



**DEVELOPMENT OF THE REGIONAL APPROACHES FOR SECURING SUSTAINABLE
SMALL-SCALE FISHERIES AND THE WAYS FORWARD FOR
THE SOUTHEAST ASIAN REGION**

SEAFDEC Secretariat

Executive Summary

Since the “FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)” was endorsed at the 31st Session of COFI in June 2014, the progress of the application of the SSF guidelines has been well emphasized in the different part of the world. In ASEAN region, increased attention has been given to the SSF Guidelines as a major source of reference for the promotion of sustainable small-scale fisheries through the organization of a sequence of regional meetings such as the “South East Asia Regional Consultation Workshop on the Implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Alleviation” organized by Indonesia in cooperation with FAO and held in Bali, Indonesia on 24-27 August 2015. The importance of the SSF Guidelines was also acknowledged by the SEAFDEC Council in April 2016. SEAFDEC was requested by the Council in 2016 to develop a “regional approach” for the implementation of SSF Guidelines by building upon the outcome of the Bali Meeting in 2015. In 2016, SEAFDEC organized the Regional Consultation in relation to SSF Guidelines implementation in the ASEAN Region. At the consultation, the participants could agree on the formulation of the first framework for a “regional approach” to the implementation of the SSF Guidelines.

Meanwhile, FAO showed progress at global level in the promotion of the understanding of the SSF guidelines as they convened the Expert Workshop on Exploring the Human Rights-Based Approach in the Context of Implementation and Monitoring of the SSF Guidelines (Oct 2016, FAO, Rome) and the FAO Expert Workshop on Gender-Equitable Small-Scale Fisheries in the Context of Implementation of the SSF Guidelines (Nov 2016, FAO, Rome). SEAFDEC experts were invited by FAO to attend the events. Both these events reflected specific aspects that needed further attention to increase the understanding of human rights-based and gender approaches in SSF. In reflection of the specific relevance to the ASEAN region, the need to provide further clarification on basic concepts and principles of the SSF Guidelines was emphasized by the SEAFDEC Council in April 2017.

Furthermore, SEAFDEC was invited to join other FAO/SSF events conducted in 2017 namely: “*Expert Workshop on Updating the Hidden Harvest: scope and requirement to support the needs of SSF Guidelines implementation and achievement of the Sustainable Development Goals (SDGs)*”, which was held in FAO, Rome, Italy on 27-29 June 2017, and another one, “*the Workshop on Securing sustainable small-scale fisheries: Towards monitoring progress of the implementation of the SSF Guidelines*”, which was conducted on 5- 7 September 2017 in Italy. The latter workshop was important in that the gathered experts could provide inputs to the process of developing a monitoring framework in support of sustainable small-scale fisheries in the context of the SSF Guidelines implementation forwards. Later on, in November 2017, SEAFDEC also joined the FAO Workshop on Exploring Sustainable Development Goal (SDG)14.b (“provide access for small-scale artisanal fishers to marine resources and markets”) and its proposed indicator 14.b.1 (“Progress by countries in the degree of application of a legal/regulatory/policy/institutional framework which recognizes and protects access rights for small-scale artisanal fishers”) which took place on 28-29 November in Italy. The purpose was to raise awareness of the SDG14.b and the indicator 14.b.1 together with identification of capacity development needs in relation to the reporting of SDG14.b implementation.

Small-scale fisheries and support to the well-being of fishing communities (coastal and inland) is a cross-cutting issue. Apart from field level activities, through contracted partners a broad range of SEAFDEC activities has been addressing coastal and inland small-scale fishing and supported capacity-building of fisheries officers and communities in line with the SSF guidelines through the support of Japanese Trust Fund, SEAFDEC-Sweden Project, etc.

In 2017, the SEAFDEC-Sweden Project, on request by the SEAFDEC Council, organized the *Experts Workshop on Regional Approach for the Implementation of FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries: Human Rights-Based Approach and Gender-Equitability*, which was held on 26-28 September 2017 in Bangkok. Thirty Five (35) experts from various organizations discussed and provided further clarity and explanations on the relevance to the region of taking a “human rights-based approach” and to ensure “gender-equitable small-scale fisheries” in support of sustainable small-scale fisheries in ASEAN and SEAFDEC Member Countries.

The Experts also suggested activities such as awareness raising and capacity building programs on the human rights-based approach and gender-equitability to small-scale fisheries. To provide further clarity on basic principles of the SSF Guidelines the Workshop drafted the **Policy Brief: Applying human rights-based and gender equality approaches to Small-Scale Fisheries in Southeast Asia** (Annex 1) which will be brought up for endorsement by high level authorities of SEAFDEC and the ASEAN.

Required Consideration by the Council

- 1) The Council is requested to take note on the progress supported by SEAFDEC, FAO and member countries in further advancing regional approaches in securing sustainable small-scale fisheries including steps taken to clarify basic concepts of the SSF Guidelines;
- 2) The Council is also invited to endorse the Policy Brief on “*Applying Human Rights-Based and Gender Equality Approaches to Small-Scale Fisheries in Southeast Asia*” for dissemination and guidance for the continuation of Regional Approaches for Securing Sustainable Small-scale Fisheries and Way Forwards for Southeast Asian Region.

POLICY BRIEF:
Applying Human Rights-Based and Gender Equality Approaches to Small-Scale Fisheries in Southeast Asia

PREAMBLE

Small-scale fisheries in Southeast Asia and globally play an important role in food security, poverty eradication, equitable development and local resource utilization. In spite of this importance, the sub-sector and those depending on it for their livelihoods tend to be marginalized from decision-making processes. These impact on their access to and management of the resources upon which they depend directly. When access to fisheries resources is threatened, the potential of small-scale fisheries to contribute to human well-being and environmental sustainability is also put at risk. In response, and to provide guidance on small-scale fisheries governance and development, the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines), were developed through a global, concerted effort and then endorsed at the 31st Session of the FAO Committee on Fisheries (COFI) in 2014. The SSF Guidelines take a holistic perspective of small-scale fisheries livelihoods and draw attention to the need to secure rights and access to resources within the broader framework of human rights-based and gender equality approaches to small-scale fisheries development.

Considering the importance of small-scale fisheries throughout the region, ASEAN and SEAFDEC Member Countries take a great interest in the SSF Guidelines and have embarked on a process to provide advice on the application of the SSF Guidelines in support of sustainable small-scale fisheries in Southeast Asia. However, some of the basic concepts of the SSF Guidelines still need to be clarified further and the SEAFDEC Council in April 2017 stated that *“the details on human rights-based and gender approaches still remain unclear, thus it is necessary that the region should also focus on the specific issues on human rights”*. Against this background, a workshop was convened on 26-28 September 2017 to review, discuss and clarify basic elements to be considered in support of “human rights-based and gender-equitable” small-scale fisheries. This policy brief constitutes a condensed version of the outcomes of this workshop with regard to the applicability, relevance and importance of taking human rights-based and gender equality approaches for promoting secure sustainable small-scale fisheries that support food security and poverty eradication in the countries of the region.

WHY APPLY HUMAN RIGHTS-BASED AND GENDER EQUALITY APPROACHES TO SMALL-SCALE FISHERIES?

The application of human-rights based and gender equality approaches are fundamental for creating lasting impacts with respect to ensuring food security and alleviating poverty and will contribute to:

- Improved targeting and effectiveness of fisheries policy implementation by bringing focus to fisher-folk and fishing communities as well as to vulnerable and marginalized groups;
- Ensured participation of both men and women engaged in small-scale fisheries and inland/coastal communities in the development of fisheries policies and formulation of management frameworks in support of small-scale fisheries;
- Improved local ownership and commitment in support of effective implementation of fisheries policies and fisheries management frameworks together with increased compliance with laws and regulations;
- Implementation of schemes for the sustainable use and conservation of fisheries resources while at the same time protecting the rights of people deriving their livelihoods from small-scale fisheries;
- Increased benefits of the fisheries sector to various members of society, including women, indigenous communities and other vulnerable groups;

- Prevention or resolution of conflicts within the small-scale fisheries sub-sector, between small-scale and larger scale fisheries, and among the multiple sectors demanding space in coastal and inland areas.
- Improved resilience of fisheries communities and of ecological systems and thereby help mitigate effects of climate-change with improved food security and disaster prevention.

Box 1: Why promote gender equality?

According to FAO, it is estimated that if women had the same access to productive resources as men in agriculture, farm yields would increase by 20-30 percent, which could reduce the number of hungry people in the world by 150 million people. Other studies show strong negative correlation between the lack of protection of women’s rights and GDP per capita and how the protection of girls’ rights translates into significant economic and social development.

Sources:

FAO. 2011. FAO at work. Women – key to food security;

Doepke, Matthias, and Michele Tertilt. 2009. “Women’s liberation: What’s in It for Men?” Quarterly Journal of Economics 124 (4): 1541–91;

Center for Global Development, Girls Count: A Global Investment and Action Agenda (2008).

APPLYING HUMAN RIGHTS-BASED AND GENDER EQUALITY APPROACHES TO SMALL-SCALE FISHERIES- WHAT ARE THE BASIC ELEMENTS OF RELEVANCE TO THE REGION?

Consideration of the multi-faceted livelihoods of small-scale fishing communities and the need to ensure food security and sustainable livelihoods are the very basis of a human rights-based approach in support of small-scale fisheries. Critical elements include not only having secure tenure rights to land and water (fishery) resources but also access to public services and other aspects of sustainable social and economic development. These elements and rights are not new and governments and fisheries managers in the region who work with and support small-scale fishing communities have been addressing these for many years. The new approach is to have these elements and rights gathered under a human rights-based umbrella to provide the basis for a more holistic approach. Accordingly, some of the interrelated key dimensions of rights of small-scale fishing communities include:

- The right to food, nutrition and livelihood security;
- The right to equitable access to resources (land and fisheries) and the recognition of legitimate tenure, including rights against arbitrary or forced eviction or displacement;
- The right to participate in and take responsibility for the management of fisheries resources on which they depend;
- The right to adequate standard of living including affordable housing, water, sources of energy, sanitation, education, access to information and basic health services;
- The right to decent work, including labor rights and social security addressed in accordance with national laws and regulations promoting gender balanced and equitable opportunities;
- The right to equal access of men and women to services such as savings, credit and insurance, including support to market access; and
- The rights of rural/coastal communities, specifically women, indigenous people, migrants and other vulnerable and marginalized groups, including the right to develop their organizations.

These rights are founded in internationally recognized human rights conventions, including the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The SSF Guidelines emphasize the importance of implementing these through strengthened capacity of small-scale fishing communities, involving both men and women, to participate in decision-making processes and to assume responsibilities for the sustainable use of fishery resources.

REGIONAL POLICY FRAMEWORKS OF RELEVANCE TO SMALL-SCALE FISHERIES

The range of rights and related responsibilities that are key to the sustainability of small-scale fisheries and alleviation of poverty in rural communities are clearly reflected in regional policy documents such as the ASEAN Charter, ASEAN Community Blueprints and ASEAN-SEAFDEC Resolutions. Hence, community rights to be recognized and supported in the context of small-scale fisheries governance and development are already reflected in regional as well as in national policy frameworks and related laws and regulations. However, to be effective, implementation mechanisms should be strengthened together with coordination among responsible agencies and other stakeholders. Moreover, sectoral policies and national development plans as applied at different levels are often overlapping and contradictory, and limited inter-sectorial and inter-agency coordination are adding to limitations in the effectiveness of their implementation. This implies that the basic rights of fisher-folks and rural communities, as defined in national legislations, may not be secured - leading to their further marginalization and hardships. Hence, policy coherence needs to be improved and effective practices, processes and institutional structures for the implementation of relevant policies need to be established and/or reinforced.

WHAT DO THE APPLICATION OF THESE CONCEPTS IMPLY IN PRACTICE IN THE CONTEXT OF SMALL-SCALE FISHERIES GOVERNANCE AND DEVELOPMENT IN SOUTHEAST ASIA: WHAT DO WE NEED TO DO BETTER?

Applying human rights-based and gender equality approaches to small-scale fisheries governance and development implies a change of perspective: there is a need to put people – the small-scale fishing communities – at the center of attention. Depending on national laws and regulations and the specific settings in a given situation, there are many opportunities to support this shift, ranging from providing enabling environment to targeted actions on the ground. The following eight areas of action are proposed as examples to stimulate national and regional reflections on incorporating human rights-based and gender equality approaches in small-scale fisheries in the region:

- **Legal frameworks:** Fisheries and related laws need to be holistic, covering not only resource and conservation-related matters but also the livelihoods, rights and responsibilities of fishers, fish workers and all other actors across the small-scale fisheries value chains, including men, women, youth and migrant workers in pre-harvest, harvest and post-harvest activities. Moreover, policy and legal frameworks should be in line with international, regional and national instruments relating to human and social development as well as to the conservation and sustainable use of natural resources.
- **Organizational development:** There is a need to support the creation of representative small-scale fisheries organizations, or strengthen existing organizations, so that people engaged in small-scale fisheries can participate effectively in decision-making processes on equal terms. Hence, there should be provisions that allow small-scale fishers, fish workers and their communities to create legally recognized fisheries and community-based organizations in support of sustainable development.
- **Empowerment:** Small-scale fisheries community members need to have the capacity and be empowered to claim their rights and assume their responsibilities, with special consideration to gender-specific needs, in order to facilitate active, meaningful and informed participation. It is important to provide awareness-raising support to ensure that all involved are aware of their rights and responsibilities.
- **Participation:** Processes and institutional structures should be available to offer small-scale fisheries communities a voice and due recognition in decision-making processes. Importantly, although technical solutions for addressing a given problem may not differ from earlier approaches within the sector, the human rights-based and gender equality approaches remind us that the process of identifying and implementing the solutions must be much more participatory and transparent so that they respond to the specific needs and abilities of the small-scale fishing communities.

- **Policy coherence, including social development:** Priority issues impacting the rights of small-scale fishing communities may not be within the fisheries sector as such but relate to access to basic goods and services (labour standards, gender equality aspects, market promotion, health, credit, etc.) or natural resource management (e.g. land and water management) that fall under different sectoral and institutional arrangements. The specific needs of the small-scale fisheries should be communicated to those working in these “non-fisheries” areas. A holistic approach is required in support of small-scale fisheries to address broader social development needs of fishing communities. This requires coordination across line ministries as well as regional stakeholders.
- **Government work planning and budgeting** should take into account the need for institutional coordination, capacity development and gender mainstreaming in small-scale fisheries governance and development. The related investment would have long-term returns in terms of increased aggregate social and economic benefits to small-scale fishers and their communities, and to a country at large. **Capacity development** support should be provided to relevant public officials, fisheries officers and other stakeholders to aid them in carrying out their responsibilities
- **Value chain:** It is necessary to take a holistic perspective and address the whole small-scale fisheries value chain when it comes to dealing with power imbalances among various value-chain actors. This should include issues relating to pre-harvest, harvest, post-harvest processes and market access.
- **Gender equality:** Gender equality is fundamental to community-development and well-being and men and women should have equal and equitable rights and opportunities. A gender perspective should always be applied and gender equality mainstreamed in all initiatives and actions. This implies that gender equality should be mainstreamed in small-scale fisheries management. Implementation of small-scale fishing community actions must be gender sensitive and promote gender equality and equity in its objectives and actions with equal participation in and access to education and training for men, women and youth, in support of small-scale fisheries governance and development.

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