**Call for input / The Right to Food and Securing Sustainable Small-Scale Fisheries**

This submission is made by Masifundise Development Trust, a non-governmental organization based in Cape Town, South Africa, working closely with coastal and inland fishing communities at national, regional, and a global level (through membership in the World Forum of Fisher People), toward the realisation of the human rights of small-scale fishing communities. In this Call for Input, we focus on answering the guiding questions 1, 3, and 4, emphasizing on the right to food of inland fishers in South Africa. Our input is based on our work with inland fishing communities since 2015, through mobilisation and support, and gathering insights and knowledge of inland fishing communities in the areas surrounding the Gariep, Vanderkloof, and Jozini dams.

**1. What are the main human rights challenges facing small-scale fishers and fish workers in your country?**

Although no official statistics exist, it is estimated that there are approximately 80,000 people involved in small-scale fishing activities in the inland areas of South Africa. Inland fishers make use of the fish resources from their surrounding catchment and river systems to fulfill their right to food and nutrition and related human rights. Through these activities, they are not only providing much-needed access to affordable and nutritious food for themselves and their families but also to their communities.[[1]](#footnote-1) Their ability to do this is extremely important, considering the high levels of poverty, unemployment, and food insecurity that are prevalent in rural areas, especially impacting women and children.[[2]](#footnote-2)

During the Apartheid dispensation, the governance of inland dams overlooked the contribution that these water bodies made (and had the potential to make) to the livelihoods of Black communities living in rural areas. The focus was instead on conservation and a racially skewed development of the recreational fishing and tourism industry, mostly to the benefit of elites.[[3]](#footnote-3) In the post-Apartheid dispensation, the aforementioned pattern of neglect and marginalisation continued. Inland small-scale fishers have been left to operate in a legislative vacuum, without policy or legislation to guide the management and governance of freshwater resources. This continues to carry dire consequences as the lack of formalised recognition places small-scale fishers at constant risk of harassment and criminalisation when they try to access the dam or river to fish for their livelihood. They ascribe the criminalization of their fishing activities to the preference that is given to exclusionary conservation management, tourism establishments, and other elite interests over their livelihoods and human rights. Fishers are fighting back to secure their right to food and nutrition and to make a living, and there are progressive steps towards the realisation of their rights but this is happening at a very slow pace (see information provided in question 3).

**3. To what extent small-scale fisheries, coastal communities, and fishery workers have been included in national and international policy processes related to the fisheries sector?**

Over the years, there has been an increase in the recognition from the Department of Forestry Fisheries and Environment (DFFE) that inland dams and rivers can play an important socioeconomic role in providing fish resources to poor and marginalised rural communities and have the potential to fulfill local livelihood needs.[[4]](#footnote-4)

Since 2017, the South African government has been in the process of developing an inland fishing policy. However, the National Freshwater (Inland) Wild Capture Fisheries Policy was only approved by the Cabinet in August 2121, and finally gazetted it in February 2022. In December 2022, DFFE published a draft implementation plan for the policy, in which a user-friendly permitting system that will legalise and authorise fishers’ access to their traditional fishing grounds, is estimated to be realised by March 2027. As a pre-condition for defining access rights, DFFE has indicated that a legislative review of policy ordinances at the provincial level will be required and it may be necessary to draft a new legislative act at the national level. This process will most likely continue to take a long time before a formal right to practice small-scale fishing (especially under decent working conditions) will be realised.

Hitherto there has not been any allowance made for provisional measures while the aforementioned processes unfold. It continues to leave inland small-scale fishers in the vacuum that they currently operate in, under a governance system fragmented across provincial departments and conservation agencies without adequate guidance as to how to handle the matter under current circumstances. Meanwhile, fishers are compelled to fulfill their livelihood needs in one of the only ways that are possible for them, through fishing, albeit under precarious conditions and ongoing threat of criminalisation. It is therefore a matter of urgency for DFFE to put in place provisional measures to secure safe access for inland fishers to their fishing grounds, as well as an enabling environment for decent working conditions.

**4. What are the main concerns regarding working conditions in the fisheries supply chain? Which parts of the supply chain are the most dangerous or problematic?**

Many of the women involved in the inland small-scale fishing sector derive their livelihood from activities associated with the post-harvest value-chain. It is therefore concerning that the National Freshwater (Inland) Wild Capture Fisheries Policy makes no mention of gender equity nor of how women will be included within the sector. To this effect, consideration should be given to the need for capacity-building and access to infrastructure and equipment for fishers throughout the value-chain while the care and social reproduction work and responsibilities that affect women are also taken into recognition.

1. Masifundise, “Casting Nets of Change” <https://www.masifundise.org/wp-content/uploads/2023/09/IF-Research-Report-September-2023-Online.pdf> [↑](#footnote-ref-1)
2. Cleary K, “Special investigation: Shocking levels of child hunger in rural KZN”. [↑](#footnote-ref-2)
3. Britz et al, “Scoping study on the development and sustainable utilisation of inland fisheries in South Africa”. [↑](#footnote-ref-3)
4. Department of Forestry, Fisheries and Environment, “National Freshwater (Inland) Wild Capture Fisheries Policy for South Africa” [Draft National Freshwater (Inland) Wild Capture Fisheries Policy[72] (dffe.gov.za)](https://www.dffe.gov.za/sites/default/files/legislations/wildcapturefisheriespolicy.pdf) [↑](#footnote-ref-4)