

Fishing for Rights

The recent Rio+20: the United Nations (UN) Conference on Sustainable Development proved significant for fisheries and fishworkers

Eighty-eight Heads of State or Government and 30,000 people representing different constituencies attended Rio+20: the United Nations (UN) Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012, 20 years after the 1992 United Nations Conference on Environment and Development.

Rio+20 led to *The Future We Want*, a consensus document developed over three gruelling preparatory meetings and three rounds of informal negotiations spread over two years.

George Monbiot, columnist for *The Guardian*, characterized the outcome document as “283 paragraphs of fluff”. In addressing the world’s environmental crises, leaders achieved little in Rio other than just expressing deep concern, he added.

Several organizations shared this dismal assessment. *The New York Times* reported that CARE, the American antipoverty organization, felt the conference was “nothing more than a political charade”. The global environmental group Greenpeace said the gathering was a “failure of epic proportions”. India’s *Economic and Political Weekly* found little of significance in Rio+20. The outcome document offered nothing new or specific, unlike the 1992 Rio Summit that had set out a road map for the 21st century, it observed. Oxfam, a British charity, slammed the conference as “shamefully devoid of progress”, but welcomed the Zero Hunger Challenge launched on the sidelines of Rio+20 by the UN Secretary-General, Ban Ki-moon.

Overall, the reactions to the conference were largely negative.

However, in relation to fishing communities, fisheries and the marine environment, there seems to be ground for optimism. The main objective of Rio+20 was to secure renewed political commitment for sustainable development. *The Future We Want* reaffirms respect for “all human rights”, including the right to development. It emphasizes the responsibilities of States to respect, protect and promote human rights and fundamental freedoms without distinction of any kind.

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It underscores the importance of effective, transparent, accountable and democratic institutions. It seeks to mainstream sustainable development at different levels by integrating economic, social and environmental aspects and recognizing their linkages.

The outcome document supports the participation and effective engagement of civil society in implementing sustainable development. It acknowledges the role of co-operatives in contributing to social inclusion and poverty reduction in developing countries.

Traditional knowledge

It recognizes the important contribution of traditional knowledge, innovations and practices of indigenous peoples and local

This report has been written by
Sebastian Mathew (icsf@icsf.net),
Programme Adviser, ICSF

communities. It advocates effective gender mainstreaming in decision-making processes. It encourages countries to implement the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security.

Towards promoting decent work for all, the outcome document highlights the importance of access to education, skills, healthcare, social security, fundamental rights at work, social and legal protections, including occupational safety and health, and decent work opportunities. 'Green economy in the context of sustainable development and poverty eradication'—a combination of market and non-market approaches—is offered as a tool for eradicating poverty and achieving sustainable development.

One significant decision of Rio+20 is to replace, by 2013, the Commission on Sustainable Development with a universal intergovernmental high-level political forum to follow up on commitments. This will be done in consultation with major groups of civil society. A working group of 30 nominated representatives will be constituted this year to propose "action-oriented, concise and easy-to-communicate" sustainable-development goals (SDGs) by 2013, with a view to integrating a final set of SDGs into the United Nations

Development Agenda beyond 2015. The SDGs will complement the MDGs and ultimately replace them by the target year of 2015.

The outcome document recognizes the contribution of fishers—along with farmers, pastoralists and foresters—to the promotion of sustainable development. Under the thematic area of 'food security and nutrition and sustainable aquaculture', it highlights the role of fisheries and aquaculture in improving food security and eradicating hunger. It also recognizes the role of healthy marine ecosystems and sustainable fisheries and aquaculture in ensuring food security, nutrition and livelihood sources. These provisions, unlike Agenda 21 or the Johannesburg Plan of Implementation (JPOI), mainstream fishers and fisheries into the global agenda for rural livelihoods and food security.

Besides the previously agreed commitments, such as the principles of the Rio Declaration, including common but differentiated responsibilities, another 24 significant commitments have been made in the outcome document, which deal with sustainable development. These mostly relate to thematic areas and cross-sectoral issues. At least eight of these commitments can improve the quality of life and contribute to the economic, social and physical well-being of marine and inland fishing communities. These are: (i) freeing humanity from poverty and hunger; (ii) progressive realization of access to safe and affordable drinking water and basic sanitation for all; (iii) securing access to modern energy services by people who are without these services; (iv) improving the quality of human settlements; (v) achieving universal access to HIV prevention, treatment, care and support, elimination of mother to child transmission of HIV, renewing and strengthening the fight against malaria, tuberculosis and neglected tropical diseases, and prevention and control of non-communicable diseases; (vi) reducing maternal and child mortality and improving

NAÍNA PIERRI



The Side Event, "Dialogue on the Human Rights Approach to Fisheries", organized by ICSF with others, prior to Rio+20 addressed access rights to resources and territories

the health of women, men, youth and children; (vii) safe and decent working conditions and access to social protection and education; and (viii) creating an enabling environment for improving the situation of women and girls everywhere, particularly in rural areas and local communities and among indigenous peoples and ethnic minorities.

Six commitments specific to the thematic area "oceans and seas" have a bearing on fisheries, marine environment and marine biodiversity. First is the commitment to protect the health of oceans and marine ecosystems and to maintain their biodiversity through a precautionary ecosystem approach.

Secondly, within the framework of the 1982 United Nations Convention on the Law of the Sea (UNCLOS), there is commitment to address, by 2015, the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (ABNJ). This commitment is new. If Agenda 21 talked about the role of UNCLOS mainly with respect to conservation and utilization of marine living resources in areas under national jurisdiction and fishing in the high seas, the Rio+20 outcome document extends its scope to conserve and manage biological diversity in ABNJ. The document could thus lead to a new legal instrument for biodiversity conservation and management in ABNJ.

The third commitment is to take action to reduce the incidence and impacts of marine and land-based sources of pollution. This includes an agreement to take action, by 2025, to prevent harm to the coastal and marine environment from marine debris. The first global integrated assessment of the state of the marine environment, including socioeconomic aspects, is to be completed by 2014.

Fourthly, there is commitment to implement measures to prevent the introduction of, and manage the adverse environmental impacts of, invasive alien species.

The fifth commitment is to meet the JPOI target to maintain, or restore, fish stocks to levels that can produce the maximum sustainable yield by 2015. This will be achieved through science-based management plans, by eliminating destructive fishing practices and by protecting vulnerable marine ecosystems.

Sixthly, there is a new commitment, drawing inspiration from the 1995 United Nations Fish Stocks Agreement, to ensure access to fisheries and markets by subsistence, small-scale and artisanal fishers and women

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fishworkers, as well as indigenous peoples and their communities. This commitment complements the recognition of the rights of small-scale artisanal fishers as spelled out in Agenda 21 and the 1995 FAO Code of Conduct for Responsible Fisheries (CCRF). It broadens their access to all fisheries and markets.

Under the other thematic area of forests, there is commitment to improve livelihoods by creating the conditions for sustainably managing forests, including through capacity building and governance and by promoting secure land tenure and benefit sharing. This proposal will benefit communities that depend on tropical wetlands like mangroves for their livelihoods.

Potential benefits

Thus, there are about 15 commitments in the outcome document that could potentially benefit fishing communities. The document recognizes the importance of raising public awareness and strengthening coherence and co-ordination, while avoiding duplication of effort. It stresses the importance of exchanging information, and best practices and lessons. It seeks to set



Nikhil Seth, Division for Sustainable Development; Sha Zukang, UNCSO Secretary-General; Izabella Teixeira, Brazilian Environment Minister; Antonio de Aguiar Patriota, Brazilian Foreign Minister; and Amb. Luiz Alberto Figueiredo, Brazil at the pre-conference informal consultations

goals, targets and indicators, including gender-sensitive ones, to measure and accelerate progress in implementation.

However, there are several issues that are worrisome. The fabric of the ‘green economy’ raises fears about market-based approaches to poverty eradication and sustainable development. Unhappiness has also been expressed with the means of implementation section of the outcome document, which is bereft of any new commitments in the realms of technology transfer and finance. The neglect of inland aquatic systems and fisheries, in spite of their contribution to food security and nutrition in many developing countries, is unfortunate. *The Future We Want* also fails to urge States to ratify and implement two significant international labour instruments of relevance to the thematic area “oceans and seas”, namely, the Maritime Labour Convention, 2006 and the Work in Fishing Convention, 2007.

The voluntary commitments made during the conference have very little to do with fishing-community-specific issues, with the exception of the initiative of Lonxanet Foundation to create a bottom-up, inclusive marine protected area in Galicia, Spain. There were also concerns about a celebration of the formation of the World Bank-led Global Partnership for Oceans on the sidelines of the UN Rio+20 conference, which focused, among other things, on a rights-based approach to fisheries governance, which is inconsistent with a human-

rights-based approach—an approach integral to the common vision of the outcome document.

Overall, Rio+20 was significant from the perspective of fisheries and fishworkers. By including fisheries in the question of food security and by establishing the right of small-scale artisanal fishers and fishworkers to access marine fisheries within a common vision that upholds respect for all human rights, the political outcome document *The Future We Want* builds upon the recognition of small-scale artisanal fisheries in Agenda 21. There is sufficient ground for guarded optimism about the outcome of Rio+20. The challenge, however, is how best to create political will at the national and subnational levels to strengthen institutional mechanisms for mainstreaming these commitments into policies and programmes for sustainable development of fisheries and fishing communities. Much will depend on the kind of pressure that can be exerted on the political leadership from below, especially by major groups of civil society. 3

For more

www.un.org/en/sustainablefuture/
The Future We Want: Outcome Document Adopted at Rio+20

www.uncsd2012.org/rio20/
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