

Artisanal fishers of Peninsula Valdés, Argentina, confronting asymmetries of power and rights in the management of a Protected Area



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Although Argentina has a huge maritime platform, its citizens do not usually identify themselves with the sea but rather feel part of an almost exclusively agricultural and livestock country. Thus, artisanal marine fisheries are scarcely developed compared to other Latin American countries. Artisanal fishing in Península Valdés is an exception, with an origin that dates back to more than 3,000 years, practiced using rudimentary techniques and tools by the original Tehuelche settlers. At present, three fishing modalities exist which employ at least 120-130 fishers: beach seining, coastal gathering of mollusks and shellfish diving, all of which require a fishing permit issued by the provincial Fisheries Secretariat. Beach seining originated with the Italian and Spaniard immigrants who established in Puerto Madryn in the early 1990s, bringing their fishing expertise with them. They made their boats and nets, and provided fresh fish to the residents of the port area. Currently it is carried out by teams of 2-4 fishers who use a beach net between 70-120 m long and a small fiberglass or wooden rowing boat. The manual gathering of octopus and mussels (among others) is a tough, commercial and subsistence activity that originated in 1920-1930 in San Matías Gulf, Río Negro Province, and expanded to San José Gulf, Península Valdés in the mid-1950s. Shellfish hookah diving originated as an environmentally friendly alternative to dredging which was banned after San José Gulf was declared a Provincial Marine Park in 1974.

Photo: San José Gulf. ©APAPM archive

Location:

Península Valdés, Chubut Province, Argentina

Ecosystem type:

Marine

Main gear:

Seine net, hookah diving (air compressor and hose), coastal gathering (with hooks for octopus, and hand gathering for other shellfish species)

Target species:

slipmouth (sapsap), yellowtail scad (salay salay), hasa hasa (short mackerel)

Vessel type:

Boats < 9.9 m & row boat < 3 m.

No. of small-scale fishers:

120-130

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... One of the most successful ventures was a restaurant on the beach, run by women from artisanal fishing families. Its success was so great that it led local gastronomic entrepreneurs to pressure the municipal authority to tender the place and displace the fishers who could not compete against other bidders. A most positive long-lasting impact was the dissemination of the activity, its products, its recipes and the integration of fishers with the community as neighbors capable of transforming realities despite contrary predictions. As a result of that first experience, several fishers and their families started family ventures on their own, which were very successful and continue to this day...

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Types of justice:

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

Peninsula Valdés, whose lands are privately owned and have been traditionally used for sheep ranching, was declared a Protected Natural Area in 2001, including San José Gulf and part of Nuevo Gulf. Organized fishers participated actively in the elaboration of its Management Plan, which led to the listing of Peninsula Valdés as a UNESCO Natural World Heritage Site in 1999. This designation gave an important boost to the tourism industry, bringing thousands of national and foreign tourists, attracted by the spectacular beauty of a practically uninhabited territory and its wild fauna, especially the high concentrations of southern right whales and other marine mammals and birds that breed in the gulfs and coasts. Tourism is currently the third or fourth highest income-generating activity in the province.

The participation of the fishers in the elaboration of the Management Plan increased their entrepreneurial capacity and made them aware of the responsibilities and benefits of operating within a Protected Area. They became conscious that their products deserved to be distinguished for coming from a wild area with unique natural characteristics. Despite numerous attempts to improve marketing, they have not been able to obtain a certification of origin for their products, nor have appropriate marketing mechanisms been promoted by the government.

The local community has learned to appreciate the role of artisanal fishers as providers of good-quality seafood, worthy of a gourmet table. But the increased visibility of artisanal fishers has its other side. There are actors within the tourism sector who do not see artisanal fishers as allies but rather seek to expel them from the Protected Area. The confrontation with some of the local landowners for access to the beaches has been escalating and increasingly intimidating actions have been used against the fishers. Fishers are united in their struggle to defend their right to a decent and safe work but the lack of effective public policies leaves room for such excesses. Although support is emerging from various sectors of the community, the State has not exercised the mediating and facilitating role that it should in order to build forms of mutual collaboration and defend fishers' legal right to operate within the Protected Area.

Definition of small-scale fisheries

According to **Chubut Provincial Law N. XVII N. 86/2006**, specific to artisanal fisheries, “*Artisanal marine fishing constitutes a small-scale extractive activity, exerted by direct action in a habitual, individual or associated way, in the functions of captain or sailor, as well as coastal netter, shellfish diver or coastal gatherer, through the use of fishing gear and boats or without them, in the practice of capturing or collecting marine biological resources.*”

The Regulatory Decree N. 1899/2011, in its Article 2, expands the definition: “*Artisanal fishing: involves a small-scale activity developed by artisanal fishers, with particular gear and equipment, and manual fishing procedures, developed in an area or sub-area of the provincial coastline, for harvesting a particular resource or a set of particular resources.*”



... By state decision, artisanal fishers are not represented in the decision-making bodies established for the protected area, even though they participated actively in the development of its Management Plan. By contrast landowners and local commercial chambers are members of its board of directors. Fishers are thus passive subjects of the regulations generated by the different state agencies involved which have historically prioritized the interests of the local landowners...



Justice in context

The most pressing challenges are the lack of public policies designed to strengthen artisanal fishing as a productive activity, and that conceptualize the sector as an ally of environmental conservation and the activity as a tourist attraction for the region.

Additionally, the State does not act as a mediator in the face of power asymmetries between sectors. Landowners are powerful within Península Valdés, having access to decision-making spaces and great influence over public officers.

The high rotation of government officers does not allow a full appreciation within the State of the realities of artisanal fisheries; nor does it allow the articulation of short, medium and long-term projects as new staff in office tend to start all over from scratch when considering new strategies for the artisanal sector.

Lastly, there is a lack of political decision to promote a strong maritime culture for the general public.

Dealing with justice

The local artisanal fishery sector interacts on a regular basis with academic and scientific institutions, which have always collaborated with the Organization of Artisanal Fishers of Puerto Madryn.

The CCT CONICET-CENPAT (a Research Institution) presented a note recently (in March 2021) to the Ministry of Tourism to support the claim of the artisanal fishers regarding the cutting of access to the beaches in Península Valdés.

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