be a way to reach full control of their marine resources through the devolution of power and responsibilities from government, Lopes observed.

**T**he pressures on the coastal fishing resources in Mozambique result, among other things, from the overall unhealthy economic situation in the country, he added. To raise enough income for subsistence, fishing communities are putting pressure on the resource by increasing fishing effort through the use of inappropriate fishing gear like fine-meshed nets in beach-seines that target small pelagic fish. Open access to fisheries resources further complicates the matter, resulting in serious threats both to the resource and to the economic development of fishing communities.

The fishermen themselves say that the catch rates from the nearshore waters have declined, and the average size of commercial fish species have decreased. The falling productivity of fishing units indicates the need to manage the fishery and exercise caution in promoting any increase in fishing effort. Co-management arrangements should be able to reconcile conservation with the subsistence or livelihood interests of fishing communities.

The competition for the marine coastal resources of Mozambique is becoming increasingly evident, with both artisanal fishing communities and tourism relying on the resources for livelihoods and development. At present, the Government of Mozambique (GoM) is encouraging tourism as a way to rapidly develop the economy, Lopes said. As part of this process, the GoM has delegated the management responsibility of some areas of the coastal zone to private tourism developers.

Artisanal fishing communities are concerned about the use of, and access to, the same coastal resources, leading to conflicts where fishing communities have been displaced from their traditional living and fishing grounds. These are more evident where tourism interests are promoting the preservation of marine coastal resources as their primary asset, which contrasts with the extractive value

of the coastal fishery resource, as perceived by the fishing communities.

On the one hand, the GoM is supporting the development of co-management in the artisanal fisheries sector without the legislative framework that can delegate resource management responsibilities to the communities. On the other, it is providing the legislative framework for delegating resource management concessions to private tourism developers without the co-management institutional framework that would consider the needs of all resource users. In both instances, the result of partial regulation and control over each resource user group risks overexploitation of marine coastal resources.

Co-management is seen by the GoM as a means to better control fisheries activities (especially the fishing effort and conflicts of interest) through sharing or decentralization of some responsibilities to the local institutions. But the communities view the arrangement as a step to achieve full control over the fishery resources through the devolution of power and authority to the local institutions.

However, the GoM may not be able, or even willing, to devolve the authority, as that would require some changes to the country's constitution. Sufficient financial capacity would also be needed to ensure appropriate collective organizations among the communities.

Lopes raised the following questions in the light of the experience of Mozambique with co-management: (i) What are the different approaches of different players in co-management and what is their understanding of 'sustainable development'? (ii) How could balance between conservation objectives of governments and the livelihood needs of fishing communities be established while implementing co-management programmes? (iii) Could co-management achieve the objectives of all players, given that the outcome might not always be exactly the same and may often be contradictory in nature? (iv) How could participatory and traditional elements work together? (v) Are co-management institutions willing, or able, to use

multiple sources of knowledge in management decisionmaking? (vi) What could be the implications of the two models—decentralization and devolution—for fisheries co-management arrangements? (vii) What are the impacts of participatory development approaches on the traditional and (new) economic power structures in a co-managed resource environment?

In the discussion that followed Lopes' presentation, it was observed that co-management basically referred to shared management responsibility between the government and the community. It was noted that it is important to have an understanding of what definition to use in the ESA context. It was further observed that the participation of women in co-management initiatives is poor.

Friday Njaya of the Fisheries Department of Malawi spoke about the status of participatory fishery management (PFM) in Malawi lakes. PFM was introduced in Lake Malawi at the behest of international agencies in the 1990s in response to declining lake fishery resources and intensifying conflicts between small-scale and commercial fisheries. Historically, there were traditional controls over fisheries resources in some parts of Lake Malawi and Lake Chiuta, and user committees and associations called beach village committees (BVCs) were formed to establish PFM in all the lakes.

The composition of the BVCs varied from lake to lake. While some were associations of chiefs, others had mixed composition. The issue of devolution of fisheries responsibilities to local district assemblies is still an outstanding one. BVCs have to be redefined to allow for the participation of all representatives of different fishing activities. Formal bye-laws are yet to be developed for effective devolution of fishery management powers.

There are doubts whether or not PFM could work in Lake Malawi, which is a large water body supporting small-scale, semi-industrial and commercial fisheries, including trawling. The fishing communities along Lake Malawi are multi-ethnic. There are problems in successfully imposing access regulation

on fishing, in demarcating boundaries and in enforcing fishery regulations, Njaya said.

Yet, despite difficulties, it is possible to set up "broad-based co-management" in Lake Malawi, with the participation of stakeholders such as the police, magistrates, chiefs, natural resources-based government departments and the district assembly. There is a move now to introduce a closed season for trawlers. In smaller lakes such as Lake Chiuta, PFM structures are useful mechanisms to resolve transboundary conflicts between Malawi and Mozambique. Njaya said co-management should be based on local conditions, and defined and developed in a contextual manner. It is important to make a policy distinction between the rural poor and the village elite in co-management programmes. There should be clarity on the introduction of property rights or access regulation regimes. Sufficient caution should be exercised while applying theories in practice. Implementation of a co-management initiative is a learning process and it evolves with time, Njaya concluded.

Mafaniso Hara of the University of Western Cape, South Africa, gave a presentation on the implications for coastal communities of co-management perspectives and experiences in the ESA region. The objectives of fisheries management mainly involve three aspects: setting management objectives; defining and providing the knowledge base for management decisions; and implementation of management decisions. Historically, fishery management decisions have been top-down. The fisheries resources have been treated as State property, and the objectives of fisheries management have mainly been confined to conservation of fishery resources, relying on biological sciences. The implementation of fishery management was through policing measures.

#### **Conventional regimes**

Co-management of fishery resources was proposed in light of the failure of conventional fishery management regimes to prevent overexploitation of fishery resources. It is also proposed as an



effective mechanism to break the barriers between fishery administrators and user communities—a legacy of the top-down approach through democratic decentralization, Hara said.

**C**o-management of fishery resources mostly as short-term, externally funded projects—was led by government line agencies through the creation of ‘user’ representative organizations (‘democratically’ elected committees). The process has sometimes lacked flexibility because of specific donor requirements.

The experiences with co-management in the ESA region have so far been mixed. The most common types of co-management have been ‘instructive’ or ‘consultative’. Hara discussed several critical aspects of co-management as it is currently practised in the region. Firstly, there are conflicting objectives between conservation of fishery resources and socioeconomic development of fishing communities. The government approach has usually been instrumental; it co-opts users into the management process to achieve the same old conservation objectives without really accepting alternative knowledge, ideas and views from them.

By and large, governments do not perceive co-management as a means of introducing more democratic principles

of fisheries management, but as a means to better achieve the government’s original conservation objectives.

Secondly, co-management has been proposed as a way to deal with open-access problems. The introduction of access rights has been with the idea of enabling effort control. However, such measures often clash with historical fishing practices. Enforcing access control was particularly problematic in areas lacking alternative economic opportunities.

Thirdly, centralized co-management systems are favoured that rely on the government’s natural scientists. Very few inputs from users are incorporated into such systems. Usually, only tasks that the governments have failed to implement, or are costly, are left to the user groups. The local communities are usually not legally empowered. Their negotiating position in relation to the government is still weak. The governments are also reluctant to devolve real power and genuine authority to user groups.

#### **Customary power**

Fourthly, co-management usually requires customary sources of power held by traditional leaders for effective application of sanctions. There is thus a need to involve traditional authority. The traditional authorities or local elites often capture power to offset any challenge to

their authority that could crop up from co-management programmes.

**F**ifthly, while the governments may lack appropriate skills and capacity to undertake co-management, communities might not have the economic, social and political incentives or capacity to undertake some responsibilities required under co-management.

Finally, the definition of ‘user community’ and ‘stakeholders’ can be evolving and dynamic in a temporal and spatial sense. Existing mechanisms cannot define the users and decide on how to represent them in co-management structures. There is also the problem of lack, or low degree, of downward accountability of representative organizations. However, tacit threats of governments to revoke powers and authority force upward accountability.

Hara had the following recommendations for “efficient, equitable and sustainable fisheries management” in the ESA region. Firstly, co-management models should acknowledge and integrate the role of poverty in community/individual decisions, and occupational and geographic mobility in community/individual livelihoods. The role of fishing in the community’s livelihood interests should be better understood. The community should know the status of fishery resources and be better informed about alternative sources of livelihoods that could possibly combine with fishing. In this context, how far occupational and geographic mobility could help improve socioeconomic status is important, Hara added.

Secondly, there is a need for “empowering co-management” by fully involving users in setting up management objectives, in integrating ‘user knowledge’ into formal science and in the implementation of management decisions.

And finally, it is important to improve the ability of communities to agitate. They should challenge formal science (including international conventions) using their local knowledge to balance conservation with local socioeconomic concerns. They should agitate for enabling

legislation and improvement in the attitude of governments to their concerns. They should agitate for better information and better organization of co-management structures with improved human and financial resources, Hara concluded.

This report has been filed by Sebastian Mathew (icsf@icsf.net), Programme Adviser, ICSF. A complete account of the ESA workshop can be found at <http://www.icsf.net/jsp/conference/eastAfrica/report.jsp>

# News Round-up

## ***Fish bowl***

Kedah, Malaysia's rice bowl, is also working towards becoming the country's fish bowl, reports Sira Habibu in *The Star*. The State is now aggressively promoting the caged-fish rearing industry.

Minister Datuk Seri Mahdzir Khalid said there were plans to set up at least 1,000 fish cages in Merbok and Langkawi districts by the end of the year.

"We are aggressively pushing this business through joint ventures between subsidiaries of government-linked companies and fishermen associations," he said. Kedah is taking an integrated approach to promote the business. The private sector, fishermen associations, the Malaysia Fisheries Development Board, the Fisheries Department and individuals will be roped in, he said, after presenting 82 boats to Kedah

tsunami victims on behalf of Proton Holdings Bhd. The boats were presented to fishermen who did not receive any compensation for their boats which were totally damaged in the 26 December 2004 Indian Ocean tsunami.

## ***Biz plans***

Three **Thai** companies plan to invest around US\$150 mn in the fisheries sector in **Indonesia**, Fisheries and Marine Resources Minister Freddy Numberi said. He said nine more foreign companies would follow suit soon.

The minister said the government had decided that any enterprise wishing to operate in fisheries, especially in the Exclusive Economic Zone (EEZ) had to set up a processing industry under its management.

"The policy is aimed at promoting the implementation of responsible fishing for the interest of the Indonesian people," he said.

He said the integration of fishing and fish-processing industry was expected to be able to increase the added value of fishery products, employment, foreign

exchange earnings and growth of other ancillary fishery industries.

The Indonesian government would only give fishing permits to foreign companies if they had industries in their countries of origin to process their catch. He said foreign companies who wished to set up an industry in Indonesia had to co-operate with local fishery companies and the cooperation must benefit the local companies.

## ***Cancer scare***

**South Korea** continues to have worries over contamination of imported farmed fish. The carcinogenic dye malachite green is still to be found in marine products imported from China and other nations despite a huge scandal over

contamination last year.

The Ministry of Maritime Affairs and Fisheries and the National Fisheries

Products Quality Inspection Service (NFPQIS) said that some 40 tonnes of imported live fish from China, including flatfish and sea bass, were sent back or destroyed this year alone because malachite green was detected in them.

Five tonnes of frozen shrimp imported from Thailand were also sent back in January for the same reason.

The NFPQIS says it performs frequent random checks for malachite green and antibiotics at fish farms around the nation.

## ***Pirates ahoy!***

Somali pirates still rule the seas, but there seems to be some hope. An official Yemeni agency has reported that **Somaliland** released 15 Yemeni fishing boats and their crew. According to Yemen's Saba News Agency, the boats were seized in the Barbara seaport on the pretext that they were fishing in Somaliland waters.

**Yemen** and **Somaliland** exchanged accusations last month when the independent breakaway republic accused Yemen of fishing in its territorial waters.

Yemen, for its part, said Somali pirates kidnapped the Yemeni fishing boats

and their fishermen on a fishing journey in Yemen's territorial waters.

Somaliland later confessed that its forces seized several Yemeni fishermen and their boats.

Somaliland's coast guard intercepted eight Yemeni boats—across the Gulf of Aden's rich fishing waters—under a campaign to enforce territorial sovereignty. Nine Yemeni boats were seized in February and their 84 crewmen deported.

Officials from Somaliland's capital, Hargiesa, visited Sana'a last month to discuss regional developments and solve the fishing dispute. A local newspaper reported on 26 March, that Yemen and Somaliland signed a cooperation agreement on the fishing industry and fishing rights.

The agreement includes deals on fishery co-operation, particularly regarding information exchange, investment, organizing fishing processes and offering training opportunities to Somali workers.

Meanwhile, Korea Times reports that the government has been stepping-up diplomatic efforts to secure the release of a South Korean vessel hijacked earlier this week off Somalia.

### ***Turning turtle***

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March 1 marks the official start of the Year of the Marine Turtle within the Indian Ocean and South-East Asian region, reports Panda.org, WWF's website.

Today, six of the seven species of marine turtle—hawksbill, olive ridley, Kemp's ridley, leatherback, loggerhead and green—are classified

as "Endangered" or "Critically Endangered".

"Concerted conservation efforts have seen turtle populations recover in some areas, but without urgent global action the future of these animals looks increasingly grim," said Dr Sue Lieberman, Director of WWF's Global Species Programme.

Marine turtles have swum in the world's oceans for over 100 million years. They are the only widely

distributed marine reptiles and many species migrate for thousands of kilometres—and even across entire oceans—between feeding and nesting grounds.

Regional co-operation is essential to ensure that turtles are protected at different stages in their life cycles.

Marine turtles have also been fundamental to the culture of coastal societies for millennia.

**Fiji** has already joined the "Year of the Turtle" event with a renewed effort to protect endangered sea turtles within the country's waters. Fiji currently has a five-year moratorium which bans the commercial harvest and sale of sea turtles, but the sale and consumption of turtle meat is still common.

Other WWF activities to mark the Year of the Sea Turtle include: declaring Derawan Island, one of the the biggest green and hawksbill turtle rookeries in South-East Asia as a Marine Conservation Area; monitoring and protecting nesting sites in and around Kenya's Kiunga Marine National Reserve; satellite tagging of marine turtles in Vietnam; introducing circle hooks to tuna fleets in the Philippines to significantly reduce turtle bycatch; and

establishing a joint research partnership (between Madagascar, Switzerland and France) on marine turtles in the South-West Indian Ocean.

### ***In jail***

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22 Filipino fishermen have been in jail in Pakistan since last week after allegedly being caught fishing in Pakistan's waters.

The **Philippines** embassy in Islamabad has not established the Filipinos' identities because Pakistan's Ministry of Interior has not allowed any embassy official to visit them, an official said.

Consul General Maria Agnes Cervantes said the 22 Filipinos were crewmembers of the Chinese fishing vessel Chen Shui Sung, which had reportedly strayed into Pakistan's waters on March 30.

The Pakistani navy brought the fishermen and their vessel to shore and detained 16 of them in Landi Prison. The rest were placed under heavy guard on their ship, Cervantes said.

*Dawn did not break slowly, as it does on land. The sky turned pale, the first stars disappeared, and I went on looking, first at my watch, and then at the horizon. The contours of the sea began to appear. Twelve hours had passed, but it didn't seem possible. Night couldn't be as long as day. You ought to have spent the night at sea, sitting in a life raft and looking at your watch, to know that the night is immeasurably longer than the day. But soon dawn begins to break, and then it's wearying to know it's another day.*

— from *The Story of a Shipwrecked Sailor* by  
Gabriel Garcia Marquez



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. Registered in Geneva, ICSF has offices in Chennai, India and Brussels, Belgium. As a global network of community organizers, teachers, technicians, researchers and scientists, ICSF's activities encompass monitoring and research, exchange and training, campaigns and action, as well as communications. SAMUDRA Report invites contributions and responses. Correspondence should be addressed to the Chennai office.

The opinions and positions expressed in the articles are those of the authors concerned and do not necessarily represent the official views of ICSF.

SAMUDRA Report can now be accessed on ICSF's home page on the World Wide Web at <http://www.icsf.net> or <http://www.icsf.org>

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**Cover**  
*Song of water*  
Mixed media on canvas by Dhanaraj Keezhara

**Photographs courtesy of**  
Brian O'Riordan, Charles Menzies, Deepa Kozhisseri  
Chandrika Sharma, Sarada Lahangir, Sebastian Mathew, KG Kumar  
Ashish Kothari, The General Libraries, The University of Texas at Austin

**News courtesy of**  
The Star Online, Antara News, Chosun, Yemen Times,  
[Panda.org](http://Panda.org), Manila Standard Today, Bernama, Korea Times

**Printed at**  
Nagaraj and Company Pvt. Ltd., Chennai



