

Balancing between geopolitical conflicts, ethnic struggles and sustainable development in Old Providence & Santa Catalina, Colombia



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Old Providence and Santa Catalina are home to Raizal people, an ethnic community established through the colonial mixing of Europeans, Africans, Central American indigenous peoples and other Caribbean people. After the emancipation of enslaved Africans, the islands achieved relative autonomy, based on two traditional activities: small-scale agriculture and fishing. However, after 1950, with the increasing number of migrants and tourists to the neighbouring island of San Andres, Providence became an important source of both agricultural and fishing products. This led to a gradual process of fishing specialization. As tourism intensified, the people of Providence started to protect their culture and the local environment. In 1995, the McBean Lagoon National Park, a mostly marine protected area, was created, and in 2000, the Archipelago was declared UNESCO Seaflower Biosphere Reserve.

Currently, the island community maintain a high degree of territorial autonomy and a relatively sustainable use of its ecosystems. However, there are environmental and social conflicts, including geopolitical issues, ethnic struggles and degradation of marine ecosystems caused by increased local tourism and foreign demands. This affects food security, since as marine products become merchandised they are less likely to be included in the traditional diet.

Photo: *Catboat race, expression of local maritime culture, Old Providence Island, Colombia.* 2014 ©Ana Isabel Márquez Pérez

Location:

Old Providence and Santa Catalina Island, Arquipelago of San Andres, Old Providence and Santa Catalina, Colombia

Ecosystem type:

Marine

Main gear:

Hook & line, traps, diving / fishing gun / hand collection

Target species:

Reef fish, Queen Conch, Caribbean Lobster

Vessel type:

fiberglass boats with gasoline or diesel engines

No. of small-scale fishers:

approx. 500



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Justice in context

Types of justice:

- **Distributive**
- **Social**
- **Economic**
- **Market**
- **Infrastructure/wellbeing**
- **Regulatory**
- Procedural
- **Environmental**
- COVID-19 related

On November 19, 2012, the International Court of Justice in The Hague (ICJ) ruled on a lawsuit on Nicaragua's maritime limits against Colombia and established a change in the border, leaving some traditional Raizal people's fishing territories in the middle of the Nicaraguan sea. This caused serious violation of territorial sovereignty of fishery and put their food security at a risk.

Also, as a consequence, industrial fisheries that remained in the Archipelago moved to Quenna Bank (Quitasueño), to areas that had been exclusive to small-scale fisheries. This fuelled a historical conflict between local small-scale and industrial fisheries, mainly of foreign ownership. Small-scale fishers report an increased presence of industrial fisheries that use high-impact gear, such as long lines and lobster pots, which are abandoned in the reef bottoms, causing great deterioration. Moreover, armed, illegal fleets, mainly from Honduras and Jamaica, increased using forbidden techniques (such as compressors) and capturing protected species. Their presence threatens security of small-scale fisheries. Additionally, the increased military presence of the Colombian Navy in the area is perceived as a threat. Small-scale fishers reported that military often interferes with their tasks, while ignoring their complaints about illegal fishing activities carried out by the industrial fisheries.

Other forms of injustice include:

- Competition for resources, unequal application of the law and distribution of quotas between industrial and small-scale fisheries;
- Access restrictions due to the implementation of a marine protected area (MPA) and other protected areas that only apply to small-scale fisheries;
- Access restrictions to touristic areas and areas where military bases have been established;
- Overall precarious situation which affects all the inhabitants, including small-scale fisheries.

Definition of small-scale fisheries (Ministry of Agriculture and Rural Development, Decree 1071 / 2015)

The Colombian government defines Artisanal Fishing as: "the one that fishers carry out individually or organized in companies, cooperatives or other associations, with their independent personal work, with a small-scale equipment of their own, and by means of small-scale fishing systems, arts and methods" *

*The author does not agree with this definition since she considers it an oversimplification of small-scale fisheries, reducing it to a technical/economical activity. This has implications on public policy and an impact on local fisherfolks.

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Dealing with justice

The declaration of the Archipelago as a UNESCO Biosphere Reserve in 2000 was an effort from the civil society, local and national governments to promote a sustainable development and preserve their natural and cultural heritage. However, the Archipelago has failed to transform its development model, including industrial fishing, despite the biosphere reserve and MPA systems and the historical opposition from the SSF.

In relation to 2012 ICJ ruling, social and ethnic leaders, as well as academics, have reached out to the Colombian Government, compelled to give voice to the population affected by the ruling in the framework of the ICJ negotiations. As a result, the Colombian government filed an objection concerning the existence of Raizal people's customary fishing rights. This objection was accepted and should receive a response in 2020. However, the leaders' voices weakened with the current government of President Ivan Duque.

The government also requested a legal opinion to the Inter-American Court of Human Rights on Caribbean oil exploitation, which seeks to generate arguments against these activities by Nicaragua. However, this contradicts Colombia's systematic disregard of Raizal ethnic rights, as well as its strong interest in oceanic hydrocarbons exploration. On the other side, some leaders also reached out to the Nicaraguan Government and received public statement that the Raizal small-scale fisheries presence in their traditional fishing territories is accepted.

Finally, it should be noted that, as an ethnic group recognized by Colombia, the Raizal people have the right to prior consultation regarding any decision made about the Archipelago. This offers opportunities for their leaders to defend territorial and cultural rights, which of course includes the rights of traditional fishers. However, this is often truer on paper than in practice.



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