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Yemaya

ICSF'S NEWSLETTER ON GENDER AND FISHERIES

From the Editor

Fishing communities in several parts of the world have been fishing for generations. Over time, they have evolved systems of internal governance and ways of regulating resource use. For many such communities, fisheries is not only a livelihood, it is a culture, an identity and a way of life.

Globally, given the growing pressure on fisheries resources, there is recognition of the need to improve management of fisheries resources and habitats, and, equally, of the importance of retaining identities, cultural traditions and community values. It is becoming evident that any system of management, if it is to succeed, must build on existing social systems, taking note of socio-economic, cultural and ecological specificities. In this context it is being pointed out that community-based systems of management, founded on systems of internal governance and self-regulation within communities, can play a vital role, given that community decision-making processes are relatively democratic and consensual.

While this may be true, it is equally the case that consensual decision-making often excludes women's participation, and that this omission is justified in the name of 'tradition' and 'culture'. Typically, the cultural norms prevailing in society, including in fishing communities, dictate that most decisions within the household and community are made by men, even when these involve women. Whether cultural norms should supersede norms of justice and fairness is, of course, highly questionable.

There is also a need to take a critical look at the prevailing sex-based division of labour, which is also justified in the name of tradition and culture. Tasks such as cooking, taking care of the physical health and emotional needs of family members, engaging in post-harvest fisheries-related work, preparing for ceremonies, rituals and festivals, contributing to community events like weddings, funerals and birth ceremonies, supporting community members during times of need, and so on, are performed by women. While this work is critical for the survival and reproduction of the household and community, because it takes place in the 'private' sphere, it is hardly recognized, acknowledged or supported.

Why is this work, so essential yet so devalued, seen only as women's work? Is it not necessary to reshape the cultural norms that impose this sexual division of labour? Should the false separation of the 'private' and 'public' spheres not be challenged? While there is a strong case for valorizing and building on tradition and on cultural norms, values and institutions, this should not be at the cost of violating women's human rights.

Analyzing women's experiences of life-sustaining work performed at home, in the community and in the market place, shows that culture and tradition are not static, immutable relations. On the contrary, women in many different contexts have challenged what appeared to be fixed, taken-for-granted assumptions about women's work, their roles and the value of these roles in their communities. In some instances, changes in women's work have come through contradictory forces, such as globalization, yielding certain benefits to women whilst threatening other social or ecological relations in their communities (see page 2). In other contexts, changed gender relations have come through lengthy struggles in which women have fought hard to carve out space for themselves in traditionally male-defined domains.

Across widely divergent cultures and contexts, women are redefining many assumptions about the nature of human rights, questioning the ethic for adjudicating human morality, and emphasizing the importance of adopting a more transformative approach that balances contested and competing rights in favour of a broader conception of what it means to be part of a social, economic and ecological community.

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Confronting Authority, Negotiating Morality

This article brings out the contradictions inherent in globalization, a force which might reinforce structural inequalities faced by women at a global level, but can, at the same time, offer liberating opportunities to poor women locally

By **Annu Jalais** (a.jalais@lse.ac.uk), author of the book "Forest of Tigers: People, Politics, Environment in the Sundarbans"

Globalization, whether it has diversified or restricted the economic options of communities worldwide, has brought significant changes in the way people perceive and live out social relations. Prawn seed collection, which started in the mid-1970s in the inhabited islands of the Bengal delta just north of the Sundarbans forest, has provoked growing criticism from environmental and NGO activists due to the catastrophic effect it wreaks on ecosystems world-wide. In this article I shall not discuss the prawn industry's destructive nature but highlight how, in the inhabited islands of West Bengal Sundarbans, prawn related occupations bring to light dilemmas of a moral order. While they may threaten the environment, they also appear to threaten a deeply entrenched order based on traditional notions of gender and hierarchy. Island women themselves countered these criticisms in interesting ways.

The rivers and canals of the West Bengal Sundarbans are an incredible repository of fish, and its prawn fisheries have earned a considerable amount of foreign exchange for India. Among the various types of prawn that are commercially farmed, the 'tiger prawn' (*Penaeus monodon*), locally known as *bagda*, is the largest in size and known to have the most delicate taste. Indeed, tiger prawns have been called the 'living dollars' of the Sundarbans. It is estimated that around 10,000 hectares of the inhabited islands north of the Sundarbans forest have been converted into prawn fisheries.

ENVIRONMENTAL JUSTICE FOUNDATION

Long hours, little money. A girl collecting fry in the Sundarbans, West Bengal, India

Prawn seed is collected from the rivers flowing in the southern part of the region. As the soil of this region is not very fertile and periodically gets submerged by the rivers' salt water, a large section of the population of these deltaic islands depend on the forest for crab, wood or honey, or work in the rivers as fishers and prawn seed collectors.

Recently banned by the Government, prawn collection became very popular and was one of the most stable sources of revenue for the islanders of the Sundarbans. A couple of hours of net-pulling easily brought in more money than a whole day of farm labour would. This occupation grew rapidly after the disastrous cyclones of 1981 and 1988. The cyclones broke the embankments around many islands, causing them to be swept away. Crops worth about Rs830 mn (US$17.7 mn) were damaged and the land was rendered saline and uncultivable. The islanders who were most affected were those living along the banks of rivers, mainly the fishers and forest workers. The little land they owned was lost and many women, to prevent their families from starving, resorted to prawn seed collection as they were offered ready cash for the prawn seed they collected.

Prawn collection developed very rapidly in the 1980s also because it was a time when the government came down heavily on those who tried to enter the Sundarban forests without passes. The passes were expensive to obtain and the officials were ruthless in extorting fines from trespassers. In the context, prawn seed collection quickly gained popularity. It could be practiced along island banks and did not entail having to venture into the forest, it could be undertaken at one's own convenience, it was highly lucrative, and finally, it was legal and untainted with the stigma of forest-related work.

Prawn collection thus enabled the poorest, and especially women, to gain economic stability. As the islanders often pointed out, it was the introduction of prawn collection that enabled the most marginalized amongst them to afford two square meals a day. However, this occupation drew severe criticism from the village elite. In their view prawn collectors were 'greedy' and posed a threat to the 'ethics' of village life. Strikingly, the outrage of the village elite was provoked neither out of concern for the global commons of the Sundarbans nor the fact that an increasing number of women prawn collectors were falling victims to crocodile attacks. Rather it was based on an urban, middle-class preoccupation with gender-based morality and social hierarchy. The substance of the elites'

critique was that it made women 'uncontrollable' and the poor 'arrogant', because, with the money they were making, they now 'dared' to challenge the hierarchies of village life.

Let me illustrate this point with an example. One day while I was sipping tea at the marketplace near the village where I was conducting research, a school teacher—part of the social and economic elite in the village hierarchy—began a conversation with me. "Do you know," he asked, "the main reason for all these prawn seed collectors' deaths by crocodiles? It is greed. So many of these women, forgetting their children, run at the break of dawn to the river with their nets, to pull in dollars! The American and Japanese taste for tiger prawn is spoiling our traditional way of life. Now the women don't stay at home to cook for their husbands, all they're interested in is making money."

Later, one woman, Arati, a prawn seed collector who had overheard this tea-shop conversation, asked in a sarcastic tone, "Do you know what he actually meant by 'traditional way of life'? He meant being able to exploit us on his fields for a few rupees. Prawn seed has saved us; they are the living dollars of the Sundarbans, and we will win against the landed gentry and their ruthless exploitation. I can now not only support my children's education but also buy myself a new pair of slippers when I need them."

The antipathy of the village elite towards the prawn seed collectors has to be understood also as a struggle for control of the local economy. The land-owning elite resent the fact that share-croppers and wage labourers, after the entry of prawn-seed collection, refuse to work their fields for the meagre wages they were earlier paid. The women now prefer to collect prawn seed and sell it to the highest bidder. They prefer to borrow money from prawn dealers who are people from their own socio-economic milieu rather than from the landed elite.

While studies have argued that globalization has been detrimental to women due to the growing structural gender inequalities it has given rise to, the view held by many women, especially those from lower socioeconomic backgrounds, is that it has given them greater opportunities to challenge pre-existing patriarchal norms. They feel more empowered compared to an earlier generation of women.

Arati's critique of the school teacher's condemnation of poor women and their bid for economic autonomy brings out the dilemmas of negotiating morality. The experience of globalization amongst poor women after all can also be an expression of a basic aspiration: the aspiration for human dignity.

> **"Prawn seed has saved us; they are the living dollars of the Sundarbans..."**

The UNIFEM website

What's New, Webby?

The United Nations Development Fund for Women (UNIFEM) has launched a website to celebrate the 30th Anniversary of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (http://www.unifem.org/cedaw30/). CEDAW, the international human rights treaty for women, was adopted by the United Nations General Assembly 30 years ago, on 18 December 1979. To date, 186 countries have ratified the Convention.

The Convention's 30th Anniversary provides an occasion to celebrate its near-universal ratification, as well as the recent progress that has been made at the national level to implement CEDAW and make true gains for the rights of women and girls on a practical, everyday level. Through the passage of new constitutions as well as national laws and policies based on the principle of gender equality, women's human rights are now becoming national standards.

The UNIFEM website highlights a number of successful stories of the Convention's implementation from around the world. Mexico, for example, has embarked upon a major transformation of its response to violence against women, with the 2007 passage of the Mexican General Law on Women's Access to a Life Free of Violence. The law provides a comprehensive vision of government responsibility for preventing and eradicating violence against women (VAW), based on recognition of it as an extreme form of discrimination and violation of women's human rights.

In Kyrgyzstan and Tajikistan more women are now successfully claiming the right to own land and helping to avert the threat of feminized poverty, due to comprehensive changes to the land reform processes. In Kenya, where courts have forcefully asserted that the principle of gender equality must be respected despite a traditional male bias, women and girls are getting a fairer share of inheritance. For example, in the Rono vs. Rono case in Kenya, sons claimed a greater share of their deceased father's property arguing that, "according to Keiyo traditions, girls have no right to inheritance of their father's estate". They also argued that customary law supported their claim. The courts, however, ruled that where discrimination is at stake, the Constitution and human rights standards must prevail.

Painting the Diversity of Mangroves

Mangroves sustain fish stocks, protect the ecosystem and sustain livelihoods. Women from many mangrove-dependent communities met in Ecuador earlier this year to share their stories and dreams

By **Verónica Yépez** (veroy@ccondem.org.ec) Director of Communications, C-CONDEM, Ecuador; www.ccondem.org.ec

"Mangroves employ those who no-one else can employ
No company can produce what the mangrove gives us to enjoy
They guard so many species, species as many can be
Food in so much abundance, we never can have any need"

(The Mangroves are Ours by Reverside Castillo, Bolívar Muisne)

The island of Muisne in the Province of Esmeraldas, Ecuador, witnessed a unique gathering earlier this year, from 29 to 31 May 2009. More than 80 women shellfishers, crabbers, fishers, and oyster and clam gatherers met to share their experiences of life in the mangroves. Women from the Ecuadorian mangrove areas met with others from REDMANGLAR International, from Colombia, Honduras, Mexico and Brazil. The three-day meeting captured the historical memory of the women who live in, and struggle to defend, mangrove ecosystems.

VERONICA YEPEZ

More than 80 women shellfishers, crabbers, fishers, and oyster and clam gatherers met from 29-31 May 2009 in Ecuador, to share their experiences of life in the mangroves

"My clamming work has helped me provide my kids with an education, so that they don't have to be like me, so that they can be better. I feel proud that my kids have got a way forward, thanks to my work as a clammer. I haven't left them like my mother left me, with no education", said Jacinta, delegate from Muisine canton, Esmeraldas Province, Ecuador, on the first day of the meeting. These words set off a fierce polemic amongst the participants. Some women appeared to be disconcerted by her words; others were in total agreement.

Julia, from Tumaco, Colombia, protested, "I don't understand how you can love mangrove work so much and yet say that you don't want your kids to do it. We cannot turn our backs on what we are. We must teach our boys and girls to work hard because that makes them better people. It does matter whether or not they study but what is more important is to know how to work and how to work with honesty."

The discussion picked up. It's because life in the mangroves is getting harder, said some; others agreed with Julia and said that mangrove work is dignified; that they are proud to be crabbers and that their entire families, grandmothers down to grandchildren, are in the mangroves, daily.

We split up into groups, by provinces, for more focused discussions on the mangrove ecosystem; to hear each woman's story about her work, about her struggles to survive.

The words of the women painted the biodiversity of the mangroves, bringing vividly to life images of families working; children playing as also the ongoing destruction of the mangroves. We dreamed collectively of how we would like life to be in the future. We became friends and met many other women like ourselves.

Women from El Oro, in the South of Ecuador, felt that society, though it thrived on the labour of women like themselves, did not adequately appreciate the wonders of the mangroves. The mangroves were being run down by the powerful. "We want to raise our voices so that we are heard and respected," said the women, "conserving what is ours, and through which we sustain our economies."

Women from the Esmeraldas Province in the North of Ecuador work with a cigarette in their mouths. The smoke gets rid of mosquitoes as they gather shellfish in the mangroves.

"We women are suffering," they said, "because the mangroves are being destroyed and with that, the livelihoods of our children and our grandchildren are being destroyed too. We have been threatened and attacked. The shrimp farmers have shot us and set dogs on us to chase us out so that they can take over the heritage of the mangroves which is ours. But here we are, ready to give up our lives if necessary, because we were born here. Our history is here, our tales, our work, our food, our families and friends all here. We dream of the day that our community will own the mangroves."

In the province of Manabi in the central coast of Ecuador, women are struggling in two zones: in the estuary of the river Portoviejo and in the estuary of the river Chone.

"We used to be fisherwomen," they said. "We also used to engage in short cycle agriculture. When the shrimp came, we would begin collecting larvae for the laboratories but soon it was all over. Many of us now have no work; a few do, de-heading shrimps for the tanks, but it is hard, the pay is low, and it is not permanent."

The women from Manabi described how in earlier times, the El Niño used to be a blessing because with it came an abundance of fish and the soil was renewed. "But," they lamented, "ever since the mangroves have disappeared, whenever the El Niño strikes, everything is swamped, houses are lost and people have to leave the area."

These women dream of the day when their mangroves will be restored to them. Until that day, they promise to march, to struggle, to win.

In Guayas in the south-central Ecuadorian coast, there is still a great diversity of fish, shrimp and molluscs, and large areas of mangroves are being protected by the communities. However, in certain places, like the island of Puná, shrimp farmers are felling the mangroves, and, as a result, many shellfishers and crabbers have lost both their livelihood and their food security.

In Santa Elena, also in the south-central Ecuadorian coast, the mangroves have been heavily felled, but the coral reefs survive and some fish stocks are still available. The introduction of industrial fisheries, however, has put the future of traditional fishing communities under threat. The depletion of the mangroves, which are the breeding grounds for fish, is greatly worrying.

The women of Santa Elena said, "We want the shellfish back in the mangroves so that we too can make daily catches of 1,000 or 1,500 shells like our mothers and grandmothers used to, 20 years ago. We dream of the mangroves becoming healthy once more so that men continue to work there, so that we can make charcoal and mangrove wood houses."

The final day of the meeting saw a wonderful act of restoration. The workshop participants reforested two hectares of mangroves in Casa Vieja in the parish of |Bolívar. This area had been steadily destroyed by a shrimp farmer, whose illegal shrimp ponds occupy nearly fifty hectares of mangroves. Thereafter, the women petitioned Ecuador's Environment Minister to formally register the area in order to protect it and enable it to come to life once more.

Milestones

Nobel Laureate Elinor Ostrom

"The best solutions to global problems like deforestation and depleted fisheries often lie with local people", asserts Professor Elinor Ostrom, the American political scientist who was awarded the Sveriges Riksbank Prize in Economic Sciences in Memory of Alfred Nobel for 2009. Notably, she is the first woman to have won the award in its forty-year history.

Ostrom won the award for "her analysis of economic governance, especially the commons". In an interview, after the announcement of the Nobel Prize, Ostrom pointed out that common ownership is much more effective for the management of natural resources than is usually appreciated.

Through empirical research, based on field studies of user-managed common pool resources such as fish stocks, pastures, forests and ground water basins, Ostrom has shown that under certain conditions, when communities are given the right to self-organize, they can and do work together to manage their resources.

Ostrom's work has consistently challenged conventional wisdom that maintains that common pool resources, if they are to be saved from overexploitation—the 'tragedy of the commons'—must either be privatized or brought under government regulation and management.

The award to Ostrom will come as a shot in the arm to indigenous and local communities who have consistently pointed out that they are the best managers of their resources, provided their rights to use and manage resources are upheld.

Blind to Sector and Gender

A recent workshop highlighted the European Commission's blindness to the importance of women and fisheries

By **Brian O'Riordan** (briano@scarlet.be), Secretary, ICSF Belgium Office

"Our sector can be viable, sustainable, and with a promising future, if given fair treatment and due recognition." These words, from the preamble of a statement drafted by participants of a recently-held workshop, held in Brussels, Belgium on 28 September 2009 and attended by over 60 participants from eight countries highlight a major stumbling block to achieving responsible and sustainable fisheries in Europe. Although it is the majority sector, Europe's small-scale, artisanal, low-input fisheries is poorly understood and inadequately documented. This means that the contribution of the sector to sustainable development is hardly recognized let alone valued.

The theme of the workshop was "Common Fisheries Policy Reform in the European Union and Small-Scale Fisheries: Paving the way to sustainable livelihoods and thriving fishing communities". The workshop clearly highlighted how, if the European Union's Common Fisheries Policy (CFP) is blind to the existence of small-scale fisheries thereby discriminating unfairly against the sector, the situation is much worse for women.

Women workers from the Spanish shellfish sector, gear riggers, French shellfish farmers, and collaborating spouses; women academics, activists and NGO workers were among the highly diverse group of workshop participants from Iceland, the Azores, Madeira, Canary Islands, Galicia, Cantabria, Asturias, Basque Country, the Mediterranean and Atlantic coasts of France, the South and South West of England, Wales, Ireland and the Netherlands.

BRIAN O' RIORDAN AND YANN YVERGNIAUX

Round Table at the Brussels workshop on 'Common Fisheries Policy Reform in the European Union and Small-scale Fisheries'

In her talk, Katia Frangoudes, the Animator of the European Network of Women's Organizations in Fisheries and Aquaculture (AKTEA), highlighted how rare it is for women's representatives to participate in consultation and decision-making processes in the fisheries. It was, she pointed out, the European Commission's blindness to the importance of women in the fisheries that led to the setting up of AKTEA in 2001.

The 2002 Green Paper on CFP Reform mentioned the word 'women' only once. Now, after seven years of lobbying and advocacy work by women's organizations amongst the European institutions, women find no mention whatsoever in the Commission's 2009 Green Paper on CFP Reform! This is despite the fact that Articles 3 and 4 of the Treaty on the European Union, mandate equality for men and women in all EU policies.

Representing the Galician Association of Shellfish Gatherers (Asociación Galega de Marisqueo a Pie (Areal)), the President of Areal, Dolores Bermúdez, observed that the shellfish-gathering sector in Galicia had been struggling for years to get organized and ensure the sustainability of shellfish beds. In 2007, about 3,952 women and 231 men were recorded as shellfish gatherers. Women thus constitute 95 per cent of the total workforce. The importances of the sector is also reflected in the high value of shellfish in Galicia.

Dolores pointed out that despite the importance of the sector at both the EU and the member state level, the 2009 Green Paper makes no mention whatsoever of shellfish gathering, adding that this lack of recognition means a lack of access to EU funds.

Annie Castaldo, a shellfish farmer from France, voiced concern about the sustainability of shellfish gathering. Shellfish farming along the French coast too is heavily dependent on women's labour. Seventy per cent of the workers in the sector are women, working eight hours a day, both onshore and in the water. On the coast where Annie works, there is no fishing and all the runoff water from agricultural lands passes into the lagoons and sea in the area. Fisheries management here, she pointed out, cannot therefore be carried

out independent of the management of the surrounding land areas.

The workshop declaration called upon the Maritime and Fisheries General Directorate (DG Mare) of the European Commission, on the European Parliament, on the Council of Ministers, on the Fishing Industry representatives, on the Trade Unions, on NGOs, on scientists, and on National and Regional Fisheries Authorities to provide small-scale fishers with fair treatment and fair access to resources. The declaration included the following demands:

1) Marginalized groups, including small-island communities dependent on fishing, women in fishing communities and independently organized fishers and fish farmers should not be unfairly discriminated against in the allocation of access rights to resources and their views must be included in policy matters in the fisheries.

2) The CFP reforms should recognize and valorize the contributions made by small-scale fishing activities towards social, cultural, economic and environmental sustainability.

3) The role of women in fisheries should be recognized and respected and their contributions to the fisheries and the wider community must be valorized. Women should be accorded proper status as collaborating spouses and economic actors, and the importance of their social, cultural and economic activities must be recognized.

4) The inherent vulnerability and resilience of fishing communities must be noted in the reform process. There should be detailed impact assessment studies and baseline community profiles on the basis of which alternative activities and livelihood diversification schemes, which take into account local realities and capacities for change, should be promoted.

5) Particular attention must be paid to the role of women in fishing communities to ensure that alternative livelihood options do not increase women's existing workload.

A special website (http://ec.europa.eu/fisheries/reform/index_en.htm) has been set up by the European Commission to gather submissions from EU citizens with an interest in the future of Europe's fisheries: fishermen, fish processors, retailers, environmentalists, consumers and taxpayers. Being solicited is their vision of Europe's fisheries and ideas on how that vision can be realized. "The mosaic of views that will be collected will pave the way for a substantial overhaul of the way that EU fisheries are managed", states the website.

It is vital that the voices of the small-scale fishing sector are heard in the CFP Reform process. But time is short. A public consultation is being organized on this issue by the European Commission on December 31, 2009. All interested parties should submit their views before this date.

...women find no mention whatsoever in the Commission's 2009 Green Paper on CFP Reform!

REFLECTIONS DISCRIMINATION AGAINST WOMEN

Securing Fundamental Freedoms

Although over 50 years have passed since the introduction of international human rights instruments pledging 'the equal rights of men and women', discrimination against women persists

By **Jackie Sunde,** (jackie@masifundise.org.za), a researcher with Masifundise Development Trust, an NGO working with fisher and coastal communities in South Africa, and Member of ICSF

"Adopt specific measures to address, strengthen and protect women's right to participate fully in all aspects of small-scale fisheries, eliminating all forms of discrimination against women…"

The hopes of women living in fishing communities around the globe were expressed in the above statement issued by the Civil Society Workshop in Bangkok, held prior to the Global Conference on Small-scale Fisheries in the same city in October 2008. The statement was presented to the 28th Session of the Committee on Fisheries (COFI) of the Food and Agricultural Organization of the United Nations (FAO) held in Rome in March 2009. The statement as a whole reflects the outcome of considerable work undertaken by civil society organizations to advocate a 'human rights-based approach' to small-scale fisheries. But looking back, what do these words mean: '*adopting specific measures*' towards '*eliminating all forms of discrimination against women*'? They express no doubt a radical and transformatory goal for a traditionally highly male-defined sector. Is the 'human rights-based' approach, as it is currently articulated, able to realize these aspirations? If not, what perspectives and strategies can help realize these freedoms for women?

What does a human rights-based approach actually mean for women in fisheries? UNIFEM, the United Nations Development Fund for Women, defines a human rights-based

approach as "a framework for the pursuit of human development that is normatively based on, and operationally directed to, the development of capacities to realize human rights". Its origins lie in legally-binding international instruments that reflect international consensus on a framework of entitlements and obligations to achieve human rights—the 1948 Universal Declaration of Human Rights and subsequent human rights conventions and treaties, including the 1979 Convention on the Elimination of All forms of Discrimination against Women (CEDAW).

Taken together, these instruments set a standard of rights for all people everywhere, recognizing the inherent dignity and equal and inalienable rights of all human beings. And yet, despite the fact that more than half a century has passed since the introduction of many of these instruments, and the provisions they contain discrimination against women remains a global phenomenon. Women face daily violations of their human dignity and freedoms. Why? Recently, feminist and gender-just analyses of the human rights framework have argued that mainstream international human rights law,

PROFILE

Nasrita: Saving Marine Resources

Nasrita, Head of the Marine and Fisheries office (DKP) in Indonesia's Aceh Barat, carries out significant work to improve fisheries management

By **Yunita Ningsih** (y.ningsih@gmail.com), Information Officer of the FAO/ARC Project in Banda Aceh, Indonesia

"The sea is not ours; we borrow it from our children and grandchildren. Therefore, we must preserve it for their future. It doesn't matter how hard that will be."

For years, Nasrita, head of the Marine and Fisheries Office (DKP) in Aceh Barat, has held these words close to her heart. They have inspired her to carry out significant work towards ecological conservation and preservation of the fisheries.

In December 2004, when the tsunami ripped through the Indonesian coast, Aceh Barat in Aceh province bore the brunt of the devastation. During her first year of heading the Marine and Fisheries Office, Nasrita realized that not only had the tsunami destroyed most of the coral reefs on the coast but that whatever remained was being fast depleted by the mini-trawlers used by local fishermen. Nasrita knew that the coral reefs sustained the livelihoods of nearly 1800 fishers in the district and that their continued destruction would mean the destruction of the community.

The first step Nasrita took, therefore, was to issue a ban on the use of mini-trawlers in the reef areas. "Many fishermen were complaining about the low volume of catch", she says. "For that reason, I approached them with the idea that in order to protect marine resources, it was vital to adopt environment-friendly fishing practices."

In a move that strengthened the work started by Nasrita, the Food and Agriculture Organization of the United Nations (FAO) initiated co-management practices along with other local agencies such as the *Panglima Laot*, the police department, and local governments in conserving marine resources. The fisheries co-management activities are part of the programme of fisheries rehabilitation and reconstruction for tsunami-affected communities in Aceh province. The programme started in 2007 and is funded by the American Red Cross.

"In carrying out my work, I have never faced significant obstacles," says Nasrita. "I only need to be more patient in dealing with the fishermen. Generally speaking, I have received support even though the work environment is dominated by men. In fact, my negotiations sometimes become easier because the fishermen pay more respect to me as a woman."

Nasrita also made mandatory the replacement of illegal fishing gear with standard gear. She did not negotiate with vessel owners who had repeatedly breached the law; instead, she arrested them and revoked the operational license of their vessels. Eight vessels were booked in 2009.

Within a year, marine conservation efforts have begun to show positive results in Aceh Barat, where trawling or using explosives to kill fish are today banned activities. "Thank God!" says a relieved Nasrita, "I am pleased that both the government and the community have begun to realize their roles and responsibilities towards co-management".

Nasrita hopes that soon marine fisheries in Aceh Barat will be free from mini-trawling and other illegal fishing practices and that the initiative will spread throughout the other districts of Aceh.

and the conceptions of equality and rights that flow from this, reflect 'male stream' experience and notions of equality, and, as a result, fail to adequately challenge the basis of women's discrimination. They argue that one of the main obstacles to the protection of women's rights in international human rights law has been the assumption of gender-neutrality in law, which is based on a liberal notion of an individual as a 'genderless rights-bearer'. This failure to cite sex/gender differences, and the inequalities attached to these differences, result in the perpetuation of the myth that equal treatment will lead to equality.

Closely linked to this is the way in which the scope of human rights law has been interpreted—what constitutes 'public' interest and what is 'private', in the sense of being beyond the reach of international law? Historically, much of what constitutes the 'private' sphere concerns the social relations within communities, households and domestic relationships that shape women's everyday experience of life and livelihood. Traditionally this sphere has not received attention in international human rights law.

This division between the 'public' and 'private' sphere is also reflected in some of the international instruments aimed at protecting social and economic rights. For example, the International Convenant on Economic, Social and Cultural Rights (ICESCR), in its definition of the right to just and favourable work conditions (Article 7), focuses on paid work in the public sphere, neglecting the private sphere where much of women's work in fisheries is performed.

This is true even where attempts have been made to address family responsibilities, for example, in the 1981 "Convention concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities". A legally binding instrument, this convention conceptualizes the issue of women's equal treatment in a way that fails to address the fact that women are clustered within particular types of work; that women carry the brunt of familial responsibility; and hence, that specific measures are needed to transform the social relations that shape these responsibilities.

International fisheries instruments have been shaped along similarly 'gender-neutral' lines, resulting in the failure of these instruments to adequately conceptualize the gendered experiences of men and women in relation to fisheries. In most instances, these instruments are completely silent on the discrimination faced by women and silent also on the specific measures that should be adopted to protect and promote women's rights.

VENKATESH SALAGRAMA

Shoe dhoni fishers in Kakinada, Andhra Pradesh, India. Much of women's work is in the 'private' sphere

The United Nations Fish Stocks Agreement 1995, Article 24 2 (b) merely requires States to take into account "… the need to avoid adverse impacts on, and ensure access to, fisheries by subsistence, small-scale and artisanal fishers and women fishworkers, as well as indigenous people…". As noted in *Yemaya* No. 29, the FAO's Code of Conduct for Responsible Fisheries (CCRF) adopts a similarly gender-neutral stance when urging states to ensure the participation of all stakeholders, with no specific reference to gender differences and discrimination. Yet, despite this silence, the CCRF does cover a range of issues of critical importance to furthering women's economic, social and cultural rights, which, if articulated in a more gender-sensitive way, would provide guidance to member States on the specific measures that they could adopt to eradicate discrimination against women in the sector and promote the full enjoyment of their basic human rights.

In order to address the neglect of women's specific experiences of discrimination and human rights violations, and to develop international jurisprudence on women's rights, several women's rights instruments have been developed. The CEDAW is central in this regard and has been an important tool in attempting to mainstream a gender approach into international human rights law. Significantly, the definition of the scope of CEDAW and the responsibility of the state address the 'private' sphere.

The obligation on states to adopt specific measures to eliminate both *de jure* and *de facto* discrimination against women is clearly articulated. However, recent reflections by many women human rights activists and theorists have highlighted concerns with CEDAW and other 'gender mainstreaming' instruments. Radicic, in a paper on Feminism and Human Rights, articulates one of the key concerns:

> *"gender mainstreaming has mostly been concerned with the integration of gender concerns into the preexisting framework of international human rights law, rather than transforming the framework itself…. 'Adding women' (and stirring) cannot secure inclusiveness of international human rights law… The very framework of international human rights law, therefore, needs to be reconceptualized to include the concerns, values and ethics associated with women*" (Radicic, 2007).

It is clear that the process of developing a human rights-based approach to fisheries, which is a key concern of several civil society organizations in small-scale fisheries, must interrogate the premises upon which this approach rests. Their efforts have highlighted the links between women's work in the 'public' and 'private' sphere and the indivisibility of family-household-community relations. They have strongly advocated a transformatory and gender-based perspective that takes into account the full contribution of women in small-scale fisheries. They have argued for a re-thinking of the false separation of the 'public' and 'private' spheres through which relations of production are separated from the social relations that sustain this production. They have drawn attention to the way in which stages in the fish supply chain have been alienated from the underlying community basis that supports all life and development.

The challenge now facing the sector appears to be the need to lobby international human rights bodies to ensure that all future work based on general human rights instruments incorporates a gendered perspective, clearly identifying the areas where women continue to experience discrimination in both the public and private sphere as well as in the intersection of these spheres. Further, we need to advocate specific measures that will promote a more integrated perspective to the range of life giving and sustaining processes in small-scale fishing communities, reflecting the indivisibility of the human, social and ecological dimensions of life. Y

ASIA INDONESIA

The Food Guardians of Lamalera

A recent workshop in Indonesia brought together customary institutions in fisheries

By **Lily Noviani Batara,** (lily_noviani@yahoo.com), of Bina Desa, an NGO working for empowerment of farmers, fisherfolk and women of rural and coastal Indonesia

"O Gods in the Highest Place, O the Spirit of Ancestors
Let the fishes in the sea lose their way. Lead them to us.
So that we can catch them, to feed our widows and fatherless children
Who cry out for a meal they have not."

KAREL BATAONA AND WILLY KERAF

Women traditionally observe the ceremony of *tobu nama fat*, a special ritual for the safety of the fishermen

This prayer of the elderly of Lamalera, a fishing community from Lembata Island in Nusa Tenggara Timur, Indonesia, captures the essence of the discussions held during a recent workshop in Indonesia. The workshop, which took place from 2 to 5 August 2009 in the city of Lombok in Nusa Tenggara Barat, Indonesia, was titled: "Customary Institutions in Indonesia: Do They Have a Role in Fisheries and Coastal Area Management?".

The workshop provided an excellent platform for representatives of customary institutions and communities in Indonesia to share their experiences on how they have sustainably managed fisheries and other coastal resources, based on age-old local wisdom and customs.

Representatives from the Lamalera community said that the sea was a key part of their livelihood and culture. It provided them with food. It also provided a context for the shared learning of values—moral and ethical, educational, or even the value of safety. For the Lamalera community, who hunt whales during certain seasons, not all whales in the sea can be killed. Pregnant female whales, courting whales, or breastfeeding females must be left alone. The sustainability of the sea mammal is also the sustainability of the Lamalera.

Similar principles were shared by the Haruku community of the Maluku Islands, where the *sasi* system is observed. There are traditional ways to regulate and conserve fish resources, for example, observing open and closed seasons. Representatives of a fishing community from North Sulawesi described the *mane'e* customs they observe. Fish can only be caught, for example, for some months in a year, at selected locations. The community from North Lombok shared the way in which the *awig-awig* system has been revived. Under this, the use of explosives and poison has been prohibited, and fishing in certain zones and with certain gear is regulated.

Although the workshop discussed several issues related to the life and livelihood of fishing communities, one aspect that was not adequately represented was the role of women in the communities. Fishing is a male-dominated activity and many cultures define 'fishing' as an exclusively male occupation. However, as one of the workshop participants from Bina Desa, an NGO that has worked for many years with rural and coastal communities, pointed out, women of fishing communities may not go out into the open sea but they do play vital supportive roles. They help prepare for fishing trips by cooking meals, carrying out safety rituals, and even making and repairing fishing boats and nets. While planning the logistics of the voyage, women sometimes negotiate deals with the local trader in order to secure a loan, to be repaid once the catch is sold. When the men are at sea, women work to support the family. They weave mats, trade in domestic products, collect leftover fish from boats, collect edible molluscs, and so on. Once the men come home with the catch, women are responsible for sorting out the fish, salting, drying and selling it.

In the traditional fishing *kampong* (village) of the Lamalera, much before men go fishing, the women collect and prepare raw material to make a special rope called the *tale* or *leo*. This rope, made of several locally-available fibres—cotton, the *waru* tree bark and *gebang* leaves—is used to catch whales and other types of fish. Closer to the fishing season, women traditionally observe the *tobu nama fat*, a special ritual for the safety of the fishermen. Once the whale is on the beach, women cut, clean, dry, and prepare the meat for domestic consumption as well as for marketing. Dried whale meat is commonly bartered with other food staples such as nuts, fruits, vegetables and corn. Often, Lamalera women walk long distances inland with baskets of whale meat, and other products such as dried fish, salt, *kapur-sirih* and the meat of pig, goat or dog. These are traded with food staples produced by the inland community. Such trips could involve more than a day of walking, and sometimes women have to stay out overnight before heading back home.

The Lamalera recognize at least seven different seasons. *Musi Lerâ* is the dry season—the right time to go out fishing to sea. It normally lasts from May to September. During other seasons, unfavourable for fishing, the Lamalera fishermen usually find other things to do. During the non-fishing months women traditionally take over the role of breadwinner. In addition to weaving and making rope, they process salt and burn limestone collected from the sea to be traded with inland populations. Such activities have helped the Lamalera community tide over difficult times.

The hard labour of women in the Lamalera community benefits not only their families, but the whole community. Although the Nusa Tenggara Timur province is one of the poorest in Indonesia, the Lamalera community has never experienced famine or widespread hunger. All thanks to the Lamalera women!

Q&A

Interview with women from the shoe-dhoni community in Andhra Pradesh, India—a unique fishing community that resides onboard fishing vessels, returning to their villages only during festivals or special occasions

By **Dharmesh Shah** (deshah@gmail.com), Independent Researcher

What is your main occupation?

Our main occupation is shell collection near the creeks, fishing in the sea and collecting mangroves wood from the near-by estuary areas.

What is the role of women in the shoe-dhoni community? Are there any taboos on women going on boats for fishing, as in other communities?

No, there are no such taboos. Women are actively involved in fishing operations at sea, especially in hauling in the net. They also collect shells. Both men and women are involved in marketing the catch, as it is seen as a familial activity. Besides, women also take care of cooking and other household duties such as washing, cleaning etc.

What do the women do during pregnancy?

Women who are pregnant stay on the boat up to the seventh month, after which they move to the village. They return to the boat after the child is born.

YEMAYA MAMA

...feels left out!

ARTICLE

Gender Ideology and Manoeuvring Space for Female Fisheries Entrepreneurs

Ragnhild Overa; *Research Review* NS 19.2 (2003) 49-66

This review is by **Chandrika Sharma,** Executive Secretary, ICSF

This article explores how gender ideologies shape the 'maneuvering space' enjoyed by women fish traders in Ghana, a country where fish marketing and trade in the artisanal sector is almost entirely in the hands of women. While the fishery at sea is seen as a male domain, the market ashore is considered female, each domain with its parallel gendered hierarchies. Overa notes that the power balance between the female and the male hierarchies is, however, often asymmetric—while male leaders usually exercise their authority in society as a whole, the authority of female leaders seldom extends beyond women's domains.

Women traders have, in recent years, made inroads into the male-dominated sphere of fishing. Opportunities opened up with the introduction of outboard motors (OBMs) in the artisanal fisheries in the 1960s. Many fish traders found it useful to invest in OBMs given the higher return on investment. While this led to the canoe fisheries becoming more capital-intensive, it also increased the importance of fish traders as creditors. Some of these traders were women, transcending gender norms to enter the sphere of fishing by becoming canoe-owners themselves.

Overa bases her analysis on fieldwork undertaken in three ethnically diverse communities—the Fante of the Moree region, the Ga-Adangbe of the Kpone region and the Anlo-Ewe of the Dzelukope region—characterized by different languages, kinship systems, marriage practices and the socio-economic organization of production systems. The degree to which women 'crossed over' from being fish traders to actually buying equipment and running fishing companies themselves, varied. Overa found that whereas the Fante women came to occupy a powerful role as investors and owners, the Anlo-Ewe women rarely became owners of canoes and beach seines. Among the Ga-Adangme, it was mostly women in urban areas like Accra and Tema who became owners. She argues that differences in gender ideology could explain these differences. For example, a matrilineal kinship system is observed in Moree, whereas in both Kpone and Dzelukope, patrilineal kinship systems prevail. In Dzelukope, moreover, the pattern of residence is virilocal or patrilocal—the man sets up his own household and the wife moves in with him. In Kpone and Moree, on the other hand, it is duo-local, with women staying in 'women's houses' and men in 'men's houses'.

Overa suggests that the combination of the matrilineal kinship system and the duo-local residence pattern in Moree served to expand women's maneuvering space. Further, the women in Moree were able to solicit the co-operation of their men, since, within the matrilineal system, men stood to gain when female relatives invested in fishing equipment. The women in Kpone and Dzelukope, on the other hand, found it possible to overcome gender barriers only through migration to urban areas. Overa suggests that the degree to which women are able to employ entrepreneurial strategies beyond the female domain largely depends on men's perception of these strategies.

The article is a good example of grounded scholarship that draws on analysis of local gender ideologies to develop a better understanding of factors that influence the space and power that women from fishing communities can 'capture'. In the context of local realities it challenges broadly-held generalizations, for example, that motorization and technological change always adversely affect women. It also provides interesting insights into creative strategies employed by women, portraying them as dynamic actors, constantly strategizing to enhance their spaces—a far cry from the picture of 'women as victims' often portrayed in fisheries literature.

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Writers and potential contributors to *YEMAYA*, please note that write-ups should be brief, about 500 words. They could deal with issues that are of direct relevance to women and men of fishing communities. They could also focus on recent research or on meetings and workshops that have raised gender issues in fisheries. Also welcome are life stories of women and men of fishing communities working towards a sustainable fishery or for a recognition of their work within the fishery. Please also include a one-line biographical note on the writer.

Please do send us comments and suggestions to make the newsletter more relevant. We look forward to hearing from you and to receiving regular write-ups for the newsletter.