National Policy on Marine Fisheries 2017: Integrating the SSF Guidelines

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“The Government will make all efforts to implement the provisions of the VG-SSF....”

National Policy on Marine Fisheries 2017-27

- Seven Pillars
  - Sustainable development
  - Inter-generational equity
  - Precautionary approach

- Socio-economic upliftment of fishers
- Gender justice

- Principle of subsidiarity
- Partnership

Fishers are the core of the Policy
Actions to be guided by the Public Trust Doctrine
Public Trust Doctrine

- The State is the trustee of all natural resources which are by nature meant for public use and enjoyment. Public at large is the beneficiary of the sea-shore, running waters, airs, forests and ecologically fragile lands. The State as a trustee is under a legal duty to protect the natural resources. These resources meant for public use cannot be converted into private ownership (Supreme Court of India M.C. Mehta Vs. Kamal Nath 13/12/1996)
Sustainable Development

- The ability to make development sustainable to ensure that it meets the needs of the present without compromising the ability of future generations to meet their own needs
Gender Justice

• “Gender justice entails ending the inequalities between women and men that are produced and reproduced in the family, the community, the market and the state. It also requires that mainstream institutions — from justice to economic policymaking — are accountable for tackling the injustice and discrimination that keep too many women poor and excluded.”

• --UN Development Fund for Women, 2010
Precautionary Approach

• Be more cautious when information is uncertain, unreliable or inadequate. The absence of adequate scientific information shall not be used as a reason for postponing or failing to take conservation and management measures (1995 UNFSA)
Socioeconomic Upliftment

• Improving economic and social conditions of fishing communities and raising to a new standard
• Participation in decision-making
• Provision of social services in relation to health, education, housing, food, drinking water, sanitation; providing decent jobs and livelihoods, including social protection social security
• Provision of economic services such as savings, credit and insurance
• securing access to these services through a rights-based approach to development
Subsidiarity Principle

• Promote action at the lowest possible level
• A central authority performing only those tasks that cannot be performed more effectively at an immediate or local level
• State takes action only if an action cannot be done at the community level

– Source: https://democraciaparticipativa.net/documentos/Principle_of_Subsidiarity.htm
Partnership

• Not sure if it means business partnership or participatory management!
National Fisheries Policy and the SSF Guidelines

• Have associations of fishers and fishing communities actively taken part in fisheries policy making processes? (5.17)
• Does the national fisheries policy provide a long-term vision for sustainable small-scale fisheries and the eradication of hunger and poverty? (10.4)
• Is the overall fisheries policy framework coherent with the long-term vision and policy framework for small-scale fisheries and human rights, paying particular attention to vulnerable and marginalized people? (10.4)
• Are institutional structures and linkages – including local–national–regional–global linkages and networks – created for achieving policy coherence, cross-sectoral collaboration and the implementation of holistic and inclusive ecosystem approaches in the fisheries sector? (10.5)
Marine Capture Fisheries, India

• Estimated potential yield: 4.412 million tonnes (2011 figures)—of which 86% within 100 m depth; 6% within 100 to 200 m depth and 2.6% between 200 m to 500 m depth (115,000 tonnes); and 4.9% from waters beyond 500 m depth (216,000 tonnes)

• Current average marine fish catch from the Indian maritime zones (internal marine waters, territorial sea and the EEZ): 3.5 million tonnes
Sustainable Fishing

- Reducing overcapacity in territorial waters through Fleet plan and capacity appraisal framework, (5.20 avoid policies and financial measures that contribute to overcapacity)
- Optimum harvesting up to 50 nm along the western seaboard and 25 nm along the eastern seaboard (200 m isobath)
- Surplus stocks of some species in the oceanic waters (beyond 200 m depth) to be exploited applying the precautionary approach (3.1.10 precautionary approach and risk management towards economic, social and environmental sustainability)
- Sustainability/equity as key principles in inshore waters (territorial waters) (3.1.5 use preferential treatment where required to achieve equitable outcomes, particularly for vulnerable and marginalized groups)
Management measures

- Optimizing fishing effort through input controls: regulating fleet size, number of fishing days, area of operation, engine horsepower, gear size, minimum mesh size, etc.,
- Optimizing fishing effort in consultation with fishers;
- Output controls: MSY, minimum legal size, etc.
- Diversion of fishing fleet to less exploited areas
- Rebuilding depleted or collapsed fish stocks

Fisheries management plan
Creating fisheries management areas
Artisanal Fishing Zones

- Extension of specific areas reserved for traditional fishers operating unmechanized fishing vessels (States should grant preferential access of small-scale fisheries to fish in waters under national jurisdiction, with a view to achieving equitable outcomes for different groups of people, in particular vulnerable groups-5.7)
Management Plan

• Introduce species-specific and area-specific management plans including for spatial and temporal closures (5.4. consistent with tenure rights to fish and tenure rights to fishing grounds; 5.9 ensure that small-scale fishing communities are not evicted and their tenure rights are not taken away)

• Management of fisheries to blend traditional knowledge (TK) and science (3.1.2 respect traditional and local knowledge and practices; 11.6 document TK and its application to sustainable fisheries conservation, management and development; 11.7 provide technical and financial assistance to organize, maintain, exchange and improve TK of aquatic living resources and fishing techniques, and upgrade knowledge of aquatic ecosystems)
Secure Tenure Rights

• Tenure rights are rights of people, communities and others, as appropriate, to resources through tenure systems that determine who can use which resources for how long and under what conditions (2012 VG Tenure)

• Small-scale fishing communities need to have secure tenure rights to the resources that form the basis for their social and cultural well-being, their livelihoods and their sustainable development (5.1)
Protecting Tenure Rights

- Protect tenure rights of traditional fishers affected by MPAs (broaden the discussion on tenure rights to address not only MPAs but (1) internal threats; (2) external threats; (3) allocation of fishery resources and fishing grounds; (4) restoration of access to traditional fishing grounds; (5) restoration of access of fishing communities affected by natural calamities to their habitations—See Section 5a)

- Include as many elements as relevant from the SSF Guidelines to define tenure rights
Promoting Co-management

• Ensure that the roles and responsibilities within the context of co-management arrangements of concerned parties and stakeholders are clarified and agreed through a participatory and legally supported process (5.17)

• Encourage and support the role and involvement of both men and women, whether engaged in pre-harvest, harvest or post-harvest operations, in the context of co-management and in the promotion of responsible fisheries, contributing their particular knowledge, perspectives and needs (5.18)
Enhancing Skills of Traditional Fishers for Deep Sea Fishing

• Capacity development should build on existing knowledge and skills and be a two-way process of knowledge transfer, providing for flexible and suitable learning pathways to meet the needs of individuals, including both men and women and vulnerable and marginalized groups (12.3)

• Ensuring active, free, effective, meaningful and informed participation of small-scale fishing communities in the whole decision-making process related to fishery resources and areas where small-scale fisheries operate (3.1.6)
Conflict Management

• Small-scale fishing communities, in particular vulnerable and marginalized groups, are often the weaker party in conflicts with other sectors and may require special support if their livelihoods are threatened by the development and activities of other sectors (5.9)
Rebuilding lives and livelihoods

• Establish mechanisms to support fishing communities affected by grave human rights violations to rebuild their lives and livelihoods, including steps to eliminate any form of discrimination against women in tenure practices (5.12)
Knowledge Management Approach

• Knowledge management in support of the fisher community in relation to resource abundance and distribution

• (Understand the need for access to appropriate information by small-scale fishing communities and their organizations in order to help them cope with existing problems concerning the biological, legal, economic, social and cultural aspects of fisheries and livelihoods and empower them to improve their livelihoods --11.4 )
Safety at Sea Issues

• Ensure the development, enactment and implementation of appropriate national laws and regulations that are consistent with international guidelines of FAO, the ILO and the IMO for work in fishing and sea safety in small-scale fisheries (6.16)

Support ratification of the Work in Fishing Convention (C188)!
Marine Fisheries Value Chain

• Support the small-scale fisheries post-harvest subsector in producing good quality and safe fish and fishery products, for both export and domestic markets, in a responsible and sustainable manner (7.3)

• Avoid post-harvest losses and waste and seek ways to create value addition, building also on existing traditional and local cost-efficient technologies, local innovations and culturally appropriate technology transfers; Prevent waste of water and fuelwood in small-scale fish handing and processing (7.5)
Fish Trade

• Ensure that promotion of international fish trade and export production do not adversely affect the nutritional needs of people for whom fish is critical to a nutritious diet, their health and well-being and for whom other comparable sources of food are not readily available or affordable (7.7)

• Recognize that benefits from international trade is to be fairly distributed (7.8)

• Adopt policies and procedures, including environmental, social and other relevant assessments, to ensure that adverse impacts by international trade on the environment, small-scale fisheries culture, livelihoods and special needs related to food security are equitably addressed. Consultation with concerned stakeholders should be part of these policies and procedures (7.9)
Fish Trade (Cont.)

- Enable access to all relevant market and trade information for stakeholders in the small-scale fisheries value chain (7.10)
- Small-scale fisheries stakeholders must be able to access timely and accurate market information to help them adjust to changing market conditions (7.10)
- Capacity development is required so that all small-scale fisheries stakeholders and especially women and vulnerable and marginalized groups can adapt to, and benefit equitably from, opportunities of global market trends and local situations while minimizing any potential negative impacts (7.10)
Children in Fishing Communities

• Provide and enable access to schools and education facilities that meet the needs of small-scale fishing communities and that facilitate gainful and decent employment of youth, respecting their career choices and providing equal opportunities for all boys and girls and young men and women (6.14)

• Small-scale fisheries actors should recognize the importance of children’s wellbeing and education for the future of the children themselves and of society at large. Children should go to school, be protected from all abuse and have all their rights respected in accordance with the Convention on the Rights of the Child (6.15)
Decent Work

• Promote decent work for all small-scale fisheries workers, including both the formal and informal sectors. States should create the appropriate conditions to ensure that fisheries activities in both the formal and informal sectors are taken into account in order to ensure the sustainability of small-scale fisheries in accordance with national law (6.6)

• Promote social security protection for workers in small-scale fisheries. They should take into account the characteristics of small-scale fisheries and apply security schemes to the entire value Chain (6.3)
Communications

• Small-scale fisheries stakeholders should promote collaboration among their professional associations, including fisheries cooperatives and CSOs (10.6)

• Establish networks and platforms for the exchange of experiences and information and to facilitate their involvement in policy- and decision-making processes relevant to small-scale fishing communities (10.6)
Gender Equality

• Secure women’s equal participation in decision-making processes for policies directed towards small-scale fisheries (8.2)

• Adopt specific measures to address discrimination against women, while creating spaces for CSOs, in particular for women fish workers and their organizations, to participate in monitoring their implementation (8.2)

• Encourage the development of better technologies of importance and appropriate to women’s work in small-scale fisheries (8.4)
Disaster Risks and Climate Change

- Recognize the need for integrated and holistic approaches, including cross-sectoral collaboration, in order to address disaster risks and climate change in small-scale fisheries (9.3)
International Obligations

• States should recognize the need for and work towards policy coherence with regard to, inter alia: national legislation; international human rights law; other international instruments, including those related to indigenous peoples; economic development policies; energy, education, health and rural policies; environmental protection; food security and nutrition policies; labour and employment policies; trade policies; disaster risk management (DRM) and climate change adaptation (CCA) policies; fisheries access arrangements; and other fisheries sector policies, plans, actions and investments in order to promote holistic development in small-scale fishing communities. (10.1)
Conclusion

• Towards strengthening the seven pillars of the National Policy on Marine Fisheries, 2017, to keep fishers at the centre of the Policy, to uphold the Public Trust Doctrine, to protect the human rights and to recognize and assure the dignity of men and women fishers, fishworkers and fishing communities, it is important to promote and protect the human rights-based approach as the SSF Guidelines espouse, consistent with the fundamental rights, duties and directive principles of the Constitution of India.