

## Relevance of Indigenous Technical Knowledge for Responsible Fisheries

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### **Introduction:**

The code of Responsible fisheries was adopted in 1995 by the members of the food and Agriculture organization of the United Nations.

The code is a voluntary instrument that addresses many aspects of fisheries. Its scope includes marine and fresh water fisheries, wild and farmed resources, and harvesting and post-harvest operations.

The code encourages the national and sustainable utilization of fishery resources, in capture, processing, trade in fish and fishery products fishing operations and aquaculture.

Ultimately the code aims to promote the contribution of fisheries to food security and quality, satisfying the nutritional needs of local communities.

### **Relevance of the code to indigenous people.**

The code refers to ‘indigenous peoples’ in only one article ( i.e Article 7.6.6). It does not specifically mention the term indigenous peoples but rather uses the generic term “small-scale and artisanal fisheries”. In this context, indigenous fishing communities are considered as a component of the small-scale and artisanal fisheries category.

### **Definition of indigenous peoples:**

Indigenous people are characterized by the following features:

- a) They are the people who usually maintain a strong attachment to particular geographical locations and ancestral territorial origins.
- b) They remain culturally, geographically and institutionally distinct.

- c) They preserve elements of their own socio-cultural economic and political ways of living and knowing.
- d) They overtly self-identity as “indigenous” or tribal.

The indigenous fishing communities are involved in activities that are:

- a) Targeted on supplying fish and fishery products for local markets and for subsistence consumption.
- b) They are involved in ancillary activities such as net making and boat building.
- c) They provide fishery related employment and income opportunities in marine and inland fishing communities.

The international labor organization (ILO) convention No. 169 envisages the rights of ownership and possession over lands they traditionally occupy, rights to natural resources, right to participate in the use, management and the right to decide their own priorities for development and to exercise control over their own economic, social and cultural development.

The UN declaration adopted by the general assembly in September 2007 affirms the indigenous peoples right to participate fully in the political, economic, social and cultural life of the state and to be consulted in decision affecting them for obtaining their prior, free informed consent.

#### **Provisions of the code that are relevant to indigenous fishing communities:**

1. The codes objective of achieving conservation and sustainable use of fishery resources resonates with the values of indigenous peoples.
2. In indigenous communities, the concept of sustainability is entrenched in customary values.
3. Indigenous people have extensive knowledge in managing fishery resource and are important partners for local, national governments as well as for international organizations.
4. Indigenous people protect biodiversity and their role in protecting biodiversity and sustainable management of aquatic resources, respecting their customary access and use rights needs to be recognized.
5. Article 6.18 calls upon government to protect the rights of small-scale fishing communities and their access to traditional fishing grounds and resources.
6. The article calls upon government to protect the interest of indigenous fishing communities against the erosion of their fisheries and livelihood by the growth and expansion of semi and industrial fishing fleets that target the same fishery resources as indigenous fishing communities.

#### **Fisheries Management**

1. The core objective of fisheries management is the conservation of fishery resources and their sustainable use.

2. These provisions do not emphasize the social objectives such as employment creation poverty alleviation and food security.
3. However such objective are indirectly addressed through article 7.6.6 which recognize the interests of local fishing communities and indigenous peoples by stipulating that when deciding on the use, conservation and management of fisheries resources, due recognition should be given to traditional practices, needs and interests of indigenous people.
4. These articles, refers to indigenous fishes whose subsistence fishing activities are often in conflict with other interest for eg. Industrial shrimp-trawling, distant-water tuna fishing, tourism development, industrial aquaculture and the creation of non-participatory and exclusive marine protected areas (MPAs)
5. The challenges of fisheries managers such as the difficult trade-off between short-term priorities and long term objectives.

Eg. There are times when the best scientific evidence available points to the need for a reduction in the catch under circumstances where strong social and economic pressures are expected to maintain or even increase the catch.

6. Managers should explore all possible ways of ameliorating social and economic pressures before making decisions to risk the aquatic resources on which the poor depend.

The technical guidelines No. 4 stress.

- The use of traditional structures as part of the fisheries management system
- The recognition of traditional or customary systems of fisheries management at local level when establishing arrangements for management in partnership.
- Guidance to national legislators for incorporation of traditional practices, where management policy includes some formal partnership

### **Ecosystem approach to fisheries management**

This approach builds on current fisheries management practices and more explicitly recognizes the interdependence between human well-being and ecosystem wellbeing eg. Prohibition of destructive practices and development of environmentally safe gear. Other examples include optimal use of energy and problem of sound and pollution.

Development of waste disposal systems in harbors and landing places. Onboard incineration to prevent unnecessary dumping at sea.

The approach assesses the interactions between fish, fishers and elements of the ecosystem and human system relevant to management.

Indigenous people should be the target groups in stakeholder analysis and capacity building.

### **Precautionary approach and indigenous fishing communities**

- 1) All fishing activities should be subject to prior review and authorization.
- 2) There should be a management plan for each fishery.
- 3) Precautionary monitoring of fishing should seek to detect and observe a variety of ancillary impacts (eg. Environmental changes, fish habitat degradation and effects on birds, mammals) using information from indigenous people. Appropriate procedure to process and analyze this information should also be in place.
- 4) Delegating some of the decision making especially area closures and entry limitations to local communities.
- 5) Traditional knowledge to be used to complement other sources of fishery information after necessary scientific analysis.

### **Participation in fisheries management**

- 1) In all fisheries management initiatives and decision making process the right and principle of free prior and informed consent of indigenous people should be considered.
- 2) For improving the management of fisheries government need to develop and strengthen existing partnerships with NGOs.

### **Access and use rights of fishers and indigenous fishing communities**

- 1) Open access requires are not sustainable and hence not promoted by the code.
- 2) However open access restrictors are insufficient to sustain the livelihood of indigenous people if additional measures such as better access to credit and technology are not put in place.
- 3) They should be accessible to microfinance measures and made to strengthen their existing informal savings and credit schemes at micro-level.

### **Limited access**

- 1) Limited access to fishery resources is essential for responsible fisheries.
- 2) The code proposes to give indigenous fishing communities preferential access to traditional fishing grounds and resources
- 3) However if continued fishing by vulnerable communities are not compatible with sustainable fisheries management, then these groups have to be supported in finding alternative livelihood.
- 4) Restriction of fishing activities by closed seasons or closures with respect to certain stocks or geographical areas. Eg. Marine protected areas (MPAs).
- 5) Establishment of MPAs should not encroach on the right of access to fishing areas for indigenous communities. The code promotes for consultation and involvement of the local communities in initiating, developing and managing MPAs.

- 6) Access can be granted to these communities on the basis of a proven history of participation in fishery, a history of responsible fishing etc.

### **Collective access and use rights.**

- 1) Access of local communities to fishing grounds should not be negatively affected by aquaculture development.
- 2) Under collective rights a local community rather than an individual holds exclusive right to harvest in a particular geographical area.

Such rights are the right to

- Harvest a particular stock
- To fish in a particular area
- To use a certain kind of gear or vessel

### **Traditional knowledge and research**

- 1) States should investigate and document traditional fisheries knowledge and technologies.
- 2) In accordance with national due recognition laws and regulations to safeguard traditional practice. Needs and interests of indigenous people should be made.
- 3) States should give priority to undertake research and data collection for improving the scientific and technical knowledge of fisheries.
- 4) Collaborative research projects should be developed involving scientists and indigenous fishing communities.

### **Conclusion:**

- 1) The code does not have a direct reference to indigenous fishing communities but it is relevant to indigenous fishing communities as it views them as part of the category of small-scale and artisanal fisheries.
- 2) The code emphasizes on a participatory approach for indigenous fishing communities. Representatives of indigenous fishing communities and NGOs representing indigenous people should be involved in implementing the code.

Overview on recommendations of the code addressing government that are important to indigenous fishing communities.

### **In the context of indigenous peoples the state should**

- Protect the right of fishers for a secure livelihood.
- Minimize adverse impacts on local communities through aquaculture
- Management measures should take into account interest of subsistence small scale and artisanal fisheries.
- Ensure that coastal area management plans take into account interest of artisanal and subsistence fishers.
- Ensure that aquaculture development does not threaten the livelihood of local communities and access to fishing grounds.

- Recognize the traditional practice and needs of indigenous peoples.
- Ensure that policy legal and institutional frameworks take the needs of coastal communities into accounts
- Investigate and document traditional fisheries.

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