

# A Cloak of Invisibility

**Costa Rica needs to adopt a human rights approach and promote community governance of the sea, while strengthening local and indigenous communities' diverse organizational structures**

**C**osta Rica has never conducted a fisheries census. For this reason, the country lacks official information on the precise number of people working in fisheries, or of those active in the small-scale artisanal fisheries value chain. Current figures are mere extrapolations from non-fishery-related information sources, such as government institutions responsible for health, poverty and education, among other issues.

A 2022 report presented by PEN estimated that the total could reach about 30,000 when all workers along the production chain, working in seas, rivers or lakes, and shellfish collection, are included. Given the scarcity of available reliable data, it is reasonable to conclude that small-scale fishworkers operate mainly in an informal setting, subject to high levels of social, economic and environmental vulnerability and under conditions of poverty and extreme poverty.

This conclusion is consistent with official data from the National Census and Statistics Office (2020), identifying the country's coastal regions (Pacific, Chorotega and Huetar Caribe), as the geographical areas with the highest poverty and extreme poverty rates in Costa Rica, according to a multi-dimensional analysis of poverty.

In addition to the above, a 2019 study carried out by the civil society organization CoopeSoliDar R.L. with the support of the International Labour Organization (ILO) and the National Women's Institute (INAMU), interviewed 480 women from small-scale fishing communities in Costa Rica. The study highlighted that women associated with small-scale fisheries constitute the population group most severely affected by the impact of informal working arrangements, poor access to decent work and healthcare, or lack of access to sea and land tenure, among other factors.

The informal character of the work carried out by small-scale fishermen and women and shellfish collectors has resulted in the criminalization of their activities. Because they are not included in the national licensing system, they are seen as engaged in illegal fishing by official institutions like the National Coastguard Service, the Ministry of Environment and Energy,

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This weakness of information sources about small-scale fishworkers has been highlighted by the Organisation for Economic Co-operation and Development (OECD) and, at a domestic level, by representatives of small-scale fisheries, who stress the need for robust official statistics.

Data submitted by the State of the Nation Programme (PEN) for 2022 reveal that only 1,477 fishermen or fisherwomen had received any financial assistance from the government. It is estimated that about 4,742 fishworkers are covered by basic health schemes for sickness and maternity. A survey carried out by the Central America Fisheries and Aquaculture Organization (OSPESCA) estimated that 6,100 small-scale artisanal fishing vessels were registered in the country, employing about 14,800 small-scale fishworkers, of whom 13,860 are men and 940 women. This information base has not been updated by government institutions.

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the National System of Conservation Areas (MINAE/SINAC), and environmental non-governmental organizations. Being illegal, the government cannot include them in its annual work plans, exacerbating the problem and lack of opportunities.

### The question of recognition

In the past, government institutions have always approached small-scale fishing communities merely as groups living in poverty and not according to the work they undertake. This is one of the reasons why the government's social care programmes cannot solve their social and economic problems. Worse still, the Ministry of Labour and Social Security (MTSS) does not recognize any small-scale fisheries-related labour or wage category in the official listing.

In particular, the country lacks robust information on the main problems facing the small-scale fisheries sector. Numerous information gaps have never been addressed, such as the situation of young small-scale artisanal fishers, or the impact and situation of migratory groups on coastal areas. The main problems faced by small-scale fisheries are summarized in Table 1.

Costa Rica's government has made slow and painful progress in addressing the structural problems facing small-scale fisheries. Main developments derive from the efforts of representatives of fishworkers and shellfish gatherers, supported by accompanying organizations, which have had an impact on public policy making. It is worth noting, among these efforts, the signing in 2015 of an executive decree on the official implementation of the Voluntary Guidelines for Securing Sustainable

Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines).

Furthermore, the Network of Responsible Fishing Areas and Marine Territories of Life, with the technical support of CoopeSoliDar R.L., carried out the National Congress for Small-Scale Fishworkers and Shellfish Collectors thrice—in 2018, 2021 and 2023—enabling stakeholders to analyse the situation, establish a work agenda and submit proposals for solutions to the national authorities and to society at large, in a series of National Congress Statements.

In conclusion, the following points are noteworthy:

One, Costa Rica's small-scale fisheries present deep structural weaknesses, associated with access to decent work, education opportunities, health, land tenure and rights to the sea. The informal nature of artisanal fishing activities seriously hampers the integration of workers in frameworks of decent work and markets and their ability to contribute as development actors in their own territories. Women fishers and shellfish collectors, migrants and young people suffer the most from economic and social exclusion and vulnerability.

Two, it is both urgent and necessary to secure the participation of small-scale fishworkers in defining public policy, in particular on the implementation of the SSF Guidelines, as well as the recognition of shared governance models or other models used by Indigenous Peoples and local communities.

Three, public policies should recognize traditional knowledge, making its use mandatory when concluding conservation and fisheries management agreements. Nowadays,

The National Network of Responsible Fishing Areas and Marine Territories of Life is a structure for innovation and recognition of the human rights of small-scale artisanal fishworkers in Costa Rica. The network congregates a variety of organizations, from responsible fishing areas, fisheries organizations of various kinds, marine management communities, indigenous groups, African-descent groups, and associations of shellfish gleaners, among other forms of fisheries and community organizations. Since its establishment, the network has led the struggle to defend small-scale fishworkers operating both in marine and inland waters, and to strengthen artisanal fishing practices to ensure the proper use and protection of marine and coastal resources. It is currently estimated that the network represents around 7,000 people from local and indigenous communities present in both the Caribbean and the Pacific shores of the country.

**Table 1. Main problems small-scale artisanal fisheries face**

Problem identified by artisanal fishermen and women	Description
Right of access to the sea and to decent work	Because of the informal nature of their work, many fishworkers and shellfish collectors' activities are criminalized as illegal fishing. Being illegal fishers, they cannot obtain adequate social coverage.
Access to land and land tenure	The country faces a fundamental problem of spatial planning in coastal marine areas (regulatory plans and the implementation of the Coastal Zone Law) that directly affects the development of small-scale artisanal fisheries.
Fair product marketing	The informal character and precarious conditions of many storage facilities, along with the presence of intermediaries, lead to marketing of seafood in poor conditions.
Marine protected areas enlargement under 30x30	<p>The Government of Costa Rica has led a global initiative with the objective that countries party to the Convention on Biological Diversity (CBD) increase the surface of marine and continental protected areas by at least 30 per cent or more by 2030 (30x30).</p> <p>The government, through SINAC/MINAE and environmental organizations, has been promoting the creation of marine protected areas (MPAs).</p> <p>Artisanal fisheries representatives who participated in meetings with the authorities have denounced that the Costa Rica government has breached the principle of free, prior and informed consent. This constitutes an infringement of local and indigenous communities' rights to information and objection to studies, projects and processes meant to be implemented in their territories that affect their livelihoods.</p> <p>In 2020 and 2021, the Bicentenario Marine Management Area was created and other MPAs were proposed, without taking into account the human rights perspective. Consequently, people in fishing communities are at risk of losing their right to marine resources that are not only their source of livelihood but their way of life, the root of their culture and identity, and where they have grown up.</p>
Other problems: Access to education Access to drinking water, electricity	<p>Virtual education measures, taken in response to the COVID-19 pandemic, affected young people in coastal marine communities.</p> <p>Communities such as Dominicalito and Isla Caballo have no supply of drinking water, causing frequent health problems. Isla Caballo Island has no electricity supply either.</p>

Source: CoopeSoliDar R.L., 2019. <https://drive.google.com/file/d/1KeOOoIIHRVBdn-j6ZbTcyXlkBs4HkdD/view>

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**Costa Rica: Recovering Connections**  
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**State of small-scale artisanal fisheries in Costa Rica, and social and environmental implications**  
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it is clear that implementation of various models should be promoted, particularly in marine management.

Four, there is an urgent need to transform how knowledge is generated in fisheries management, recognizing traditional knowledge as key to enable more sustainable forms of fisheries management.

In particular, small-scale fisheries show clearly the need to develop a

strategy that, taking into account biological and technical aspects, puts a firm focus on people, with the adoption of a human rights approach and the promotion of community or shared governance of the sea, strengthening local and indigenous communities' diverse organizational structures and making fishworkers not just involved, but leading the way forward. 