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FISHERIES' ANSWER TO AGRICULTURE'S "LAND TO THE TILLER": GIVE SMALL-SCALE FISHERMEN TERRITORIAL RIGHTS OVER MUNICIPAL WATERS

Recent studies revealed that many of the Philippines traditionally rich fishing grounds have now reached the limits of sustainable yield. A reorientation of national objectives for fisheries is therefore strongly recommended. Attention is being called on the neglected artisanal fishermen who can be "developed" into a strong and more productive fishery sector. This implies giving the small-scale fishermen a fair share of distributive justice in allocation of fishery resources. To make it a lasting benefit, these fishermen should be helped to organize themselves as independent managers of coastal resources from which they derive sustenance and other amenities of life.

As resource managers, indigenous coastal dwellers are believed to be just as effective as resource conservators. Sense of ownership is a compelling motivation for resource conservation, as dramatically shown in some recent incidents where small fishermen passionately and even violently protested the intrusion and pollution by big industries of their fishing grounds and traditional domain. This, in essence, is the fundamental argument for the proposed grant to small-scale fishermen of territorial rights over municipal waters.

Background

Recent statistics show that there are in the Philippines about 700,000 small-scale fishermen and nearly 500,000 fishing boats. If each fisherman provides occupation to two or three shore-based workers, the total labor force directly engaged in small-scale fisheries therefore consists of some 1.8 million workers. Adding their families, at the average individual size of five members, the municipal fisheries support nearly nine million persons.

They live in the coastal areas that constitute two-thirds of the country's 1500 municipalities. They produced half (49 percent) of the total national fish production of 2.14 million tons in 1987 valued at P42 billion and 5.3 percent of GNP (gross national product). Yet paradoxically, the municipal fisherfolk has remained one of the poorest sectors of our population.

Problems and Causes

Two major problems in Philippine fisheries today are the obvious depletion of coastal fish resources and the rampant practice of illegal fishing.

The small fisherman is often blamed for the present sad state of coastal fisheries, mainly because he uses dynamite, poison, and destructive fishing gears. Granting these abusive methods contribute to destruction of coral reefs, the small fisherman believes that he is not a major factor in

the widespread depletion of wild fish stocks. Illegal fishing by small fishermen, at the scale it is conducted, is not the principal cause of depletion of nearshore fish. It is rather the result of such loss of coastal productivity that has driven them to unorthodox fishing methods to increase their catch. The practice is wrong, but to condemn them mercilessly is unfair because to them the plain issue is survival.

The real culprits pinpointed are the large-scale destroyers of the coastal ecosystems who demolish the coral reefs, mangroves, and estuarine areas.

Today, only five percent of the country's once extensive coral reefs (2.7 million hectares) are in good condition. Siltation from forest denudation is the major cause of coral reef deterioration. At their ideal condition, coral reefs have been known to support as much as two tons of fish per hectare.

Mangroves, on the other hand, not only provide nutrients to marine fish but are also their indispensable breeding and nursery grounds. Most of them are now gone, converted into commercial fishponds where fish production cannot match the quantity of fish lost from capture fisheries. The estuarine areas are in the same predicament, degraded and polluted as they are by industrial and agricultural wastes.

Recommendations

Experience has shown that fishery regulations, even with strict penal provisions, can be circumvented by influential people and vested interest groups. For instance, among the past violators of fishery laws in Laguna de Bay were high government officials and top military officers. Their victims were thousands of small fishermen whose traditional fishing ground and fish catch were drastically reduced with the large-scale construction of illegal fishpens.

Another recent case is the order from higher authorities rescinding a decision of an environmental board to close down a Marinduque mining firm because it was polluting the traditional fishing ground of Calancan Bay. There are two sides in this issue, but it appears that the short-term economic rather than the long-term ecological consideration has again won.

Existing laws and regulations are therefore saddled with certain inherent weaknesses, or admit too much government intervention that defeats the goal of resource management. Thus, alternative measures are necessary to reshape perception of the socio-economic and political dimensions of fishery activities. One of them, being strongly recommended for serious consideration by the Department of Agriculture and Philippine Congress, is the grant to small-scale fishermen of territorial rights over municipal waters.

The concept revolves around the organization of coastal folk into fishing associations that would then be given exclusive legal rights to manage the fishing grounds in their locality. In effect, fishing operations will be controlled on shared basis by the municipal fishermen themselves.

They can exclude outsiders or drive off intruders to protect their territorial rights.

The scheme, therefore, promotes the virtue of self-control, manifested by the adoption of community-imposed regulations such as gear restrictions, seasonal and area closures, and catch quotas. This idea is not alien to the cultural makeup of our fishing villages. The environment for social cooperation has always been present in these villages because of long familiarity among the residents, blood relationship, and other cultural ties. Acquisition of proprietary rights by fishermen over their traditional source of livelihood would further cement the community spirit that already exists.

There is a strong opinion that management and regulatory measures have a better chance of succeeding if these are adopted and implemented by the fishermen themselves, rather than being imposed upon them by the government. Moreover, by relinquishing its authority the government stands to gain in terms of lesser administrative and law-enforcement costs.

On humanitarian grounds, it is moral to give small fishermen exclusive control over fishery resources in their area. In most places, fishing is their only means of livelihood and survival. Unless given more attractive employment prospects, it will continue to be difficult for the government to address the plight of small fishermen under present conditions.

Artisanal fishermen are tied to their resource base by traditional and cultural attachments which are hard to break. On the other hand, the big fishing enterprises can easily abandon or sell out their interests and re-invest in other business with a minimum of personal sacrifice.

The grant of territorial rights to small-scale fishermen is not a new concept. It has been adopted and practised in Japan for 100 years. Prototypes can also be found in Brazil, Sri Lanka, the Ivory Coast, and Papua New Guinea. Some encounter problems and constraints, but we should study each model to gain useful lessons and insights. Out of it, we can devise and innovate methods suited under our particular socio economic, cultural, and political systems.

A thorough understanding of all aspects and implications of this proposed grant of territorial rights to artisanal fishermen is vital. One important consideration is the biological aspect. It may be necessary initially to limit coastal fishing until productivity of the natural stock is restored.

While the marine ecosystem is regenerating, the coastal fishermen can engage in alternative occupations, again, with initial help from local or national government. A promising solution to this employment problem is the implementation of a nationwide seafarming program which would provide gainful employment to many people in coastal areas. A comprehensive plan for this government program has already been submitted to and is under consideration by the Department of Agriculture.

The Department of Agriculture has also recommended other alternative job opportunities which can be developed in the different provinces. For Iloilo alone, these include mango processing, wrapping paper production from rice straw, coffee processing, and cultivation of such crop as peanut, mungo bean, cotton, and watermelon.

Conclusion

The overall problem of the small-scale fishermen has now acquired serious proportions. Failure of the government to act decisively on the matter could result in their further disenchantment. This could make them prey to radical elements advocating violent actions to remedy the situation. Therefore, revision of fishery laws and new legislations designed to help small-scale fishermen are needed. Granting them territorial rights over municipal water is necessary for acquiring the right quality of life, self-respect, and ability to contribute to national goals.

Source : "Giving Small-scale Fishermen Territorial Rights Over their Waters" by Flor Lacanilao. **Diliman Review**, Vol 36, No. 2, 1988.