

HOW CAN THE HUMAN RIGHTS APPROACH TO SUSTAINABLE DEVELOPMENT BE APPLIED IN SMALL-SCALE FISHERIES

MAIN ISSUES TO BE CONSIDERED WHEN IT COMES TO APPLY HRA TO SSF

- Low enforcement/implementation capacity on the Gvt's side and on the part of community the lack of capacity to make sure their own rights are respected
- Fundamental issue: Local people' understanding of their rights is weak, therefore must be improved
- Disconnection of information flow in both directions - Gvt agencies/decision makers and fishing community

HOW CAN THE HUMAN RIGHTS APPROACH TO SUSTAINABLE DEVELOPMENT BE APPLIED IN SMALL-SCALE FISHERIES-Cont'd

- HR should first be resource-based. In particular, focus should be on access to land for income generating activities and not solely on access to sea/fishery resources within the HR
- HR implementation requires that existing legislations/instruments at international level be translated at the national level (develop SSF-specific regulations).
 - Principles of HR are universal, but HR are meaningful when they fit within the specificity of countries (therefore different mechanisms for the implementation at national level to be developed)
- There is a need to recognize first the fishing community, because they have usually low profile/already geographically and politically marginalized

HOW CAN THE HUMAN RIGHTS APPROACH TO SUSTAINABLE DEVELOPMENT BE APPLIED IN SMALL-SCALE FISHERIES-Cont'd

- HR is a foundation and acquired right which should not be violated, but there is a distinction between individual and community right- It is proposed that collective right should be the focus when it concerns resource management
- The mandate of DOFs is usually resource management-focussed. Therefore to apply HRA and take care of the ss fishers, there should be a shift in the focus towards a people-centered mandate
- HRA is meaningful only when it is a bottom up approach
- There is a strong link between abuses of HR and level of poverty: Issue of child labour helping their parents but have to go to school. HR should be put into context.
- HRA is sound/effective? when it does not infringe the rights of others