

# A People's Perspective

The tenth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea called for sustainable development of the oceans and seas

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The United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS) was established in 1999 by the United Nations General Assembly (UNGA) to facilitate the annual review of developments in ocean affairs and to suggest particular issues to be considered by UNGA, with an emphasis on areas that require co-ordination and co-operation at the inter-governmental and inter-agency

achievements and shortcomings of its first nine meetings.

At the 2005 panel discussion, ICSF highlighted the importance of recognizing small-scale fisheries as the model for fisheries in the entire exclusive economic zone (EEZ). In 2009, however, the focus was on reaffirming the social and human dimensions of sustainable development of the oceans and seas, and the need to seek, in this context, greater coherence between measures for integrated management of ocean resources and the UN human rights instruments. ICSF also argued for greater protection of the social pillar of sustainable development (see box on ICSF's presentation).

ICSF brought to the attention of UNGA the deliberations at the Global Conference on Small-scale Fisheries in October 2008, in Bangkok, and the preparatory processes of civil society organizations, including ICSF and the World Forum of Fisher Peoples (WFFP), towards that conference.

## ICSF presentation

During discussions after the ICSF presentation, Brazil, South Africa and Sudan, on behalf of the Group of 77, and Sweden, on behalf of the European Union, commented on the presentation. Brazil said the presentation "highlighted an area conspicuously absent" during the previous ICP meetings. Maria Teresa Mesquita Pessoa, Minister Plenipotentiary, who spoke on behalf of Brazil, said the social dimensions of sustainable development of oceans and seas has been lacking in the ICP deliberations, and demanded a

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levels. The meetings are open to all States, and inter-governmental and non-governmental organizations (NGOs). UNICPOLOS, or its shorter version, Informal Consultative Process (ICP), meets for one week each year. Through the organization of discussion panels, UNICPOLOS also receives inputs from representatives of the major groups, as identified in Agenda 21.

The International Collective in Support of Fishworkers (ICSF) has been invited twice to speak on the discussion panels, first in 2005 at ICP-6, on small-scale fisheries and sustainable development, and then in 2009 at ICP-10, on sustainable development of oceans and seas from a people's perspective. ICP-10 focused its discussions on reviewing the

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review of the ICP mandate to bring in that dimension.

Sweden welcomed the role of civil society participation in the ICP meetings, and, on behalf of EU, sought inputs on how ICP processes can more effectively address sustainable development goals, especially those related to the social dimensions of sustainable development.

Amanuel Yoanes Ajawin of Sudan, on behalf of the Group of 77, welcomed the panel presentation and sought greater emphasis on sustainable development and the Millennium Development Goals at the ICP process.

Dire David Tladi, on behalf of South Africa, welcomed the presentation and highlighted “the need to reclaim social dimensions of sustainable development” at the ICP, and sought an in-depth discussion to arrive at a common understanding of sustainable development of the oceans

and seas. In the advance, unedited text of the report to UNGA on the work of UNICPOLOS at its Tenth Meeting, prepared by Paul Badji of Senegal and Don MacKay of New Zealand, Co-chairpersons of ICP-10, paragraph 27 reads: “The question of whether the Consultative Process should address issues related to human rights, including ownership of resources in the marine environment, was raised by several delegations. In this context, it was noted that a greater focus on social dimensions and human rights would also enhance stakeholders’ involvement, especially in coastal communities. This could be achieved with a greater focus on co-operation and co-ordination, not only at the global level, but also at the national level, by ensuring that all relevant national authorities and other stakeholders participated in the integrated management of oceans and seas.” 3

INTERNATIONAL INSTITUTE FOR SUSTAINABLE DEVELOPMENT (IISD)



Opening and exchange of views session at the Tenth Meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS), 17-19 June 2009, in New York

## Presentation: Social and Human Aspects of Ocean Development

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 illegal, unreported and unregulated (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 at the General Assembly, a better recognition of the social and human dimensions of sustainable development of the oceans and seas.

At the Global Conference on Small-Scale Fisheries, co-organized by the Food and Agriculture Organization of the United Nations (FAO) and the Government of Thailand, in Bangkok in October 2008, and at several preparatory meetings organized by the International Collective in Support of Fishworkers (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.

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.

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 co-ordination and co-operation at different levels are recognized as crucial for conservation and sustainable development of ocean resources, and their integrated management, *how to* achieve such co-ordination and co-operation 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.

Small-scale artisanal fishworkers also become victims of environmentally 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 grounds 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.

Co-ordination and co-operation 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 decision-making bodies and should be afforded a say in regulating coastal and marine activities that have an impact on their lives and livelihoods.

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 co-ordination and co-operation.

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 co-ordination mechanisms should, therefore, rope in agencies, such as those in health, education, and rural development, which 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 co-ordination and co-operation 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

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R. MESSORI/FAO



Fishers in Oman. Fisheries and habitat protection policies should be tailored to local conditions and traditional knowledge

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on Civil and Political Rights, 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, therefore, urge the Consultative Process to suggest to the General Assembly to adopt a resolution to reaffirm the social and human 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 the 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.

—*This Presentation was made at a Discussion Panel at the Tenth Meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS), 17-19 June 2009, in New York, by Sebastian Mathew on behalf of the International Collective in Support of Fishworkers (ICSF)*

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#### For more



[www.un.org/depts/los/consultative\\_process/consultative\\_process.htm](http://www.un.org/depts/los/consultative_process/consultative_process.htm)

**United Nations Open-ended Informal Consultative Process**

<http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/64/66&Lang=E>

**UN Report of the Secretary General to the General Assembly**

[www.ohchr.org/EN/Pages/WelcomePage.aspx](http://www.ohchr.org/EN/Pages/WelcomePage.aspx)

**Office of the High Commissioner for Human Rights**