



## Using Transdisciplinarity for Fisheries Policies and SSF Guidelines Implementation

*Report from a virtual workshop for  
governments and policy-makers*

November 30<sup>th</sup> - December 4<sup>th</sup>, 2020

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RESEARCH

POLICY

MOBILIZATION

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**Disclaimer:** *The views expressed by the moderators and the participants during the discussion are those of individuals (some of whom were government officials, and some concerned citizens, students, professionals from non-governmental organizations and institutions), and do not necessarily reflect the position of FAO or member countries, or TBTI.*

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## List of Acronyms

CECAF – Fishery Committee for the Eastern Central Atlantic

COFI – Committee of Fisheries

CPGs – Permanent Management Committees [Brazil]

CPP – Fishers’ Pastoral Council

CSO – Civil Society Organization

EEZ – Exclusive Economic Zone

FAO – Food and Agriculture Agency of the United Nations

FIP – Fishery Improvement Project

GDP – Gross Domestic Product

GFCM – General Fisheries Commission for the Mediterranean

ICSF – International Collective of Fishworkers

IOI – International Ocean Institute

IUU – Illegal, Unreported and Unregulated

IYAFA – International Year of Artisanal Fisheries and Aquaculture 2022

MPA – Marine Protected Areas

MCS – Monitoring, Control, and Surveillance

MSC – Marine Stewardship Council

NGO – Non-Governmental Organization

SDGs – Sustainable Development Goals

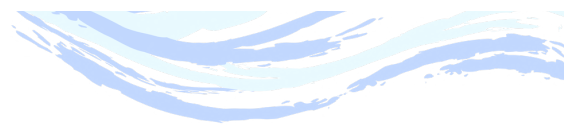
SSF – Small-Scale Fisheries

SSF Guidelines – The Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication

TBTI – Too Big To Ignore research network

TD – Transdisciplinarity/transdisciplinary

WFFP – World Forum of Fishers Peoples



## Summary

The transdisciplinary (TD) approach argues that the problems and priorities in fisheries and ocean governance, especially when concerning small-scale fisheries (SSF), require a broadening of perspectives that cut across academic disciplines, bridge division between scientific and local knowledge, and bring about innovation in teaching and learning. The TD perspective is particularly important when dealing with the 'wicked problems' in SSF governance, due mostly to insecure tenure rights, lack of livelihood options, poor access to markets, and marginalization of small-scale fishers in decision-making. This approach is also required to facilitate the implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) and to achieve the Sustainable Development Goals (SDGs).

The virtual workshop titled '*Using Transdisciplinarity for Fisheries Policies and SSF Guidelines Implementation*' workshop, which took place during November 30 - December 4 2020, was organized by the Too Big To Ignore project (TBTI, <http://toobigtoignore.net/>), a global research network aiming to elevate the profile and importance of SSF around the world. While the workshop was supported by FAO as part of the FAO-TBTI joint agreement on 'Transdisciplinary capacity building to support the implementation of the SSF Guidelines', and targeted governments and policy makers, it was not an official international meeting organized by the UN. Participants were those responding voluntarily to the open call for participation and were invited on an individual basis, not to represent countries or government institutions.

This special workshop was run in conjunction with the on-going TBTI Transdisciplinarity (TD) Online Training Program. Unlike the regular, 14-week long training program designed for anyone who wants to 'deep-dive' into the concept of TD, the special workshop was a blended course, with live sessions and a condensed version of the online course, targeting governments, policy and decision-makers to support the implementation of the SSF Guidelines.

The TD workshop was global in scope and had four main objectives: 1) critically examine issues and concerns related to SSF; 2) exchange lessons in SSF management and governance; 3) share knowledge and experience in the

implementation of the SSF Guidelines; and 4) develop innovative pathways towards making SSF vibrant and sustainable.

The live portion of the workshop was organized as three 90-minute sessions that took place on Monday - Nov 30<sup>th</sup>, Wednesday - Dec 2<sup>nd</sup>, and Friday - Dec 4<sup>th</sup>. Each of the three sessions consisted of presentations and several rounds of discussion period. Session 1 covered big questions & wicked problems in small-scale fisheries while Session 2 focused on ways to unlock legal & policy frameworks in SSF. The last session focused on the implementation of the SSF Guidelines & the SDGs, paying particular attention to gender equity and social justice.

The workshop participants had access to the TD Online Learning Platform, which contained relevant TBTI training materials discussed in the live sessions, in the form of video presentations, discussion forums and exercises. The platform was also used for sharing of information and exchanging ideas among participants. Additionally, the participants were given an opportunity to provide feedback about the TD Handbook, which is currently being developed by TBTI in partnership with FAO.

This report provides the highlights and feedback from the special workshop, which brought together about 60 people, including government officials, policy/decision makers, researches, practitioners and others involved in or responsible for SSF management and governance, from more than 20 countries around the world.



# Agenda

## DAY 1: Monday, November 30<sup>th</sup>

Session 1: Big questions & wicked problems	
Welcome & Introduction	Ratana Chuenpagdee (TBTI, Canada)
<i>Short presentations</i>	
The Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the context of Food Security and Poverty Eradication	Nicole Franz (FAO, Italy)
Wicked problems: What they are and how to solve them	Svein Jentoft (TBTI, Norway)
<i>Discussion questions</i>	
(1) What are the big questions facing SSF in your country?	
(2) What are you doing in your country with respect to the implementation of the SSF Guidelines?	

## DAY 2: Wednesday, December 2<sup>nd</sup>

Session 2: Unlocking legal & policy frameworks	
<i>Short presentations</i>	
Fisheries institutions: what they are and why we need them	Svein Jentoft (TBTI, Norway)
Legal and policy rapid appraisal framework	Julia Nakamura (U. of Strathclyde, UK)
<i>Discussion question</i>	
How are SSF governed in your country?	

### DAY 3: Friday, December 4<sup>th</sup>

Session 2: Implementing the SSF Guidelines & the SDGs	
<i>Short presentations</i>	
Small-scale fisheries: the 2030 Agenda for Sustainable Development	Joe Zelasney (FAO, Italy)
Gender perspectives in fisheries and fishing communities	Katia Frangoudes (U. of Brest, France)
What is Blue Justice?	Svein Jentoft (TBTI, Norway)
<i>Discussion period</i>	

## Key readings

Chuenpagdee, R., and Jentoft, S. (2013). Governability assessment for fisheries and coastal systems: A reality check. *Human Ecology* 37:109-120.

Chuenpagdee, R., and Jentoft, S. (2018). Transforming the governance of small-scale fisheries. *Maritime Studies* 17(1): 101-115

FAO (2015). *Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the context of Food Security and Poverty Eradication*. Rome, Italy: United Nations. <http://www.fao.org/documents/card/en/c/l4356EN>

Jentoft, S. (2004). Institutions in fisheries: what they are, what they do, and how they change. *Marine Policy*. 28 (2004) 137–149.

Jentoft, S. (2018). *Life Above Water*. TBTI Global Publication Series. <https://tbtiglobal.net/life-above-water/>

Jentoft, S., and Chuenpagdee, R. (2009). Fisheries and coastal governance as a wicked problem. *Marine Policy* 33: 553-560.

Jentoft, S., and Chuenpagdee, R. (2015). Assessing Governability of Small-Scale Fisheries. In Jentoft and Chuenpagdee (eds.) *Interactive Governance for Small-Scale Fisheries: Global Reflections*. Springer, Switzerland.

Said, A., and Chuenpagdee, R. (2019). Aligning the sustainable development goals to the small-scale fisheries guidelines: A case for EU fisheries governance. *Marine Policy* 107 <https://doi.org/10.1016/j.marpol.2019.103599>

Monday, Nov 30<sup>th</sup>

## Session 1: Big questions & wicked problems

The Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the context of Food Security and Poverty Eradication (SSF Guidelines) are the most comprehensive instruments designed to support and promote sustainable SSF. They contain key principles that speak to the nature and the characteristics of SSF. With human rights-based approach as a foundation, the SSF Guidelines call on governments and all relevant stakeholders to look at SSF issues along the entire fish chain (pre-harvest, harvest and post-harvest), including those related to tenure rights, gender equality, involvement of fishers in management, social development, labour rights and capacity development. The challenge for all governments is about how to operationalize and implement the SSF Guidelines.

The first talk in the session provided a quick overview of the SSF Guidelines. Following this, the participants were invited to speak about the situation in their countries with respect to the implementation of the SSF Guidelines. The second part of the session focused on the concept of 'wicked problems' and explored why is it important to treat many of the big questions in SSF as 'wicked problems' and what this means for the SSF Guidelines implementation.

### 1) Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the context of Food Security and Poverty Eradication

**Presented by:** Nicole Franz, FAO, Italy

The SSF Guidelines were adopted in 2014 by the FAO Committee on Fisheries (COFI). They are a global consensus on principles and guidance for SSF governance and development, all within the context of sustainable livelihoods, food security and sustainable development. The SSF Guidelines are based on internationally accepted human rights standards, and are to be interpreted and implemented in accordance with those standards and by using a human rights-based approach. This approach seeks to ensure the participation of small-scale fishing communities in nondiscriminatory, transparent and accountable decision-

making processes by putting particular emphasis on the needs of vulnerable and marginalized groups and on gender equality. The implementation of the SSF Guidelines is on-going in many countries around the world, through various processes and mechanisms. More needs to be done, however, to mainstream the SSF Guidelines and draw on them to help address SSF issues, challenges and concerns.

#### Additional material:

- The SSF Guidelines [full text]: <http://www.fao.org/voluntary-guidelines-small-scale-fisheries/en/>
- Webinar: *From Words to Action: Using the SSF Guidelines and Human Rights for Sustainable Small-Scale Fisheries*: <https://youtu.be/oxRfA9Zx5rE>

## 2) Discussion

What are you doing in your country with respect to the implementation of the SSF Guidelines?

*The responses are based on the discussion during the live session as well as from the input posted on the TD online platform, with feedback from Nicole Franz.*

#### Bangladesh:

- There has been some progress although the support from the government is slow. Fishers have asked for the government support to develop initiatives to promote the guidelines implementation. They are also trying to develop more suitable technologies to improve SSF catch.

#### Brazil:

Activities related to the SSF Guidelines have been taking place since 2016 but the government is not engaged, and the implementation process has not been easy.

- In 2016 approximately 40 fishers, leaders, civil society organizations' representative, and researchers met in Brasília, Brazil, to engage with capacity-building and advocacy demands of fishers' organizations aiming to discuss the implementation of the SSF Guidelines;
- In 2018, small-scale fishing CSOs, supported by the Fishers Pastoral Council (CPP) and the World Forum of Fishers Peoples (WFFP), joined efforts to deepen

discussion on the principles outlined in the SSF Guidelines, building on the outcomes of the 2016 meeting;

- In 2019 an "Indigenous Fisheries Seminar" was held in the Amazon region to "discuss scenarios and possibilities for improvement in their fisheries management". They counted on the support of international, national and local collectives in support of fishing peoples. In the light of the SSF Guidelines, and considering the "respect for culture, management, knowledge and practices of small-scale artisanal fisheries", this was an opportunity to exchange knowledge and experiences about the activities they developed, in addition to the contexts that threaten their natural resources, traditional territories, and ways of life;
- The main outcome was a strategy to involve the Brazilian society and small-scale fishers as well as to prompt public officials of their moral responsibility to implement the SSF Guidelines. This is a new opportunity to demonstrate the importance of SSF for the country's human rights, and social and economic development, taking into account that SSF practice is closely linked to the knowledge, symbols, feelings, and perceptions that fishers have about the environment and its fishing resources. However, one of the main findings is a serious gap resulting from the fact that Brazil has not yet internalized the SSF Guidelines.
- **Feedback:** It is very encouraging to see all the efforts, in particular the commitment from civil society and research to advance the implementation of the SSF Guidelines. There is also a paper that looked into assessing the Brazilian federal fisheries law and policy in light of the SSF Guidelines ([https://www.researchgate.net/publication/338457459\\_Assessing\\_the\\_Brazilian\\_federal\\_fisheries\\_law\\_and\\_policy\\_in\\_light\\_of\\_the\\_Voluntary\\_Guidelines\\_for\\_Securing\\_Sustainable\\_Small-scale\\_fisheries](https://www.researchgate.net/publication/338457459_Assessing_the_Brazilian_federal_fisheries_law_and_policy_in_light_of_the_Voluntary_Guidelines_for_Securing_Sustainable_Small-scale_fisheries)). Brazilian SSF are also part of over 50 country-based case studies that were prepared for the Illuminating Hidden Harvests study (see here for the information on the Brazilian case study: <http://www.maramar.org.br/estudo-da-fao-no-brasil-revela-dados-ocultos-da-pesca-artesanal-no-pais/>). All of these efforts will hopefully contribute to the empowerment of SSF actors, including indigenous peoples, on one hand, and the generation of political will on the other hand. The challenges from COVID-19 are, however, likely to set back some of the advancements, as resources and political attention will be placed on the more pressing needs than SSF development and governance. However, it is important to continue to raise awareness and advocate for the role of SSF in sustainable development and to continue to apply the recommendations in the SSF Guidelines wherever possible.

#### Cameroon:

- SSF have been legally recognized in several legal and policy frameworks as Traditional or Artisanal fishing: those practiced by means of equipment or boats of old design, in particular traditional canoes or similar devices, moving with the help of sail, paddles or propelled by an outboard motor of less than thirty (30) horses. In addition, principles of the SSF Guidelines related to human rights, respect of the culture, rule of law, transparency, accountability, economic, social & environmental sustainability, ecosystem approach to fisheries and social responsibility are clearly defined and established.
- **Feedback:** In the SSF Guidelines themselves there is a paragraph that calls on countries and stakeholders to define SSF in a participatory way. Usually, the size of the boat is a frequent criteria to divide large- and SSF, but this can be limiting. There is an interesting article that reviews how SSF are defined and what that implies on how the sector is perceived (<https://www.frontiersin.org/articles/10.3389/fmars.2019.00236/full>). There is also a legal guide that supports reviewing legal fisheries frameworks to support efforts to implement the SSF Guidelines (<http://www.fao.org/3/cb0885en/CB0885EN.pdf>).
- Different gaps have been identified (in laws, policy frameworks etc.) related to gender equality and other SSF Guidelines principals. The current fisheries law should be updated. The current governance is very top-down — more space should be given to the local fishing communities.

#### Colombia:

- The SSF Guidelines have not been implemented. Different actors in Colombia are unaware of their existence, content and powerful potential to the country.

#### Ecuador (Galapagos Islands):

- Work has been done to evaluate management and legal frameworks within the context of the SSF Guidelines in order to identify gaps in the current legal frameworks. These insights will be used to write a proposal for a new regulation. The participatory process was long but now the new regulation will finally be discussed.

#### Ghana:

- There have been a number of efforts to support the implementation of the SSF Guidelines. For example, efforts led by the International Collective of Fishworkers (ICSF) in 2018/19 (<https://igssf.icsf.net/en/page/1083-Ghana.html>).

Ghana is also included in the compilation of a country case study for the Illuminating Hidden Harvests study that will look at the contribution of SSF to sustainable development. FAO is currently implementing a small project that focuses on women in post-harvest, based on the SSF Guidelines (<http://www.fao.org/voluntary-guidelines-small-scale-fisheries/implementation/norad-project/en/>). FAO also held a regional workshop to inform the implementation of the SSF Guidelines in West and Central Africa in 2019 (<http://www.fao.org/documents/card/en/c/ca4536en/>), and Ghana is part of the regional fisheries organization CECAF, which has an artisanal fisheries working group. There are plenty of entry points and hopefully they can be pulled all together to support the full uptake of the SSF Guidelines in Ghana in the future.

#### India:

- We don't talk enough about inland fisheries in the context of the SSF Guidelines. As most of inland fisheries production goes towards household consumption, rather than commercial sector, these fisheries are not taken seriously. Inland resources are becoming hard to access and India has a top-down approach even though they might say that they work with fishers. So the SSF Guidelines are there, governance is there, there is a policy for vulnerability and diversification — but how best to incorporate and implement all of this?
- **Feedback:** Indian marine policy includes the SSF Guidelines but the actual implementation is quite challenging. ICSF is working on this issue (<https://igssf.icsf.net/en/page/1094-India%20Marine%20Fisheries%20Policy.html>). For details on inland fisheries policy and the SSF Guidelines, see <https://igssf.icsf.net/en/page/1096-India%20Inland%20Fisheries%20Governance.html>. The SSF guidelines are also translated in to all the major state languages in India.

#### Japan:

- Access to fisheries and the rights of fishers are partially addressed in the current law but there is a lack of awareness about them. If the SSF Guidelines were well recognized, maybe there would not be a worrisome fisheries policy reform\* put in place. In the future, it is essential to make a conscious effort regarding their implementation (see Li & Namikawa: <http://toobigtoignore.net/in-the-era-of-big-change/>).

\*The Fishery Act of Japan had a major amendment in December 2018, which has been enforced on Dec 1<sup>st</sup>, 2020. While the original act from 1949 had put much emphasis on the “comprehensive and advanced use of fishing grounds”



and "democratization of fisheries", the new act is more about "resource management and fishery efficiency". It remains to be seen how Japan will secure the sustainability of SSF in the era of big change (see Li et al.: <http://toobigtoignore.net/wp-content/uploads/2020/11/Japan.pdf>)

- A big misconception in Japan is that people think of the SSF Guidelines as something relevant only for the developing countries. But the SSF Guidelines are applicable for all countries!
  - **Feedback:** The uptake of the SSF Guidelines in developed countries is often an even bigger challenge than in developing countries, despite them being specifically designed for global application. Japan is in many ways an example for cooperative organization of SSF, and it is certainly not encouraging to know that values such as democracy are considered of lower importance than efficiency in the new legal framework. The lack of awareness of instruments like the SSF Guidelines as well as the lack of coherence between international commitments and their national implementation can certainly be considered part of the wicked problems discussed in the course. Raising awareness, engaging with small-scale fishing communities and their supporters to unpack the SSF Guidelines for each context and draw lessons for action from them is a challenge that still needs tackling in many places!

#### Lebanon:

- All of Lebanese fisheries are SSF. Lebanon is also part of GCFM. They are trying to implement the SSF Guidelines and they are upgrading their law, which dates back to 1929. They plan to diversify the income of fishers by empowering women and youth to enter the sector. They are also trying to use all their EEZ and are working on improving the monitoring system in collaboration with many other organizations.

#### Nepal:

- They are working with FAO but everything is on a very small scale. Not sure if there is any arrangement between Nepal's ministry and FAO at a higher level — can FAO approach the government?
  - **Feedback:** Countries that are interested in the SSF Guidelines implementation must approach FAO; it cannot be the other way around.
- The SSF Guidelines would be beneficial for inland fisheries, but it seems they are tailored for the marine sector. Inland fisheries in Nepal are marginalized sector when compared to the marine fisheries. People involved in inland

fisheries are mostly minorities whose voices are rarely heard and the decision-makers lack empathy and knowledge about SSF.

- **Feedback:** The SSF Guidelines apply to both marine and inland fisheries. There have been some opportunities to discuss them in an inland-specific context, like for example in the 18<sup>th</sup> Session of the Committee for Inland Fisheries and Aquaculture of Africa in 2018 (<http://www.fao.org/voluntary-guidelines-small-scale-fisheries/news-and-events/detail/en/c/1256157/>). Also, ICSF has organized a series of workshops on inland fisheries and the SSF Guidelines in India (<https://igssf.icsf.net/en/page/1096-India%20Inland%20Fisheries%20Governance.html>). That being said, it is true that inland fisheries in general are even more marginalized than SSF in general.
- It would be good to have the SSF Guidelines available in Nepali, Maithali, Bhojpuri, Tamang and other languages to help reach the wider audiences.

#### Norway:

- The SSF Guidelines applies to all countries, but there is no trace of them in Norway or in other Nordic countries. The reason may well be that poverty and food security are not major issues in these fisheries. But perhaps another, more important reason is that the Nordic fisheries are governed according to very different principles and paradigms than those on which the SSF Guidelines are based on.

#### Mexico:

- There are various instruments and tools that could support the implementation but there is a significant lack of communication between various departments that are responsible for different aspects of the fisheries and other natural resources — this is the real challenge.

#### South Africa:

- IOI is working with FAO to develop a course on the implementation of the SSF Guidelines. The goal is to develop understanding about the SSF Guidelines and good governance principles that can support the implementation. The course will be ready in 2021 and it will target government decision-makers.

### 3) Wicked problems: What they are and how to solve them

Presented by: Svein Jentoft, UiT – The Arctic University of Norway & TBTI

A wicked problem generally refers to a complex problem for which there is no simple solution and for which there may be no clear stopping rule. In TBTI, we think of the concept of wicked problem as a way of talking about and defining the very essence of the challenge in SSF. We know that the challenge of making SSF more secure and sustainable are complex and demanding, but it is not always clear how and why. Rittel and Webber (1973) argue that wicked problems need to be addressed and solved through a participatory, democratic, and deliberative process that we would associate with the concept of governance. This was largely how the SSF Guidelines were developed — through consultations with thousands of SSF stakeholders around the world. This is also how the SSF Guidelines would need to be implemented, because they involve a number of wicked problems, like poverty eradication.

#### Additional material:

- Lecture (video): *Wicked problem in Small-Scale Fisheries*: <https://youtu.be/0M4uCjWuFR4>
- Lecture (video) *Small-Scale Fisheries Governance – Conceptual Clarifications*: <https://youtu.be/EILEhQ1HfFE>
- Rittel, H.W.J., Webber, M.M. (1973) Dilemmas in a general theory of planning. *Policy Sciences* 4:155–69.

### 4) Discussion

While there are many challenges and wicked problems associated with SSF, it does not mean that nothing can be done. With this in mind, participants were asked the following questions:

What is the most 'wicked' problem facing SSF in your country?

*The following responses are based on the discussion during the live session:*

- Politics;
- Governance;
- Lack of feedback mechanisms;

- Decision-making that disregards the science;
- Not integrating other knowledge in the decision-making process;
- Need to recognize that there are different types of knowledge and that people see the problem in different ways;
- Distrust and stereotyping; not listening well to each other while also talking too much; not valuing enough the difference of opinions. We need to focus on building trust;
- Need to collaborate with many government agencies with different mandates;
- Failure to prioritize;
- Improper leasing system of wetlands;
- MPAs, which can cause more problems rather than provide solutions;
- Failure to bring to the forefront the voices of marginalized groups;
- Lack of enforcement paired with corruption and a mistrust between SSF and the government;
- National agendas for industrialization that contradict the SSF Guidelines implementation;
- Value chain: failure to look at the entire chain and focusing too much on the harvesting part;
- The lack of recognition of the contributions of SSF. Feeling of being economically irrelevant hinders inland fishers in raising issues at various stages;
- Grounding decision-making predominantly on ecological aspects without discussing the social repercussions of established measures;
- Local politics as barrier to moving forward; and
- Building organization at the level we need.

**What are the big question(s) facing SSF in your country?**

*The following answers are based on the inputs provided on the TD online platform, with feedback from Dr. Svein Jentoft.*

**Brazil:**

- Wicked problems are difficult to handle and at the receiving end, ineffective public policies impact small-scale fishers the most. These are three topics that are greatly affecting SSF sustainability and viability in Brazil:
  - **Institutional and policy framework:** Despite significant advances in public policy, increased visibility, and political voices in the sector, especially in the

past decade or so, current fisheries legislation is still difficult to implement. SSF continue to lack adequate institutional and political support at all levels for sustainability and social balance, as policies generate very heterogeneous production structures, hasten the irrational exploitation of fishing resources and lead to a gradual impoverishment of thousands of small-scale fishers;

- **Monitoring, Control, and Surveillance (MCS):** Loss of public participation due to the elimination of federal participatory councils in 2019 severely weakened the subnational and local governance institutions. It is crucial to recognize that social and political circumstances may generate conflicts and harm the application of legal rules. Long-term, participatory efforts by all stakeholders are required to overcome difficulties and reach coherent and applicable legal provisions to improve SSF governance;
- **Governance:** Building capacity, especially in fishers' organizations, to position them as key actors in the implementation process, and to document existing governance practices of tenure and resource management to enhance SSF rights on resources and territories, and guarantee the achievements of human rights.
- Additional information about these issues can be found in Prysthon et al. (2020) and HOB (2020);
- **Feedback:** SSF do not exist in isolation; they are marginalized but not cut-off from the rest of society. The problems they face are not always of their own making but are caused by things that go on outside them. SSF problems are problems within problems within. We cannot expect SSF governance to be efficient, effective and socially just, if the governance of the country as a whole is not. If, for instance, corruption is generally rampant in society, we are likely to also find it in SSF. Therefore, it is hard to see how one could solve the problems of SSF without addressing their source of origin. The solution would hardly otherwise have a lasting effect. Consequently, SSF raise issues that are big and require more than fisheries to reform — they must be part of a broader social struggle. Still, it's not clear whether the big questions always need to be resolved first, and that we cannot begin in SSF and later take on those issues and structures that are external to SSF. This, however, would require that SSF are better organized than they often are today. Organizing SSF is about their empowerment, and power is an enabling force, which would help small-scale fishing people in becoming more effective on the political arena. Brazil played a very constructive role during the Technical

Consultations in Rome on the SSF Guidelines — there must be a lot of support for SSF inside Brazil today.

#### Cameroon:

- Lack of social protection of small-scale fishworkers who are not recognized as fishworkers;
  - Access to credit and the fact that the fisherfolk do not have medical insurance;
  - Road insecurity coupled with the lack of permanent electricity supply which, lower the quality of fish, especially because the fish products cannot be sold or reach the cities;
  - Absence of MCS measures along the fish value chain;
  - Absence of communication between local fishing communities and local government as well as between local and central government;
  - Lack of knowledge/data of the real status of the fish;
  - Water pollution from nearby industrial firms that impacts fish and human health.
- **Feedback:** The answer to many of these problems may lie in addressing the absence of communication between different stakeholders and across different levels of government.

#### Colombia:

- Colombia faces similar problems to many other countries in Latin America. Some of the pressing questions concerning SSF in Colombia include the following:
  - **Point of collapse:** How much longer will fishing withstand all the pressures until it reaches the point of collapse? Within this scenario, what will happen to all the people who depend on fishing as a source of work and food?
  - **External pressures:** Will the fishing sector be able to sustain itself in the face of constant drivers such as corruption, violence, drug trafficking, negligence, the continuous violation of human rights and populist policies?
  - **Strength in union:** Will the fishers unite and demand that the State fulfill its responsibilities and will the fishers assume their own responsibilities in order to support each other under a common goal?
- **Feedback:** These are difficult questions to answer, no doubt. However, it is interesting, and potentially important, to think about and study how a SSF collapses, and why. One does not only have to think about people leaving SSF, but also how they enter, and the possibility that some may return at a later stage. SSF are rarely a stable source of income but a fluid activity where people move in and out. Entry costs into SSF are not always high.

What people do, how they sustain themselves in a situation when the fishery collapses is a research issue. People can be very adaptive and innovative in their coping with poverty. In Colombia some may not be able to adapt but some may do other, more lawful things, like moving to urban areas. It would be great if they would unite and raise demands vis-à-vis government, which is perhaps where the research effort should concentrate. Who can help them organize?

#### Ecuador (Galapagos):

- In Galapagos, almost certainly in Ecuador too, one big question is: What is the state of health of the population of important fishing species and their ecosystems? Although in Galapagos there are good statistics and there have even been population and ecological models applied, this question remains unanswered. Scientists have one answer, fishers have another, the government has another — even the citizens have another. The problem, which is a wicked problem, is that we have not solved other deeper questions such as: Can only scientific knowledge answer the first question? We have not been able to answer this question because there are more fundamental problems, such as the lack of trust among stakeholders as a result of our failure to understand the fisheries as a complex, dynamic and diverse system — as a wicked problem.
- **Feedback:** This is indeed a wicked problem as there are clearly different ideas of what the problem is! One would assume that bringing these different actors together to sort this out would be a good idea, but then there is, as described, lack of trust. Trust is not declared but generated over time, through a process of interaction. Actors have to prove to each other that they are trustworthy. The more trust, the better and more constructive the interaction, but then, if the interaction works in a constructive way where people of different strands get to know each other, then trust arises. So where does one begin — with the trust building or the interactive part? It's likely with the latter: give actors incentives to talk to each other, create the needed platforms, bring them together (something that government and civil society organizations are positioned to do) and see if trust and social capital evolves. If yes, we have something to build on, if not, think again. Trust building is an iterative process.
- How to reset the "one-question/one answer" approach to the SSF issues? This, since the 'linear' perspective reduces the likeliness to understand the issue under scope. There is still resistance to look at SSF as complex systems!
- **Feedback:** Indeed, we want simple questions and answers even for situations that there are neither of those. Policy-makers want quick fixes,

and we only have complex narratives to offer. But who needs to change: we as researchers or they? Perhaps the answer is that we both should. Researchers should explain that problems in SSF tend to be wicked and explain why, but let it be known that it is up to the government to help create a more inclusive governance platforms and processes for problem definition and solution. People should be empowered in every sense of the word to solve their own problems, and then states should be there to assist when things fail, when initiatives are needed or extra resources must be supplied. There is much to be said for self- and co-governance in SSF, also from a complexity perspective. But it cannot work in an institutional vacuum.

#### Ghana:

- The government of Ghana provided fuel subsidy to the artisanal fisheries during the developing phases of the fishery. Subsequent governments never gathered the courage to withdraw the subsidy because of political considerations. The numbers and sizes of canoes have increased as well as the sizes of fishing gears. Total effort has exceeded acceptable limits and the stocks have depleted, yet the government does not have the political will to stop or withdraw the fuel subsidy, which significantly contribute to the depletion of the fishery resources.
- **Feedback:** This observation is illustrative of a wicked problem — mistakes are expensive and hard to rectify. It is much easier to grant a subsidy than to take it away, which is something that should have been a consideration initially. Now, the government has a dilemma. Although small-scale fishing boats can overfish without any limitation enforced, especially when they get too abundant, the main reason for overfishing lies elsewhere, like with the large-scale industrial fishing vessels under no effective regulatory regime. Whether that is the case in Ghana, it's hard to tell. A recent master thesis exploring Ghanaian fishery suggests that the large-scale fisheries are also not under control; that there is a competition between the two sectors and that small-scale fishing people survive by buying by-catch from the trawlers. Indeed, maybe we should first address the large-scale sector in order to rebuild the stock. There are also other ways of supporting SSF, like converting bad subsidies into good ones i.e. those that don't enhance fishing effort and capacity.



## India:

- Fisheries in India are under the state jurisdiction, and as such the fisheries management cannot be directly endorsed by the central government. In addition, fisheries in most inland waters (e.g. estuaries, rivers and reservoirs) are often open-access, which leads to a lack of available, quantifiable information about the current state of fisheries. How well different states understand the need to manage and sustain fisheries from these resources depends upon the socio-political needs, as well as upon sectoral demand of water in the case of rivers, lakes and reservoirs, which varies over time. A common understanding on how best to address the sustainability issues in SSF thus becomes very difficult;
- What approach should India consider within these circumstances? Is a top-down approach a good idea in the case of open-access fisheries? It seems a bottom-up approach is what India needs but the immense poverty in inland fishing communities means that it is difficult to persuade fishers to support such approach.
  - **Feedback:** We should avoid a top-down approach when it is not needed. Access restrictions do not necessarily need to be thought of, initiated, and enforced from the top down. This, however, requires that there is a governance system operative at lower levels, like at the community level, something like the Indian Panchayat system. But one cannot ask poor and hungry people to make sacrifices, which would just enhance their food security problem. Government authorities or those who control the resources necessary for people and communities to sustain themselves should be involved. This is why the SSF Guidelines talk to states, which in a country like India would mean regional and local states and not, for reasons described above, federal states. It would be good to check whether the SSF Guidelines have "landed" in a particular state and if efforts have been made to implement them. The SSF Guidelines do not only speak to fisheries departments but to all the branches of government that are in one way or other affecting the wellbeing of SSF.
- Lack of alternate livelihood opportunities and poverty among fishing communities hampers their ability to follow the SSF Guidelines issued by various governing structure. This is a viscous cycle. If they completely adhere to the SSF Guidelines they would risk losing earnings from fishing; if they don't follow them, the sustainability of fisheries is at risk. How do we address this complex situation?
  - **Feedback:** This is a real dilemma: the SSF Guidelines are meant to generate a process that will bring SSF out of poverty, and yet, poverty makes it

difficult for people to engage as they are concerned with more immediate issues, like bringing food on the table every day. Therefore we cannot blame people for sometimes not adhering to rules, fishing illegally etc. But this is why the SSF Guidelines speak to states; states have a responsibility for helping people out of this difficult situation. Small-scale fishing people should not be left to fend for themselves; a bigger, more comprehensive social and economic reform is needed.

#### Japan:

- "*Iso-Wa-Ji-Tsuki, Oki-Wa-Iri-Ai*" (meaning: the local fishing community manages the inshore area, while the offshore area is open to everyone) is an old Japanese phrase that aptly describes the customary use of coastal waters and fishers had been entitled to fishery rights comparable to real rights. Such fishery-rights system has been largely responsible for the sustainability of Japanese coastal fisheries and fishing villages. However, against the backdrop of the marine leisure boom from the 1980s, "Whose sea is it?" has been often called into question. As such, there are growing claims of 'equality' as with "Why should only fishers have rights to use the seas?", "The use of the sea is the citizens' right to seek the wellbeing and happiness which is specified in the Constitution", and "The sea belongs to everybody."
- How should we claim the legitimacy of the fishery rights (or the difference principle in other words) in such situation? How to claim Blue Justice in such situation?
  - **Feedback:** Japan is famous for its community, cooperative- based form of management and governance. That new actors are now entering this space is happening everywhere, which is what governments want to see with the Blue Economy. Disputes like the one described here — Whose sea is it? — are bound to happen. Marine Spatial Planning is one of the solutions that are now being advocated but it does not in itself solve the problem, only brings it out. But isn't this a question for the courts of law? Use of a resource area over a long time constitutes a right of use and potentially a right of property and a right of management. Small-scale fishing communities are not just a stakeholder — they are a rights holder — or they can rightfully claim to be that. Legal rights trumps legitimacy and equity!

#### Mexico:

- A lack of a long-term plan for fisheries management and fisheries governance;

- In the last two decades, deterioration of fish stocks has been gradually increasing. We are in need of better capture statistics;
- The social aspects of SSF are poorly researched;
- The IUU fishing represents a huge and overlooked problem;
- Environmental deterioration and climate change problems, which have not been addressed, have an impact on the resources and, hence, on the livelihood of coastal people;
- Lack of communication among agencies for fisheries and environment, or sometimes contradictory policies, can have an impact in the fisheries sector as well.
- **Feedback:** This situation is not unique to Mexico and it has been like that for a long time. The SSF Guidelines, which Mexico has endorsed, provide an opportunity to bring all those issues on the political agenda. The research community has a role in making that happen, even if they do not yet have the solution to all of them. At the same time, some of them are already well-known and ready for government action.

#### Sweden:

- In a country like Sweden, you will expect to be able to drive along its long coasts on a wonderful highway and stop from time to time to visit a rural town where you can enjoy fresh seafood for lunch and have a brief chat with a local fisher. But except from the impressive highways, one will likely be disappointed. There are of course rural towns but one will be extremely lucky if they can get a place that serves locally caught fish; the harbour will still be there but it will be a very silent, empty place, waiting for local fishers that will never arrive;
- The big questions for SSF in Sweden are: will the very few remaining small-sale fishers in Sweden have a future? Are they of so little value that their disappearance will not carry any consequences to the Swedish society? Is really getting rid of SSF the way to achieve sustainable fisheries?
- **Feedback:** What is happening in Sweden is happening in many other countries, especially in the North, where we tend to look at SSF more as a problem than as an opportunity to provide people with healthy food, vitalize coastal communities and provide local people with jobs in their own communities rather than encouraging them to leave their fishery and communities behind. This is why the SSF Guidelines also belong in the developed world. Unfortunately, the subtitle of the SSF Guidelines — "in the context of food security and poverty eradication" give fisheries

authorities in countries like Sweden the idea that the SSF Guidelines are only for the developing world. However, the real cause is that the SSF Guidelines are based on a very different paradigm of what fisheries are about than the one underpinning their current fisheries policies, which they hold on to and are reluctant to change.

Wednesday, December 2<sup>nd</sup>

## Session 2: Unlocking legal & policy frameworks

The session started with the exploration of 'Fisheries institutions'. We cannot talk about SSF, their wicked problems, operation and governance without talking about institutions. The implementation of the SSF Guidelines requires the mobilization of, and in many instances the reform of, institutions. It might even require creation of new ones. The second part of the session focused on the question on how fisheries are governed from the legal perspective. Fisheries laws and legislations are key elements of the governing systems but they are generally understudied. As part of the TD process, we need to pay attention to legal and policy instruments used in governance. But they can be complex and not easy to understand.

### 1) Fisheries institutions: what they are and why we need them

Presented by: Svein Jentoft, UiT – The Arctic University of Norway & TBTI

What are institutions, and why do we need them? Fisheries institutions are important elements in any governance system. There are various types of institutions, serving different roles. Learning about what institutions are, why they are established and for what purpose is an essential first step to understand their performance and function. This understanding will also help reveal what needs to be done to improve governability, if it is indeed the governing system that creates a problem. We are governed by institutions, and use institutions to govern. Rules, cognition and norms are, according to Scott the three "pillars" of institutions. The stronger the pillar, the more robust the institution. Any analysis of the reasons for institutional failure or success would need to inspect these pillars, their strengths and weaknesses. The successful implementation of the SSF Guidelines would depend on the pillars and, in many instances, require their solidification.

## Additional material:

- Lecture (Video): *Social Institutions: Conceptual Clarification*:  
<https://youtu.be/LMABKZ62fek>

## 2) Discussion

**Q #1:** What would be some examples of important institutions in SSF and their governance?

**A:** Institutions are, for example, families, the religion they live by, and the communities that they create. Community also comes with norms, values, knowledge — they contain the 3 pillars and if one of them crumbles, there will be problems. Another example is the way a crew behaves on the boat — this is an institution with specific norms (e.g. acceptable behaviour).

The rules are influenced by ethical aspects. The rules that define how power is distributed in SSF are also institutions. The linkages between different institutions surrounding SSF are important for the success or failure of SSF so we need to look at the government and law. There is great legal pluralism in SSF, which creates problem due to institutional clashes; conflicts are not always due to a lack of resources, but rather due to conflicts between different institutions.

**Q #2:** How can we transform the structure and functions of institutions to tackle wicked problem in SSF?

**A:** We need to change the rules that are disadvantaging SSF: take a closer look at who defines the problem and how to define the problems. We can do many things that are not structural, including building knowledge through education — build a stronger knowledge base to solidify Scott's three pillars SSF are based on. This is why TBTI was started. We also need to talk about values and principles of which we base the SSF governance. Values and principles in the SSF Guidelines are not necessary those that governments favour. Additionally, we have the principles in the community and this problem has more to do with social values. Why do the SSF Guidelines apply more to the South? Even if poverty and food security is not urgent in North, they are still relevant in the North. The issue here is that the values underpinning in North differ from those in the South.

**Q #3: By saying that 'institutions are social construction' are we not limiting the governance of SSF?**

**A:** Institutions are always limited: for example, poverty is a problem of institutions that create this problem. But if they are not social instruction, what else they are? It is a matter of 'language'. Language evolves over time and contains a lot of agreements.

**Q #4: What are institutions from the government's perspective?**

**A:** One issue is legitimacy and representativeness, of how people think about institutions representing them. Do they feel that institutions are able to fill the gaps they have? When you talk with fishers, they don't think they are well represented by the government institutions and associations.

#### **Additional comments**

- **Article 10 of the SSF Guidelines — policy coherence, institutional coordination and collaboration:**
  - There are many ways to work with institutions, rules, interactions, structures, etc. and this is not easy to do. But working with institutions can bring benefits to SSF through collaboration and coordination, which is why it is worth working with institutions. We need to show how support to SSF can generate broader benefits, that is — how can social protection of SSF support environmental sustainability?;
  - Communities are not seen as institutions by the government and their set of rules and knowledge is not always respected by other institutions, such as the government or academia. This must be one of the biggest problems for promoting dialogue between different institutions and for fisheries governance.
- **Changing the institutions:**
  - Before we change institutions, we first need to understand them and the values and principles they are based on. We need to spend time thinking about institutions as we are not always on the same page as to what institutions are, which is problematic for implementing the SSF Guidelines;
  - Institutions are almost everywhere and the norms they follow have been a result of centuries of practices and beliefs. How can we make it clear the institutions need to change to sustain SSF?;

- A central, top-down governance system can be very effective in marginalizing SSF;
- Institutions are dynamic. It is also important to understand the interconnected and interdependent elements that constitute an institution.

#### ➤ Examples

- In large countries we have positive and negative examples of governance system. In the case of Brazil, some states are governing the fishery system well, although at the federal level the governance is ineffective;
- In terms of the pillars of institutions in Latin America they are not the same across different countries and they change a lot. There is a lack of institutional 'memory', which makes those institutions weaker. These institutions have evolved and as they change, that prior knowledge is lost. In Colombia, for instance, there have been at least six institutions in charge of the fisheries issue in recent years. The question is what kind of institutions has the longevity necessary to maintain the link with the knowledge. We might need to start thinking of building the longevity of the mezzo-level institutions and what we can do to achieve this.

#### ➤ Closing remark

- Talking about institution is important but before we reform them we need to understand them for which we need an analytical framework. One step in doing that is to look at the legislation (formal and informal) and do a bit of a research. When we look at normative aspect, we need to look at the official documents — this can be found, for instance, in declarations. But we also need to look in other places, as norms are not always written in. Finally, we need to do the same analysis for other SSF institutions, at all levels of governance, including community.



### 3) Legal and policy rapid appraisal framework:

Using Transdisciplinarity for Fisheries Policies and the SSF Guidelines Implementation

Presented by: Julia Nakamura, University of Strathclyde, UK

One of the most important questions about fisheries is about how they are governed from the legal perspective. Fisheries laws and legislations are key elements of the governing systems but they are generally understudied. As part of the TD process, we need to pay attention to legal and policy instruments used in governance. But they can be complex and not easy to understand. This is why TBTI developed a template with guiding questions to help unpack the legal and policy frameworks. The template is also used to examine the extent to which the current legislation and policies align with the principles and topics addressed in the SSF Guidelines.

Additional material:

- Lecture (Video): *Introduction to unlocking legal and policy frameworks for small-scale fisheries*: <https://youtu.be/r2CGbZyyQBo>

### 4) Discussion

Q #1: Based on the legal assessment done by TBTI so far, are we in a good space in terms of the SSF Guidelines implementation?

A: There is still a lot to be done. There are many fisheries policies that speak about SSF but this is not enough. We need to ensure SSF have rights, that they are included in decision-making, and we must enshrine human-based approach in all legislation, which is where we lag behind.

Q #2: The SSF Guidelines are clearly focused on capture fisheries: is there a plan to include aquaculture or mariculture, especially in terms of tenure rights?

A: The SSF Guidelines are dedicated to capture fisheries but there is nothing against applying them to aquaculture. The guiding principles and everything in them speaks about gender, climate change etc. — all of this could be applicable to aquaculture. If governments are interested, they should use the SSF Guidelines as a starting point. Additionally, the SSF Guidelines are linked to Tenure

Guidelines (Article 5 in SSF Guidelines is especially closely linked) and Tenure Guidelines speak about aquaculture.

- Tenure guidelines: <http://www.fao.org/tenure/voluntary-guidelines/en/>
- It's important to ask whose tenure rights are we talking about? In Norway, with a growing aquaculture industry, SSF are experiencing encroachment of their fishing grounds, which creates conflicts over space. This is not just a management problem but also a legal problem as SSF do not have legislation to protect them from being pushed aside.

**Q #3:** Is your country addressing any specific policies that are speaking to the issues covered in the presentation?

**Brazil:** In most cases the government and academia don't see communities as institutions and the communication between them is very difficult. There are nature conservation units in Brazil (e.g. extractive reserves) in which the government designs the rules and regulations for the communities although, more recently, there have been some changes towards a joint management.

**Cameroon:** There is a constitution and policy laws that give access rights to everyone but they must hold a permit/licence.

**Colombia:** There is no legislation for SSF. The authorities have initiated resolutions for fisheries management but these are still in an early stage. There is a lack of regional integration as well as a lack of integration with the central government. The draft law on SSF in Colombia was recently stopped but the discussion will likely continue with the new legislation.

**Japan:** There is a fisheries act that governs SSF and there are fisheries basic acts that cover the legal protection of women. However, fisheries are still very low on the priority list and the SSF Guidelines have not been used to its fullest.

**Mexico:** The country has most of these components but they are not specific for SSF and they are spread across different legislations. Even when there are tools, the implementation is hampered by a lack of interest. When SSF are not recognized, it's hard to build capacity, which is why we need a capacity building program.

**Q #4: Any examples of what makes your government effective in governance?  
Or examples of the limitation for effective governance?**

**Mexico:** There is a large problem with a lack of trust, lack of transparency, lack of respect. On a global level, SSF are not recognized. Is it because we treat them as a problem instead of part of a solution? We need to provide space for SSF to be part of policy decision-making but the question is, how do we build this space?

**Japan:** The legal protection of women and special treatment to women in SSF are provided under the Fishery Basic Act, which act as a principle law. However, women's participation in SSF is still very low. There are some projects undertaken by the fisheries agency but there are no other laws on women empowerment in general that could be build on to strengthen the role of women in fisheries.

➤ **Additional comments:**

- Even when the legislation is not specific to SSF, it could still support SSF. This is why TBTI research doesn't focus only on SSF but looks at what is out there that could support SSF;
- In many countries there is a good system for large-scale fisheries but not for SSF. We want to avoid applying the same type of rules for large-scale fisheries and SSF — we need specific guiding principles for SSF and these must be built on the principles from the SSF Guidelines;
- International Year of Artisanal Fisheries and Aquaculture 2022 (IYAFA; <http://www.fao.org/artisanal-fisheries-aquaculture-2022/en/>) — let's spread the word and start planning! IYAFA is also an opportunity to talk about the implementation of the SSF Guidelines to aquaculture;
- It's crucial to not rely solely on the efforts from the governments. We need efforts from various stakeholders in order to support SSF and the SSF Guidelines implementation.

## **5) How are SSF governed in your country?**

*The following answers are based on the inputs provided on the TD online platform.*

**Brazil:**

➤ **Government institutions:**

- With continuing economic and political upheaval, SSF often support marginalized and unemployed people, who see it as an occupation of last resort. Since the 1960s, institutional crises at national level have marked the discussions about the fisheries management in Brazil and the institutions responsible for governance of fisheries have gone through cycles of interventions. During the 1980s and 1990s, discussion about fisheries sustainability came into being at national, sub-national, and local levels, surpassing voices towards 'growth at any cost'. Environmentalism was institutionalized and enhanced by ministerial status supporting a sustainable development agenda, although an equilibrium was far beyond reach;
- Following the Rio Summit in 1992, Brazilian environmental policy shifted to an even more conservationist stance, accompanied by a growing public awareness of the importance of ecosystem conservation. But biodiversity conservation reassembled to ecosystem management for the sustainable use of fisheries resources by local communities, and public policies at the start of the 21<sup>st</sup> century have not helped due to a continuing focus on developing fishing as a production-oriented industry, while lacking an efficient fisheries management. Changes occurred when the main goal became to increase economic viability, to enhance food security, established through a National Plan on the Sustainable Development of Fisheries and Aquaculture (Law #11959/2009). The overall aim of this law was to promote sustainable development in harmony with environmental and biodiversity protection, representing the most significant step forward in Brazilian fisheries policy in the last 50 years. Today the implementation of SSF policies lies in the hand of the Secretariat of Fisheries and Aquaculture of the Ministry of Agriculture, Livestock and Supply.

➤ **Fishers' institutions:**

- Small-scale fishers and aquaculture farmers: Small-scale fishers are organized in Fishing Associations or Fishing Guilds (in Portuguese "Colônias" which is similar to "Cofradías" in Spanish), equal in their social rights to the rural workers' unions, according to Law no. 11699, of 06/13/2008. The Fishing Associations are cultural symbols of the organization of small-scale fishers since they have been uniting fishers on a community basis for decades and even centuries. Small-scale fishers' association, broadly speaking, aim at the constitution and defense of the rights of artisanal fishers, having as basic premise the importance of this working class for food and nutritional security, in addition to the eradication of poverty, through management based on realities and

difficulties of those who play an important labour, social and cultural role for Brazilian society.

➤ **Growing awareness of ecosystem conservation in Brazil:**

- There is an important increase in fisheries development and sustainability debate. But most of the institutionalized groups created to discuss fisheries policies fail to properly incorporate social science. For example, at a national scale, Brazil had the permanent management committees (CPGs) with a group of fisheries researchers responsible for providing scientific information about fish stocks and advising on the sustainability of fisheries. But the group consisted of only oceanographers, biologist etc. — there was no social scientist or economist. This hampers the national multi- and transdisciplinary discussion. At the same time, at the local levels, there has been some important improvement involving local small-scale fishers, managers of protected areas and local institutions working with fishing extension, who are going beyond ecological/biological research. The main difficulty now is how to 'scale up' those successful arrangements to the national scale, since fisheries are governed by the Ministry of Agriculture.

➤ **Disregarding ethno-knowledge in the debate about fisheries management:**

- We have examples of participatory management where fishers are guaranteed a space in the discussion and decision-making, as is the case of Extractive Reserves (i.e. conservation units focused on protecting the traditional community's livelihoods, culture and territory). But these examples are still scarce and remain restricted to mainly protected areas. It is important to include not only the perspective of the social sciences but also traditional knowledge in the discussion of fisheries policy in Brazil.

**Japan:**

- Japanese SSF are governed based on the following legal and policy framework: the Fishery Basic Act as a procedural law (2001), the Fishery Act (1949) as the substantive law, and the Fishery Cooperative Act (1948) as a law related to fishers' organization in Japan (Li et al. 2020 a);
- These are the apparent strength and weakness (or the problematic area):
  - *Strengths:* well-known community-based management system, self-governance system, fishers' organization systems, etc., which are based on the recognition of the subjective rights of small-scale fishers under the 'difference principle'.
  - *Weaknesses:* The aspect of the 'equality principle' is confirmed in the current sea-use governance system and the 'difference principle' is waning. The reform of the Fisheries Act, which is to abolish the order of precedence

when granting a fishery right, and as a result, encourage the participation in coastal fisheries of private business (Li et al. 2020 b), can be viewed as an manifestation of this problem.

#### **Mexico:**

- Mexican fisheries in general, and SSF in particular, are experiencing changes. Thirty years ago SSF peaked in importance when cooperatives were the basic governance institutions; this translated into political power and governmental and public support. Over time this changed and SSF importance declined steadily. That trend changed when over 15 years ago a lobster SSF was MSC-certified, being the first SSF MSC-certification in the world. This was made possible for several reasons, partly due to the support from international and local NGOs. Following this, SSF began to attract the attention of academics and NGOs, in addition to receiving state and federal government support. There are many examples of bottom-up, well co-managed or partially co-managed SSF throughout Mexico. In these cases academics, NGOs and government institutions participate or at least facilitate processes. But generally speaking, SSF suffer rampant, uncontrolled illegal fishing, excessive number of permits, in addition to almost zero inspection and surveillance. The current federal administration has cut the budget for inspection and surveillance to zero on the grounds (apparently) that seafood belongs to the poor and therefore illegal fishing by marginalized fishers is overlooked. One fundamental challenge is that SSF are atomized and overwhelmed by 'irregular' fishers, family 'cooperatives', many of which serve the purpose of selling invoices to legalize fishing. Artisanal fishers are prey to individuals or legal entities: permit holders, buyers of illegal catch. In the midst of all this, there is an increasing number of fishing communities willing to enter non-governmental conservation and management programs such as FIPs. In summary, the perception is that in the face of weak official institutional governance, NGOs and academia are becoming more relevant, changing governance from top-bottom to bottom-up or mix governance.

Friday, December 4<sup>th</sup>

## Session 3: Broadening the scope: Implementing the SSF Guidelines & the SDGs

SSF are not an isolated sector, and they face many threats and challenges, including climate change, globalization, competition from industrial fisheries, rapid market shifts, and coastal and ocean development, some of which are part of the Blue Growth/Blue Economy initiatives that might result in displacement and further marginalization of SSF. The Covid-19 pandemic adds the stress and vulnerability to many SSF around the world, with the full consequences yet unknown. This calls for a broadening of discussion about SSF in order to achieve, not only SDG 14 but many other SDGs. This is also why it is important to consider gender in the broad context, by looking not only at the women involved in fisheries but also at the different gender roles in the community and society. Finally, returning to the threats from Blue Growth/Blue Economy, it is imperative to bring principles related to social justice and equity to the discussion. 'Blue Justice' is a useful concept that can help critically examine the rhetoric about sustainable development and help change the conversation from SSF as a problem to a solution.

### 1) Small-scale fisheries: The 2030 Agenda for Sustainable Development Broadening the perspective about fisheries and ocean sustainability

Presented by: Joe Zelasney, FAO, Italy

2030 Agenda for Sustainable Development is a set of agreed global objectives that prioritize key issues of resources, financing, and development interest. The Agenda offers a clear path for achieving compliance with the Sustainable Development Goals (SDGs) in their sectors within various aspects: climate change, poverty, improvement of quality of life. SDG 14 is the goal for the oceans, which consists of outcome targets (e.g. end overfishing and IUU fishing) and means and implementation targets (e.g. provide access for artisanal fishers to marine resources). Within SDG 14, there is a specific target for SSF, i.e. Target

14b, which is about ensuring that SSF have access to resources and markets. Improving SSF is a pathway to ending poverty and hunger, addressing climate change and sustainably managing natural resources as well as achieving the 2030 Agenda for Sustainable Development. There are many synergies between SDGs and the SSF Guidelines and the SSF Guidelines should be seen as a tool for achieving the SDGs.

Additional materials:

Webinar: *Small-Scale Fisheries as a nexus of SDGs*:

<https://youtu.be/ghZBn2tGhh4>

## 2) Discussion

Q #1: Since 2004 there is a tendency of not collecting data through logs; instead, fishers are providing data for assessments on a self-voluntary basis, from catch to social data. Does e-learning tool take this into account?

A: E-learning does not solicit any data collection — it's geared towards central statistical offices and the SDG indicators, which are collected at the national level. This information comes first to FAO and then to UN who presents on the overall progress of indicators. The data collection at the national level is done through the Code of Conduct survey and it does not look at the management level but at the higher level of policy and decision-making (e.g. law, legislation etc.).

Q #2: How do we know if the countries implemented the SDG in respect to SSF?

A: The reporting on SDG 14.b comes directly from the countries. The list of replies from countries can be seen here <http://www.fao.org/sustainable-development-goals/indicators/14b1/en/>. You may want to contact governments in those countries to find out more about the process how they replied to the SDG 14.b questions - which should be participatory!



Q #3: Is there a way to know how much the organization of the Decade of Ocean Science for Sustainable Development actually costs? One calculation has put this cost at approx. USD 1 billion / year.

Feedback:

- It's unlikely it costs billions of dollars but gathering and analyzing data is definitely costly. The research is not done by UN but by the researchers from the COFI member states;
- There is a criticism about Decade being all about 'science' but one must understand how this science is supporting sustainable development, in particular in the developing world;
- The Decade was designed through a participatory process but we can all agree that there needs to be more room for social scientists. We could also argue that small part of those funds could go towards social sciences and SSF community!;
- The funds being spent on the Decade are for building the platform and opportunities for collaboration — the money is spent to support science and not on the actual research. If organizations and scientists want to bring forward initiatives on social sciences, they are welcome to do that;
- There has been heavy investment in natural sciences. If we are able to think of the problems from the social science and the TD perspective, then agency and philanthropy would be open to spend more money on social.

### 3) Gender perspectives in fisheries and fishing communities

Presented by: Katia Frangoudes, University of Brest, France

Gender equality and equity is increasingly recognized around the world as an important goal that we should strive for. This is why the SDGs prioritize it as one of the key goals. It is also why the SSF Guidelines put a strong emphasis on it. In fisheries, especially in SSF, women have played instrumental role from pre-harvest, harvest and post-harvest parts of the fish chain. Regardless of that, they are often invisible and ignored.

## Key messages:

- We cannot do TD without the gender perspective! Until very recently we didn't talk about gender in SSF — this has changed thanks to the SSF Guidelines. Why was that so? Because we are focused on industrial fisheries and resource management and we're disregarding what is happening on the land and in the households of small-scale fishing communities;
- Gender is relational concept that refers to socially and culturally constructed identities, while sex is about biological differences (characteristics) between men and women;
- All countries have signed some kind of convention regarding gender as well as various voluntary instruments. As a starting point, we need to look at what our countries have signed; then, we must make it clear to our policy-makers that we must implement these international instruments;
- The SSF Guidelines are the only instrument so far that specifically talks about women in SSF, as a result of them being developed through a bottom-up approach driven by the civil society. In other documents 'women' section is just an add-on, whereas the gender/women lens need to be incorporated throughout a given document/policy;
- Chile, for example, is rethinking their fishery policy and they will be incorporating gender into it. Only when we start from the beginning, can we do a proper justice of integrating gender perspective into a policy!

## Additional material:

Lecture (video): *Gender perspectives in fisheries and fishing communities:*

<https://youtu.be/-Dhx-S0YJLQ>

## 4) What is Blue Justice?

Presented by: Svein Jentoft, UiT – The Arctic University of Norway & TBTI

SSF, especially the most marginalized and vulnerable groups, have been feeling the squeeze for a while now. Ocean is a contested space, with increasing uses by various sectors. Not only do they compete for resources with large-scale fisheries, SSF have to deal with other users like oil and gas exploration, mining, shipping and tourism. In some instances, they can no longer access their traditional ground

because of marine protected areas or other conservation zones. On land, they are being displaced by tourism development that wants to build beachfront hotels and resorts. Things are even bleaker with the promotion of Blue Growth and Blue Economy initiatives that often ignore the existence and importance of SSF. From social justice perspective, and based on the SSF Guidelines, this cannot continue. Thus, it is time to talk about Blue Justice to restore the rights of SSF and to include them in the discussion about sustainable ocean development.

#### Additional material:

Wikipedia entry on Blue Justice: [https://en.wikipedia.org/wiki/Blue\\_justice](https://en.wikipedia.org/wiki/Blue_justice)

Webinar: *Blue Justice for Small-Scale Fisheries*: <https://youtu.be/6w61IITBJWw>

## 5) Discussion

### Making Blue Economy inclusive to SSF:

- We need to think in terms of redistribution and ensure access and rights to fishing resources when complying with SDG 14. We must be aware of the different new actors in the ocean. We need to work on a Blue Economy that is inclusive to SSF and use TD approach to achieve this. If we do this, Blue Economy paradigm could be positive. If not, the Blue Economy is going to further marginalize SSF;
- We need to invest in the sustainability and health of the oceans in order to maintain the livelihoods of coastal communities. The issue is to learn how the ocean sustainability and Blue Growth are understood.

### Blue Economy – new ‘old’ neoliberalism:

- Mexico has recently conducted an event on Marine Spatial Planning that was linked to Blue Economy. To those familiar with SSF, it was clear that this initiative will negatively impact SSF. The event organizers could not even answer the question of “What are the scientific foundations of the Blue Economy?”. This is the same neoliberal process we have seen in the past, the difference is that now it’s called Blue Economy. It is important to inform people what this is all about, because without a doubt the Blue Economy paradigm is already present in Mexico;

- Blue Economy is pushed by World Bank but who can guarantee that there will be profit from our oceans? We should ask: “Where are all these forecasted benefits coming from? Governments are quite captivated as the Blue Economy initiatives come with a lot of money so it's not surprising that they feel this is the way to grow and develop the GDP. For additional information, check the presentation by Dr. Brice Trouillet in which he examines issue of Marine Spatial Planning and the inclusion of fisheries in marine plans (<https://youtu.be/bM4Pxx1bzuw>);
- Blue Economy and the SSF Guidelines represent two very different paradigms on fisheries and oceans and it remains to be seen how this will play out and which of these will have the power behind it.

#### Blue Economy and inland fisheries:

- We should make the concept of Blue Economy more 'palatable' to the governments in those countries that have only inland fisheries.

#### Building bridges and influencing politicians:

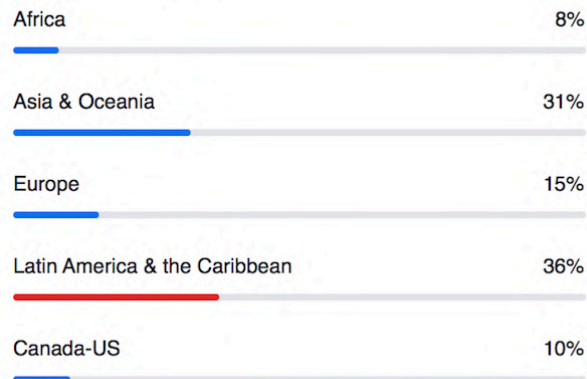
- We need to work more closely with politicians. But how do we do that? How do we build a bridge between different stakeholders and politicians in order to reach commitments?;
- Speaking to politicians is not easy! We come to them with complex narratives and they want simple solutions. We should use a more indirect approach, such as going through CSOs;
- We need to build capacity in cooperation;
- The problem is not scientific nor technical but a political one. However, we need to work with science through a bottom-up approach, and we need to build political will and identify allies alongside;
- We have to bring the 'meta-level' issues to the day-to-day levels (first order of governance) to help build the bridge between governments & communities;
- Scientists should advocate and help CSOs in bringing the issues to the meta-level;
- We should also utilize and leverage the education sector! Work with schools in small-scale fishing communities through trusted, established channels to engage stakeholders (students, teachers, parents) on ocean-human connections/natural-cultural heritage and create spaces for dialogue.

### Closing remarks:

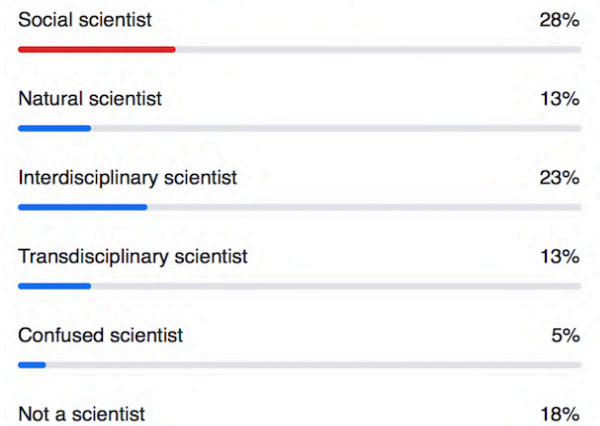
- TD is all about connection and interaction across different actors, areas, themes, and perspectives. It is fundamental in achieving common but complex goals, such as securing sustainable SSF and the SDGs;
- We heard about wicked problem, challenges and goals — now it's time to identify how and with what mechanisms we can move forward to achieve these common objectives;
- We heard about the fishers' groups, associations, and CSOs working to support SSF. While it is important that they get involved, we cannot leave all of the responsibility on them — everyone has a role to play!
- The resources on the TD online platform will be accessible to those who would like to spend more time on it. We will continue to add, modify and improve the content with your feedback and contribution;
- Feel free to contact TBTI ([toobigtoignore@mun.ca](mailto:toobigtoignore@mun.ca)) and FAO ([SSF-Guidelines@fao.org](mailto:SSF-Guidelines@fao.org)) for more information.

## Shorts surveys taken during the live sessions

### 1. Where are you based?



### 2. How would you identify yourself?



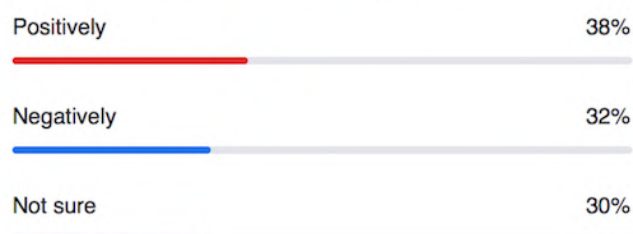
### 1. How would you describe your country's efforts to meet SDG 14b targets?



### 2. How interested is your country in the Blue Economy agenda?

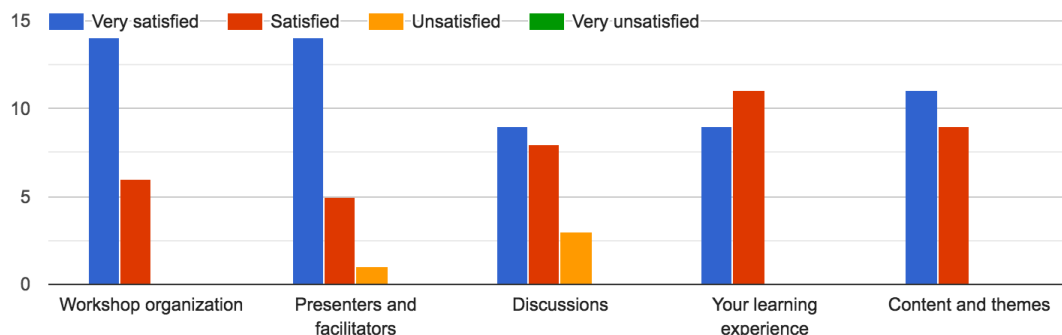


### 3. In your opinion, how will Blue Economy affect small-scale fisheries in your country?



## Participants' feedback (post-workshop survey)

### 1. How satisfied were you with the organization of the event?



### 2. What topics or aspects of the workshop did you find most interesting or useful?



#### ➤ Additional comments:

- The whole concept of recognizing the importance of artisanal fisheries is, in my view, badly needed. To realize how much governance is lacking for SSF was shocking;
- The general topic of the workshop (TD) is in itself the most interesting aspect. The topic on the wicked problems and definition of institutions were

also very useful to start thinking out of the box. The quality of the presenters was unparalleled too.

### 3. Can you provide some comments and suggestions to strengthen the workshop (including activities or initiatives you think would be useful, for the future)?

#### ➤ Online platform

- Combining the online platform with the live sessions was an effective way to conduct the workshop. It would be good to allow participants to spend more time in the online platform before the first live session takes place;
- If the workshop will be done through a virtual platform, it would be good to divide the participants into groups and establish a dynamic that reinforces the concepts being learned;
- Provide opportunity or spaces for the participants to showcase their cases and receive feedback;
- While discussion periods are a great feature of the TD workshop, it would be good to receive more guidance by the facilitators.

#### ➤ Live sessions

- It would be better to have 2 hour-long live sessions;
- Consider organizing 3 hour-long sessions to provide ample opportunities for interaction among participants;
- While recognizing the time constraint, a more active and interactive contribution from all participants might make the platform more interesting. Allow all participants to speak for few seconds up to minutes to voice their opinions;
- The videos explaining the concepts that were posted in the online platform should be incorporated in the live sessions since people have limited time to watch these videos as part of their "homework".

#### ➤ Concepts & examples

- Some concepts are hard to grasp so it's important to include some actual SSF examples;
- A clearer definition of the TD approach for SSF and all that it entails;
- Provide additional information about institution, including examples of various types of institutions in SSF;
- In terms of the wicked problems, it would be useful to provide real examples and discuss them in groups;



- The workshop was a good starting point but participants need to do a lot of reading and 'digging' to fully grasp the concepts of the workshop.

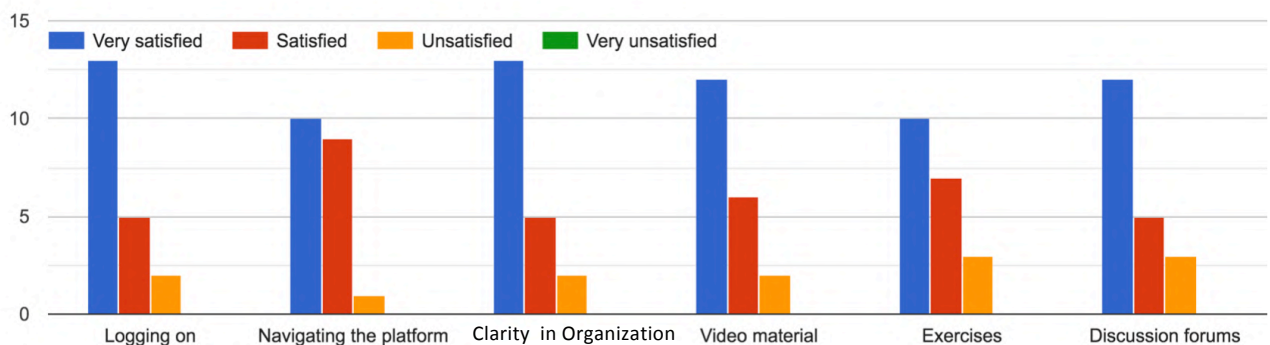
#### ➤ Country level workshops

- Organize country level workshops as situations and stakeholders are different depending on a country. Having country specific workshops may provide deeper insights into country level problems from the TD point of view.

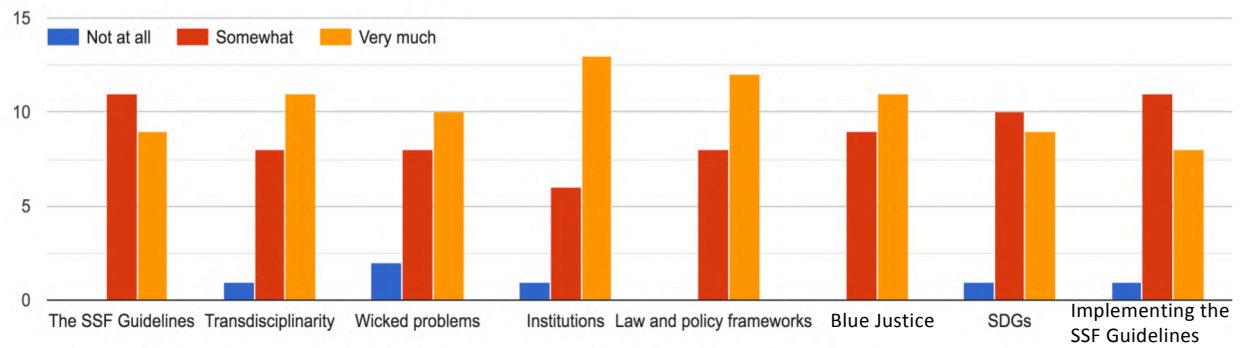
#### ➤ Participants

- Ensure participation of multiple stakeholders with different perspectives;
- The attendees to the workshop were mostly academics — more decision makers and politicians are needed in this type of workshop;
- If we think about open waters such as sea, oceans and international rivers then we need to enforce some rules and regulation and have joint activities by the adjacent countries of those water bodies. Active participations of researchers, governments, NGOs, law and enforcement agencies can help fix the problems and implement the SSF Guidelines so it's important to ensure their participation in this platform.

### 4. How satisfied were you with the TBTI Learning Platform?



## 5. Did your knowledge improve?



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