

# Recognizing Rights and Freedoms

The following Statement by civil society organizations at Bangkok sought to correct the neglect of small-scale and indigenous fisheries, so as to avert impending disaster and conflict

## Preamble

**W**e, 106 participants from 36 countries, representing small-scale fishing communities and indigenous communities dependent on fisheries for life and livelihood, and their supporters, having gathered in Bangkok from 11 to 13 October 2008 at the Civil Society Preparatory Workshop;

Building on prior preparatory processes, in particular the Statement developed by the World Forum of Fisher Peoples (WFFP) and preparatory workshops organized by the International Collective in Support of Fishworkers (ICSF) and other organizations in Asia (Siem Reap, Cambodia), Eastern and Southern Africa (Zanzibar, Tanzania), and Latin America (Punta de Tralca, Chile);

Recognizing the principle of food sovereignty outlined in the Nyelini Declaration;

Declaring that the human rights of fishing communities are indivisible and that the development of responsible and sustainable small-scale and indigenous fisheries is possible only if their political, civil, social, economic and cultural rights are addressed in an integrated manner;

Recognizing that all rights and freedoms apply equally to all men and women in fishing communities and recognizing the continued contribution of women in maintaining the resilience of small-scale fishing communities;

Declaring that the dependence of fishing communities on aquatic and coastal living natural resources is shaped by the need to meet life and

livelihood in their struggle to eradicate poverty and to secure their well-being as well as to express their cultural and spiritual values;

Recognizing the complementarity and interdependency of fisheries-related activities within fishing communities; and

Recognizing the interconnectedness between the health and well-being of coastal communities and of aquatic ecosystems;

Hereby call upon the Food and Agriculture Organization of the United Nations (FAO), other United Nations agencies, regional fisheries bodies and our respective national governments, to:

**...the human rights of fishing communities are indivisible...**

## Securing access rights

1. Guarantee access rights of small-scale and indigenous fishing communities to territories, lands and waters on which they have traditionally depended for their life and livelihoods;
2. Recognize and implement the rights of fishing communities to restore, protect and manage local aquatic and coastal ecosystems;
3. Establish small-scale fisheries as the preferred model for the exclusive economic zone (EEZ);
4. Establish and enforce measures to prohibit industrial fishing in inshore waters;

*This Statement was finalized by participants of the Civil Society Preparatory Workshop, on 13 October 2008, at Bangkok, prior to the Global Conference on Small-scale Fisheries, organized by the Food and Agriculture Organization of the United Nations (FAO) and the Department of Fisheries, Thailand*

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A total of 106 participants from 36 countries met at the Civil Society Preparatory Workshop at Bangkok, prior to the Global Conference on Small-scale Fisheries

5. Prohibit illegal fishing and all destructive fishing gear and practices;
6. Reverse and prevent the privatization of fisheries resources, as through individual transferable quotas (ITQs) and similar systems that promote property rights;
7. Reverse and prevent the displacement of fishing communities through the privatization of waters and lands of fishing communities for activities that include tourism, aquaculture, defence/military establishments, conservation and industry;
8. Ensure that the declaration, establishment and management of marine protected areas (MPAs) bindingly involve the active participation of local and indigenous communities and small-scale fishers;
9. Ensure the integration of traditional and indigenous knowledge and customary law in fisheries management decisionmaking;
10. Guarantee the equal participation of small-scale and indigenous fishing communities in fisheries and coastal management decisionmaking, ensuring their free, prior and informed consent to all management decisions;
11. Recognize the traditional fishing rights of small-scale and indigenous fishers from immediately

neighbouring adjacent States and set up appropriate bilateral arrangements for protecting their rights;

12. Protect all marine and inland water bodies from all forms of pollution, and reclamation;

13. Reject industrial aquaculture and genetically modified and exotic species in aquaculture;

14. Recognize, promote and protect the diversified livelihood base of fishing communities.

### ***Securing post-harvest rights***

15. Protect access of women of fishing communities to fish resources for processing, trading and food, particularly through protecting the diversified and decentralized nature of small-scale and indigenous fisheries;
16. Improve access of women to fish markets, particularly through provision of credit, appropriate technology and infrastructure at landing sites and markets;
17. Ensure that international trade does not lead to environmental degradation or undermine the human rights and food security of local fishing communities;
18. Put in place specific mechanisms to ensure that trade promotes human development, and that it leads to equitable distribution of benefits to fishing communities;
19. Effectively involve fishing communities in negotiations dealing with international trade in fish and fish products;
20. Guarantee institutional arrangements that give priority to fish for local consumption over fish for export or for reduction to fishmeal;
21. Regulate processing capacity, particularly in export-oriented fisheries, to be in line with the sustainability of the fishery;

22. Reject ecolabelling schemes, while recognizing area-specific labelling that identifies socially and ecologically sustainable fisheries;

### ***Securing human rights***

23. Protect the cultural identities, dignity and traditional rights of fishing communities and indigenous peoples;

24. Implement legal obligations arising from the Universal Declaration of Human Rights (UDHR) and subsequently adopted human rights legislation, including the Convention on the Elimination of Discrimination against Women (CEDAW), the Convention on the Rights of the Child, and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP);

25. Guarantee the rights of fishing communities to basic services such as safe drinking water, education, sanitation, health and HIV/AIDS prevention and treatment services;

26. Guarantee the rights of all categories of workers in the fisheries, including self-employed workers and workers in the informal sector, to social security and safe and decent working conditions;

27. Implement the ILO Work in Fishing Convention 2007, and extend its provisions to include inland and shore-based fishers;

28. Ensure that States seek the free, prior and informed consent of small-scale fishing communities and indigenous peoples before undertaking any project or programme that may affect their life and livelihoods;

29. Adopt specific measures to address, strengthen and protect women's right to participate fully in all aspects of small-scale fisheries, eliminating all forms of discrimination against women, and securing their safety against sexual abuse;

30. Take urgent and immediate steps for the release and repatriation of arrested fishers, in keeping with the provisions of UNCLOS and human-rights instruments;

31. Protect men and women engaged in regional cross-border fisheries trade against harassment;

32. Enact and enforce legislation to create autonomous disaster prevention and management authorities based on the need to rebuild and revitalize small-scale and indigenous fisheries;

33. Establish mechanisms to support fishing communities affected by civil war and other forms of human-rights violations, to rebuild their lives and livelihoods;

34. Improve institutional co-ordination at all levels to enhance the well-being of fishing communities;

35. Guarantee rights of fishing communities to information in appropriate and accessible forms; and

36. Provide support to capacity-building of fishing and indigenous communities to participate in governance of coastal and fisheries resources.

National governments have a legal obligation to implement international human-rights instruments. We demand that all governments take these obligations seriously and create the environment for fishing communities to fully enjoy these rights. We demand the urgent establishment of independent mechanisms to monitor, and report on, the implementation of human-rights obligations.

We call on the FAO's Committee on Fisheries (COFI) to include a specific chapter in the Code of Conduct for Responsible Fisheries (CCRF) on small-scale fisheries, recognizing the obligations of States towards them.

We also recognize our responsibility as representatives and supporters of small-scale and indigenous fisheries to assist the local communities, who have so far been marginalized, to claim their rights at national levels.

We reiterate our deep sense of urgency about the neglect of small-scale and indigenous fisheries, and demand immediate action to avert impending disaster and conflict.



#### **For more**



[sites.google.com/site/smallscalefisheries/statement/statement.pdf?attredirects=0](https://sites.google.com/site/smallscalefisheries/statement/statement.pdf?attredirects=0)

#### **Civil Society Workshop Statement**

[www.icsf.net/SU/Bk/EN/5](http://www.icsf.net/SU/Bk/EN/5)

#### **ICSF Guidebook: Understanding the Work in Fishing Convention, 2007**

[www.un.org/Overview/rights.html](http://www.un.org/Overview/rights.html)

#### **The Universal Declaration of Human Rights**