

Comment

Basing it just right

Rights-based approaches to development that use human rights—economic, social, cultural, civil and political, as established by international law—as the framework to guide development agendas, have been increasingly adopted in recent years and particularly in the last decade, including by the United Nations and its agencies. In essence, it is recognized that all development initiatives should contribute directly to the realization of human rights.

In this context, the paper prepared by the Secretariat of the Food and Agriculture Organization of the United Nations (FAO) for the Agenda item on “Social Issues in Small-scale Fisheries” (COFI/2007/6), stressing a human-rights perspective to foster social development and effective resource management, is timely and needs to be welcomed. The paper notes that a rights-based approach to development in fisheries needs to focus as much on promoting human rights, raising living standards and addressing the vulnerability and social exclusion of fishing communities, as on improving management of fisheries resources. A narrow focus on the latter may be ineffective if undertaken in isolation from the broader social and cultural conditions in fishing communities and societies at large, it stresses.

In a context where fishing communities in some parts of the world, and particularly in countries of the South, are known to live in poverty, with minimal access to basic services or representation in decision-making processes, there is no denying the essential logic and desirability of this approach.

As a possible strategy towards bringing together responsible fisheries and social development within a human-rights perspective, the paper proposes, as a principle, the need to include poverty-reduction criteria as a key component of decisions related to equitable allocation of rights to fish, including in decisions over inclusion and exclusion. It also points out that, according to the Code of Conduct for Responsible Fisheries, fishery-management objectives should have both a social and economic equity component.

Viewed through the lens of equity and poverty reduction, certain fisheries-management measures, such as the creation and effective enforcement of artisanal trawl-free fishing zones — long demanded by artisanal and small-scale fishworkers from countries like Peru, Chile, Thailand, India and Indonesia — would make sense, particularly if accompanied by measures like ensuring gear selectivity and use of labour-intensive techniques, among others.

The same lens would also demand a reappraisal of rights-based approaches in fisheries that have conferred private-property rights to fish resources on individuals, or even groups, to the exclusion of large numbers of other fishers. These could be owner-operators, including part-time and seasonal fishers, both men and women, and others with limited means. Fishworker and fishing community organizations from Chile, South Africa, Canada, Iceland and Australia, among others, have pointed to the tremendous social costs of such systems, and how they violate basic human rights.

As Svein Jentoft points out (see pg. 30), rights-based approaches in fisheries should only be adopted where it is convincingly demonstrated “...not only in theory but also in practice, and not only on average but for the specific situations in which fishing people find themselves, that a particular property-rights regime will increase the welfare of those most in need...”

Fisheries policymakers have the responsibility to ensure that fisheries-management regimes are built on principles of sustainability, equity, and social and cultural appropriateness, and contribute to the social development of fishing communities. Ignoring these principles could jeopardize the objectives of fisheries management itself.