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Is the Blue Justice concept a human rights agenda?

This submission was first presented at the African Expert Meeting: Operationalising a human rights-based approach to sustainable fisheries and aquaculture sectors in the African region held from 31 July – 1 August 2019 in Nairobi, Kenya.

BACKGROUND

- a) The Food and Agriculture Organization of the United Nations (UN-FAO), development agencies, World Bank, governments, regional bodies, big international conservation non-governmental organisations (NGOs) and philanthropies are all supporting a new development agenda of ‘sustainable blue economy’—of foreign direct investments in extractive industries such as oil, gas, minerals, and fisheries development through fast-tracking aquaculture growth from establishing hatcheries to investing in fish farming production and markets and claiming large areas of ocean space for protected areas.
- b) At the soul of the United Nations Sustainable Development Goals (UN-SDGs) is human rights, decent life, transnational equitable partnerships. For small-scale fisheries (SSFs) the UN-SDG goals of no poverty, zero hunger, gender equality, life below the ocean, life on and above the ocean, and life on land (next to the ocean, lake, and rivers) are all important and necessary but not sufficient. In the SDGs there is a stronger focus on equity—but we know not all is equal; especially for marginalised, vulnerable and voiceless small-scale fishers in the sustainable blue economy space.
- c) We also know the human rights narrative of social justice strongly influenced the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) and the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty (SSF guidelines). These guidelines are in an awkward, yet warm embrace with the neoliberal policies.
- d) Increasingly, we see the strong link between the UN-SDGs and blue growth/blue economy with a focus on large-scale ocean-related investments. Sustainability is situated within the privatisation of oceans space, and the promotion of elite, adventure tourism and a resurgence of fortress-conservation.

- e) I also raised concerns at the Too Big To Ignore (TBTI) World Small-Scale Fisheries Congress in Thailand, and the Sustainable Blue Economy Conference in Kenya with the UN-FAO's shift in focus away from the implementation of the SSF and VGGT guidelines towards the new development agenda of a 'sustainable blue economy'.
- f) The marginalised SSFs are now competing with blue growth/economy policies, the SDGs and rights-based fisheries. This is resulting in a loss of land, livelihoods, access, and the criminalising of livelihoods. The state plays a key role in forced removals of small-scale fishers' livelihoods by introducing rights-based fisheries, permits, licensing, and levies.
- g) Changes in the marine ecosystem are largely influenced by political positions or decisions, and it is difficult to divorce some of the environmental decisions from the broader political and economic spaces. Critical scholarship is using a political economic and ecological lens to situate the ocean, coastal, and blue grabbing narratives to highlight tenure, access and livelihoods issues and challenges facing SSFs.
- h) Under slogans such as payments for environmental services, the green economy, and the economics of ecosystems and biodiversity, public, private and non-governmental sectors seek ways to turn the non-material use of nature into capital that can simultaneously 'save' the environment and establish long-term modes of capital accumulation. Bram Büsher and Robert Fletcher coined the term 'Accumulation by Conservation' (AbC) in their 2014 paper of the same name. According to them, AbC is a mode of accumulation that takes the negative environmental contradictions of contemporary capitalism as its departure for a newfound 'sustainable' model of accumulation for the future. Another suggestion by Büsher is that AbC led to a growing dichotomy between protectionist and community-based conservationists, albeit not in terms of 'pro-people' versus 'pro-nature' but with respect to conservation values and scale."
- i) How then do we create space for small-scale fisheries in a sustainable blue economy? Moreover, why do small-scale fisheries need to justify their space, place and livelihoods in the Blue Economy? Why are we calling for blue justice of small-scale fisheries?
- j) What is Blue Justice? This concept is situated in a social justice for SSFs—a narrative that was popular for civil society movements and academics to garner support for the adoption and implementation of the UN-FAO SSF guidelines and VGGT. Through the Civil Society Mechanism (CSM), SSFs aligned with land, tenure, and food movements. Blue Justice is contesting that the ocean, coasts, lakes and protected spaces is about creating an enabling environment for small-scale fisheries to engage meaningfully, and to challenge their exclusion and marginalisation which is brought about by the privatisation of oceans, the promotion of elite tourism, and fortress-conservation by the Blue Economy via the SDGs and rights based fishing. Blue Justice is

also a call for research to form a collaboration with civil society movements, NGOs, and practitioners to challenge these spaces and narratives.

Below are two examples of how small-scale fishers are being marginalised by the blue growth policies; one from South Africa and the other from Tanzania.

BLUE ECONOMY'S "OPERATION PHAKISA" IN SOUTH AFRICA

In the southern Cape Coast, you find increasing coastal property development, tourism (whale watching, shark cage diving, etc.), capital intensive inshore fisheries and abalone aquaculture production, marine protected areas, spawning grounds for keystone small-scale species, and high levels of abalone poaching activities from criminal syndicates (Isaacs and Witbooi, 2019). These all add to the spatial and sustainability challenges of space and place for small-scale fisheries. This area is where you find extreme wealth parallel to extreme poverty. The inequalities are stark with a competing interest in blue economy investment, and conservation narratives are competing with the most basic livelihoods of the poor, vulnerable and marginalised communities. In 2014, Operation Phakisa ("phakisa" means "hurry up" in Sesotho) was launched as an integrated oceans governance and protection framework to fast-track and unlock the South African ocean's economy through growth policies and create jobs in extractive industries (oil, gas, seabed mining etc.), spatial marine planning and coastal development, marine protected areas, and aquaculture development zones. The community of Buffeljagsbaai saw a number of capital-intensive abalone aquaculture farms constructed on their ancestral and community land with the promise of jobs. However, in reality, few jobs were given to those living in this community. The few jobs available, were mainly in low-skilled infrastructure development and maintenance jobs. Despite all the blue economic growth, unemployment rates are high, poverty is widespread poverty, and many people living in coastal communities throughout South Africa remain food insecure.

FAILURE OF THE BLUE GROWTH ECONOMY TO BENEFIT SMALL-SCALE FISHERIES IN TANZANIA¹

With the discovery of oil and gas in the southern Tanzanian region of the Mtwara Rural District, there is an increase in large-scale investment; with the promise of socio-economic development through corporate social responsibilities (CSRs) or social investments (SIs) to transform community livelihoods. However, the Tanzanian government removed communities from their land and livelihoods to make space for oil exploration and drilling gas wells without providing these now displaced communities with fair compensation.

Access and tenure systems for natural resources play a key role in the multiple livelihood strategies for farming, livestock grazing, fishing, and the collection of fuel wood, sustainable utilisation and resource management. In reality, many of the rural people are displaced, have insecure tenure, are landless, asset and resource poor.

¹ Publication from Rose Mtui and Moenieba Isaacs forthcoming.

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