

United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea:

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Sustainable Development of Oceans and Seas and Their Resources:  
A People's Perspective

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The broad range of issues discussed by the Consultative Process during its first nine meetings has included topics of interest to small-scale artisanal fishworkers such as responsible fisheries and IUU fisheries; the economic and social impacts of marine pollution and degradation in coastal areas; fisheries and their contribution to sustainable development; and maritime security and safety. There is, however, a great interest among small-scale artisanal fishworkers to see at the Consultative Process and in the General Assembly resolutions a better recognition of the social dimension of sustainable development of the oceans and seas.

At the Global Conference on Small-Scale Fisheries, co-organized by FAO and the Government of Thailand, in Bangkok in October 2008, and at several preparatory meetings organized by ICSF in partnership with the World Forum of Fisher Peoples (WFFP) and other civil society partners in Asia, Africa and Latin America, small-scale artisanal fishworkers were of the view that fisheries resources should be responsibly shared towards the greater benefit of all fishing communities.

The small-scale artisanal fishers consider that responsible and sustainable fisheries can be assured only if human development and human rights of fishing communities are secured, including the right to decent work and labour standards. Small-scale artisanal fishworkers further believe that human rights are indivisible and that the development of responsible and sustainable fisheries is possible only if their political, civil, social, economic and cultural rights are addressed in an integrated manner.

The small-scale artisanal fishworkers recognize the importance of developing a coherent management framework and the importance of establishing effective inter-agency mechanisms for coastal and marine areas in a consultative and participatory manner, taking into account the economic, social and environmental dimensions of fisheries, including the impacts of climate change.

Although coordination and cooperation at different levels are recognized as crucial for conservation and sustainable development of ocean resources, and their integrated management, *how to* achieve such coordination and cooperation still remains a formidable challenge. Excessive political and economic power, for instance, wielded by some sectors exploiting marine and coastal space, against too little power and influence wielded by sectors such as small-scale artisanal fisheries, leads to the latter having to unfairly bear a larger share of blame for degradation of marine ecosystems.

The small-scale artisanal fishworkers also become victims of environmental damaging activities of other resource users such as industrial aquaculture, tourism and industrial fishing, mining and other polluting activities. They also sometimes become victims of biodiversity/fisheries conservation and management measures. This happens when they are forced out of their traditional fishing ground by the creation of marine and coastal protected

areas without their active participation, or when conservation programmes to protect certain flagship species are thrust upon them, without their prior consent.

Coordination and cooperation mechanisms, therefore, should protect the social pillar of sustainable development, and ensure that the burden of environmental degradation caused by powerful sectors is not shifted to weaker and less organized ones. These mechanisms should further ensure accountability proportional to the impact of different sectors on marine and coastal ecosystems and implement conservation and management measures, in consultation with indigenous, small-scale artisanal fishworkers and their communities.

In this context, disadvantaged sections of coastal communities, including women, need stronger support and representation in all decisionmaking bodies and should be afforded a say in regulating coastal and marine activities that have an impact on their life and livelihood.

Further, in relation to fisheries and habitat protection, there should be recognition of bottom-up processes to adapt conservation and management legislation and policy to local conditions. Such processes should also have the scope to recognize local governance structures, and use of traditional knowledge that might have strong in-built equity principles. Major groups such as non-governmental organizations and trade unions can play an effective role in facilitating such processes. Their views can be sought in attempts to enhance inter-agency coordination and cooperation.

Ensuring human development and protecting human rights that uphold human dignity and well-being can help generate greater ownership, particularly amongst fishing communities, to conservation and management measures. Inter-agency coordination mechanisms should, therefore, rope in agencies such as health, education, and rural development that deal with social aspects of sustainable development, especially of small-scale artisanal fishing communities.

In the long run, the central goal of sustainable development of the oceans and seas should be to create conditions whereby coastal communities, including men, women and children, enjoy their human rights, including improved working and living conditions. Protecting human rights need not, thus, only be a means to an end, but it can be an end in itself.

The objective of greater coordination and cooperation for implementing conservation and management measures should extend to seeking greater coherence between these measures and, inter alia, the Universal Declaration of Human Rights, the United Nations International Covenant on Economic, Social and Cultural Rights, the United Nations International Covenant on Civil and Political Rights, and the United Nations Convention on the Elimination of Discrimination Against Women, and the United Nations Declaration on the Rights of Indigenous Peoples. This is a crucial missing link in the current approach to sustainable development that needs to be quickly established.

We urge the Consultative Process to suggest to the General Assembly to adopt a resolution to reaffirm the social dimension of sustainable development of the oceans and seas and in this context, to seek greater coherence between measures for integrated management of ocean resources with the human rights instruments. Restoring a balance between economic, social and environmental dimensions of sustainable development may lead to effective action being taken at the national level to follow up General Assembly resolutions and the outcomes of the Consultative Process, particularly in relation to fisheries and the marine habitat.