# International Legal Instruments Relevant to Fisheries and Fishing Communities: A Handbook

Theme I Human Rights, Food Security, Women and Development



International Collective in Support of Fishworkers 27 College Road, Chennai, India

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ISBN 81-902957-8-0 (Set)

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#### Introduction

his theme covers one customary international law, four binding instruments, one United Nations General Assembly resolution, and seven conference declarations and plans of action (outcome document).

The International Bill of Human Rights consists of the Universal Declaration of Human Rights (UDHR), the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and its two Optional Protocols. The UDHR (1948) proclaimed that "everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food..." Nearly 20 years later, the International Covenant on Economic, Social and Cultural Rights (1966) developed these concepts more fully, stressing "the right of everyone to ... adequate food" and specifying "the fundamental right of everyone to be free from hunger". The civil, cultural, economic, political and social rights proclaimed in the UDHR are considered interdependent, interrelated, indivisible and equally important. To be able to enjoy the right to food fully, people need access to healthcare and education, respect for their cultural values, the right to own property and the right to organize themselves economically and politically. These linkages become more obvious when one compares the Millennium Development Goals (MDGs) with Articles 25 and 26 of the UDHR.

The International Conference on the Sustainable Contribution of Fisheries to Food Security (Kyoto Conference) and the World Food Summit (WFS) highlighted the importance of the artisanal/small-scale fisheries sector in meeting the nutritional and food security needs of large, particularly rural, populations, and the need for sustainable management of fisheries resources, based on the precautionary approach and on best scientific evidence available, for achieving food security. The World Food Summit (WFS) recognized the important contribution of the fisheries sector to food security and povery alleviation.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly, together with the Optional Protocol, are often described as an "international bill of rights for women". The Beijing Conference, Plan of Action, Beijing +5 Conference and the Outcome

document, recognize that empowering the poor, particularly women living in poverty, to utilize environmental resources sustainably is a necessary foundation for sustainable development. They also highlight certain critical areas of concern, some of which are: women and poverty, women and health, women and economy, women and environment and women in power and decision-making processes. These also recognize the role played by women, including those in fisheries, in providing food security and nutrition, and call for better evaluation of their work, especially in the informal sector.

The United Nations Millennium Declaration and the MDGs provide a commitment to reduce poverty and hunger, and support the principles of sustainable development. The MDGs provide timebound targets to reduce poverty and hunger, empower women, and ensure a global partnership for sustainable development.

## International Covenant on Economic, Social and Cultural Rights

ACRONYM CESCR

LEGAL STATUS
Binding

Type of instrument Treaty

#### **OBJECTIVES**

- 1) All peoples have the right of selfdetermination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
- 2) All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.
- 3) The States Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations. (*Article 1*)

#### **C**ONTENTS

31 Articles

#### DATE OF ADOPTION

16 December 1966

#### PLACE OF ADOPTION

New York, US at the United Nations General Assembly by resolution 2200 A (XXI)

#### DATE OF ENTRY INTO FORCE

3 January 1976

#### **SIGNATORIES**

66

#### **R**ATIFICATIONS

151 Parties (as on 24 November 2004)

#### **ADDITIONAL INSTRUMENTS**

- Draft Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;
- The Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights; and
- Fifteen General Comments

#### **INITIATING BODY**

United Nations General Assembly

#### WORKING OF THE INSTRUMENT

Decision-making body

United Nations General Assembly

#### Monitoring and implementation

Committee on Economic, Social and Cultural Rights

#### Periodicity of meetings

Committee currently convenes twice a year, holding two three-week sessions, generally in May and November/ December. It holds all its meetings at the United Nations Office at Geneva.

#### Participation in meetings

The Committee is comprised of 18 members who are experts with recognized competence in the field of human rights. Members of the Committee are independent and serve in their personal capacity, not as representatives of Governments. At present, the Committee is made up of 13 men and five women. The Committee itself selects its chairperson, three vice-chairpersons and rapporteur. Members of the Committee are elected by ECOSOC for four-year terms, and are eligible for re-election if re-nominated.

NGO Participation: The Committee was the first treaty body to provide non-governmental organizations (NGOs) with the opportunity to submit written statements and make oral submissions dealing with issues relating to the enjoyment or non-enjoyment of the rights contained in the Covenant in specific countries. For more information on NGO participation, please visit: http://www.ohchr.org/english/bodies/cescr/NGOs.htm

#### Secretariat

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#### RECENT UNGA RESOLUTIONS

Resolution 55/90 (adopted at the 55<sup>th</sup> session of the General Assembly on 4 December 2000) on "International instruments on human rights, including reporting obligations"

Resolution 56/144 (adopted at the 56<sup>th</sup> session of the General Assembly on19 December 2001) on "International Covenants of Human Rights"

Resolution 57/202 (adopted at the 57<sup>th</sup> session of the General Assembly on 18 December 2002) on "Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights"

Resolution 58/165 (adopted at the 58<sup>th</sup> session of the General Assembly on 22 December 2003) on "International Covenants on Human Rights"

#### SELECTED ARTICLES

#### Article 1

- All peoples have the right of selfdetermination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
- 2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence
- 3. The States Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations

#### Article 2

 Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

#### Article 3

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.

#### Article 6

- The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.
- 2. The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.

#### Article 7

The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular:

- (a) Remuneration which provides all workers, as a minimum, with:
  - (i) Fair wages and equal remuneration for work of equal value without distinction of any

- kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;
- (ii) A decent living for themselves and their families in accordance with the provisions of the present Covenant;
- (b) Safe and healthy working conditions;
- (c) Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;
- (d) Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays.

#### Article 8

- 1. The States Parties to the present Covenant undertake to ensure:
- (a) The right of everyone to form trade unions and join the trade union of his choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;
- (b) The right of trade unions to establish national federations or confederations and the right of the latter to form or join international trade -union organizations;
- (c) The right of trade unions to function freely subject to no limitations other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;

(d) The right to strike, provided that it is exercised in conformity with the laws of the particular country.

#### Article 9

The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.

#### Article 11

- 1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.
- The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:
  - (a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;
  - (b) Taking into account the problems of both food-importing and foodexporting countries, to ensure an

equitable distribution of world food supplies in relation to need.

#### **K**EYWORDS

Human rights, economic rights, social rights, cultural rights, convention, freedom, civil rights, trade union, hunger, subsistence, living conditions, child labour, social security, women, wages, working conditions, livelihood

#### RELEVANCE TO FISHERIES/ FISHWORKERS

The treaty calls for universal economic, social and cultural rights, as well as civil and political rights, including just and favourable conditions of work that ensure fair wages and equal remuneration for work of equal value without distinction of any kind, and safe and healthy working conditions. In particular, Article 3 wants women to be guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work. Article 8 guarantees the right to form and join trade unions as well as the right to strike, provided that it is exercised in conformity with the laws of the particular country. The treaty is thus pertinent to fishworkers in fisheries-related work, including women fish processors.

## Relevance to small-scale fisheries/fishworkers

The treaty's call for measures to improve methods of production, conservation and distribution of food, and dissemination of the principles of nutrition by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources. (Article 11.2). It is relevant for small-scale fisheries production systems that are socially, environmentally and economically efficient. It also recognizes the right of everyone to social security (Article 9).

# International Covenant on Civil and Political Rights

**ACRONYM** CCPR

LEGAL STATUS
Binding

Type of instrument Treaty

#### **OBJECTIVES**

Each State Party to the present Covenant undertakes:

- (a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;
- (b) To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;
- (c) To ensure that the competent authorities shall enforce such remedies when granted. (Article 2.3)

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant. (Article 3)

#### CONTENTS

53 articles

#### DATE OF ADOPTION

16 December 1966

#### PLACE OF ADOPTION

New York, US at the United Nations General Assembly by resolution 2200A

#### DATE OF ENTRY INTO FORCE

23 March 1976

#### **S**IGNATORIES

67

#### RATIFICATIONS

154 Parties (as on 24 November 2004)

#### **A**DDITIONAL INSTRUMENTS

- Optional Protocol to the International Covenant on Civil and Political Rights
- Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty

#### **INITIATING BODY**

United Nations General Assembly

#### WORKING OF THE INSTRUMENT

Decision-making body
United Nations General Assembly

#### Monitoring and implementation

Human Rights Committee United Nations High Commissioner for Human Rights

#### Periodicity of meetings

The committee convenes thrice a year

#### Participation in meetings

Only members of the Committee and representatives of the relevant State party may take part in the dialogue. Nongovernmental organizations are encouraged to submit written information or reports to the Committee.

#### Secretariat

The Office of the United Nations High Commissioner for Human Rights OHCHR-UNOG

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#### REGIONAL INSTRUMENTS/AGENCIES

- The African Charter on Human and Peoples' Rights
- The American Convention on Human Rights (San Jose Pact)
- The American Declaration of the Rights and Duties of Man
- The (European) Convention for the Protection of Human Rights and Fundamental Freedoms
- The European Social Charter

#### RECENT UNGA RESOLUTIONS

Resolution 55/90 (adopted at the 55<sup>th</sup> session of the General Assembly on 4 December 2000) on "International instruments on human rights, including reporting obligations"

Resolution 56/144 (adopted at the 56<sup>th</sup> session of the General Assembly on19 December 2001) on "International Covenants of Human Rights"

Resolution 57/202 (adopted at the 57<sup>th</sup> session of the General Assembly on 18 December 2002) on "Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights"

Resolution 58/165 (adopted at the 58<sup>th</sup> session of the General Assembly on 22 December 2003) on "International Covenants on Human Rights"

#### SELECTED ARTICLES

#### Article 9

- 1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.
- Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.
- 3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgement.
- 4. Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.
- Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.

#### Article 10

1. All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.

#### Article 22

 Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.

#### **K**EYWORDS

Civil rights, political rights, human rights, labour, convention, trade unions, women, arrests

#### RELEVANCE TO FISHERIES/ FISHWORKERS

The treaty recognizes civil and political rights, as well as economic, social and

cultural rights of all humans. It asks that no one be subjected to torture or to cruel, inhuman or degrading treatment or punishment, nor be held in servitude or be required to perform forced or compulsory labour. It decries arbitrary arrest or detention, and guarantees liberty of movement and freedom of association with others, including the right to form and join trade unions for the protection of one's interests. It guarantees access, on general terms of equality, to public services in one's country. The treaty is applicable for all people.

## **Universal Declaration on Human Rights**

#### ACRONYM UDHR

#### LEGAL STATUS

International Customary Law

#### Type of instrument

Resolution

#### **OBJECTIVES**

To promote respect for rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction. (*Preamble*)

#### **CONTENTS**

30 Articles

#### DATE OF ADOPTION

10 December 1948

#### PLACE OF ADOPTION

New York, US at the United Nations General Assembly by Resolution 217 A (III)

#### **I**NITIATING BODY

United Nations General Assembly

#### WORKING OF THE INSTRUMENT

Decision-making body

United Nations General Assembly

Monitoring and implementation Commission on Human Rights Sub-Commission on the Promotion and Protection of Human Rights

#### Periodicity of meetings

United Nations Commission on Human Rights meets each year in regular session in March/April for six weeks in Geneva.

#### Participation in meetings

Voting rights: The United Nations Commission on Human Rights is composed of 53 States.

Observers: Observer States and observers from non- governmental organizations can participate.

#### Secretariat

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#### SELECTED ARTICLES

#### Preamble

Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

#### Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

#### Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

#### Article 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

#### Article 23

- Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- Everyone, without any discrimination, has the right to equal pay for equal work.
- Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

 Everyone has the right to form and to join trade unions for the protection of his interests.

#### Article 26

 Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

#### Article 29

 Everyone has duties to the community in which alone the free and full development of his personality is possible.

#### KEYWORDS

Human rights, United Nations, resolution, employment, social security, livelihood, conditions of work, education, cultural rights, trade unions

#### RELEVANCE TO FISHERIES/ FISHWORKERS

The Declaration calls for the promotion of universal respect for, and observance of, human rights and fundamental freedoms, as a common standard of achievement for all peoples and all nations

These rights include the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment, the right to equal pay for equal work, as well as the right to rest and leisure.

The UDHR also recognizes the right to freedom of peaceful assembly and association, the right to form and join trade unions, and the right to social security. All these are relevant for fishworkers.

## **World Conference on Human Rights**

**ACRONYM** WCHR

LEGAL STATUS Non-binding

Type of Instrument
Conference Declaration

#### **OBJECTIVES**

Conference objective: To examine the link between development, democracy and economic, social, cultural, civil and political rights, and to evaluate the effectiveness of United Nations methods and mechanisms with the aim of recommending ways to ensure adequate financial and other resources for United Nations human rights activities.

Declaration: Reaffirmed the principles that have evolved during the past 45 years and further strengthened the foundation for additional progress in the area of human rights. Recognized interdependence between democracy, development and human rights, which prepared the way for future cooperation by international organizations and national agencies in the promotion of all human rights, including the right to development.

NAME OF DECLARATION Vienna Declaration

PLACE OF DECLARATION Vienna, Austria

**D**ATE OF DECLARATION 25 June 1993

#### Initiating body

United Nations General Assembly

#### WORKING OF THE INSTRUMENT

Decision-making body

United Nations General Assembly Economic and Social Council of the United Nations (ECOSOC)

#### Monitoring and implementation

Commission on Human Rights Sub-Commission on the Promotion and Protection of Human Rights High Commissioner for Human Rights

#### Periodicity of meetings

United Nations Commission on Human Rights meets each year in regular session in March/April for six weeks in Geneva.

#### Participation in meetings

Voting rights: The United Nations Commission on Human Rights, is composed of 53 States.

*Observers:* Observer States and observers from non- governmental organizations can participate.

#### Secretariat

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#### PLAN

Vienna Programme of Action

#### SUBSEQUENT UNGA RESOLUTIONS

Resolution 52/148 (adopted at the 52<sup>nd</sup> session of the General Assembly on 12 December 1997) on "Implementation and follow-up to the Vienna Declaration and Programme of Action"

Resolution 53/166 (adopted at the 53<sup>rd</sup> session of the General Assembly on 9 December 1998) on "Vienna Declaration and Programme of Action"

#### **ADDITIONAL INFORMATION**

The final document agreed to in Vienna was endorsed by the 48 <sup>th</sup> session of the United Nations General Assembly by resolution 48/121.

The conference took historic new steps to promote and protect the rights of women, children and indigenous peoples by, respectively, supporting the creation of a new mechanism, a Special Rapporteur on Violence against Women; calling for the universal ratification of the Convention on the Rights of the Child by the year 1995; and recommending the proclamation by the General Assembly of an international decade of the world's indigenous peoples. Subsequently, the General Assembly carried out that recommendation. Vienna The Declaration also made concrete recommendations for strengthening and harmonizing the monitoring capacity of the United Nations system. In this regard, it called for the establishment of a High Commissioner for Human Rights by the General Assembly, which subsequently created the post on 20 December 1993 (resolution 48/141).

#### SELECTED PARAGRAPHS

2. Recognizing and affirming that all human rights derive from the dignity and

worth inherent in the human person, and that the human person is the central subject of human rights and fundamental freedoms, and consequently should be the principal beneficiary and should participate actively in the realization of these rights and freedoms.

- 8. Emphasizing that the Universal Declaration of Human Rights, which constitutes a common standard of achievement for all peoples and all nations, is the source of inspiration and has been the basis for the United Nations in making advances in standard setting as contained in the existing international human rights instruments, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.
- 9. Considering the major changes taking place on the international scene and the aspirations of all the peoples for an international order based on the principles enshrined in the Charter of the United Nations, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self determination of peoples, peace, democracy, justice, equality, rule of law, pluralism, development, better standards of living and solidarity.

#### **K**EYWORDS

Human rights, rights, women, indigenous communities, culture

#### RELEVANCE TO FISHERIES/ FISHWORKERS

The Vienna Declaration on Human Rights is applicable to all peoples.

### **Vienna Programme of Action**

#### **A**CRONYM

Vienna PoA

#### **O**BJECTIVES

To reaffirm the commitment of all States to fulfill their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law (I. 1).

#### SELECTED PARAGRAPHS

- I. 9. The World Conference on Human Rights reaffirms that least developed countries committed to the process of democratization and economic reforms, many of which are in Africa, should be supported by the international community in order to succeed in their transition to democracy and economic development.
- I. 10. The World Conference on Human Rights reaffirms the right to development, as established in the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights.
- I. 11. The right to development should be fulfilled so as to meet equitably the developmental and environmental needs of present and future generations. The World Conference on Human Rights recognizes that illicit dumping of toxic and dangerous substances and waste potentially constitutes a serious threat to the human rights to life and health of everyone.

Consequently, the World Conference on Human Rights calls on all States to adopt and vigorously implement existing conventions relating to the dumping of toxic and dangerous products and waste and to cooperate in the prevention of illicit dumping....

- I. 14. The existence of widespread extreme poverty inhibits the full and effective enjoyment of human rights; its immediate alleviation and eventual elimination must remain a high priority for the international community.
- I. 18. The human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community. The World Conference on Human Rights recognizes the inherent dignity and the unique contribution of indigenous people to the development and plurality of society and strongly reaffirms the commitment of the international community to their economic, social and cultural well-being and their enjoyment of the fruits of sustainable development.
- I. 24. Great importance must be given to the promotion and protection of the human rights of persons belonging to groups which have been rendered vulnerable, including migrant workers, the elimination of all forms of discrimination against them, and the strengthening and more effective

implementation of existing human rights instruments. States have an obligation to create and maintain adequate measures at the national level, in particular in the fields of education, health and social support, for the promotion and protection of the rights of persons in vulnerable sectors of their populations and to ensure the participation of those among them who are interested in finding a solution to their own problems.

I. 33. The World Conference on Human Rights reaffirms that States are dutybound, as stipulated in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights and in other international human rights instruments, to ensure that education is aimed at strengthening the respect of human rights and fundamental freedoms. The World Conference on Human Rights the importance emphasizes incorporating the subject of human rights education programmes and calls upon States to do so. Education should promote understanding, tolerance, peace and friendly relations between the nations and all racial or religious groups and encourage the development of United Nations activities in pursuance of these objectives. Therefore, education on human rights and the dissemination of proper information, both theoretical and practical, play an important role in the promotion and respect of human rights with regard to all individuals without distinction of any kind such as race, sex, language or religion, and this should be integrated in the education policies at the national as well as international levels. The World Conference on Human Rights notes that resource constraints and institutional

inadequacies may impede the immediate realization of these objectives.

The World Conference on Human Rights urges the full and equal enjoyment by women of all human rights and that this be a priority for Governments and for the United Nations. The World Conference on Human Rights also underlines the importance of the integration and full participation of women as both agents and beneficiaries in the development process, and reiterates the objectives established on global action for women towards sustainable and equitable development set forth in the Rio Declaration on Environment and Development and chapter 24 of Agenda 21, adopted by the United Nations Conference on Environment and Development (Rio de Janeiro, Brazil, 3-14 June 1992).

I. 37. Regional arrangements play a fundamental role in promoting and protecting human rights. They should reinforce universal human rights standards, as contained in international human rights instruments, and their protection. The World Conference on Human Rights endorses efforts under way to strengthen these arrangements and to increase their effectiveness, while at the same time stressing the importance of cooperation with the United Nations human rights activities.

The World Conference on Human Rights reiterates the need to consider the possibility of establishing regional and subregional arrangements for the promotion and protection of human rights where they do not already exist.

I. 38. The World Conference on Human Rights recognizes the important role of

non-governmental organizations in the promotion of all human rights and in humanitarian activities at national, regional and international levels. The World Conference on Human Rights appreciates their contribution to increasing public awareness of human rights issues, to the conduct of education, training and research in this field, and to the promotion and protection of all human rights and freedoms. fundamental While recognizing that the primary responsibility for standard-setting lies with States, the conference also appreciates the contribution of non- governmental organizations to this process. In this respect, the World Conference on Human Rights emphasizes the importance of continued dialogue and cooperation between Governments and nongovernmental organizations.Nongovernmental organizations and their members genuinely involved in the field of human rights should enjoy the rights and freedoms recognized in the Universal Declaration of Human Rights, and the protection of the national law.

These rights and freedoms may not be exercised contrary to the purposes and principles of the United Nations. Non-governmental organiza-tions should be free to carry out their human rights activities, without interference, within the framework of national law and the Universal Declaration of Human Rights.

I. 39. Underlining the importance of objective, responsible and impartial information about human rights and humanitarian issues, the World Conference on Human Rights encourages the increased involvement of the media, for whom freedom and protection should be guaranteed within the framework of national law.

#### **K**EYWORDS

Human rights, women, violence, development, education, capacity building, equity, environment, poverty

#### RELEVANCE TO FISHERIES/ FISHWORKERS

The Vienna PoA reaffirms the commitment of all States to the protection of human rights.

## **World Summit for Social Development**

#### SHORT TITLE

Copenhagen Summit

#### ACRONYM WSSD

## LEGAL STATUS Non-binding

#### Type of instrument

Conference Declaration

#### **O**BJECTIVES

To recognize the significance of social development and human well-being for all and to give to these goals the highest priority both now and into the twenty-first century.

The declaration also set forth ten commitments.

#### **C**ONTENTS

29 paragraphs and ten commitments

#### DATE OF ADOPTION 12 March 1995

#### PLACE OF ADOPTION

New York, US at the 14<sup>th</sup> plenary meeting of the United Nations General Assembly

#### NAME OF DECLARATION

Copenhagen Declaration on Social Development

#### PLACE OF DECLARATION Copenhagen, Denmark

#### Date of Declaration 19 April 1995

#### Initiating body

United Nations General Assembly

#### WORKING OF THE INSTRUMENT Monitoring and implementation

- United Nations General Assembly
- ECOSOC
- Commission for Social Development (CSocD)
- Division for Social Policy and Development (DSPD) of the Department of Economic and Social Affairs (DESA)

#### Periodicity of meetings

Once in a year, in February

#### Participation in meetings

Commission on Social Development: Sessions of the Commission are open to non-governmental organizations (NGOs) in consultative status with ECOSOC. Only such NGOs are invited to attend sessions of the Commission. NGOs in general and special consultative status may submit written statements to be circulated. Representatives of accredited NGOs (in general and special consultative status) may also make oral presentations during the general debate at the Commission.

#### Secretariat

Commission for Social Development Division for Social Policy and Development Department of Economic and Social Affairs United Nations, DC2-1350, New York, NY 10017, USA Tel: 1 212 963 5873

#### PLAN

Programme of Action

#### REGIONAL INSTRUMENTS

Manila Declaration on Accelerated Implementation of the Agenda for Action on Social Development in the Economic and Social Commission for Asia and the Pacific (ESCAP) Region.

#### Subsequent meetings

World Summit for Social Development Plus Five in 2000.

#### RECENT UNGA RESOLUTIONS

Resolution 55/46 (adopted at the 55<sup>th</sup> session of the General Assembly on 29 November 2000) on "World Summit for Social Development outcome"

Resolution 57/163 (adopted at the 57<sup>th</sup> session of the General Assembly on 18 December 2002) on "Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly"

Resolution 58/130 (adopted at the 58<sup>th</sup> session of the General Assembly on 22 December 2003) on "Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly"

#### **ADDITIONAL INFORMATION**

The declaration and plan of action were endorsed by the 50 <sup>th</sup> session of the United Nations General Assembly by Resolution 50/161 dated 22 December 1995.

Since the convening of the World Summit for Social Development in Copenhagen in 1995, the Commission has been the key UN body in charge of the follow-up and implementation of the Copenhagen Declaration and Programme of Action.

The Commission consists of 46 members elected by the Economic and Social Council for terms of office of four years on the following basis: 12 from African states; 10 from Asian states; 5 from Eastern European states; 9 from Latin American and Caribbean states; and 10 from Western European and Other states. In accordance with Council resolution 1139-IV (XLI), Member States nominate candidates who hold key positions in the planning or execution of national social development policies. Each year since 1995, the Commission has taken up key social development themes as part of its follow-up to the outcome of the Copenhagen Summit.

#### SELECTED PARAGRAPHS

- We are deeply convinced that economic development, development and environmental protection are interdependent and mutually reinforcing components of sustainable development, which is the framework for our efforts to achieve a higher quality of life for all people. Equitable social development that recognizes empowering the poor to utilize environmental resources sustainably is a necessary foundation for sustainable development. We also recognize that broad-based and sustained economic growth in the context of sustainable development is necessary to sustain social development and social justice.
- 8. We acknowledge that people are at the centre of our concerns for sustainable development and that they are entitled to a healthy and productive life in harmony with the environment.
- 9. We gather here to commit ourselves, our Governments and our nations to enhancing social development throughout the world so that all men and women, especially those living in poverty, may exercise the rights, utilize the

resources and share the responsibilities that enable them to lead satisfying lives and to contribute to the well-being of their families, their communities and humankind. To support and promote these efforts must be the overriding goals of the international community, especially with respect to people suffering from poverty, unemployment and social exclusion.

#### **K**EYWORDS

Social development, development, rights, poverty, human rights, governance, participation, sustainable development, employment, economic development, environment

## RELEVANCE TO FISHERIES/

The Declaration recognizes that economic development, social development and environmental protection are interdependent and mutually reinforcing. It asks that the poor be empowered to sustainably utilize environmental resources, which would include fisheries.

It recognizes that social development and social justice derive from sustainable development, which is at the centre of several initiatives in fisheries. It places people at the centre of the international community's concerns and asserts that they are entitled to a healthy and productive life in harmony with the environment. It pays special attention to those living in poverty, permits them to exercise rights, utilize resources so as to lead satisfying lives.

## RELEVANCE TO SMALL-SCALE FISHERIES/FISHWORKERS

The Declaration lays special emphasis on people suffering from poverty, unemployment and social exclusion, conditions typical of several small-scale fisheries.

# Programme of Action of the World Summit for Social Development

#### SHORT TITLE Copenhagen PoA

#### **O**BJECTIVES

To outline policies, actions and measures to implement the principles and fulfil the commitments enunciated in the Copenhagen Declaration on Social Development.

#### SELECTED PARAGRAPHS

- B. Improved access to productive resources and infrastructure
- 31. The opportunities for income generation, diversification of activities and increase of productivity in low-income and poor communities should be enhanced by:
  - (g) Strengthening organizations of small farmers, landless tenants and labourers, other small producers, fisherfolk, community-based and workers' cooperatives, especially those run by women, in order to, inter alia, improve market access and increase productivity, provide inputs and technical advice, promote cooperation in production and marketing operations, and strengthen participation in the planning and implementation development;
- 32. Rural poverty should be addressed by:
  - (d) Promoting opportunities for small farmers and other

- agricultural, forestry and fishery workers on terms that respect sustainable development;
- (f) Protecting, within the national context, the traditional rights to land and other resources of pastoralists, fishery workers and nomadic and indigenous people, and strengthening land management in the areas of pastoral or nomadic activity, building on traditional communal practices, controlling encroachment by others, and developing improved systems of management range access to water, markets, credit, animal production, veterinary services, health including health services, education and information:
- 50. Promoting patterns of economic growth that maximize employment creation requires:
  - (f) Promoting mutually supportive improvements in rural farm and non-farm production, including animal husbandry, forestry, fisheries and agro-processing industries, aiming to expand and diversify environmentally sound, sustained economic activity and productive employment in the rural sector;

#### **K**EYWORDS

Social development, development, sustainable development, human rights, poverty, employment, natural resources management, traditional rights

## Relevance to small-scale fisheries/fishworkers

The PoA asks countries to protect the traditional rights of fishworkers in the national context, promote opportunities for fishworkers in line with sustainable development, and enhance income generation by strengthening of small-scale fishworker organizations (Paragraphs 31, 32 and 50). Importantly, it also highlights the need to promote patterns of economic growth that maximize employment creation.

# **International Conference on the Sustainable Contribution of Fisheries to Food Security**

#### SHORT TITLE

Kyoto Conference

## LEGAL STATUS Non-binding

## Type of instrument Conference Declaration

#### **O**BJECTIVES

To recognize and appreciate the significant role which marine fisheries, inland fisheries and aquaculture play in providing food security for the world and to call for a precautionary approach to ensure sustainability in fisheries.

## Name of Declaration Kyoto Declaration

#### PLACE OF DECLARATION Kyoto, Japan

### Date of declaration

#### 4-9 December 1995

#### Initiating body

Food and Agriculture Organization of the United Nations (FAO)

#### Secretariat

FAO

Viale delle Terme di Caracalla 00100 Rome, Italy

Tel: 39 06 5705 2847 Fax: 39 06 5705 3152 Website: www.fao.org/fi

#### PLAN

Kyoto Plan of Action

#### SELECTED PARAGRAPHS

- Recognize and appreciate the significant role which marine fisheries, inland fisheries and aquaculture play in providing food security for the world, both through food supplies and through economic and social well-being;
- Recognize and appreciate the important economic and social role of subsistence, artisanal and commercial fishers and other fishers throughout the world, and seek to provide an environment in which they can make an optimum contribution to economic and social welfare;
- Undertake in-depth studies to assess the social, economic and cultural importance of fisheries and fishery products;
- 9. Base policies, strategies and resource management and utilization for sustainable development of the fisheries sector on the following: (i) maintenance of ecological systems; (ii) use of the best scientific evidence available; (iii) improvement in economic and social well-being; and (iv) inter and intra generational equity;
- Apply the precautionary approach as referred to in the FAO Code of Conduct for Responsible Fisheries and the United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks;
- 12. Conserve and sustainably use biological diversity and its

components in the aquatic environment and, in particular, prevent practices leading to irreversible changes, such as extinction of genes and species, genetic erosion and/or large-scale destruction of habitats;

- 16. Increase the available supply of fish and fishery products for human consumption, nationally and internationally, through: (i) making optimum use of harvests and reducing post-harvest losses; (ii) developing, improving and sharing appropriate storage, processing and distribution technology; and (iii) developing and promoting effective systems ensuring the safety of food of aquatic origin, including harmonization of international regulations;
- 17. Support enhancement of fisheries in coastal marine and inland waters, when and where appropriate, by: (i) assisting in stocking of resources and restocking of depleted resources providing through suitable organisms; (ii) assisting fishers to organize themselves; (iii) promoting the use of integrated community and/or co-management schemes; and (iv) subject to national priorities, establishing access or user rights in waters exploited under open access regimes;
- 18. Promote the use of sustainable and environmentally sound aquaculture and ranching in coastal marine and inland waters through, *inter alia*: (i) establishment of appropriate institutional and legal frameworks; (ii) coordination of the use of lands and waters with other activities; (iii) use of the best and most appropriate genetic material in conformity with the conservation and sustainable use of the environment and

- conservation of biological diversity; and (iv) application of social and environmental impact assessments;
- 20. Ensure that trade in fish and fishery products promotes food security, does not result in environmental degradation or adversely impact the nutritional rights and needs of people for whom fish and fishery products are critical to their health and wellbeing, does not undermine applicable global, regional and subregional conservation and management measures and is conducted in accordance with the principles, rights and obligations established in the World Trade Organization (WTO) Agreement;

#### **K**EYWORDS

Employment, food security, trade, ecosystem approach, fishing capacity, fishery products, fishermen, fishing communities, fisheries development, precautionary approach

#### Relevance to fisheries/smallscale fisheries/ fishworkers

The Declaration calls for sustainable management of fisheries resources, based on the precautionary approach and on best scientific evidence available, for achieving food security. It specifically recognizes the important economic and social role of subsistence and artisanal fishers, and of marine and inland fisheries, and aquaculture in food security. It stresses that policies and resource management initiatives should specifically aim at improving economic and social well-being.

Further, it calls for supporting the enhancement of fisheries in coastal marine and inland waters, including by assisting fishers to organize themselves, by promoting the use of integrated community-based and/or co-

management schemes, and by establishing access or user rights in waters exploited under open-access regimes, subject to national priorities.

It also calls for the application of social and environmental impact assessments in promoting the use of sustainable and environmentally sound aquaculture and ranching in coastal marine and inland waters. It calls for in-depth studies to assess the social, economic and cultural importance of fisheries and fishery products. It further stresses the need to ensure that trade in fish and fishery products promotes food security, and does not result in environmental degradation or adversely impact the nutritional rights and needs of people for whom fish and fishery products are critical to their health and well-being.

## **Kyoto Plan of Action**

#### **A**CRONYM

Kyoto PoA

#### **O**BJECTIVES

A set of plans that need to be undertaken immediately with respect to improving management of fisheries resources to achieve food security.

#### SELECTED PARAGRAPHS

- 1. To assess and monitor the present and future levels of global, regional and national production, supply and demand of fish and fishery products and their effects on food security, employment, consumption, income, trade and sustainability of production.
- 5. To develop, promote and facilitate the exchange of information on the use of efficient and standardized methodologies for the study of social, cultural and economic characteristics of fishing and associated activities; and, in particular, attempt to develop methods designed to permit verifiable indicators of the importance of such characteristics and their interaction and compatibility with management objectives.
- 8. To promote the exchange of information amongst research institutes and other relevant entities aiming to: (i) increase opportunities for the sustainable use of unexploited or underexploited species as human food; and (ii) promote and support research activities in order to

ensure improvement in scientific knowledge of existing fishery resources.

- 9. To strengthen coordination of national and international research programs aiming to simulate environmentally sound aquaculture and stocking, giving emphasis to the development of international guidelines for the development and management of activities in particular on: (i) the impacts on the environment and biodiversity; (ii) the application of biotechnology; and (iii) the health of cultured stocks.
- 10. To provide and coordinate technical and financial assistance programs for developing countries, in particular low-income food-deficit countries (LIFDCs) and small island developing States, and encourage cooperation between countries, in order to achieve the contribution of fisheries to food security through, inter alia: (i) a rapid transfer of technology and knowhow in enhancement in inland and marine waters; (ii) an upgrade and increase of the capabilities needed to minimize post-harvest losses; and (iii) ensuring improved control of fishing activities within areas under national jurisdiction.

#### **K**EYWORDS

Employment, food security, trade, ecosystem approach, fishing capacity, fishery products, fishermen, fishing communities, fisheries development, aquaculture

#### RELEVANCE TO FISHERIES

The PoA seeks to assess and monitor present and future levels of global, regional and national production, supply and demand of fish and fishery products, and their effects on food security, employment, consumption, income, trade and sustainability of production. It calls for integrated assessments of fisheries in order to evaluate opportunities and strengthen the scientific basis for multispecies and ecosystem management, and for various measures to reduce excess fishing capacity.

#### **World Food Summit**

#### **ACRONYM** WFS

#### LEGAL STATUS Non-binding

## Type of Instrument Conference Declaration

#### **OBJECTIVES**

To pledge the political will and the common and national commitment of States to achieving food security for all and to an ongoing effort to eradicate hunger in all countries, with an immediate view to reducing the number of undernourished people to half their level no later than 2015;

Food security exists when all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life. The Rome Declaration sets forth seven commitments that lay the basis for achieving sustainable food security for all.

## NAME OF DECLARATION Rome Declaration on World Food Security

## PLACE OF DECLARATION Rome, Italy

## DATE OF DECLARATION 13 November 1996

#### INITIATING BODY

Food and Agriculture Organization (FAO) of the United Nations

#### Secretariat

FAO

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worldfoodsummit

#### PLAN

World Food Summit Plan of Action

#### Subsequent meetings

World Food Summit Five Years Later

#### SELECTED PARAGRAPHS

- 1. We, the Heads of State and Government, or our representatives, gathered at the World Food Summit at the invitation of the Food and Agriculture Organization of the United Nations, reaffirm the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger.
- 2. We pledge our political will and our common and national commitment to achieving food security for all and to an ongoing effort to eradicate hunger in all countries, with an immediate view to reducing the number of undernourished people to half their present level no later than 2015.
- We recognize the need to adopt policies conducive to investment in human resource development, research and infrastructure for

achieving food security. We must encourage generation employment and incomes, and promote equitable access productive and financial resources. We agree that trade is a key element in achieving food security. We agree to pursue food trade and overall trade policies that will encourage our producers and consumers to utilize available resources in economically sound and sustainable manner. We recognize importance for food security of sustainable agriculture, fisheries, forestry and rural development in low as well as high potential areas. We acknowledge the fundamental role of farmers, fishers, foresters, indigenous people and their communities, and all other people involved in the food sector, and of their organizations, supported by effective research and extension, in attaining food security.

- sustainable development Our policies will promote full participation and empowerment of people, especially women, an equitable distribution of income, access to health care and education, and opportunities for youth. Particular attention should be given to those who cannot produce or procure enough food for an adequate diet, including those affected by war, civil strife, natural disaster or climate related ecological changes. We are conscious of the need for urgent action to combat pests, drought, and resource degradation natural including desertification, overfishing and erosion of biological diversity.
- 11. Convinced that the multifaceted character of food security

necessitates concerted national action, and effective international efforts to supplement and reinforce national action, we make the following commitments (of the seven, four are given below):

- we will pursue participatory and sustainable food, agriculture, fisheries, forestry and rural development policies and practices in high and low potential areas, which are essential to adequate and reliable food supplies at the household, national, regional and global levels, and combat pests, drought and desertification, considering the multifunctional character of agriculture;
- we will strive to ensure that food, agricultural trade and overall trade policies are conducive to fostering food security for all through a fair and marketoriented world trade system;
- we will promote optimal allocation and use of public and private investments to foster human resources, sustainable food, agriculture, fisheries and forestry systems, and rural development, in high and low potential areas;
- we will implement, monitor, and follow-up this Plan of Action at all levels in co-operation with the international community.

#### **K**EYWORDS

Food security, food, fisheries, gender, human rights, hunger, indigenous communities, overfishing, participation, policy, rights, rural development, sustainable development, sustainable use, trade

#### RELEVANCE TO FISHERIES/SMALL-SCALE FISHERIES/FISHWORKERS

The high visibility of the Summit raised awareness among decision-makers in the public and private sectors, in the media and with the public at large, and set the political, conceptual and technical blueprint for an ongoing effort to eradicate hunger in all countries, with the target of reducing by half the number of undernourished people by no later than the year 2015.

For the small-scale and artisanal fisheries sector, the WFS holds relevance, both because of the role the sector plays/can play in meeting nutritional and food security needs of large, particularly rural, populations, and because the sector is known for its high levels of poverty and food insecurity. The WFS declaration recognizes the importance of fisheries for food security, and acknowledges the fundamental role

of fishers, indigenous peoples and their communities in attaining food security.

To achieve the goals set, the WFS declaration calls for equitable access to productive and financial resources. It recognizes the need to revitalize rural areas and to remove poverty. It calls for increasing food production, within the framework of sustainable management of natural resources, and the elimination of unsustainable patterns of consumption and production, particularly in industrialized countries.

It calls for sustainable development policies that promote full participation and empowerment of people, especially women, an equitable distribution of income, access to healthcare and education, and opportunities for youth. It further commits to ensuring that trade policies are conducive to fostering food security for all through a fair and marketoriented world trade system.

#### **World Food Summit Plan of Action**

#### **A**CRONYM

WFS PoA

#### **OBJECTIVES**

Based on the seven commitments made by States to achieve the goal of food security, the POA lays down clear objectives under each commitment and action required to achieve each of these objectives

## WORKING OF THE INSTRUMENT Monitoring and implementation

The FAO Committee on World Food Security (CFS) is the focal point for the implementation of the WFS Plan of Action.

## *Periodicity of meetings*CFS meets twice in a biennium

#### Participation in meetings

Voting rights: Members of FAO must apply formally for membership. Membership for CFS must be renewed each biennium.

Observers: Non-governmental organizations are allowed as observers

#### **ADDITIONAL INFORMATION**

The Committee on World Food Security (CFS) serves as a forum in the United Nations System for review and follow-up of policies concerning world food security, including food production and physical and economic access to food. Its functions are enumerated in Rule XXXIII of the General Rules of the Organization.

#### SELECTED PARAGRAPHS

The seven commitments made by States, and the paragraphs that operationalize these commitments, are as follows:

Commitment one (paras 13 to 17): We will ensure an enabling political, social, and economic environment designed to create the best conditions for the eradication of poverty and for durable peace, based on full and equal participation of women and men, which is most conducive to achieving sustainable food security for all.

Commitment two (paras 18 to 22): We will implement policies aimed at eradicating poverty and inequality and improving physical and economic access by all, at all times, to sufficient, nutritionally adequate and safe food and its effective utilization.

Commitment three (paras 23 to 36): We will pursue participatory and sustainable food, agriculture, fisheries, forestry and rural development policies and practices in high and low potential areas, which are essential to adequate and reliable food supplies at the household, national, regional and global levels, and combat pests, drought and desertification, considering the multifunctional character of agriculture.

Commitment four (paras 37 to 41): We will strive to ensure that food, agricultural trade and overall trade policies are conducive to fostering food security for all through a fair and marketoriented world trade system.

Commitment five (paras 42 to 47): We will endeavour to prevent and be prepared for natural disasters and manmade emergencies and to meet transitory and emergency food requirements in ways that encourage recovery, rehabilitation, development and a capacity to satisfy future needs.

Commitment six (paras 48 to 53): We will promote optimal allocation and use of public and private investments to foster human resources, sustainable food, agriculture, fisheries and forestry systems, and rural development, in high and low potential areas.

Commitment seven (paras 54 to 62): We will implement, monitor, and follow-up this Plan of Action at all levels in cooperation with the international community.

Objective 3.5 (para 36 under Commitment three):

To formulate and implement integrated rural development strategies, in low and high potential areas, that promote rural employment, skill formation, infrastructure, institutions and services, in support of rural development and household food security and that reinforce the local productive capacity of farmers, fishers and foresters and others actively involved in the food sector, including members of vulnerable and disadvantaged groups, women and indigenous people, and representative organizations, and that ensure their effective participation.

To this end, governments, in partnership with all actors of civil society, and with the support of international institutions, will, as appropriate:

(a) Include in their national social and economic development policies, plans and programmes, actions that will foster the social and economic revitalization of the rural sector, with particular regard to the promotion of investment and employment that will make good use of the rural workforce and to the promotion of political, economic and administrative decentralization;

- (b) Strengthen local government institutions in rural areas and provide them with adequate resources, decision-making authority and mechanisms for grassroots participation;
- (c) Encourage and enable farmers, fishers and foresters and other food producers and providers as well as their organizations, particularly small farmers and artisanal fisherfolk, by strengthening institutional structures to define their responsibilities and protect their rights and those of the consumer;
- (d) Promote the development and diversification of rural markets, reduce post-harvest losses and ensure safe storage, food processing and distribution facilities and transportation systems;
- (e) Reinforce the follow-up to the World Conference on Agrarian Reform and Rural Development (WCARRD), 1979;
- (f) Develop and encourage training programmes in sustainable natural resources management.

Governments, in co-operation with the private sector and non-governmental organizations, will:

- (g) Develop the technical and educational infrastructure in rural areas;
- (h) Promote the development of rural banking, credit and savings schemes, where appropriate, including equal access to credit for men and women, micro-credit for the poor, as well as adequate insurance mechanisms;
- (i) Promote food production, processing and marketing systems which increase opportunities for stable, gainful and equal and equitable employment conditions in the food

- and rural sectors; where appropriate, promote off-farm activities in rural areas combining agriculture, fisheries and forestry production with processing and marketing activities, cottage industries and tourism, particularly in marginal areas and peri-urban areas;
- (j) Foster the social and economic organization of the rural population with particular emphasis on the development of small-scale farmers', fishers', and foresters' cooperatives, community organizations and development associations, so that rural inhabitants may be actively involved in decision-making, monitoring and evaluation of rural development programmes;
- (k) Recognize farmers', fishers', foresters', rural workers' and consumers' organizations at local, national, regional and international levels and promote a regular dialogue and partnership with their respective governments and their linkage with all appropriate institutions and sectors on sustainable agriculture, fisheries and forestry and sustainable management of natural resources;
- (l) Promote the empowerment of small-scale family farmers, fishers and foresters, both women and men, to set up their own co-operatives and business undertakings, as well as farmers' and fishers' financial and mutual institutions;
- (m) Enhance cooperation and exchange among farmers, fishers, foresters and their representative organizations, both within and between developing countries, industrialized countries and economies in transition.

Governments, in collaboration with the international community, will:

- (n) Develop international South-South technical cooperation programmes that will facilitate the implementation of nutritional programmes that have proved successful in other developing countries;
- (o) Implement the outcomes of UNCED, particularly as regards Chapter 14 of Agenda 21.

#### **K**EYWORDS

Agreement, aquaculture, biodiversity, capacity building, CFS, coastal areas, fish trade, food security, food, indigenous communities, health, local communities, marine ecosystems, policy, poverty, producer organizations, sustainable development

#### Relevance to fisheries/smallscale fisheries/fishworkers

The PoA calls for integrated rural development strategies that reinforce the local productive capacity of fishers. It calls for enhancing production for food security, within the framework of holistic and sustainable management of natural resources and in ways that increase oppurtunities for stable, gainful, equal and equitable employment conditions.

The PoA also stresses the need to develop environmentally sound and sustainable aquaculture, well integrated into rural, agricultural and coastal development. For fishworkers in many regions, faced with the impact of environmentally and socially unsound forms of aquaculture, this is important. Several other actions suggested in the PoA, such as the need to recognize and dialogue with fishworker organizations for sustainable management of natural resources, and the need to develop small-scale fishers' co-operatives, are also of relevance.

### World Food Summit: five years later

#### ACRONYM WFS fyl

### LEGAL STATUS Non-binding

### Type of Instrument Conference Declaration

### **CONTENTS**35 paragraphs

### NAME OF DECLARATION World Food Summit: five years later

#### PLACE OF DECLARATION Rome, Italy

### **Date of Declaration** 10-13 June 2002

#### INITIATING BODY

Food and Agriculture Organization (FAO) of the United Nations

# WORKING OF THE INSTRUMENT Monitoring and implementation FAO's Committee on World Food Security (CFS)

## *Periodicity of meetings*The committee meets for two sessions during each biennium

# Secretariat Secretary of CFS FAO Viale delle Terme di Caracalla 00100 Rome, Italy Tel: 39 06 5705 2847 Fax: 39 06 5705 3152 Website: http://www.fao.org/worldfood

summit

#### **G**UIDELINES

Voluntary guidelines on the right to food were brought out in 2004

#### SELECTED PARAGRAPHS

- We renew our global commitments made in the Rome Declaration at the World Food Summit in 1996 in particular to halve the number of hungry in the world no later than 2015, as reaffirmed in the United Nations Millennium Declaration. We resolve to accelerate the implementation of the WFS Plan of Action.
- 10. We invite the FAO Council to establish at its One Hundred and Twentythird Session an Intergovernmental Working Group, with the participation of stakeholders, in the context of the WFS follow-up, to elaborate, in a period of two years, a set of voluntary guidelines to support Member States' efforts to achieve the progressive realization of the right to adequate food in the context of national food security; we ask the FAO, in close collaboration with relevant treaty bodies, agencies and programmes of the UN System, to assist Intergovernmental Working Group, which shall report on its work to the Committee on World Food Security.
- 13. We reaffirm the need to assure gender equality and to support empowerment of women. We recognize and value the continuing and vital role of women in agriculture, nutrition and food security and the need to integrate a gender perspective in all aspects of food security; and we recognize the

need to adopt measures to ensure that the work of rural women is recognized and valued in order to enhance their economic security, and their access to and control over resources and credit schemes, services and benefits.

21. We stress the need to further promote sustainable forest and fisheries management, including sustainable use and conservation of aquatic living resources, in view of the contribution of those sectors to food security and poverty eradication.

#### **K**EYWORDS

Food security, gender, poverty, natural resources, resources management, fisheries, development, human rights, food, hunger, social development, sustainable use

#### RELEVANCE TO FISHERIES/ SMALL-SCALE FISHERIES/FISHWORKERS

The declaration recognizes the role of fisheries in food security. It calls for sustainable forest and fisheries management, including sustainable use and conservation of aquatic living resources, given the contribution of these sectors to food security and poverty eradication.

States agreed to set up an Intergovernmental Working Group for the Elaboration of a Set of Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, notably with the participation of stakeholders. This has provided the opportunity to fishworker groups and organizations to enter into a dialogue with governments on policies and programmes that should be pursued in the fisheries sector for poverty alleviation and food security.

# Convention on the Elimination of All Forms of Discrimination against Women

**ACRONYM** CEDAW

LEGAL STATUS
Binding

Type of instrument Convention

#### **OBJECTIVES**

Provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life — including the right to vote and to stand for election — as well as education, health and employment. States parties agree to take all appropriate measures, including legislation and temporary special measures, so that women can enjoy all their human rights and fundamental freedoms

### DATE OF ADOPTION 18 December 1979

#### PLACE OF ADOPTION

New York, US at the 34 th session of the United Nations General Assembly by Resolution 34/180

### **OPENED FOR SIGNATURE**18 December 1979

### **D**ATE OF ENTRY INTO FORCE 3 September 1981

### Signatories 98

#### RATIFICATIONS

179 States parties (as on 6 October 2004)

#### CONTENTS

Preamble and 30 articles

#### **ADDITIONAL INSTRUMENTS**

Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women

#### **I**NITIATING BODY

United Nations General Assembly

#### WORKING OF THE INSTRUMENT

Decision-making body Meeting of Parties

#### Monitoring and implementation

Committee on the Elimination of Discrimination against Women (CEDAW)

#### Periodicity of meeting

Meeting of Parties

The meeting of States parties is convened every other year by the Secretary-General at UN Headquarters in New York.

#### **CEDAW**

Meets twice annually

#### Participation in meetings CEDAW

The 23 members of CEDAW, acknowledged as experts "of high moral standing and competence in the field covered by the Convention", are elected by the States parties.

Voting rights: Each member has one vote Observers: Rules 45 to 47 of the Rules of procedure of the Committee on the Elimination of Discrimination against Women, relate to participation of observers, including participation of

specialized agencies, and of representatives of intergovernmental organizations and United Nations bodies.

With reference to non-governmental organizations, Rule 47 states that: "Representatives of non-governmental organizations may be invited by the Committee to make oral or written statements and to provide information or documentation relevant the Committee's activities under the Convention to meetings the Committee or to its pre-sessional working group."

Non-governmental organizations are invited to participate in pre-session working groups and also submit country specific reports in writing, in advance to the relevant session or working group.

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#### RECENT UNGA RESOLUTIONS

Resolution 55/70 (adopted at the 55<sup>th</sup> session of the General Assembly on 4 December 2000) on the "Convention on the Elimination of All Forms of Discrimination against Women"

Resolution 56/229(adopted at the 56<sup>th</sup> session of the General Assembly on 24 December 2001) on the "Convention on the Elimination of All Forms of Discrimination against Women"

Resolution 57/178 (adopted at the 57<sup>th</sup> session of the General Assembly on 18 December 2002) on the "Convention on the Elimination of All Forms of Discrimination against Women"

Resolution 58/145 (adopted at the 58<sup>th</sup> session of the General Assembly on 22 December 2003) on "Convention on the Elimination of All Forms of Discrimination against Women"

#### ADDITIONAL INFORMATION

The Convention is often described as an international bill of rights for women. The Convention is the only human rights treaty that affirms the reproductive rights of women, and targets culture and tradition as influential forces shaping gender roles and family relations.

#### SELECTED ARTICLES

#### Article I

For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

#### Article 2

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

(a) To embody the principle of the equality of men and women in their national constitutions or other

- appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;
- (b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;
- (c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;
- (d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;
- (e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;
- (f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;
- (g) To repeal all national penal provisions which constitute discrimination against women.

#### Article 11

- 1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:
- (a) The right to work as an inalienable right of all human beings;
- (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

- (c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;
- (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
- (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;
- (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.
- 2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:
- (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
- (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
- (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the

- establishment and development of a network of child-care facilities;
- (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

#### Article 14

- 1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.
- 2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:
- (a) To participate in the elaboration and implementation of development planning at all levels;
- (b) To have access to adequate health care facilities, including information, counselling and services in family planning;
- (c) To benefit directly from social security programmes;
- (d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;
- (e) To organize self-help groups and cooperatives in order to obtain equal access to economic opportunities through employment or self employment;

- (f) To participate in all community activities;
- (g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;
- (h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

#### **K**EYWORDS

Human rights, women, discrimination, education, finance, credit, health, safety at work, occupational health, social security, rights, rural areas

### Relevance to small-scale fisheries/fishworkers

As a general instrument for protecting women's rights, especially against discrimination at home or in the workplace, it would apply to women of fishing communities and those engaged in fisheries-related activities like fish processing and marketing.

The Convention asks Parties to take into account the particular problems faced by rural women and the significant roles they play in the economic survival of their families, including their work in the nonmonetized sectors of the economy. It asks Parties to ensure that, among other things, the rights of rural women to participate in decision-making processes, to enjoy adequate living conditions, to benefit from social security and to access loans and credit, are secured. Recognition of these, rights for the most part unrecognized, are crucial to improve the well-being of women fishworkers and their communities. It also asks Parties to ensure equal treatment as land and agrarian reforms.

### Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women

ACRONYM CEDAW-OP

LEGAL STATUS
Binding

Type of instrument Protocol

#### **OBJECTIVES**

Empowers the Committee on the Elimination of Discrimination against Women to consider communications submitted by individuals or groups of individuals on violations of the Convention in States parties to the Convention and the Optional Protocol. The Optional Protocol also entitles the Committee of its own motion to inquire into grave or systematic violations of the Convention in those States parties which have accepted this procedure.

### CONTENTS 21 Articles

The Protocol contains two procedures: (1) A communications procedure allows individual women, or groups of women, to submit claims of violations of rights protected under the Convention to the Committee. The Protocol establishes that in order for individual communications to be admitted for consideration by the Committee, a number of criteria must be met, including those domestic remedies must have been exhausted. (2) The Protocol also creates an inquiry procedure enabling the Committee to initiate inquiries into situations of grave or systematic violations of women's

rights. In either case, States must be party to the Convention and the Protocol. The Protocol includes an "opt-out clause", allowing States upon ratification or accession to declare that they do not accept the inquiry procedure. Article 17 of the Protocol explicitly provides that no reservations may be entered to its terms.

#### DATE OF ADOPTION

6 October1999

#### PLACE OF ADOPTION

New York, US at the 54<sup>th</sup> session of the United Nations General Assembly by resolution 54/4

#### **OPENED FOR SIGNATURE**

10 December 1999

#### Date of entry into force

22 December 2000

#### **SIGNATORIES**

76 (as of 24 November 2004)

#### RATIFICATIONS

71 (as of 7 January 2005)

#### INITIATING BODY

United Nations General Assembly

#### WORKING OF THE INSTRUMENT

Decision-making body
Meeting of the States Parties

#### Monitoring and implementation

The Committee on the Elimination of Discrimination against Women that meets twice annually has been mandated to hold meetings to exercise its functions under the Protocol.

### **Periodicity of meetings**As in CEDAW

#### Participation in meetings As in CEDAW

#### Secretariat

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#### **ADDITIONAL INFORMATION**

The entry into force of the Optional Protocol puts it on an equal footing with the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination, and the Convention against Torture and other Forms of Cruel, Inhuman or Degrading Treatment or Punishment, all of which have communications procedures. The inquiry procedure is the equivalent of that under the Convention against Torture.

#### SELECTED ARTICLES

#### Article 1

A State Party to the present Protocol ("State Party") recognizes the competence of the Committee on the Elimination of Discrimination against Women ("the Committee") to receive and consider communications submitted in accordance with article 2.

#### Article 2

Communications may be submitted by or on behalf of individuals or groups of

individuals, under the jurisdiction of a State Party, claiming to be victims of a violation of any of the rights set forth in the Convention by that State Party. Where a communication is submitted on behalf of individuals or groups of individuals, this shall be with their consent unless the author can justify acting on their behalf without such consent.

#### Article 3

Communications shall be in writing and shall not be anonymous. No communication shall be received by the Committee if it concerns a State Party to the Convention that is not a party to the present Protocol.

#### Article 4

1. The Committee shall not consider a communication unless it has ascertained that all available domestic remedies have been exhausted unless the application of such remedies is unreasonably prolonged or unlikely to bring effective relief.

#### Article 8

1. If the Committee receives reliable information indicating grave or systematic violations by a State Party of rights set forth in the Convention, the Committee shall invite that State Party to cooperate in the examination of the information and to this end to submit observations with regard to the information concerned.

#### Article 11

A State Party shall take all appropriate steps to ensure that individuals under its jurisdiction are not subjected to ill treatment or intimidation as a consequence of communicating with the Committee pursuant to the present Protocol.

#### **K**EYWORDS

Human rights, women, discrimination, CEDAW

#### RELEVANCE TO FISHERIES/SMALL-SCALE FISHERIES/FISHWORKERS The Optional Protocol, by allowing the communication of violations of women's

rights protected by the Convention, to the Committee for action, provides the basis for better implementation of the Convention. In view of its relevance for protecting the rights of individuals or groups, including fishworkers and women of fishing communities, the Optional Protocol can be considered to be of crucial importance.

#### **Fourth World Conference on Women**

#### SHORT TITLE

Beijing Conference

#### **A**CRONYM

**FWCW** 

#### LEGAL STATUS

Non-binding

#### Type of instrument

Conference Declaration

#### **OBJECTIVES**

To advance the goals of equality, development and peace for all women everywhere in the interest of all humanity

#### NAME OF DECLARATION

Beijing Declaration

#### PLACE OF DECLARATION

Beijing, China

#### Date of declaration

15 September 1995

#### **I**NITIATING BODY

United Nations General Assembly

### WORKING OF THE INSTRUMENT Monitoring and implementation

Commission on the Status of Women (CSW)

#### Periodicity of meetings

CSW meets annually for ten days

#### Participation in meetings

Voting rights: United Nations member countries, Associate members of regional economic commissions and UN Specialized Agencies *Observers:* NGOs who were accredited to the Fourth World Conference on Women and NGOs in consultative status with the Economic and Social Council (ECOSOC) can participate as observers.

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#### PLAN

Beijing Platform of Action

#### REGIONAL INSTRUMENTS

Regional declarations from the regional conferences on women: Addis Ababa, Ethiopia, Africa; Hanoi, Vietnam, Asia

#### Subsequent meetings

Beijing +5, Women 2000: Gender Equality, Development and Peace for the 21st Century, New York.

#### RECENT UNGA RESOLUTIONS

Resolution 55/71 (adopted at the 55<sup>th</sup> session of the General Assembly on 4 December 2000) on "Follow-up to 4th World Conference on Women and the outcome of the 23rd special session of the General Assembly"

Resolution 56/132 (adopted at the 56<sup>th</sup> session of the General Assembly on 19 December 2001) on "Follow-up to the 4th World Conference on Women and full

implementation of the Beijing Declaration and Platform for Action and the outcome of the 23rd special session of the General Assembly"

Resolution 57/182 (adopted at the 57<sup>th</sup> session of the General Assembly on 18 December 2002) on "Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly"

Resolution 58/148 (adopted at the 58<sup>th</sup> session of the General Assembly on 22 December 2003) on "Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly"

#### **ADDITIONAL INFORMATION**

The Commission on the Status of Women (CSW) was established as a functional commission of the Economic and Social Council by Council resolution 11(II) of 21 June 1946 to prepare recommendations and reports to the Council on promoting women's rights in political, economic, civil, social and educational fields. The Commission also makes recommendations to the Council on urgent problems requiring immediate attention in the field of women's rights. The object of the Commission is to promote implementation of the principle that men and women shall have equal rights. Following the 1995 Fourth World Conference on Women, the General Assembly mandated Commission to integrate into its programme a follow-up process to the Conference, regularly reviewing the critical areas of concern in the Platform for Action and to develop its catalytic role in mainstreaming a gender perspective in United Nations' activities.

#### SELECTED PARAGRAPHS

- 13. Women's empowerment and their full participation on the basis of equality in all spheres of society, including participation in the decision-making process and access to power, are fundamental for the achievement of equality, development and peace;
- 14. Women's rights are human rights;
- 15. Equal rights, opportunities and access to resources, equal sharing of responsibilities for the family by men and women, and a harmonious partnership between them are critical to their well-being and that of their families as well as to the consolidation of democracy;
- 16. Eradication of poverty based on sustained economic growth, social development, environmental protection and social justice requires the involvement of women in economic and social development, equal opportunities and the full and equal participation of women and men as agents and beneficiaries of people-centred sustainable development;
- 26. Promote women's economic independence, including employment, and eradicate the persistent and increasing burden of poverty on women by addressing the structural causes of poverty through changes in economic structures, ensuring equal access for all women, including those in rural areas, as vital development agents, to productive resources, opportunities and public services;
- 27. Promote people-centred sustainable development, including sustained economic growth, through the provision of basic education, life-long education, literacy and training, and

- primary health care for girls and women;
- 35. Ensure women's equal access to economic resources, including land, credit, science and technology, vocational training, information, communication and markets, as a means to further the advancement and empowerment of women and girls, including through the enhancement of their capacities to enjoy the benefits of equal access to these resources, *inter alia*, by means of international cooperation.

#### **K**EYWORDS

Women, rights, equality, human rights, gender, development, capacity building, access, poverty, peace

#### Relevance to fisheries/smallscale fisheries/fishworkers

Through the Declaration, States have committed to ensuring that a gender perspective is reflected in all their policies and programmes. Significantly, there is a clear recognition that social development that recognizes empowering the poor, particularly women living in poverty, to utilize environmental resources sustainably, is a necessary foundation for sustainable development. It is also noteworthy that the need to address the structural causes of poverty and for equal sharing of family responsibilities, typically seen as women's work linked to the nonmonetized economy, is also emphasized.

In the Declaration, States have called for women's empowerment and their full participation on the basis of equality in spheres of society, including participation in the decision-making process, and for egual rights, opportunities and access to resources, including land, credit, science and technology, vocational training, information, communication and markets. A translation of these commitments into concrete policies and programme could undoubtedly have significant positive economic, social, political and cultural repercussions for all women, including women fishworkers and their communities, particularly in rural areas.

### **Beijing Platform for Action**

#### **A**CRONYM

PoA

#### **OBJECTIVES**

The Platform for Action is an agenda for women's empowerment agreed to at the Beijing Conference. It aims at accelerating the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women and at removing all the obstacles to women's active participation in all spheres of public and private life through a full and equal share in economic, social, cultural and political decision-making. As an agenda for action, the Platform seeks to promote and protect the full enjoyment of all human rights and the fundamental freedoms of all women throughout their life cycle. The Platform for Action aims at establishing a basic group of priority actions for implementation over the five-year period following the Beijing Conference

#### **C**ONTENTS

361 paragraphs

#### WORKING OF THE INSTRUMENT Monitoring and implementation

- United Nations General Assembly
- Economic and Social Council (ECOSOC)
- Commission on the Status of Women (CSW)

- Division for the Advance of Women (DAW)
- Committee for Elimination of All Forms of Disrimination Against Women (CEDAW)

#### Periodicity of meetings

General Assembly of the United Nations: meets once a year Economic and Social Council (ECOSOC):

meets once a year

Commission on the Status of Women (CSW): meets annually for ten days

#### Participation in meetings

CSW: The Commission, which began with 15 members, now consists of 45 members elected by the Economic and Social Council for a period of four years. Members, who are appointed by Governments, are elected on the following basis: thirteen from African states; eleven from Asian states; four from Eastern European states; nine from Latin American and Caribbean states; and eight from Western European and Other states. The Commission meets annually for a period of ten working days.

NGO participation: Non-governmental organizations (NGOs) which are accredited to, and in good standing with, the Economic and Social Council are eligible to designate representatives to attend the session. NGOs are also permitted to provide input into the session by presenting oral interventions.

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#### SELECTED PARAGRAPHS

- 34. The continuing environmental degradation that affects all human lives has often a more direct impact on women. Women's health and their livelihood are threatened by pollution and toxic wastes, largescale deforestation, desertification, drought and depletion of the soil and of coastal and marine resources, with a rising incidence of environmentally related health problems and even death reported among women and girls. Those most affected are rural and indigenous women, livelihood and daily subsistence depends directly on sustainable ecosystems.
- 35. Poverty and environmental degradation are closely interrelated. While poverty results in certain kinds of environmental stress, the major cause of the continued deterioration of the global environment is the unsustainable patterns consumption and production, particularly in industrialized countries, which are a matter of grave concern and aggravate poverty and imbalances.

- 41. To this end, Governments, the international community and civil society, including nongovernmental organizations and the private sector, are called upon to take strategic action in the following critical areas of concern:
  - The persistent and increasing burden of poverty on women
  - Inequalities and inadequacies in and unequal access to education and training
  - Inequalities and inadequacies in and unequal access to health care and related services
  - · Violence against women
  - The effects of armed or other kinds of conflict on women, including those living under foreign occupation
  - Inequality in economic structures and policies, in all forms of productive activities and in access to resources
  - Inequality between men and women in the sharing of power and decision-making at all levels
  - Insufficient mechanisms at all levels to promote the advancement of women
  - Lack of respect for and inadequate promotion and protection of the human rights of women
  - Stereotyping of women and inequality in women's access to and participation in all communication systems, especially in the media
  - Gender inequalities in the management of natural resources and in the safeguarding of the environment.
  - Persistent discrimination against and violation of the rights of the girl child

47. More than 1 billion people in the world today, the great majority of whom are women, live in unacceptable conditions of poverty, mostly in the developing countries. Poverty has various causes, including structural ones. Poverty is a complex, multidimensional problem, with origins in both the national and international domains. The globalization of the world's economy and the deepening interdependence among nations present challenges and opportunities for sustained economic growth and development, as well as risks and uncertainties for the future of the world economy. The uncertain global economic climate has been accompanied by economic restructuring as well as, in a certain number of countries, persistent, unmanageable levels of external debt and structural adjustment programmes. In addition, all types of conflict, displacement of people and environmental degradation have undermined the capacity of Governments to meet the basic needs of their populations. Transformations in the world economy are profoundly changing parameters of development in all countries. One significant trend has been the increased poverty of women, the extent of which varies from region to region.

The gender disparities in economic power-sharing are also an important contributing factor to the poverty of women. Migration and consequent changes in family structures have placed additional burdens on women, especially those who provide for several

dependants. Macroeconomic policies need rethinking and reformulation to address such trends. These policies focus almost exclusively on the formal sector. They also tend to impede the initiatives of women and fail to consider the differential impact on women and men. The application of gender analysis to a wide range of policies and programmes is therefore critical to poverty reduction strategies. In order to eradicate poverty and achieve sustainable development, women and men must participate fully and equally in the formulation of macroeconomic and social policies and strategies for the eradication of poverty. The eradication of poverty cannot be accomplished through anti-poverty programmes alone but will require democratic participation and changes in economic structures in order to ensure access for all women to resources, opportunities and public services. Poverty has various manifestations, including lack of income and productive resources sufficient to ensure a sustainable livelihood; hunger and malnutrition; ill health; limited or lack of access to education and other basic services: increasing morbidity and mortality from illness; homelessness and inadequate housing; unsafe environments: and discrimination and exclusion. It is also characterized by lack of participation in decision-making and in civil, social and cultural life. It occurs in all countries—as mass poverty in many developing countries and as pockets of poverty amidst wealth in developed countries. Poverty may be caused

by an economic recession that results in loss of livelihood or by disaster or conflict. There is also the poverty of low-wage workers and the utter destitution of people who fall outside family support systems, social institutions and safety nets.

56. Sustainable development and economic growth that is both sustained and sustainable are possible only through improving the economic, social, political, legal and cultural status of women. Equitable social development that recognizes empowering the poor, particularly women, to utilize environmental resources sustainably is a necessary foundation for sustainable development.

Strategic objective A.1. Review, adopt and maintain macroeconomic policies and development strategies that address the needs and efforts of women in poverty

Strategic objective B.3. Improve women's access to vocational training, science and technology, and continuing education

Strategic objective F.1. Promote women's economic rights and independence, including access to employment, appropriate working conditions and control over economic resources

Strategic objective F.2. Facilitate women's equal access to resources, employment, markets and trade

Strategic objective K.1. Involve women actively in environmental decision-making at all levels

Strategic objective K.2. Integrate gender concerns and perspectives in policies and programmes for sustainable development

Strategic objective K.3. Strengthen or establish mechanisms at the national, regional and international levels to assess the impact of development and environmental policies on women

#### KEYWORDS

Women, indigenous communities, participation, human rights, access, trade, natural resources, environment, empowerment, capacity building, decision making, education, health, economy, market, rights, land, information, communication, poverty, employment, policy, law, credit

#### Relevance to fisheries/ smallscale fisheries/fishworkers

The PoA has several references to women in rural communities, including fishing communities. The PoA identifies twelve critical areas of concern, which are: women and poverty; education and training of women; women and health; violence against women; women and armed conflict; women and the economy; women in power and decisionmaking; institutional mechanisms for the advancement of women; human rights of women; women and the media; women and the environment; and the girl child. Several aspects of the agenda for action proposed, as discussed below, are highly relevant for women fishworkers and their communities.

The PoA analyzes the situation of women, the structural dimensions of poverty, and the reasons for the marginalization of women. It points to the increasing evidence on feminization of poverty. It acknowledges that full participation of women on the basis of equality in all spheres of society, has yet to be achieved. It draws attention to the increasing fragility of environment, continued violence against women, and the widespread exclusion of half of humanity from institutions of power and governance, and underscores the need to continue the search for development, peace and security and for ways of assuring people-centred sustainable development. The PoA stresses the social dimension of development:, acknowledging that economic growth by itself may not have positive social consequences. It points to the need to ensure that all members of society benefit from economic growth.

Further, it recognizes how women's health and livelihood are threatened by the environmental degradation of coastal and marine resources, especially in the case of rural and indigenous women, whose livelihood and daily subsistence depends directly on sustainable ecosystems. It

recognizes that empowering women to utilize environmental resources sustainably is crucial for equitable social development.

It asks governments to develop the agricultural and fishing sectors for food security and food self-sufficiency, and to develop programmes that enhance access of women fisheries producers to financial, technical, extension and marketing services. It stresses the need to protect women's right to full and equal access to economic resources, including natural resources, and highlights the importance of increased training in technical, managerial, agricultural extension and marketing areas for women in agriculture and fisheries, particularly in developing countries. It proposes that women fishers be imparted knowledge and skills in resource management and conservation of biological diversity. It further highlights the need for research on the role, particularly of rural and indigenous women, in food gathering and production, and coastal zone and marine resource management.

# Women 2000: Gender Equality, Development and Peace for the 21st Century, "Beijing+5"

#### SHORT TITLE

Beijing +5

#### LEGAL STATUS

Non-binding

#### Type of instrument

Conference Declaration

#### **O**BJECTIVES

Reaffirms the commitment of States to the goals and objectives contained in the Beijing Declaration and Platform for Action adopted in 1995 at the Fourth World Conference on Women, and the Nairobi Forward-looking Strategies for the Advancement of Women, and their commitment to undertaking further action to ensure their full and accelerated implementation, by considering future actions and initiatives for the year 2000 and beyond.

#### **C**ONTENTS

10 Paragraphs

#### Name of declaration

S-23/2 Political Declaration

#### PLACE OF DECLARATION

New York, US at the 23rd Special Session of the United Nations General Assembly

#### DATE OF DECLARATION

10 June 2000

#### INITIATING BODY

United Nations General Assembly

#### WORKING OF THE INSTRUMENT

Monitoring and implementation
United Nations General Assembly
Committee on the Status of Women

Committee on the Status of Women (CSW)

Division for the Advance of Women (DAW)

#### Periodicity of meetings

CSW meets annually for ten days

### Participation in meetings CSW

Voting rights: United Nations member countries, Associate members of regional economic commissions and UN Specialized Agencies

*Observers:* NGOs who were accredited to the Fourth World Conference on Women and NGOs in consultative status with the Economic and Social Council (ECOSOC) can participate as observers.

#### Secretariat

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#### PLAN

Further actions and initiatives to implement the Beijing Declaration and Platform for Action (Outcome Document)

#### RECENT UNGA RESOLUTIONS

As in the Fourth World Conference on Women (Beijing Conference)

#### ADDITIONAL INFORMATION

Resolution S-23/3 was adopted by the 23rd special session of the United Nations General Assembly from 5-9 June 2000, on "Women: 2000: Gender Equality, Development and Peace for the Twenty-First Century".

#### SELECTED PARAGRAPHS

- Welcome the progress made thus far towards gender equality and the implementation of the Beijing Platform for Action and reaffirm our commitment to accelerate the achievement of universal ratification of the Convention on the Elimination of All Forms of Discrimination against Women and in this regard acknowledge the efforts at all levels of Governments, the United Nations system, and intergovernmental, other international and regional organizations and urge continued efforts for the full implementation of the Beijing Platform for Action;
- Reaffirm our commitment overcoming obstacles encountered in the implementation of the Beijing Platform for Action and the Nairobi Forward-looking Strategies for the Advancement of Women and to strengthening and safeguarding a national and international enabling environment, and to this end pledge to undertake further action to ensure full and accelerated implementation, inter alia, through the promotion and protection of all

- human rights and fundamental freedoms, mainstreaming a gender perspective into all policies and programmes and promoting full participation and empowerment of women and enhanced international cooperation for the full implementation of the Beijing Platform for Action;
- 9. Agree to assess regularly further implementation of the Beijing Platform for Action with a view to bringing together all parties involved in 2005 to assess progress and consider new initiatives, as appropriate, ten years after the adoption of the Beijing Platform for Action and twenty years after the adoption of the Nairobi Forward-looking Strategies for the Advancement of Women;

#### **K**EYWORDS

Gender, participation, human rights, women, equality, empowerment, cooperation, implementation, Beijing declaration

#### Relevance to fisheries/smallscale fisheries/fishworkers

For women fishworkers, whose struggle to gain access to resources, and to their rightful place in decision-making processes and in society, is far from over, the commitment by States to overcome the obstacles to, and ensure the full and accelerated implementation of, the Nairobi Forward-looking Strategies Action and the Beijing Declaration and Platform of Action, is positive. States also agreed to assess the progress they make in the implementation of the Beijing PoA.

### Further Actions and Initiatives to Implement the Beijing Declaration and Platform for Action

#### SHORT TITLE

Outcome Document

LEGAL STATUS
Non-binding

Type of instrument

Plan of Action

#### **OBJECTIVES**

Assesses the achievements and obstacles in relation to the commitments made in the Beijing Platform for Action and its twelve critical areas of concern, and proposes specific actions to be taken to facilitate the full and speedy implementation of the Beijing POA

#### **CONTENTS**

104 paragraphs under 4 major sections

### WORKING OF THE INSTRUMENT Monitoring and implementation

- United Nations General Assembly
- Committee on the Status of Women (CSW)
- Division for the Advance of Women (DAW)

#### SELECTED PARAGRAPHS

IV. Actions and initiatives to overcome obstacles and to achieve the full and accelerated implementation of the Beijing Platform for Action

A. Actions to be taken at the national level

By Governments:

- 71. (a ) Consider adopting, where appropriate, national legislation consistent with the Convention on Biological Diversity to protect the knowledge, innovations and practices of women in indigenous and local communities relating to traditional medicines, biodiversity and indigenous technologies;
- (b) Adapt environmental and agricultural policies and mechanisms, when necessary, to incorporate a gender perspective, and in cooperation with civil society, support farmers, particularly women farmers and those living in rural areas, with education and training programmes.
- 74. (a ) Undertake socioeconomic policies that promote sustainable development and support and poverty eradication programmes, especially for women, by, inter alia, providing skills training, equal access to and control over resources, finance, credit, including microcredit, information and technology, and equal access to markets to benefit women of all ages, in particular those living in poverty and marginalized women, including rural women, indigenous women and female-headed households;
- D. Actions to be taken at the national and international levels by

Governments, regional and international organizations, including the United Nations system, and international financial institutions and other actors, as appropriate:

- 94. (b) Respect, promote and realize the principles contained in the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up,14 and strongly consider ratification and full implementation of International Labour Organization conventions which are particularly relevant to ensuring women's rights at work;
- (c) Encourage the strengthening of existing and emerging microcredit institutions and their capacity, including through the support of international financial institutions, so that credit and related services for self-employment and incomegenerating activities may be made available to an increasing number of people living in poverty, in particular women, and to further develop, where appropriate, other microfinance instruments;
- (d) Reaffirm commitment to gendersensitive development and support women's role in sustainable and ecologically sound consumption and production patterns and approaches to natural resource management;
- (e) Adopt measures to ensure that the work of rural women, who continue to play a vital role in providing food security and nutrition and are engaged in agricultural production and enterprises related to farming, fishing and resource management and home-based work, especially

in the informal sector, is recognized and valued in order to enhance their economic security, their access to and control over resources and credit schemes, services and benefits, and their empowerment.

#### **K**EYWORDS

Access, Beijing POA, capacity building, CBD, credit, decision making, discrimination, education, employment, empowerment, environment, gender, health, globalization, human rights, ILO, indigenous communities, , rights, stakeholders, traditional knowledge, training, women

#### RELEVANCE TO FISHERIES/SMALL-SCALE FISHERIES/FISHWORKERS

The document recognizes the link between gender equality, poverty eradication, sustainable development and environment protection. It recognizes the vital role played by rural women, including those in fisheries, in providing food security and nutrition, and calls for better valuation of this work as well as of home-based work, especially in the informal sector, in order to enhance their economic security, their access to, and control over, resources and credit schemes, services and benefits, and their empowerment.

It also recognizes gender dimensions of poverty and the need to promote employment and income-generating activities for women as well as access to basic social services, including education and healthcare. It stresses the role of micro-credit and other financial instruments for women. It also calls for technological and financial support for women's entrepreneurship.

#### **United Nations Millennium Declaration**

#### SHORT TITLE

Millennium Declaration

### RESOLUTION NUMBER UNGA 55/2

### LEGAL STATUS Non-binding

### Type of instrument Resolution

#### **O**BJECTIVES

To commit to creating an environment conducive to development and for the elimination of poverty, and agree to key common targets for achieving these goals.

#### DATE OF ADOPTION

8 September 2000

#### PLACE OF ADOPTION

New York, US Adopted at the 8th plenary of the 55th session of the United Nations General Assembly

#### **A**DDITIONAL INSTRUMENTS

Millennium Development Goals

#### **I**NITIATING BODY

United Nations General Assembly

#### Working of the instrument

Decision-making body
United Nations General Assembly

### *Periodicity of meetings* UNGA: meets once a year

#### Participation in meetings

Decision-making body: General Assembly Voting rights: Member states of the United Nations

Observers: Non-member states and other intergovernmental organizations can be present as observers at the General Assembly. NGOs do not enjoy official consultative status with the General Assembly, although they are allowed to participate in its activities by invitation.

#### RECENT UNGA RESOLUTIONS

Resolution 55/162 (adopted at the 55th session of the General Assembly on 14 December 2000) on "Follow-up to the outcome of the Millennium Summit"

Resolution 56/95 (adopted at the 56th session of the General Assembly on 14 December 2001) on "Follow-up to the outcome of the Millennium Summit"

Resolution 57/144 (adopted at the 57th session of the General Assembly on 16 December 2002) on "Follow-up to the outcome of the Millennium Summit"

Resolution 58/291 (adopted at the 58th session of the General Assembly on 6 May 2004) on "Follow-up to the outcome of the Millennium Summit and integrated and co-ordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields"

#### SELECTED PARAGRAPHS

- 19. We resolve further:
  - To halve, by the year 2015, the proportion of the world's people whose income is less than one dollar a day and the proportion of people who suffer from hunger and, by the same date, to halve the proportion of people who are unable to reach or to afford safe drinking water.

- To ensure that, by the same date, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and that girls and boys will have equal access to all levels of education.
- By the same date, to have reduced maternal mortality by three quarters, and under-five child mortality by two thirds, of their current rates.
- To have, by then, halted, and begun to reverse, the spread of HIV/AIDS, the scourge of malaria and other major diseases that afflict humanity.
- To provide special assistance to children orphaned by HIV/AIDS.
- By 2020, to have achieved a significant improvement in the lives of at least 100 million slum dwellers as proposed in the "Cities Without Slums" initiative.
- 21. We must spare no effort to free all of humanity, and above all our children and grandchildren, from the threat of living on a planet irredeemably spoilt by human activities, and whose resources would no longer be sufficient for their needs.
- 22. We reaffirm our support for the principles of sustainable development, including those set out in Agenda 21, agreed upon at the United Nations Conference on Environment and Development.
- 23. We resolve therefore to adopt in all our environmental actions a new ethic of conservation and stewardship and, as first steps, we resolve:
  - To make every effort to ensure the entry into force of the Kyoto Protocol, preferably by the tenth anniversary of the United Nations

- Conference on Environment and Development in 2002, and to embark on the required reduction in emissions of greenhouse gases.
- To intensify our collective efforts for the management, conservation and sustainable development of all types of forests.

#### 25. We resolve therefore:

- To respect fully and uphold the Universal Declaration of Human Rights.
- To strive for the full protection and promotion in all our countries of civil, political, economic, social and cultural rights for all.
- To strengthen the capacity of all our countries to implement the principles and practices of democracy and respect for human rights, including minority rights.
- To combat all forms of violence against women and to implement the Convention on the Elimination of All Forms of Discrimination against Women
- To take measures to ensure respect for and protection of the human rights of migrants, migrant workers and their families, to eliminate the increasing acts of racism and xenophobia in many societies and to promote greater harmony and tolerance in all societies.
- To work collectively for more inclusive political processes, allowing genuine participation by all citizens in all our countries.
- To ensure the freedom of the media to perform their essential role and the right of the public to have access to information

#### KEYWORDS

Poverty, sustainable development, environment, women, rights, HIV/AIDS, health, water, education

#### Relevance to fisheries/smallscale fisheries/fishworkers

The small-scale and artisanal fisheries sector, particularly in developing countries, is well known for its vulnerability and poverty. In this context, the commitment to reduce poverty and the proportion of the poor and hungry, could mean that due policy attention is

given to this hitherto neglected sector. It could also mean a better recognition of the contribution of this sector in meeting food security and nutritional needs of large sections of the population, particularly in rural areas. The Declaration reaffirms the support for the principles of sustainable development.

### **Millennium Development Goals**

#### ACRONYM MDG

LEGAL STATUS Non-binding

Type of instrument Goals

#### **O**BJECTIVES

The Millennium Development Goals commit the international community to an expanded vision of development, one that vigorously promotes human development as the key to sustaining social and economic progress in all countries, and recognizes the importance of creating a global partnership for development. The goals have been commonly accepted as a framework for measuring development progress.

#### DATE OF ADOPTION

18 September 2000

#### PLACE OF ADOPTION

New York, US at the 8th plenary of the 55th session of the United Nations General Assembly

### **CONTENTS**Eight Goals

#### INITIATING BODY

United Nations General Assembly

#### SELECTED GOALS/TARGETS

Goal 1: Eradicate extreme poverty and hunger

Target 1: Halve, between 1990 and 2015, the proportion of population below \$1 (PPP) per day

Target 2: Halve, between 1990 and 2015, the proportion of underweight children

under five years of age people who suffer from hunger

Goal 2: Achieve universal primary education

Target 3: Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling

Goal 3: Promote gender equality and empower women

Target 4: Eliminate gender disparity in primary and secondary education preferably by 2005 and to all levels of education no later than 2015

Goal 4: Reduce child mortality

*Target 5*: Reduce by two- thirds, between 1990 and 2015, the under-five mortality rate

Goal 5: Improve maternal health *Target 6*: Reduce by three-quarters, between 1990 and 2015, the maternal mortality ratio

Goal 6: Combat HIV/AIDS, malaria and other diseases

Target 7: Have halted by 2015 and begun to reverse the spread of HIV/AIDS Target 8: Have halted by 2015 and begun to reverse the incidence of malaria and other major diseases

Goal 7: Ensure environmental sustainability

Target 9: Integrate the principles of sustainable development into country policies and programmes and reverse the loss of environmental resources Target 10: Halve, by 2015, the proportion of people without sustainable access to

safe drinking water and basic sanitation

Target 11: By 2020, to have achieved a significant improvement in the lives of at least 100 million slum dwellers

Goal 8: Develop a global partnership for development

#### **K**EYWORDS

Indicators, poverty, development, sustainable development, environment, hunger, education, gender, health, trade, population, income

### Relevance to fisheries/small-scale fisheries/fishworkers

The MDGs have time-bound targets, with clear indicators of progress, to meet eight agreed goals, designed to lead to specific and targeted attention towards the poor and vulnerable sections of society. Small-scale and artisanal fishworkers, among the poorest section of society, could benefit from this focus.

#### International Legal Instruments Relevant to Fisheries and Fishing Communities: A Handbook

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March 2006

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**Layout and Composition by** P. Sivasakthivel (Jaisakthi Computers)

**Printed at** Nagaraj and Company Pvt. Ltd., Chennai

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ISBN 81-902957-8-0 (Set)

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# International Legal Instruments Relevant to Fisheries and Fishing Communities: A Handbook

International Legal Instruments Relevant to Fisheries and Fishing Communities: A Handbook provides detailed information for a wide range of legal instruments relevant to fisheries and fishworkers. It covers 114 legal instruments, categorized into the following seven themes:

- Human Rights, Food Security, Women and Development
- Environment and Sustainable Development
- Oceans and Fisheries Management
- Environmental Pollution
- Fishing Vessels and Safety at Sea
- Labour
- Trade

The handbook also includes the working of the instruments (decision-making bodies, monitoring and implementation agencies, periodicity of meetings, rules for participation in meetings of the decision-making bodies and implementation agencies for States and non-governmental organizations), regional instruments/agencies and follow-up. Apart from being a ready reckoner to the instruments, it highlights the important sections of relevance to fisheries/small-scale fisheries/fishworkers.

The companion CD-ROM provides the full texts of the instruments in a searchable database. The handbook will be useful for fishworker and non-governmental organizations, and also for researchers and others interested in fisheries issues. It is also available online at www.icsf.net



ICSF is an international NGO working on issues that concern fishworkers the world over. It is in status with the Economic and Social Council of the UN and is on ILO's Special List of Non-Governmental International Organizations. It also has Liaison Status with FAO. Registered in Geneva, ICSF has offices in Chennai, India and Brussels, Belgium. As a global network of community organizers, teachers, technicians, researchers and scientists, ICSF's activities encompass monitoring and research, exchange and training, campaigns and actions, as well as communications.

ISBN 81-902957-8-0 (Set)