



Food and Agriculture
Organization of the
United Nations



REPORT OF
CAPACITY DEVELOPMENT WORKSHOP
ON THE VOLUNTARY GUIDELINES
FOR SECURING SUSTAINABLE
SMALL-SCALE FISHERIES IN THE
CONTEXT OF FOOD SECURITY AND
POVERTY ERADICATION FOR
INDIGENOUS PEOPLES CENTRAL AMERICA



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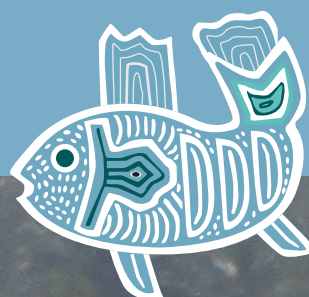
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Preparation of this document



This document was written using the methodology development and results of the workshop on the “Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication for Indigenous Peoples of Central America”, which was held in the city of Panama from August 28 to September 10, 2017. Indigenous peoples (IPs) leaders and fishes, representatives of the fisheries and aquaculture authorities of Costa Rica, Guatemala, El Salvador, Honduras, Nicaragua and Panama, and representatives of the Center for the Autonomy and Development of Indigenous Peoples (CADPI for its acronym in Spanish), the Food and Agriculture Organization of the United Nations (FAO), the Fund for the Development of Indigenous Peoples of Latin America and the Caribbean (FILAC for its acronym in Spanish), and the Central American Fisheries and Aquaculture Organization (OSPESCA for its acronym in Spanish) attended this course.

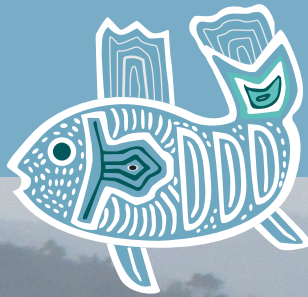
This workshop was made possible because of a letter of agreement signed between FILAC and FAO and because of the generosity of the Norwegian Government, within the framework of FAO SSF Umbrella Programme. Participation of government representatives was financed by means of the FAO Regional Initiative 2 “Family Farming and Inclusive Food Systems for Sustainable Rural Development.

FAO provided technical assistance through the participation of María Acosta, Emma McGhie, Nicole Franz and Carlos E Pulgarín. Technical assistance from FILAC was provided by Mirna Cunningham Kain, President of FILAC, and Dennis Mairena and Jadder Mendoza-Lewis, FILAC consultants. Logistical assistance was provided by Sandra Martinez and Juliana Dolum, from the FAO Subregional Office for Mesoamerica and by Amparo Morales and Marisol Pérez, from FILAC.

Workshop participants provide a general review of the state of small-scale fisheries (SSF) and their socio-economic contribution to IPs in each of their respective countries. In addition, reflection workshops were held for the representatives of indigenous peoples and fishing authorities in each country to develop a programme to implement the SSF Guidelines in indigenous territories in line with their own worldview.

This report contains the information of the workshop, including summaries on the state of SSF Guidelines and documents and products created by the participants.

Summary



For centuries fishing has been extremely important for indigenous peoples (IPs) around the world. IPs inhabit and establish a connection with water ecosystems that allow them to conserve their cultural heritage, to favour food sovereignty (the right to access healthy and culturally appropriate food), and, in many cases, it represents their main source of income. This is the situation in Central America where IPs inhabit more than 75 percent of the marine coastal areas of the Caribbean Sea and where many also live in large areas adjacent to inland waters and the Pacific Ocean. Their main source of income comes from fishing. The highest indicators of poverty and malnutrition are also found to be precisely in these areas. Weak land use planning, industrialization, climate change, lack of participation in policies that are implemented in accordance with a consultative model (a free, prior and informed consent model) are among the factors that account for the marginalization of IPs, that threaten their cultural practices, their ecosystems and their sources of food, including fish. Fishers who are IPs face the same problems and challenges that all small-scale fishers face in the region of Central America, which makes them a highly vulnerable population. Therefore, providing them with assistance is a priority.

Taking this situation into account, Food and Agriculture Organization (FAO) and Fund for the Development of the Indigenous Peoples of Latin (FILAC) joined forces to promote the implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF guidelines). From 28 August to 9 September 2017, the international workshop on “Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication for Indigenous Peoples of Central America” was held in Panama, where government representatives, indigenous including leaders and indigenous fishers from six countries (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama) met to learn, share, advocate, discuss and to create a road map for implementing the SSF guidelines in their countries. Taking into account the world view and particularities of the IPs, the workshop addressed topics included in the SSF Guidelines document; furthermore, these contents were complemented with topics regarding negotiation, culture, society, economy and the environment of SSF users. FAO, Center for the Autonomy and Development of Indigenous Peoples (CADPI) and Central American Fisheries and Aquaculture Organization (OSPESCA) staff, university professors and experts in these areas were in charge of the activities of the workshop.

While carrying out the workshop activities some differences in terms of concept and vision on what fishing means for the governments of the six countries and the IPs emerged, which in turn resulted in the first lesson to be learned: the need to build, public policies, management plans and management measures, under a prior and informed consultation participatory model, aimed at IPs that considers their world view. The participation and inclusion of IPs in any measure that may

directly or indirectly affect them is one of the basic principles of FAO policy on indigenous and tribal peoples and of the Environmental and Social Safeguards implemented by FAO in its projects.

Thanks to the knowledge acquired in the course, representatives of IPs and of the governments of the countries (around 30 people) were able to jointly reflect on the conditions and related areas of small-scale fisheries were able to formulate work plans by country. Problems, limitations and weaknesses in the specific territories of each country were identified in the work plans in order for each country to develop a project proposal aimed at strengthening small-scale fisheries sustainability. In addition, the creation of an Indigenous Artisanal Fishers of Central America Network was requested within the framework of the Indigenous Council of Central America (CICA).

Figure 1. Central America Indigenous Peoples



Source: International Union for Conservation of Nature

Abbreviations and acronyms

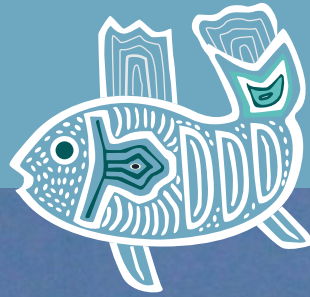


ARADIKES	Indigenous Regional Association of Dikes
ADII	Association for Integral Indigenous Development
ARAP	Aquatic Resources Authority of Panama
ANAM	National Authority of the Environment of Panama
CADPI	Center for the Autonomy and Development of Indigenous Peoples
CBD	Convention on Biological Diversity
CC-SICA	Advisory Council of the Central American Integration System
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CELAC	Community of Latin American and Caribbean States
CENDEPESCA	General Directorate for the Development of Fisheries and Aquaculture of El Salvador
CONAP	National Council of Protected Areas
CICA	Indigenous Council of Central America
CONPAH	Confederation of Autonomous Peoples of Honduras
DIGEPESCA	General Directorate for Fisheries and Aquaculture of Honduras
DIPESCA	Fisheries and Aquaculture Regulations Office of Guatemala
FILAC	Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean
INCOPECSA	Costarican Fisheries and Aquaculture Institute
INPESCA	Nicaraguan Fisheries and Aquaculture Institute
IUCN	International Union for Conservation of Nature
ILO	International Labour Organization

MAGA	Ministry of Agriculture, Livestock and Food of Guatemala
MARN	Ministry of Environment and Natural Resources of El Salvador
MIFIC	Ministry of Development, Industry and Commerce of Nicaragua
MNICR	National Indigenous Council of Costa Rica
OSPESCA	Central American Fisheries and Aquaculture Organization
RACCS	Autonomous Region of the South Caribbean Coast of Nicaragua
RACCN	Autonomous Region of the North Caribbean Coast of Nicaragua
SAN	Food and Nutrition Security
SDG	Sustainable Development Goals
SDC	Swiss Agency for Development and Cooperation
SINAC	National System of Conservation Areas
SSF Guidelines	Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication
SSF	Small-scale fisheries
UII	Universidad Indígena Intercultural
UNDRIP	United Nations Declaration on the Rights of Indigenous



Background and objectives



BACKGROUND

For centuries fishing has been extremely important for indigenous peoples (IPs) around the world: it favours food sovereignty (the right to access healthy and culturally appropriate food) and, in many cases, it represents their main source of income. This is the situation in Central America where IPs inhabit large territories. IPs own more than 75 percent of the marine-coastal areas of the Caribbean Sea and large areas adjacent to the Pacific Ocean and inland waters (Figure 1), although there are different degrees of autonomy and legal recognition. The highest indicators of poverty and malnutrition in the region are also found in indigenous territories. This is largely due to the lack of inclusion and participation of IPs in making public policies. Such exclusion threatens their cultural practices, their ecosystems and their sources of food, including fish, which makes them a highly vulnerable population. Therefore, providing them with assistance is a priority.

Due to their world view, cultural identity and ancestral knowledge, IPs have a different concept of the use and exploitation of fishery resources from other users. For IPs, the value of fishery resources and water ecosystems goes beyond the economic, as these resources are part of their culture and spirituality. When public policies and development plans are made in indigenous territories without considering this knowledge, conflicts arise between IPs and the governments of these countries.

IPs have had a legal document since 2007 in which their particular human rights are recognized: the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). This declaration recognizes the right of IPs to self-determination, to free and prior informed consent and to manage and decide on natural resources in their territories, in accordance with their worldview and traditional governance mechanisms.

After a long process (2008 - 2014), Food and Agriculture Organization of the United Nations (FAO) established the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines), which takes into account the participation of IPs and which provides a global framework to strengthen the sustainability of this activity.

During the 32nd session of the Committee on Fisheries (held in Rome from 11 to 15 July 2016), the Committee confirmed the multiple roles of SSF in relation to poverty reduction, food security and other areas, and stressed the importance of the SSF Guidelines in the context of food security and poverty eradication. The Committee welcomed the development of a Food and Agriculture Organization of the United Nations (FAO) general assistance programme for SSF and agreed on the need to have a complementary mechanism, developed as a global strategic

framework for the implementing the SSF Guidelines. Likewise, the Committee commended FAO for the activities carried out in this field and encouraged it to continue working on them in close cooperation with all interested parties.

The 34th FAO Regional Conference for Latin America and the Caribbean (Mexico, 29 February to 3 March 2016) supported the recommendations of the Commission for SmallScale and artesanal fisheries and aquaculture for Latin America and the Caribbean (COPPEAALC for its acronym in Spanish) to promote cooperation activities with countries to create and implement fisheries and aquaculture policies in order to strengthen rural territorial development, including these sectors in the Community of Latin American and Caribbean State's (CELAC) Plan for Food Security, Nutrition and Hunger Eradication. Likewise, the Conference also supported FAO's dissemination and assistance work with respect to the application of its SSF Guidelines in the aquaculture sector of the countries of this region, as well as strengthening the extension systems in the aquaculture and fishing sector and the processes of association and organization of fishers and fish farmers.

In addition, the FAO Policy on IPs states that "An agenda that pursues global food security, sustainable natural resources management and poverty alleviation cannot ignore IPs, making them a clear partner of concern to FAO".

In the meeting between FAO and representatives of IPs across the world on "Indigenous Food Systems, Agroecology and the Voluntary Guidelines on Responsible Governance of Tenure", held in Rome from February on 2 and 3 February 2015, some areas of joint work to strengthen the capacities of indigenous communities regarding SSF were identified¹. In addition, participants agreed to address fisheries by requesting the creation of a specific programme on the SSF Guidelines.

This workshop strengthened small-scale fisheries (SSF) sustainability for IPs by means of activities addressing development of knowledge, awareness on the SSF Guidelines, and debates among fishers and representatives of IPs and representatives of national governments.

WORKSHOP OBJECTIVE

To contribute to the social, economic and environmental transformation of the SSF sector in order to increase the contribution of SSF to food security and poverty eradication as a result of better policies, strategies and initiatives.

Specific objectives:

1

To improve the dialogue and knowledge of IPs and state institutions for the creation of public policies on SSF in indigenous and related territories.

2

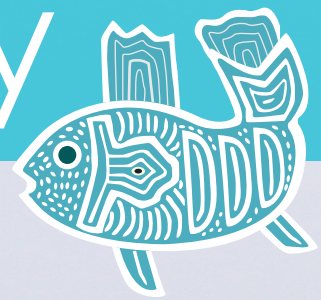
To improve SSF sustainability through implementation of the SSF Guidelines and to increase knowledge about them; to strengthen the use of SSF as a tool that contributes to achieving food security and poverty eradication among IPs.

3

To develop joint work proposals for state institutions and IPs to jointly implement the SSF Guidelines.



Methodology



1 | Participants

Participants were selected and awarded a grant based on an open call to attend the workshop. Applicants were required to submit documents supporting their suitability, including being an indigenous person, having links with the fishing sector and being part of a fishing community. During the selection process, priority was given to women and young people. On the other hand, governments of the countries in the Central American also were invited to participate. Several fisheries authorities from Costa Rica (INCOPECSA), El Salvador (CENDEPESCA), Guatemala (DIPESCA), Honduras (DIGEPESCA), Nicaragua (INPESCA) and Panama (ARAP) participated. Twenty-seven people attended the course.

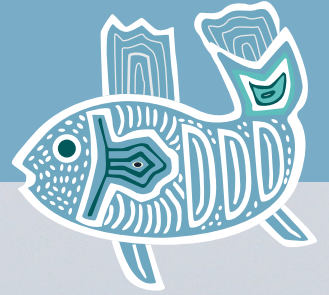
2 | Workshop design

The workshop was designed to meet the proposed objectives. Participants could pursue thematic contents to strengthen their knowledge of the SSF Guidelines and to promote their impact on public policies and development plans. The programme consisted of theoretical presentations, participatory activities and an exchange of successful experiences in Central America. The course contents were wide and varied enough to address the SSF Guidelines in their entirety.

Representatives of the state fishery authorities of each country, representatives of the IPs and indigenous fishers of each country attended the course. At the end of each session, there were reflection workshops and groups discussions (a total of five). Each group consisted of four or five people from the same country (government representatives, indigenous leaders and fishers). The debates were intended to encourage participation in creating a work plan to be implemented in indigenous territories. The workshop agenda is presented in Annex 1. Indigenous leaders and fishers from El Salvador were the only ones who did not respond to the open call or participate in the course. However, a CENDEPESCA official participated on behalf of the Government of El Salvador. This official participated with the group from Honduras.

The workshop, as well as the attendance of IPs, was made possible thanks to the generous support of the Norwegian Fund for Securing Sustainable Small-Scale Fisheries. The regular programme of the FAO Subregional Office for Mesoamerica financed the government representatives as part of Strategic Objective 3 “Reduce Rural Poverty” of the Regional Initiative 2 (RI2) “Family farming and inclusive food systems for sustainable rural development”.

Workshop development



The workshop began on 28 August 2017, at the Executive Hotel and was attended by Twenty-seven representatives from all the countries of Central America.

Topics addressed during the course were organized in modules according to the structure presented below. The programme consisted of ten modules that ran over 12 days. Daily sessions lasted eight hours (8:00 – 17:00), but participants were motivated enough to meet after the sessions were officially over in order to keep discussing and developing work plans. A summary of the modules and their contents is presented below:

Module I.	Spirituality and world view of IPs and their relationship with fishing.
Module II.	Rights of IPs in the context of the Declaration of the Rights of Indigenous Peoples.
Module III.	Introduction to FAO SSF Guidelines and artisanal fishing trends in the region.
Module IV.	Legal and institutional rules on fisheries management in the countries of Central America, relationship with the Strategic Development Goals (SDG), Aichi objectives and international agreements.
Module V.	Governance and management of fisheries in indigenous territories and communities of the region.
Module VI.	Fishing traditional gears and methods and conservation of natural resources (use and consumption) and their economic and social impact.
Module VII.	Exchange of experiences on governance and community administration.
Module VIII.	Use and market of IP fishing and fisheries.
Module IX.	External context. Geopolitics, climate change and biodiversity.
Module X.	Final work.

Module I

Spirituality and world view of IPs and their relationship with fishing. Each morning started with a half-hour session of spiritual invocation and perception on life and the universe from the Mayan perspective, putting an emphasis on fishing villages and SSF. These sessions were celebrated by Mario Sebastián Caal, a Mayan priest.

While assessing the workshop, participants rated these sessions as very useful for preserving their cultural values and identity, so they proposed to hold these sessions in all courses.

Module II

Rights of IPs in the context of the Declaration of the Rights of Indigenous Peoples. This module, taught by Álvaro Pop, Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean (FILAC) Executive Secretary, addressed the United Nations Declaration on the Rights of IPs and the International Labor Organization (ILO) Convention No. 169 on Indigenous and Tribal Peoples. In particular, the rights to consultation and to self-determination were emphasized. The presentation made in this module provided many illustrative examples that, in turn, encouraged participants to present their own experiences and concerns about the implementation of the SSF guidelines in the territories.

Module III

Introduction and FAO SSF Guidelines, and artisanal fishing trends in Central America. This module was taught by Jadder Mendoza-Lewis and Dennis Mairena, both consultants from FILAC, Carlos Pulgarín, FAO consultant, and Víctor Fernández, from INCOPESCA. They addressed the following subthemes:

- fisheries administration international framework;
- fishing systems and state of fisheries in indigenous territories, objectives of artisanal fisheries, and fishing systems of IPs in Central America;
- UNDRIP and the right to lands, territories and natural resources. Case law in Central America;

- voluntary guidelines on the responsible governance of tenure of land, fisheries and forests in the context of national food security;
- introduction to the SSF Guidelines in;
- implementation of the SSF Guidelines, case study in Costa Rica.

This module provided participants with a global and regional view of artisanal fisheries. Participants explained and compared their countries' existing legal frameworks. In addition, participants were given information on the contents and scope of the FAO's SSF Guidelines, and how they may be implemented to strengthen SSF and how they contribute to food security and poverty eradication.

Module IV

Legal and institutional rules on fisheries management in the countries of Central America, relationship with the SDG, the Aichi objectives and international agreements. Subthemes were taught by Alejandro Flores (FAO), Mario González Recinos, (OSPESCA), participants officially sent as delegates by the governments of the region, Carlos Pulgarín (FAO) and Jadder Mendoza-Lewis (FILAC).

The following subthemes were addressed in this module:

- model law on artisanal or small-scale fisheries;
- regional policies and implementation of the SSF Guidelines in Central America;
- government (state) policies on fisheries management;
- fishing trends in the region;
- fishing ecosystems and the state of indigenous territories in inland waters and marine coastal waters in Central America;
- strategic framework for the Aichi targets, the Convention on Biological Diversity (CBD), and the SDG for the development of coastal areas and fisheries.

While carrying out the activities of the module, the representatives of the fisheries and aquaculture sector authorities of each country presented the current state of their respective artisanal fisheries sectors, which allowed for i) the contextualization of the perspective of the fisheries authorities; and ii) a comparison of the situation among countries where advantages, limitations, opportunities and challenges for both governments and fishers were observed.

The following is a summary of the participation of the government delegates from each country.

Costa Rica: Víctor Fernández Rojas (INCOPESCA)

Víctor Fernández referred to Law 7384, by which the Costa Rican Institute of Fisheries and Aquaculture (INCOPESCA) was created, and explained the definition of artisanal fishing established in this law. In Costa Rica there are 4 885 officially registered artisanal fishers. He also talked about promotion activities to improve productivity, competitiveness and fulfillment of rights. Víctor Fernández stated that the structural areas of the institute are research activities, organizational and institutional strengthening, and the financing of projects, equipment and infrastructure. He also talked about regulating of the sector in the context of the SSF Guidelines for securing responsible fisheries, and pointed out the need for indigenous communities to establish a governance system in the fishing sector in order to achieve an equitable and sustainable participation.

Costa Rica is working on creating a fishing area map and legislation to regulate fisheries, which means working in areas such as monitoring, training, rural extensions, marketing programmes, commercialization, compliance with the applicable law, generating employment in the capture phase, social security, access to insurance, decent work, agreements or associations and cooperatives.

El Salvador: Benjamín Zepeda (CENDEPESCA)

The General Directorate for the Development of Fisheries and Aquaculture of El Salvador (CENDEPESCA), an institution under the organizational structure of the Ministry of Agriculture and Livestock of El Salvador at the centralized operational level, is the competent authority responsible for executing the General Law On Management And Promotion Of Fisheries And Aquaculture (Decree 637 of 2001). One of its roles is to promote artisanal fisheries sustainable development in El Salvador.

Managing and promoting fishing and aquaculture activities in El Salvador are regulated by this general law, which ensures conservation and sustainable development of hydrobiological resources. There are several programmes addressing this topic in El Salvador, including:

- the national policy on fisheries;
- the sustainable development national plan;
- the implementation of international agreements related to the SSF code of ethics;
- the 2014–2019 five-year development plan.

For many people, artisanal fisheries provide an alternative source of income. As the years pass, more and more people engage in this activity. SSF are defined as manual work that is carried out in boats with the following features: they are built

from fiberglass, have a 20- to 27-foot base, lack a cover and have an outboard motor. According to data obtained from the 2009–2010 structural survey of artisanal fisheries and aquaculture in Central America, there are 26 600 small-scale fishers working in 13 300 boats in El Salvador (58 percent in the Pacific Ocean and 42 percent in inland waters).

El Salvador is working in to develop a fishery resources protection model based on sectorial participation which requires any person authorized to engage in fisheries and aquaculture activities to contribute to its sustainable use and to ensure product quality standards are kept.

Guatemala: Julio Lemus (DIPESCA)

DIPESCA is the organization responsible for the managing the of national hydrological resources through strategic plans. There are two departments within its structure: one in charge of marine fisheries and another one dealing with marine fisheries.

In this country, artisanal fisheries have experienced a decrease in the quantity of to shrimps and some fish species: mackerel, croaker and guavina (*Nebris occidentalis*), among others. Fishes are caught with nets and using handline fishing methods. A significant number of fishers do not own the means of production (boats, motors or fishing tackles) and work as employees on vessels owned by intermediaries.

Until 2012, shark fishing provided good economic returns, but the ban on shark finning and the low selling price for shark meat has meant that some fishers have either had to change their focus to finfish fisheries or to quit fishing altogether.

With the support of the National Federation of Fishermen (FENAPESCA), a fund to finance new productive projects for its members was established, so that, members of FENAPESCA can offer tourists services such as experiential fishing or cetacean and turtles sighting.

Out of the 22 900 jobs generated in the capture phase, 97 percent correspond to artisanal fisheries and 3 percent to industrial fisheries. Regarding processing and commercializing fishery resources, where aquaculture is also included, another 13 970 jobs are generated, which means that the capture phase represents 62 percent of the sources of employment, while processing plants and retail sales, 23 percent and 15 percent, respectively.

In terms of protecting mangroves, it is worth noting that fishers and loggers have reached agreements to eradicate destructive logging practices and are, at the

same time, engaging in reforestation activities. Fishers who have training in food management practices for fisheries products now carry ice on board their boats when fishing. This allows them to keep their catch fresh. However, most of the fishers do not have marketing and negotiation skills. Most cooperatives and associations for fishers are members of FENAPESCA, yet some have become dissatisfied and have quit. The current model for associations needs to be examined.

Participation in SSF and fishing employment registration are measured through registration forms and fishing biological forms. With the implementation of the Ministerial Agreement No. 436-2015, the government of Guatemala seeks to legalize and strengthen the participation of fishers and their association practices.

Honduras: Nuryñ Meza (DIGEPESCA)

By law, the General Directorate for Fisheries and Aquaculture of Honduras (DIGEPESCA) is responsible for the managing fisheries (DIGEPESCA). Artisanal fishing is a cultural activity that uses small boats (up to 10 meters) and traditional or rudimentary methods prevail. There is also a community fisheries practice, a non-profit activity that is carried out for the benefit of the community and that is based on exchange to contribute to food security.

Some characteristics of both artisanal and community fisheries are shown in Table 1. both types of fisheries use, 10 to 25 m length wooden or fiberglass boats with 25, 40 or 75 hp (horsepower) outboard motors and the basic means of production. Conservation of mangroves and native species is promoted.

TABLE 1 DIFFERENCES BETWEEN ARTISANAL AND COMMUNITY FISHERIES IN HONDURAS	
ARTISANAL FISHERIES	COMMUNITY FISHERIES
The activity takes place in an established location.	This practice takes place in different places, there is not an established location.
There is an economic goal.	Consumption is solidarity-based.
The organizational structure is more defined.	There is no formal organizational structure.
The products are added value.	This practice is not found in all communities.
Traditional tools are used (spears, hooks, strings, and pitpat).	Technology is limited.

Currently, DIGEPESCA does not perform any administrative, technical or monitoring and surveillance in the indigenous territories of Honduras. In order to meet the families' needs for food and income generation, indigenous communities are able to freely access fisheries. SSF generates 25 606 jobs in the capture phase, where 83 percent correspond to artisanal fisheries and 17 percent to industrial fisheries.

There are several limitations regarding SSF in indigenous territories, some of them include: going to areas such as the Mikito Cays in order to fish; the establishing-protected areas in regions where artisanal fisheries have been traditionally practiced (Cayos Cochinos area, Jeanette Kawas Park, Punta Izopo, Punta Sal, Cuero y Salado, Guaymoreto lagoon); the overlap of the shrimp industrial trawl fishery area into the three nautical miles established for artisanal fisheries, which has an impact on coastal marine fauna, thus reducing artisanal fishers' possibilities of using these resources and the development of tourism activities and infrastructure, which restricts fishers' free movement to practice artisanal fisheries in ethnic community territories.

Nicaragua: Augusto Ortiz (INPESCA)

Artisanal fisheries have a sizeable impact on the national production of fishery products of Nicaragua, since this sector represents 60 percent of the country's marine fisheries. In accordance with article 78 of the Fisheries and Aquaculture Law, an artisanal fisher identity card is required to participate in this activity; also, the fishing permit must contain the following information: name of the person, type of vessel, type of gear, etc., and must meet the procedure established in articles 81 and 82².

On the Caribbean coast there are 6 035 small-scale fishers who have become members or of have organized into unions, cooperatives, associations, solidarity groups and collectives. These organizations hold participatory consultations or debate sessions with their members in order to seek the establishment of agreements or possible solutions, such attempts are always take into account their culture and their offspring.

According to the data reported on the Caribbean coasts, artisanal fisheries accounted for 82.37 percent of the total fishery production in 2016, while industrial fisheries, 17.63 percent. Most of artisanal fishers do not own a boat, since they work for someone else.

Agusto Ortiz said it was necessary to establish a relationship among territorial governance, national legislation, the SSF Guidelines, the Aichi agreement, the Convention on Biological Biodiversity and other conventions in order to overcome poverty and move achieve the SDG.

Module V

Governance and management of fisheries in indigenous territories and communities of the region. Sub-themes of this module were provided by FILAC consultants Jadder Mendoza-Lewis and Dennis Mairena Arauz.

- fisheries management (western system and traditional systems), ecosystem approach, access and control approach, and responsible governance of fisheries in indigenous territories and communities;
- traditional practices and customary management of fisheries;
- governance and sustainability strategies in artisanal fisheries – women, job security and social security;
- regulation of fishing and fisheries – the role of governance structures of IPs; and
- monitoring and evaluating artisanal fisheries.

Mechanisms and tools for managing private, community owned and open access resources, such as those offered by the sea, were analyzed through a large number of examples in order to make clear the differences, opportunities and threats related to the resources of IPs. An introductory explanation to the tragedy of the commons³ as an argument to give rise to debates and working groups was made.

In this section, there was a clear distinction between equality and equity concepts was made, which made it possible to analyse and raise awareness about the position and conditions of women in the artisanal fisheries sector. The need to include gender equity and gender equality in the final works to be submitted at the end of the course was emphasized.

Module VI

Traditional fishing gear and methods, and conservation of fishery resources (use and consumption) and their economic and social impact. José Antonio Urbina (FILAC consultant) and Arnulfo Franco (International Fisheries Foundation) were in charge of this module, which aimed at understanding fishing gear in the ecosystem approach, and how these are essential in fishing systems and their decisive role in the relationship between economic productivity and the effects of fisheries in the environment.

Urbina and Franco, who have a high technical and operational profile, encouraged participants to analyse the implications and the social and economic impact of different fishing methods and gear, particularly the strategic methods in the main fisheries of the region (spiny lobster, sea cucumber, snail, coastal shrimp and finfish). Artisanal fishing methods and gear in Central America lack regulation, and where it exists, there is no mechanism for control, follow-up and monitoring.

This debate gave rise to an understanding of the relationship between fishing gear types and methods and the scale in which this activity is done, the consequences for some marine species and the environment, and the effects on human health, emphasizing fishing activities carried out by means of autonomous and non autonomous spearfishing. Traditional and modern means and their impact on biodiversity were also discussed. In this regard, the need to complement traditional rules with national laws was addressed again, for example, controlling actions on finning (shark fins removal) and trawling discard practices. It was also possible to identify the motivations of young people to dive without proper training and without equipment, especially in Honduras and Nicaragua, where decompression effects caused by diving are already a social problem.

Module VII

Exchange of experiences on governance and community administration. Field visit to the Guna Yala islands, and exchange of experiences on governance and community administration. Three islands were visited: Gaigirgodub, Nalunega and Wisu Wala. There, the oldest and wisest members were asked

about topics related to fishing, natural resources and their exploitation. It was also possible to know in detail the autonomous model of the Guna people, which is a result of their long struggle, and their ways of managing marine resources, which are regulated by traditional rules and where state intervention is limited.

Lobster fishing particularities, problems and commercialization were discussed. The effects of sea level rise, erosion on coral reefs and the need to move the population to the mainland due to the loss of soil and the salinization of water wells were also discussed.

This exchange was hosted and moderated by Ariel González, Arcadio Castillo, Jorge Andreve and Bolívar López Cansuet, all of them from Guna Yala.

Module VIII

Use and market of IPs fishing and fisheries.

This module was led by Carlos Brenes, and addressed the community economic system of IPs, stressing the existing dynamics and their relationship with food security and sovereignty.

Sub-themes addressed in this module are presented below:

- Fishing objectives and terms of reference (Food and nutrition security, market and trade).
- Organization systems and indigenous principles of economy and its institutions (reciprocity, solidarity, food and market).
- Value chain and the right to an equitable production.
- Dynamics of the fishing economy and effects of the fishing market and trade.

Through participatory pedagogy, several strong points, opportunities, weaknesses and threats to the community economy models were identified in order to improve SSF sustainability and achieve better access conditions and a fair distribution of the benefits. In order to achieve this, the indigenous governance systems regarding administration of collective goods must be consolidated.

Professor Brenes prompted the participants to visualize social, economic and technical problems from different perspectives, and to analyze said problems through a collective exercise consisting of putting these problems together, separating them and putting them together again multiple times. Fishing gears and means, their positive and negative impact on natural resources, their relationship with or the usefulness of the SSF Guidelines and the ways of organization of fishers and their participation in the governance of natural resources were also discussed. In the same vein, the analysis included the differentiation between the indigenous economic system and capitalism: the former tends to produce to distribute, while the latter produces to amass, in other words, the first economic system is based on sharing, while capitalism, on competition. A conclusion reached in this module was that, from the indigenous thought, based on tradition, is possible to question if producing for export trade puts indigenous peoples at risk, so it is necessary to re-examine the traditional or cultural rules on production indigenous practices and their relation with the SSF Guidelines. Voluntary Guidelines must strengthen tradition. The understanding of the concept of value chain from the perspective of indigenous peoples was also analyzed, as well as its coincidence or difference with the VG. One participant requested to review the VG not only from an individual rights perspective, but also from one that considers collective rights.

Module IX

External context. Geopolitics, climate change and biodiversity.

Dr. Mirna Cunningham, Jadder Mendoza-Lewis and Dennis Mairena were in charge of this module, and the following sub-themes were addressed:

- poverty and food insecurity and fishery resources;
- climate change and the adaptation process to climate change,
- anthropogenic consequences and meteorological phenomena in fisheries;
- the extractive development model, fishery resources, the SDG, and impact on IPs;
- political influence and participation of IPs in policy formulation processes to improve SSF management mechanisms;

The module began by establishing a timeline where participants from each country pointed out the main national and international landmarks that have had a positive or negative impact on the development of IPs. Topics addressed in this module were developed through role play: by analysing the different roles, participants managed to grasp aspects related to the fragility of the structure of the artisanal fisheries sector, the role of governments or the manipulation and abusive practices

of companies. Issues such as the dynamics and effects of climate change, biodiversity and the new sustainable development goals and targets were also addressed.

Regarding advocacy and negotiation (role play), participants were asked to identify the elements needed to establish effective negotiations. They concluded that to achieve a successful negotiation it is necessary to analyze and know the different actors involved.

In one part of the module participants identified the actors in conflict and decision making processes, for example, controllers (decision makers), persuasive actors (those who have influence over controllers), coercive actors (those who can contribute to breaking the will of controllers), linking actors (networks that are able to support and make connections with influential actors), coalitions (allies that are necessary to strengthen positions), advisors and informants.

The participants considered the results and reflections from this module when developing their project proposals.

Module X

Final work. The workshop was designed with an opportunity for daily reflection on the topics during the two weeks of face-to-face sessions so that at the end of the workshop participants could include all topics in a joint project proposal that would strengthen SSF at a national level through implementing the SSF Guidelines. Workshop coordinators devoted at least half an hour per day to presenting guidelines regarding the approach of the final work. Participants, both official government delegates and representatives of indigenous organizations, were enthusiastic and committed to making their proposals (one per country), and they worked every night on their final projects.

The SSF Guidelines included fundamental elements of advocacy (as a guide for structuring the work), as well as cross-cutting themes that intersect with artisanal fisheries such as gender, equity, equality, climate change, negotiation, transparency and incidence.

The projects submitted by the participants show the implementation of the SSF Guidelines as an advocacy, negotiation and management tool, from local to national levels. Presentation of final works was made on September 7 and 8. Participants, organized by country, presented their advocacy projects before an examining

committee made up of two FAO members (Carlos Pulgarín and María Acosta) and one from FILAC (Mirna Cunningham). Each presentation was given 90 minutes. Once a presentation was over, members of the examining committee asked questions, and made comments and recommendations so that improvements in the proposals could be made in order to use them as advocacy and management material.

Work plans submitted by each country are listed below. Detailed information is given in Annex 2.

- **Costa Rica:** Establishing legal mechanisms from an indigenous perspective towards the implementation of the SSF Guidelines for securing sustainable SSF, as well as access, exploitation and sustainable use of natural resources.
- **Guatemala:** Improvement of artisanal fishing conditions in IPs of Guatemala through an inclusive development plan.
- **Honduras:** Diving certification and planning on the basis of fishing practices in indigenous communities, the general law on fisheries and binding actors⁴.
- **Nicaragua:** Indigenous and Afro-descendant territorial rules on artisanal fisheries in the Caribbean coast of Nicaragua.
- **Panama:** Fishery management in the indigenous coastal areas of the Caribbean Sea in Panama.

The event ended on 8 September at noon, once the participants were awarded the attendance certificates signed by Mirna Cunningham, President of the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean, Tito Díaz, Coordinator of the FAO Subregional Office for Mesoamerica, and Álvaro Pop, Technical Secretary of FILAC.

Results and recommendations



RESULTS

The design and methodology of the workshop allowed representatives of the governments and of IPs and fishers to receive training, to share their perspectives, and to discuss the differences and similarities in their use and administration of fishery resources and related ecosystems.

The workshop opened communication channels among the national governing bodies and users and representatives of indigenous territories.

Representatives of the government of each country, indigenous representatives and indigenous fishers worked on project proposals (one proposal per country: Costa Rica, Guatemala, Honduras, Nicaragua and Panama) for implementing of the SSF Guidelines in their countries, giving priority to the territories and needs observed in the workshop.

Representatives of IPs requested that an Indigenous Artisanal Fishers of Central America Network be established. Demóstenes Ariel González was commissioned to be the provisional president of the executive board of the new network by means of a document of mutual consent.

The motion was supported by:

- Eliecer Velas Álvarez, member of the National Indigenous Council of Costa Rica;
- Marconi Lacayo Elizondo, member of the “8 Ethnic Groups Indigenous Association”, a Costa Rican organization;
- Lisbeth Paola Choloño Vásquez, a young participant in the Parliament of Children and Adolescents, volunteers in tulle sowing together with fishers and citizens of the municipality of San Juan, La Laguna, Guatemala; José Antonio Serrano Martínez, technical liaison of the Garífuna Communities inhabiting the Cortés and Atlántida departments of Honduras in the Autonomous Peoples of Honduras Confederation (COMPAH for its acronym in Spanish);
- Gerson Miller Wood, a member of the “Auhya Yary” council on land - use planning, with a Muskitia Asla Takanka social base, in the municipality of Puerto Lempira, Honduras;
- David Mejía Suansin, a representative of the Miskito “MASTA” (Muskitia Asla Takanka) organization in Honduras;
- Arcadio Castillo Díaz, a researcher at the Center of environment and human development (CENDA), Panama;
- Demóstenes Ariel González V., Indigenous Council of Central America consultant and political and technical advisor for the Kuna de Wargandi comarca (indigenous territory), Panama;

- Eric Raúl Montezuma García, a representative of the IPs of Panama before the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean;
- Henderson Toby García, President of the Tawira indigenous territory, Nicaragua
Eric Raúl Montezuma García, representative of the indigenous peoples of Panama before the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean.
- Henderson Toby García, president of the Tawira indigenous territory, Nicaragua.

The document of mutual consent is presented in Annex 3.

RECOMMENDATIONS

The capacities of IPs and state entities for the administration of SSF in Central America require systematic accompaniment, that, on one hand, allows for the development of inter-institutional mechanisms of governance and management on access to fisheries resources and ecosystems linked to fishing in indigenous territories, and, on the other hand, ensures a proper State control for securing fishery resources sustainability.

It is necessary to strengthen an indigenous peoples' round table within the framework of SICA (Central American Integration System) in order to establish a regulatory framework for fishing in indigenous territories, especially in the Caribbean Basin, where more than 75 percent of coastal areas are owned by IPs. In light of the SSF Guidelines and UNDRIP, FAO seeks to create a line of work in the region to improve the fisheries autonomous management skills of IPs, by working together with the governments of these countries on the legislation, regulation, control and monitoring of fisheries, as well as on technological innovation and the integration of traditional knowledge systems.

It is necessary to create or strengthen a line of work in the region that will improve the fisheries autonomous management skills of IPs by working together with the governments of these countries in the legislation, regulation, control and monitoring of fisheries, as well as in aspects such as technological innovation and integrating traditional knowledge systems.

It is also necessary to improve training in job safety and in regulation, especially in relation to spearfishing. It is also important to strengthen and provide mechanisms that allow better organization of the union of fishers, strengthening the administration, and for access to the market and commercialization of the SSF sector.

It is advised that support the creation of an Indigenous Artisanal Fishers Central America Network be created. CICA, FILAC and FAO will contribute to defining the guidelines and scope of this network.

The results of this workshop will be carried forward if the representatives of IPs and fisheries national authorities continue to act upon the processes they identified and agreed to during the workshop. These processes include: i) project proposals, ii) creating the Indigenous Artisanal Fishers of Central America Network, and iii) sharing and disseminating information about this activity in the countries of Central America and in other regions of the world.



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ANNEXES



Annex 1. WORKSHOP AGENDA

Workshop on the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication for Indigenous Peoples of Central America.

DATE	TIME	LEADER, FACILITATOR, PROFESSOR	MODULE	SUB-THEME
28/8/17	8.00 – 8.30		Workshop opening	Registration of participants
	8.30 – 10.00	Moderator: Dennis Mairena		Workshop opening Indigenous ritual
				Opening speech. The speech was presided over by: - FAO representative - FILAC representative - Ull representative - FILAC Workshop Coordinator
		Mayan spiritual guide - Mario Sebastián Caal		Indigenous spirituality
		Coordinator and administrator of the workshop (FILAC)		Contextual aspects, agenda, contents, logistics and administration of the workshop
	D. Mairena	Participants' introduction and presentation of their expectations		
	10.00 – 11.00	Álvaro Pop FILAC	Rights of IPs and their relationship with fisheries policies	Fundamental rights of IPs
	11.00 – 12.30	Álvaro Pop FILAC		ILO Convention No. 169: Rights to consultation and to self-determination
	12.30 – 13.30			Lunch
	13.30 – 16.00	Álvaro Pop FILAC		Indigenous movements in the region: advances, limitations, challenges.
	16.00 – 18.00	Emma McGhie		Final work - Incidence and objective

DATE	TIME	LEADER, FACILITATOR, PROFESSOR	MODULE	SUB-THEME
29/8/17	8.00 – 8.30	Spiritual guide - Mario Sebastián Caal	Introduction and FAO SSF Guidelines, and artisanal fishing trends in Central America	Indigenous spiritual ceremony
	8.30 – 10.00	María Acosta (FAO)		Fisheries Administration International Framework (FAO)
	10.00 – 11.00	Jadder Mendoza-Lewis (FILAC)		Fishing systems and state of fisheries in indigenous territories. Objectives of artisanal fisheries
	11.00 – 12.30	Myrna Cunningham (FILAC)		UNDRIP and the right to lands, territories and natural resources. Case law in Central America
	12.30 – 13.30			Lunch
	1.30 – 15.00	Myrna Cunningham (FILAC)		Voluntary guidelines on the responsible governance of tenure of land, fisheries and forests in the context of national food security
	15.00 – 15.20	Carlos E. Pulgarín (FAO)		Introduction to the SSF Guidelines and artisanal fishing trends in Central America.
	15.20 – 17.00	Víctor Fernández (INCOPECA)		Implementation of the small-scale fisheries SSF Guidelines, case study in Costa Rica.
	17.00 – 18.30	Dennis Mairena and Jadder Mendoza-Lewis		Final work - tutoring sessions
30/8/17	08.00 – 8.30	Spiritual guide - Mario Sebastián Caal	Governance and management of fisheries in indigenous territories and communities of the region.	Indigenous spiritual ceremony
	8.30 – 10.30	Jadder Mendoza-Lewis		Main concepts: fisheries management (western system and traditional systems), ecosystem approach, access and control approach, and responsible governance of fisheries in indigenous territories and communities
	11.00 – 12.30	Jadder Mendoza-Lewis		Traditional practices and customary management of fisheries
	1.30 – 15.00	Dennis Mairena		Governance and sustainability strategies in artisanal fisheries: women, job security and social security
	15.00 – 16.30	Workshop participants (Moderator: Jadder Mendoza)		Regulation of fishing and fisheries. The role of governance structures of IPs
	16.30 – 18.00	Jadder Mendoza-Lewis		Monitoring and evaluation of artisanal fisheries

DATE	TIME	LEADER, FACILITATOR, PROFESSOR	MODULE	SUB-THEME
31/8/17	8.00 – 08.30	Spiritual guide - Mario Sebastián Caal	Legal and institutional rules on fisheries management in the countries of Central America, relationship with the SDGs, the AICHI objectives and international agreements.	Indigenous spiritual ceremony
	8.30 – 9.30	Alejandro Flores (FAO)		Model law on artisanal or small-scale fisheries
	9.30 – 10.30	Mario González Recinos		OSPESCA and regional policies on SSF
	10.30 – 11.30	Mario González Recinos		CIPESCA - Implementation of the SSF Guidelines within the SICA-OPESCA governance framework
	11.30 – 13.00	Representatives of the governments of the region		Government (state) policies on fisheries management
	13.00 – 14.00			Lunch
	14.30 – 15.00	Carlos E. Pulgarín (FAO)		Fishing trends in the region
	15.00 – 16.30	Jadder Mendoza-Lewis		Fishing ecosystems and state of indigenous territories in inland waters and marine coastal waters. The Convention on Biological Diversity strategic framework (AICHI targets) CBD and the SDGs for the development of coastal areas and fisheries
	16.30 – 18.00	Dennis Mairena and Jadder Mendoza-Lewis		Final work

DATE	TIME	LEADER, FACILITATOR, PROFESSOR	MODULE	SUB-THEME
1/9/17	08.00 – 08.30	Spiritual guide - Mario Sebastián Caal	Fishing technologies, gear and methods.	Indigenous spiritual ceremony
	8.30 – 10.00	Arnulfo Franco (FIPESCA)		Environmental and social impact of fishing gears and methods
	10.00 – 12.30	José Antonio Urbina (FILAC)		Traditional fishing gear and methods, and preservation of fishery resources (use and consumption)
	12.30 – 13.30			Lunch
	13.30 – 16.00	José Antonio Urbina (FILAC)		Non-traditional fishing gear and methods, and preservation of fishery resources (use and consumption)
	16.00 – 17.00	Javier Villanueva (FAO)		Illegal, unreported and unregulated fishing: effects on food security and sustainability of fishery resources
	17.00 – 18.00	Dennis Mairena and Jadder Mendoza-Lewis		Final work
2 y 3/9/17		Ariel González	Exchange of experiences on governance and community administration.	Field visit and Guna People
4/9/17	08.00 – 08.30	Spiritual guide - Mario Sebastián Caal	Use and market of IPs' fishing and fisheries.	Indigenous spiritual ceremony
	8.30 – 10.00	Carlos Brenes C.		Fishing objectives and terms of reference (food and nutrition security, market and trade)
	10.00 – 12.30	Carlos Brenes C.		Organizational systems and indigenous principles of economy and its institutions (reciprocity, solidarity, food and market)
	13.30 – 15.30	Carlos Brenes C.		Value chain and the right to equitable production
	15.30 – 17.00	Carlos Brenes C.		Dynamics of the fishing economy and effects of the fishing market and trade

DATE	TIME	LEADER, FACILITATOR, PROFESSOR	MODULE	SUB-THEME
5/9/17	8.00 – 8.30	Spiritual guide - Mario Sebastián Caal	External context. Geopolitics, climate change and biodiversity.	Indigenous spiritual ceremony
	8.30 – 10.00	Myrna Cunnin- gham		Poverty and food insecurity, and fishery resources
	10.00 – 12.30	Myrna Cunnin- gham		The extractive development model, fishery resources, the SDGs and the impact on IPs
	13.30 – 15.00	Dennis Mairena		Climate change and the adaptation process to clima- te change
	15.00 – 17.00	Jadder Mendo- za-Lewis		Anthropogenic consequences and meteorological phenomena in fisheries
6/9/17	8.00 – 8.30	Spiritual guide - Mario Sebastián Caal	Final work.	Indigenous spiritual ceremony
	9.00 – 16.00	Jadder Mendo- za-Lewis, Dennis Mairena, Carlos E. Pulgarín		Final work tutoring
7/9/17	16.00 – 18.00	Jadder Mendo- za-Lewis, Dennis Mairena, Carlos E. Pulgarín		Final work tutoring
	8.00 – 8.30	María Acosta, Mirna Cunnin- gham, Carlos E. Pulgarín		Final work presentation before the Academic Board
8/9/17	9.00 – 13.00	Spiritual Guide - Mario Sebastián Caal		Indigenous spiritual ceremony
	9.00 – 13.00	María Acosta, Mirna Cunnin- gham- Carlos E. Pulgarín	Final work presentation before the Academic Board Closing ceremony	
9/9/17	Participants' return to their respective countries			

Annex 2. WORK PLANS FOR THE INDIGENOUS TERRITORIES OF EACH COUNTRY

COSTA RICA

Eliecer Velas Álvarez
Edgar Maroto Morales
Jeffry Juárez Bejarano
Marcony Lacayo Elizondo
Víctor Fernández Rojas



**ESTABLISHING LEGAL MECHANISMS FROM AN INDIGENOUS
PERSPECTIVE TOWARDS THE IMPLEMENTATION OF THE
VOLUNTARY GUIDELINES FOR SECURING SUSTAINABLE
SMALL SCALE FISHERIES, AS WELL AS ACCESS,
EXPLOITATION AND SUSTAINABLE USE OF
NATURAL RESOURCES IN COSTA RICA**

INTRODUCTION

The SSF Guidelines have been created as a complement to the FAO Code of Conduct for Responsible Fisheries of 1995. They were formulated in order to provide additional guidance regarding small-scale fisheries and to support the principles and general provisions of the Code.

These SSF Guidelines aim to support the visibility, recognition and promotion of the already important role that small-scale fisheries play, and to contribute to global and national efforts that seek to eradicate hunger and poverty. They also support responsible fisheries and sustainable social and economic development for the benefit of present and future generations, with special emphasis on fishers and workers involved in small-scale fisheries and related activities, and in particular vulnerable and marginalized people, by promoting an approach based on human rights.

The SSF Guidelines are closely related to the fulfillment of the 17 Sustainable Development Goals (SDG) of the 2030 Agenda for Sustainable Development, adopted by world leaders in September 2015, especially SDG 14 “Life below water: Conserve and sustainably use the oceans, seas and marine resources for sustainable development”. They are connected to the Aichi Biodiversity Targets, the Strategic Plan for Biodiversity 2011–2020 and the Programme of Work on Protected Areas of the Convention on Biological Diversity, which invites the 196 countries that are parties to the Convention to “Recognize and promote a broad set of protected area governance types”, including “areas conserved by indigenous and local communities” and support them by means of “legal and/or policy, financial and community mechanisms”.

Since the SSF Guidelines are based on human rights, they are directly linked to the compliance of Convention 169 of the International Labour Organization, the Indigenous and Tribal Peoples Convention, also known as ILO - Convention 169, and the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).

Mesoamerican IPs customarily use terrestrial and marine ecosystems. Yet only in very few cases has their way of accessing and using resources been considered, assessed and recognized as knowledge specific to these peoples and as effective practices of conservation and sustainable exploitation with cultural and biological significance.

Several important global forums have specifically requested national governments and civil society to pay attention to this issue. Despite having been displaced from their lands and territories, IPs still have an ancestral connection with marine and inland water biodiversity.

Biodiversity is essential to the health and continuation of these peoples. Sustainable fisheries, among other activities, ensures their food security and their sovereignty.

For this reason, marine and inland water areas continue to be fundamental to these peoples. They have made several proposals to be considered when creating public policy at the regional and national levels.

PROBLEM IDENTIFICATION

At the national level, it is only recently that small-scale fisheries in Costa Rica have been considered from the indigenous perspective, even though this has historically been a traditional practice of IPs that has contributed to their biological and cultural strength. It is important to note that they have been allowed to perform their spiritual rites and exercise their identity as distinct peoples.

In Costa Rica small-scale fisheries are under governmental control through the Costa Rican Institute of Fisheries and Aquaculture (INCOPECA), an institution that administers, regulates and promotes the development of the fisheries and aquaculture sector from an ecosystem approach and in accordance with the principles of sustainability, social responsibility and competition. INCOPECA was created by Law 7384, published on 29 March 1994 in the Costa Rican official gazette (diario oficial) La gaceta, and is subject to the National Development Plan issued by the Executive Branch, whose governing body is the Ministry of Agriculture and Livestock.

With regards to artisanal fisheries, INCOPECA has established in some communities Responsible Fisheries Marine Areas, a model of co-management with community organizations that implies the elaboration of fishery management plans whose compliance is mandatory for fishers of said areas.

The Board of Directors of INCOPECA is the maximum authority. It is made up of representatives of the Government and of the fisheries and aquaculture sector. Its powers and duties have been established in Law 7384. As a higher body, its purpose is to manage and establish institutional policies, to ensure compliance with the laws governing the country's fisheries and aquaculture sector. Currently, there are representatives of artisanal fisheries organizations on the Board of Directors of INCOPECA, as well as representatives of other fisheries sectors.

However, in Costa Rica there is no indigenous fishing organization that is officially recognized by the state. The fragility of organizations in indigenous territories is being addressed through a governance model within the framework of the SSF Guidelines. With the participation of IPs, the objectives include empowering fishing organizations and harmonizing a law project on fisheries that considers the world view and autonomy of IPs. This law is intended to be created with the complete participation of fishing communities, whose contributions are in line with sustainable development and the SSF Guidelines.

Illegal, unreported and unregulated fishing (especially in rivers and lagoons) is currently very common among indigenous populations. Such activities are generally carried out in protected areas and can lead to confrontations with regional autho-

rities, who don't recognize their ancestral customs. Thus, the limitation, access, use and exploitation of fishery resources in protected areas represent the most serious problems in Costa Rica.

There is no oral or documented evidence stating that the activities carried out by IPs endanger the flora and fauna of the areas they inhabit, since these practices have always been performed in a rational manner and are based on rules of human balanced coexistence with nature. Therefore, it is illogical to restrict their right to access places of cultural importance and in opposition to their rights.

The establishment of protected areas in the national territory and the resulting prohibition of entry imposed to IPs coincided with the proliferation of indiscriminate hunting, extensive livestock, intentional fires, which are the main activities that are currently endangering many conservation areas.

Due to the conditions of poverty in which indigenous populations live, it is necessary to regulate small-scale fisheries. There is national legislation to address the right of IPs to fish freely because it is a traditional activity that contributes to their diet.

Although protected areas allow fishery and forest resources to be controlled and regulated, it also means that indigenous cultures have had their biological continuation, their way of life and their spirituality restricted. It has also changed their diet and traditions. It limits IPs' opportunities to use their knowledge in the areas surrounding their zones of economic, spiritual and traditional interest. This ignores the fact that the indigenous world view is a foundational aspect of the documents that justify establishing protected areas.

The Government of Costa Rica, using several international instruments, developed a coordinated and systematic action, with the participation of IPs, aimed at protecting the rights of IPs and guaranteeing their integrity. One measure they took was to implement activities that promote the full realization of the social, economic and cultural rights of IPs, respecting their social and cultural identity, their customs and traditions and their institutions.

Various legal instruments on IPs recognize their right to carry out cultural activities in their ancestral territories. The Indigenous and Tribal Peoples Convention, 1989, the ILO Convention, which concerns indigenous and tribal peoples in independent countries, was adopted in 1992 through the Republic Act No. 7316, and in its article 14 it states that "The rights of ownership and possession of the peoples concerned over the lands which they traditionally occupy shall be recognized".

In appropriate cases, measures shall be also taken to “safeguard the right of the peoples concerned to use lands not exclusively occupied by them, but to which they have traditionally had access for their subsistence and traditional activities”. In this regard, the Constitutional Chamber has stated that the provisions of conventions, declarations or treaties on human rights take precedence over the Costa Rican Constitution by emphasizing that “the human rights instruments in force in Costa Rica have not only similar validity to that of the Political Constitution, but to the extent that they grant greater rights or guarantees to people, said instruments take precedence over the Constitution” (Vote No. 2313–95).

Likewise, the United Nations Declaration on the Rights of Indigenous Peoples, adopted in 2007, reaffirms this right in its article 25 by stating that “Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard”.

The Conference of the Contracting Parties to the RAMSAR Convention on Wetlands (Ramsar, COP7, Resolution VII.8.1.2, 1971) refers to the right of local indigenous communities to access resources in wetlands protected by this convention, provided that they use these resources within the framework of sustainable development, and recognizes that local and indigenous communities’ involvement represents a “substantial contribution to management practices that further Ramsar’s wise use objectives”.

In the seventh ordinary meeting of the Conference of the Parties to the Convention on Biological Diversity, resolutions adopted by the Fifth World Parks Congress in 2003 were supported; supported. Through decision N. VIII/28m, the Programme of Work on Protected Areas was adopted, which establishes, among others things, the following duties: “2.2.2. Implement specific plans and initiatives to effectively involve indigenous and local communities, with respect for their rights consistent with national legislation and applicable international obligations, and stakeholders at all levels of protected areas planning, establishment, governance and management, with particular emphasis on identifying and removing barriers preventing adequate participation”.

The Fisheries and Aquaculture Integration Policy (2015-2025), in its strategic item 6.5 “Sustainable Fisheries and Aquaculture”, states that: “The SSF Guidelines approved by FAO shall be considered in the planning activities related to small-scale fisheries in the countries belonging to SICA, the involvement of the Confederation of Artisanal Fishers of Central America and, where appropriate, other civil society regional associations that have any relationship with small-scale fisheries”.

The SSF Guidelines have been also included in the Regional Strategic Agenda of the Fisheries and Aquaculture Sector, within the framework of OSPESCA, which makes it essential to strengthen all processes related to SSF Guidelines and aimed that are at developmping of artisanal fishers in the context of the full enjoyment of human their rights.

Internally, principles of the Policies on Protected Wild Areas of the National System of Protected Areas and Conservation include “public involvement: the management of the system of protected wild areas shall involve local communities, IPs [...] recognizing their traditional knowledge and ancestral practices”.

Recently, the Public Prosecutor’s Office issued the Circular 13–ADM 2011, which, when referring in its section VII to the “Maleku people’s traditional use of fishing and the territorial coverage of this activity”, argues that “the fishing activity carried out by this IPs contains a cultural and spiritual background” and concludes that “by virtue of the foregoing, any member of this IPs is allowed to fish and use the resources of the area, regardless of the restrictions that are to be imposed, in such a way that fishing guapote fish, mojarra fish (a type of bream) and turtles in rivers or navigation channels throughout this area is a behavior culturally accepted by members of this IPs”.

The scenario described above leads to the conclusion that the fishing activities carried out by the Maleku people are excluded from the type of criminal offense described in Article 97 of the Wildlife Conservation Law; therefore, this situation could be applicable to other communities. Finally, through Executive Decree No. 39519-MINAE, “on the acknowledgement of governance models of Wild Protected Areas of Costa Rica”, the governance system of IPs, defined as “the governance model established and administered by indigenous peoples”, was recognized by the state, based on the Convention on Biological Diversity and applicable the national legislation.

GENERAL OBJECTIVE

To strengthen IPs cultural identity and cultural integrity of means of indigenous cultural systems of access and use of resources in all the Costa Rican territory, and by performing actions related to the conservation and use of ecosystems and species in fishing sites, ancestral use territories and terrestrial and marine ecosystems in the context of the SSF Guidelines.

SPECIFIC OBJECTIVES

- To legally ensure that communities in indigenous territories are able to access protected areas and other forms of marine and conservation areas in order to use and conserve and co-management local aquatic and coastal ecosystems through their cultural practices.
- To make progress regarding the inter-institutional debate on indigenous territories, their lands and ancestral use territories, terrestrial and marine ecosystems, as well as as being able to access and use them exploitation through indigenous cultural systems of access and use of resources in all the Costa Rican territory.
- To produce legal instruments from the perspective of indigenous communities that allow regulating and ratifying practices that have been done historically done in indigenous territories as part of their fishing, aquaculture and traditional activities, thus, promoting the food and nutrition security of IPs through artisanal fishing as a productive activity that is still in development. To empower indigenous women leaders to be a fundamental part of the indigenous economy, and to identify the issues they need to work on to develop their capacities.

BENEFICIARIES

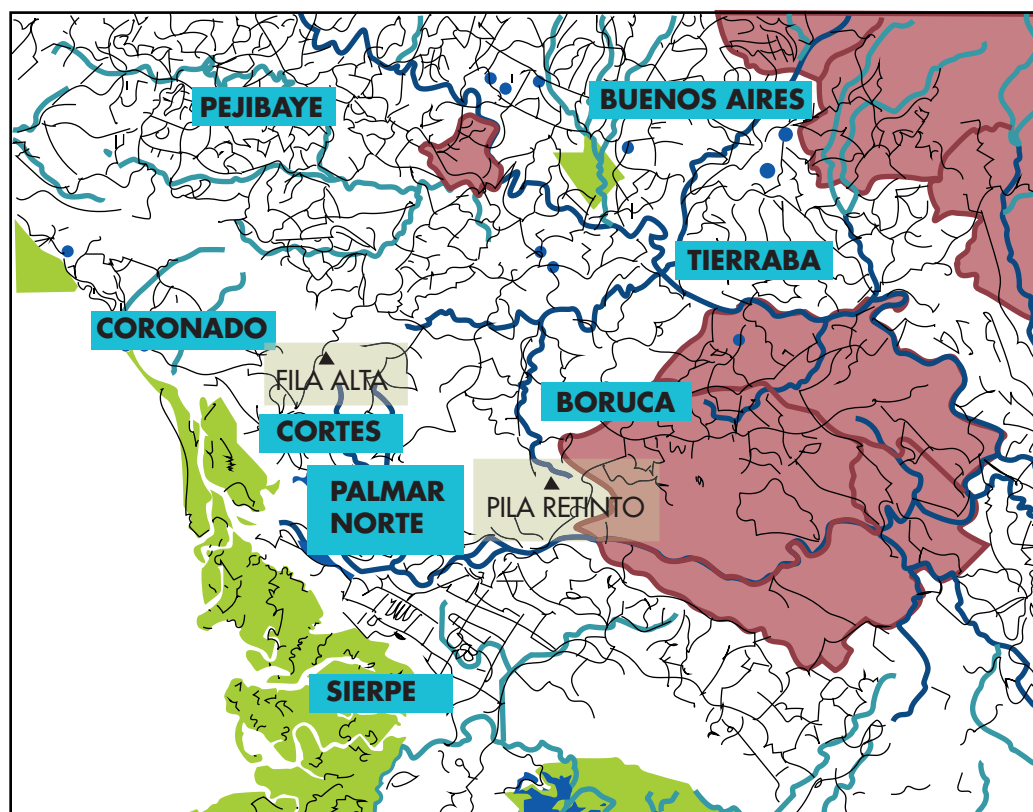
Project beneficiaries are the main indigenous territories of Costa Rica where fishing activities and harvesting of mollusks take place, which can be seen in table 2.

Table 1: Main indigenous territories of Costa Rica where fishing activities and harvesting of mollusks take place

TERRITORY	FISHING AREAS	OBJECTIVE	PROBLEM
Maléku	Caño Negro National Wildlife Sanctuary	Subsistence fishing	Restricted access to places used for ancestral purposes and use of hydrobiological resources
Osa – Ngobe	The sea	Subsistence fishing	Restricted access to places used for ancestral purposes and use of hydrobiological resources
Conte Burica	Pacific coast of the territory	Subsistence fishing	There is no conflict or issue with the fisheries authority
Boruca	Térraba river and the Pacific coast in the Marino Ballena National Park	Subsistence fishing	Restricted access to places used for ancestral purposes and use of hydrobiological resources
Curré	Térraba river basin	Subsistence fishing	
Térraba	Térraba river basin	Subsistence fishing	

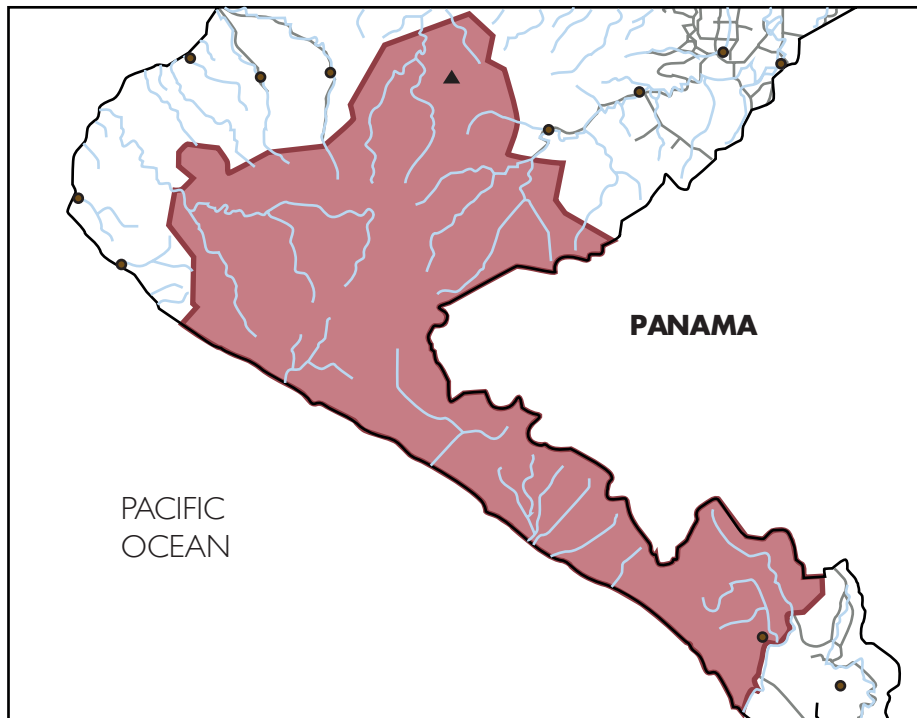
Source: Mesa Nacional Indígena, 2017

Figure 1. Territory of Boruca-Curre - Térraba



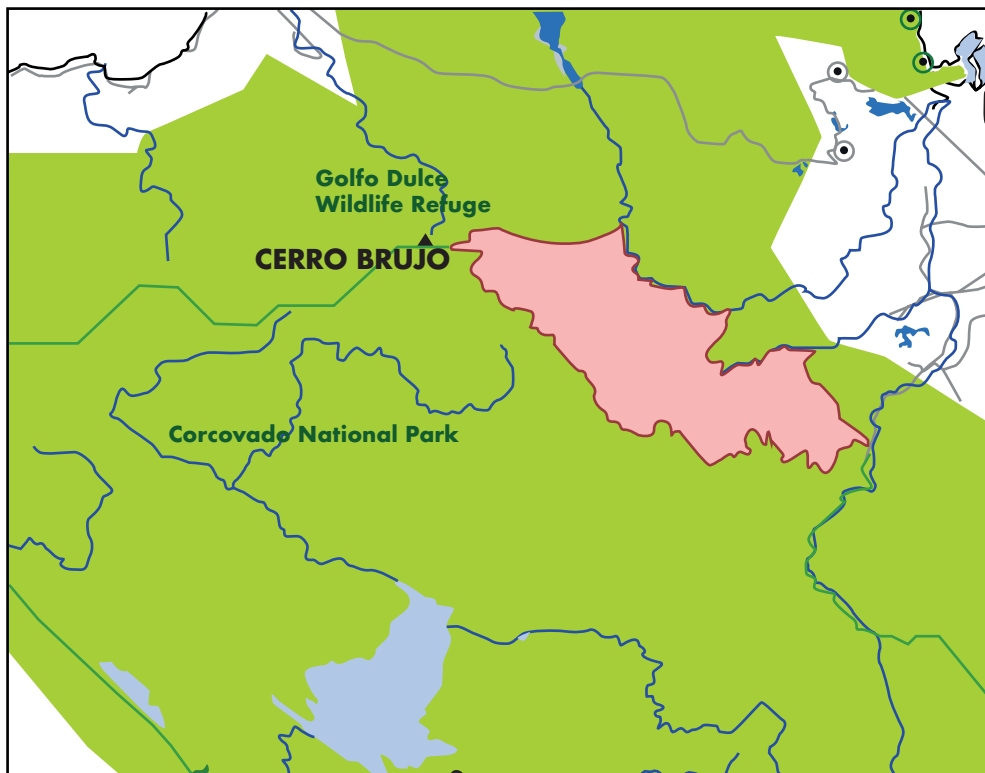
Source: Mesa Nacional Indígena de Costa Rica, Estrategia Nacional de Biodiversidad de Costa Rica.

Figure 2. Territory of Conte Burica



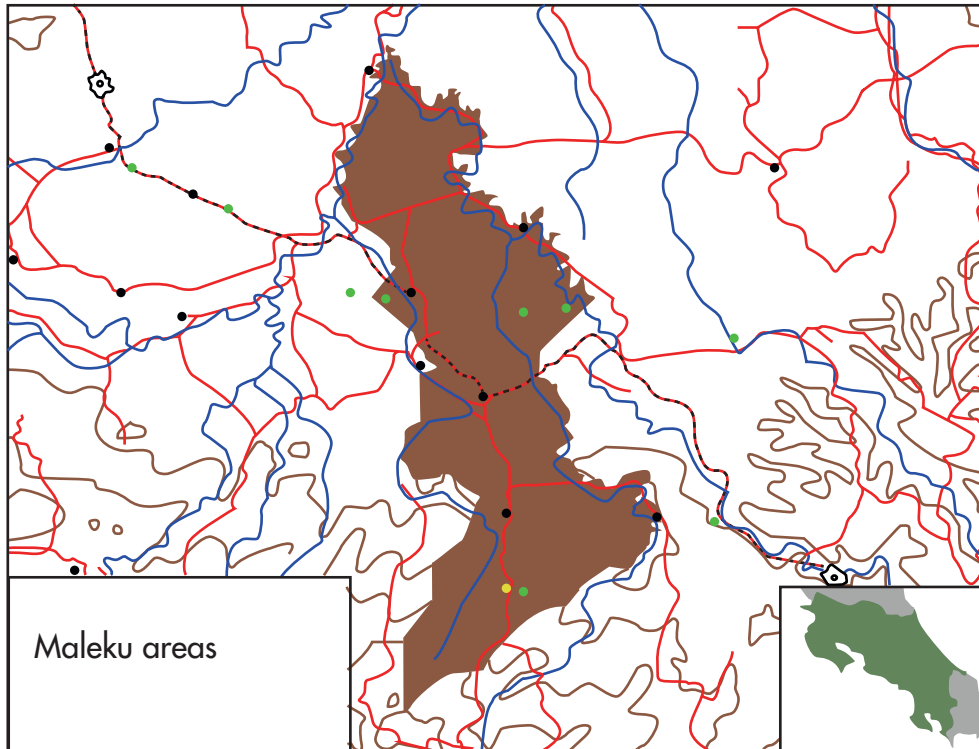
Source: Mesa Nacional Indígena de Costa Rica, Estrategia Nacional de Biodiversidad de Costa Rica.

Figure 3. Territory of Osa



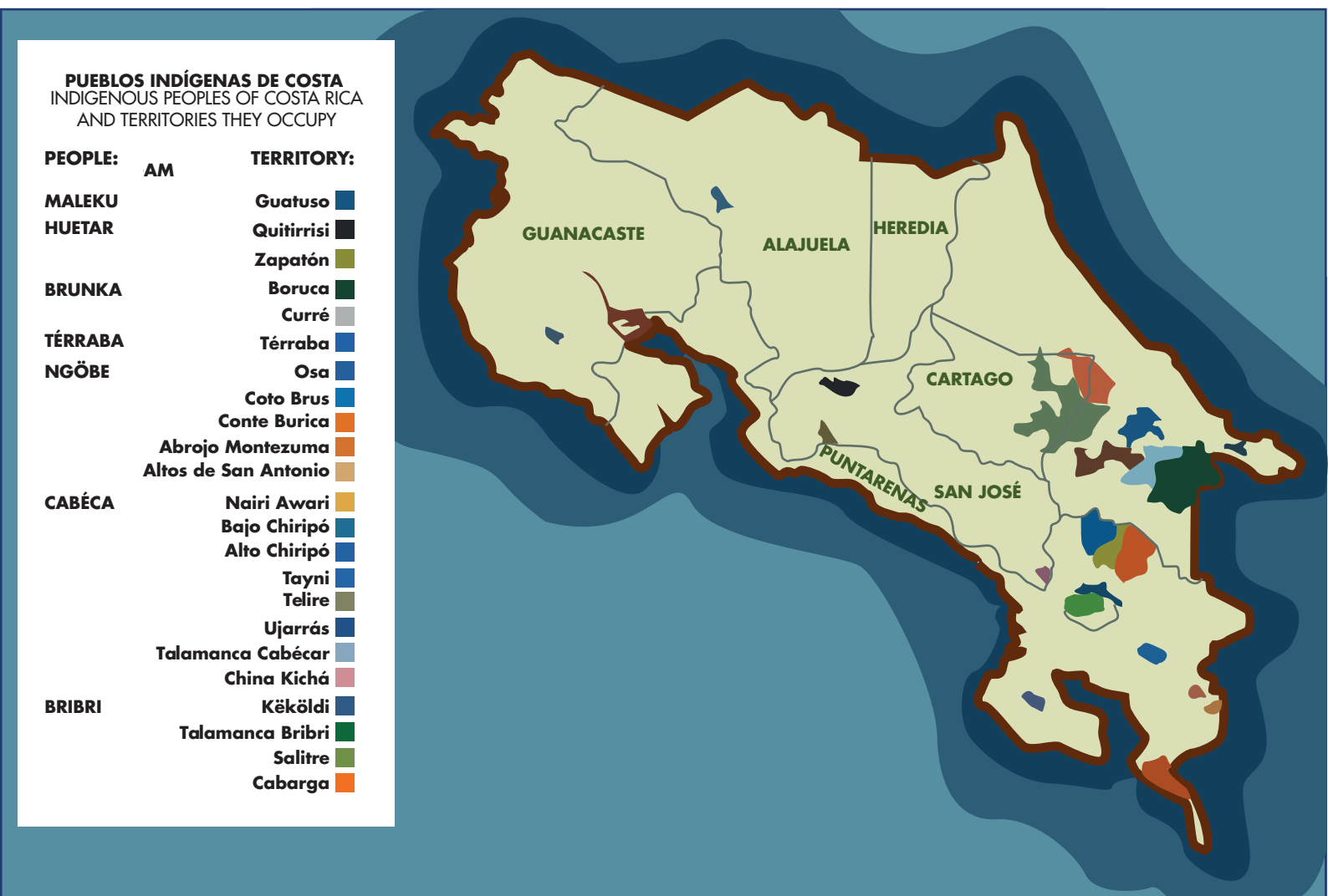
Source: Mesa Nacional Indígena de Costa Rica, Estrategia Nacional de Biodiversidad de Costa Rica.

Figure 4. Territory of Maleku



Fuente: Mesa Nacional Indígena de Costa Rica, Estrategia Nacional de Biodiversidad de Costa Rica.

Figure 5. National territory



Fuente: Mesa Nacional Indígena de Costa Rica, Estrategia Nacional de Biodiversidad de Costa Rica.

STRATEGY

To achieve these objectives, a joint action by INCOPESCA and the Costa Rican National Indigenous Round Table (MNICR) has been proposed. MNICR is a national organization structured as a Civil Association that brings together IPs and organizations from different territories, and whose fundamental objective is to promote indigenous autonomy, respect for historical rights and recognition of interculturality by the state as an expression of a superior democratic state. In Central America, the Round Table is part of the Central American Indigenous Council (CICA), which is an observer within the Consultative Committee of the Central American Integration System (CC-SICA).

There are many indigenous organizations, such as the Regional Aboriginal Association of Dikes (ARADIKES) in Buenos Aires, province of Puntarenas, the Ngobegue Cultural Association in southeastern of Costa Rica, the Acomuita Association in Talamanca de Limón, and many others in each indigenous territory.

For over 20 years, the only indigenous non-governmental entity, that still collects the cultural expressions in the country, has been the National Indigenous Table. Regarding the relationship of the MNICR with the indigenous communities, it is clear that it is a non-governmental organization that plays a very important role representing IPs, maintaining working relations and collaboration with other organizations of the indigenous territories, such as the Association for Integral Indigenous Development (ADII), including local governments and other legal expressions.

Thanks to the strategies developed in the region, the MNICR through the CICA has recently developed important projects in Costa Rica with direct benefits for indigenous organizations. In this context, it is important to involve community organizations and those living in the region. The governmental authorities of each indigenous community should recognize small-scale fishing as a fundamental right for the survival of indigenous cultures under customary law. They should also recognize that the SSF Guidelines have been identified as an important means of eradicating poverty and contributing to food and nutritional security for the population. It is also important to recognize the important role of fishing in local economies.

Indigenous communities should work with the Ministry of Environment and Energy (MINAE), as well as with the National System of Conservation Areas (SINAC), to achieve co-management models for fishing authorities, the environment and for indigenous communities that carry out fishing activities and extract mollusks, in order to generate a shared vision of their productive activities and ancestral uses to protect ecosystems within the framework of sustainable development.

The proposals that arise should be informed by the feelings and knowledge of the indigenous peoples, as they articulate their right to fish within the framework of the SSF Guidelines and integrate the indigenous communities of Costa Rica.

In general, three main work areas are oriented toward this process:

- The National Indigenous Table and INCOPESCA, which seek to introduce the SSF Guidelines with the indigenous communities of Costa Rica, and to define cultural indigenous access systems and the use of national resources in indigenous territories, as well as their lands, territories of ancestral use, and terrestrial and marine ecosystems through participatory criteria.
- Discuss at the inter-institutional level indigenous territories, their ancestral land and territory, terrestrial and marine ecosystems and their access and use through cultural indigenous access systems, and the use of national resources, paying special attention to indigenous women.
- Include the indigenous cosmogony in the elaboration of fishery management plans and management plans for Conservation Areas, Protected Areas or National Parks, to ensure and guarantee the enjoyment of the rights to access and use of the lands and territories of ancestral use and terrestrial and marine ecosystems for indigenous communities.

To progress in these areas, it is essential that the capacities of the organizations be strengthened and that they be sensitized to the issues. Indigenous leaders of the different communities must be encouraged to participate.

IDENTIFICATION OF ACTORS IN MANAGEMENT PLANS

The following is a characterization of the actors that may play important roles in this process:

- Local indigenous organizations of the territories that carry out fishing activities and extract mollusks
- Local governments or Municipalities
- Institute of Rural Development (INDER)
- National Indigenous Table
- National Institute for Women (INAMU)
- Ministry of Culture, Youth and Sports
- Ministry of Environment and Energy (MINAE)
- National System of Conservation Areas (SINAC)

- Ministry of Public Security - Public Force
- Costa Rican Institute for Fisheries and Aquaculture
- Media
- Civil Society or Non-governmental Organizations
- Costa Rica Tourism Board (ICT)
- Fund for the Development of Indigenous Peoples of Latin America and the Caribbean (FILAC)
- Central American Indigenous Council (CICA)
- United Nations Development Programme (UNDP)
- Food and Agriculture Organization of the United Nations (FAO)
- Lutheran Church
- Hotel business sector
- Livestock and other agricultural activities

In addition, as the issue of insurance and enjoyment of rights to access and use of lands and territories of ancestral use and terrestrial and marine ecosystems by IPs includes a wide variety of actors at the national level, some may play different roles depending on the area where they work.. the following is a classification of allied, opponent or indecisive actors.

Allied actors

- National Indigenous Table
- INCOPESCA
- Civil Society or Non-governmental Organizations
- Local indigenous organizations of the territories that carry out fishing activities and extract mollusks
- Media
- National Institute for Women (INAMU)
- Ministry of Culture, Youth and Sports
- Costa Rica Tourism Board (ICT)
- Fund for the Development of Indigenous Peoples of Latin America and the Caribbean (FILAC)
- Central American Indigenous Council (CICA)
- Central American Indigenous Council
- Food and Agriculture Organization of the United Nations (FAO)
- Lutheran Church

Opponent actors

- Hotel business sector
- Livestock and other agricultural activities

Indecisive actors

- Ministry of Environment and Energy (MINAE)
- National System of Conservation Areas (SINAC)
- Local governments or Municipalities
- Ministry of Public Security – Public Force

ACTIVITIES

- a. The National Indigenous Table and INCOPESCA will develop six community exchanges for disseminating the of SSF Guidelines in indigenous communities of Costa Rica.
- b. The National Indigenous Table will prepare participatory criteria by developing three national meetings on indigenous cultural access systems and use of resources at the national level in indigenous communities, their lands and territories of ancestral use, and terrestrial and marine ecosystems.
- c. Four inter-institutional indigenous cultural meetings will be conducted to debate on IPs, their lands and territories of ancestral use, terrestrial and marine ecosystems and their access and use through indigenous cultural access systems and use of resources at the national level. One of these meetings will be devoted to the role of indigenous women and to restore their fundamental role in the indigenous economy.



- d. A legal instrument will be created considering the perspective of the indigenous communities, aimed at incorporating the indigenous cosmogony for the development of fishery management plans and management plans for Conservation Areas, Protected Areas or National Parks, to ensure and guarantee the enjoyment of the rights to access and use by indigenous territories of their lands and territories of ancestral use and terrestrial and marine ecosystems.
- e. The SSF Guidelines will be published in the Maléku and Bribri languages.
- f. An informative video about the SSF Guidelines will be made from an indigenous perspective.

ACTIVITIES		MONTH											
PRODUCTS	ACTIVITIES	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII
COMPONENT 4: LEGAL SUSTAINABILITY													
PRODUCT 4.1 Including the indigenous cosmogony in developing fishery management plans and management plans for Conservation Areas, Protected Areas or National Parks, to ensure and guarantee the enjoyment of the rights to access and use by indigenous territories of their lands and territories of ancestral use and terrestrial and marine ecosystems.	ACTIVITY 4.1 Four meetings will be held to prepare a legal instrument from the perspective of the indigenous communities, aimed at incorporating the indigenous cosmogony for the development of fishery management plans and management plans for Conservation Areas, Protected Areas or National Parks, to ensure and guarantee the enjoyment of the rights to access and use by indigenous territories of their lands and territories of ancestral use and terrestrial and marine ecosystems.												
	ACTIVITY 4.2 Hiring a legal consultant to prepare the legal instrument.												
COMPONENT 5: COMMUNICATION AND VISIBILITY													
PRODUCT 5.1 Strengthening the implementation of the SSF Guidelines in the light of the identity and cultural integrity of the indigenous communities through indigenous cultural access systems and the use of resources at the national level, as well as developing original practices for ecosystems.	ACTIVITY 5.1 To publish the SSF Guidelines in the Maléku and Bribri languages.												
	ACTIVITY 5.2 To prepare an informative video about the SSF Guidelines from an indigenous perspective.												

PROJECT COORDINATION

The project will be executed by the following institutions:

- National Indigenous Table
- INCOPECA
- FAO

BUDGET

Table 3. Detailed budget

DETAILED BUDGETARY SUMMARY (12 MONTHS)			
ITEMS	Unit cost (USD)	Units	Total Cost (USD)
Activity 1.1	2 500/workshop	6 workshops	15 000
Activity 2.1	2 000/workshop	3 workshops	6 000
Activity 3.1	2 000 /workshop	4 workshops	8 000
Activity 4.1	2 000/workshop	4 workshops	8 000
Activity 4.2: Legal Consultant	1 000/month	12 months	1 2000
Activity 5.1 Publication	2 translation and printing	750 units	6 000
Activity 5.2 Video	5 000	1 video	5 000
Communication and preparation of material for workshops and tours	Disseminate printed and audiovisual materials		2 000
Travel expenses: Food, lodging and internal transportation for participants in the activities			10 000
Technical support for the project: Hiring an assistant	1 000/month	12 months	12 000
TOTAL			84 000

RESULTS OR PRODUCTS

The following results or products are expected after executing this initiative:

- a. Indigenous communities in Costa Rica will be sensitized to and knowledgeable about the SSF guidelines and the role of IPs.
- b. Definition of cultural indigenous access systems and the use of national resources in indigenous territories, as well as their lands, territories of ancestral use, and terrestrial and marine ecosystems through participatory criteria.
- c. Costa Rican government institutions are made knowledgeable and aware of the indigenous territories, their lands and territory of ancestral use, terrestrial and marine ecosystems and their access and use through indigenous cultural access systems and use of resources.
- d. Indigenous cosmogony included in the elaboration of fishery management plans and management plans for Conservation Areas, Protected Areas or National Parks, to ensure and guarantee the enjoyment of the rights to access and use by indigenous territories of their lands and territories of ancestral use and terrestrial and marine ecosystems.
- e. Strengthened implementation of the SSF Guidelines in the light of the identity and cultural integrity of the indigenous communities through indigenous cultural access systems and the use of resources at the national level, as well as the development of original practices for the conserving and using of ecosystems.
- f. Empowerment of indigenous women leaders to restore the role of women as a fundamental part of the indigenous economy, as well as the identification of issues of interest to work towards the comprehensive development of their capacities.

GUATEMALA

Mario Sebastián Caal
Lisbeth Paola Cholobio
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Frank Moran



IMPROVEMENT OF ARTISAN FISHING CONDITIONS IN INDIGENOUS PEOPLES OF GUATEMALA THROUGH AN INCLUSIVE DEVELOPMENT PLAN

SUMMARY

Based on the need to recognize the role played by indigenous communities in developing artisanal fisheries in Guatemala and prioritizing their right to participate in decision-making in the programmes, policies and regulations of the country, it is proposed that a development plan be prepared, which includes IPs in the artisanal fishing sector, after acknowledging that there are no policies on the subject specifically addressed to IPs in the fisheries sector.

This proposal for developing artisanal fisheries should be created with indigenous fishing communities and should consider their ancestral traditions. The plan will promote recognition of the role of IPs in the conservation and proper use of resources. It will include the permanent participation of IPs in programmes and policies, with an emphasis on their knowledge and ancestral customs. The plan will also strengthen the traditional economies of indigenous fishing communities with a focus on gender equality and equity.

The strategies will be promoted by local authorities to medium and higher authorities through the support of national indigenous organizations that have conducted previous incidence work combining the use of current communication media and specific meetings with the key actors of the process.

The process is expected to last six years in order to meet the established objectives, create specific regulations with equity, and contribute to strengthening the traditional economy for small-scale fisheries of IPs in the context of their ancestral customs and traditions.

INTRODUCTION

Fishing is a traditional activity that has incorporated technology to meet the nutritional needs of humans. This activity has evolved into a large industry worldwide that provides work, daily sustenance and food to millions of people.

This has been the pattern in Guatemala, where fishing has become more technological. The Mayan ancestors engaged in fishing as the second most important activity after agriculture. Two littorals, over 327 lacustrine bodies larger than 10 hectares and more than 30 major rivers (4 000 km long) have always provided food and sustenance to the people of Guatemalan. Fishing in inland and/or continental waters continues to be, by tradition or legacy, an artisanal or subsistence practice, while ocean fishery on both coasts has become more technical because of the need to obtain more for larger and better catches to meet local needs as well as the growing international demand. In the region, Guatemala is the country with the largest number of indigenous cultures. It respects their rights and recognizes the importance of preserving their ancestral cultures and ways of life including fishing. It is necessary to strengthen and improve the status of small-scale fisheries in the indigenous communities where fishing is a part of the local economy. An inclusive development plan for the small-scale fisheries of the IPS of Guatemala is proposed with the objective of recognizing the role of the indigenous communities in conserving resources, promoting the inclusion of IPs in fishery programmes and regulations, respecting their traditional and ancestral techniques, and promoting the strengthening of the traditional economy of IPs with an emphasis on gender equality and equity.

Below are the steps and relevant strategies to achieve the objectives set and to provide IP fisheries with a dignified representation in the small-scale fisheries sector of Guatemala.

STATUS AND CONTEXT

The current fisheries legislation does not contain direct, adequate or specific support for IPs that develop the fisheries, and IPs have their own ancestral strategies for developing it.

Guatemala is a multilingual, multi-ethnic and multicultural country with 22 variations on these languages Mayan, Xinca, Garífuna and Spanish languages, which demonstrates the importance of developing differentiated public policy.

There are some situations that need to be changed quickly:

- Appropriate and targeted attention is needed for IPs, specifically to strengthen their customs, cultures and ways of life.
- It is necessary to promote the inclusion of IPs in national programmes and policies related to fisheries and aquaculture, and in decision-making processes relevant to the sector of influence of IPs.
- The rights and ancestral nature of IPs should be recognized for the development, protection and management of fisheries.



PROPOSAL

General objective

To improve the conditions of small-scale fisheries of the Guatemalan IPs through an inclusive development plan.

Specific objectives

- To recognize the role of IPs in decision making processes relevant to the fishing sector and aimed at the conservation and rational use of resources.
- To include IPs in national programmes and policies related to fisheries, giving them space and respecting their knowledge and ancestral customs.
- To foster the strengthening of the fishing economy of indigenous communities, with a focus on gender equity and equality.

ENTITIES RESPONSIBLE FOR THE DESIRED CHANGE:

- MAGA-DIPESCA
- MARN
- CONAP
- MUNICIPALITIES -COCODES
- Associations of fishers
- Environmental NGOs
- Community development NGO
- State university
- Organization of the elderly
- Groups of municipalities

Table 1. SWOT(strengths, weaknesses, opportunities, and threats) Analysis for developing SSF in the indigenous territories

STRENGTHS	OPPORTUNITIES
<ul style="list-style-type: none"> - There are women’s organizations and local fishers - Support from community leaders - ILO’s Convention No.169 - Declaration on the Rights of Indigenous Peoples - Peace agreements - IPs preserve their traditional fishing practices 	<ul style="list-style-type: none"> - Indigenous authorities aware of the problem - NGO has worked in partnership with IPs and on food sovereignty - Empowerment of IPs to claim their rights - Current fisheries law reform initiative
WEAKNESSES	THREATS
<ul style="list-style-type: none"> - Fishing law without inclusion of IPs - Government - Delay in the resolution of past conflicts 	<ul style="list-style-type: none"> - Pollution in ecosystems - Change of authorities according to the current government, affecting the continuity of the processes - Political circumstances in the country - Withdrawal of international economic support - Persistent land conflict among IPs - Advancement of agricultural frontier

Table 2. Actors (allies, indecisive and opponents)

ACTORS		
ALLIES	INDECISIVE	OPPONENTS
<ul style="list-style-type: none"> - Urban and Rural Development Council (COCODE) - Local municipality - IPs - NGOs - Fisheries authority - Indigenous authorities - FILAC - Community elders - Church - State university 	<ul style="list-style-type: none"> - NGOs - Ministry of Agriculture (conditional on government policies in force) - Agricultural Commission Congress - Ministry of Environment and Natural Resources (MARN) 	<ul style="list-style-type: none"> - Agricultural frontier - Transnational companies - Private sector

Table 3. Strategy for action

ACTION STRATEGY				
AWARENESS	COMUNICATION	MOBILIZATION	STRENGTHENING	NEGOTIATION
<p>Municipalities</p> <p>Community leaders</p> <p>NGOs</p> <p>National indigenous organizations</p> <p>Universities</p> <p>Fishing authority</p> <p>Meetings with government authorities</p>	<p>It will be vertical, through consensus on proposals and petitions generated by IPs for decision makers, with the support of NGOs and national indigenous organizations.</p> <p>It will be developed through petitions and letters of support, as well as promotion of the proposal in community radio, local television, social networks (e-mail, Facebook, Twitter, etc.) and web portals of allied actors.</p>	<p>Through sectoralized community meetings.</p> <p>Preparation of petitions before allied actors (NGOs).</p> <p>Mobilization of members of different indigenous communities represented before decision-making authorities.</p> <p>Mobilization with arguments and support from authorities to generate proposals for inclusion before the Congress.</p>	<p>Creating proposals according to the reality and the indigenous context that are concrete and consistent.</p> <p>Coordinating the movement with most of the indigenous communities and showing a position for requesting proposals.</p>	<p>Agreed and concrete proposals.</p> <p>Directed towards allied actors during the first phase.</p> <p>Taking the proposals to undecided actors once the allied actors and the indigenous organizations that support the movement have demonstrated their support.</p>

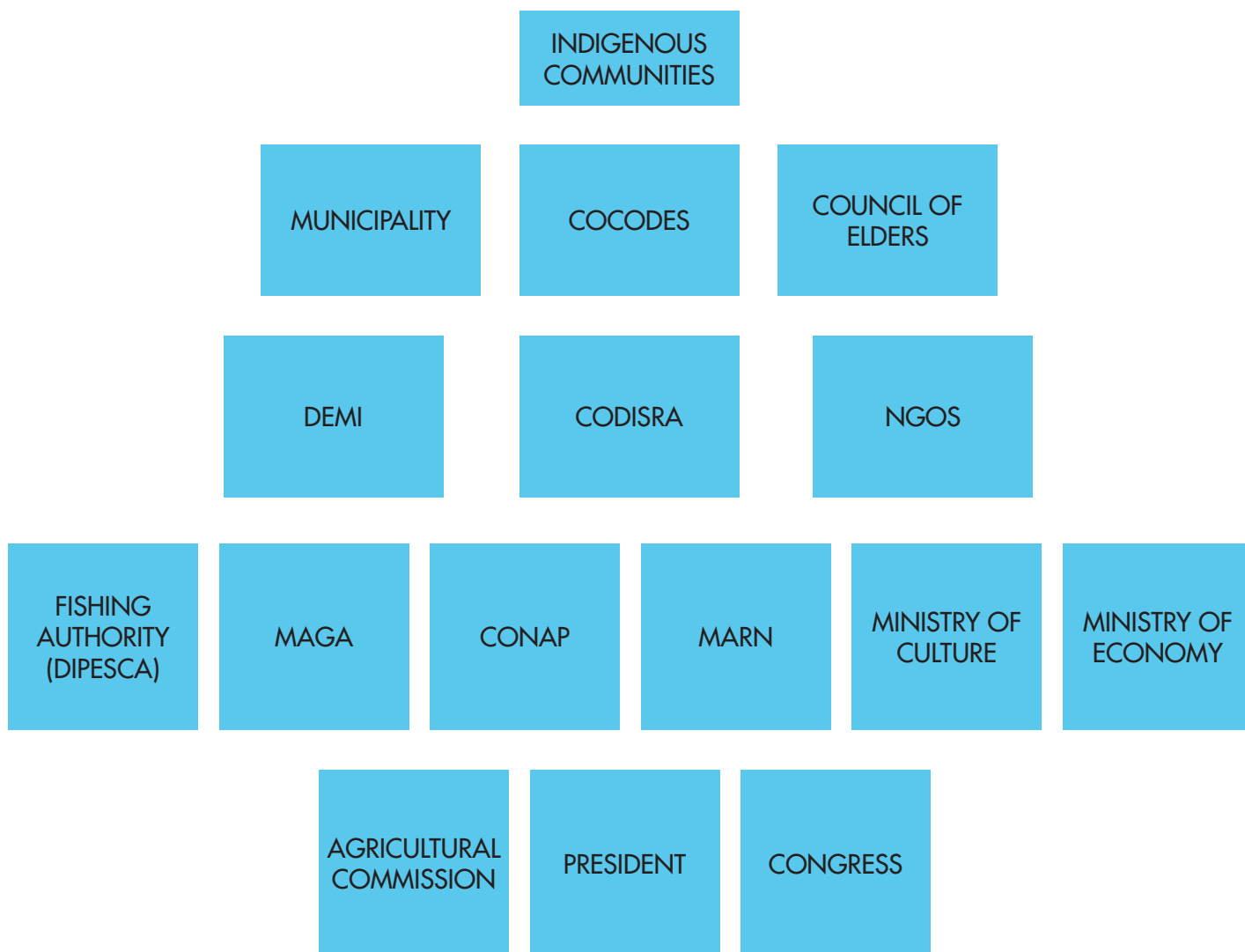
Table 4. Work schedule (actions, activities, means of verification and indicators, dates, actors involved)

WORK SCHEDULE					
ACTIONS	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ACTORS	YEARS
Recognition of the role of IPs in the fishing sector in conservation and rational use of resources	<p>Dissemination of agreements and binding agreements that refer to the rights of IPs.</p> <p>Strengthening ancestral knowledge for the use of fishery resources.</p> <p>Integration of current regulations and homogenization with traditional indigenous practices.</p>	<p>Recognition of the role of Indigenous communities in the fishing sector.</p>	<p>Reports of activities.</p> <p>Official documents regarding agreements.</p> <p>Specific regulations created.</p>	<p>IPs</p> <p>Local municipality</p> <p>Fishing authority</p> <p>Ministry of Agriculture</p> <p>Ministry of Environment</p> <p>National Council for Protected Areas</p> <p>CODISRA</p> <p>DEMI</p>	1, 2
Promoting the inclusion and permanent participation of IPs in national programmes and policies, with emphasis on their knowledge and ancestral customs	<p>Promoting reforms to legal fishing instruments in line with the reality of IPs and agreed with the sector.</p> <p>Systematization of ancestral knowledge about traditional technology.</p> <p>Creation of an indigenous commission in the artisanal fishing sector to make future decisions regarding fishing.</p>	<p>The right to speak and vote for IPs in the field of national fisheries programmes and policies.</p> <p>Regulations, programmes and policies created, in consensus. with IPs</p> <p>National indigenous commission for the fishing sector.</p>	<p>Reports of activities.</p> <p>Official documents regarding agreements.</p> <p>Specific regulations created.</p> <p>Recognition and officialization of the Indigenous Commission for the artisanal fishing sector.</p>	<p>IPs</p> <p>Local municipality</p> <p>Fishing authority</p> <p>Ministry of Agriculture</p> <p>Ministry of Environment</p> <p>National Council for Protected Areas</p> <p>CODISRA</p>	3, 4
Strengthening of traditional economies of indigenous fishing communities with an approach on gender equality and equity	<p>Diagnosis of the current economic situation of IPs.</p> <p>Determination of gaps in economy and value chain.</p> <p>Promotion of solidarity markets focused on food sovereignty.</p> <p>Strengthening processes of traditional economies based on fishery with specific indigenous communities.</p> <p>Training directed at indigenous women in marketing processes and value chain.</p>	<p>Traditional indigenous economy with an increase of profits.</p> <p>Opening of markets for fishery products produced by IPs.</p> <p>Presence of indigenous women in economic processes.</p> <p>Dignified presence of indigenous women in value chain processes.</p>	<p>Reports of activities.</p> <p>Characterization documents of traditional marketing processes.</p> <p>Documents and manuals for the characterization of the value chain of fishery products of indigenous origin.</p>	<p>IPs</p> <p>Local municipality</p> <p>Fishing authority</p> <p>Ministry of Agriculture</p> <p>Ministry of Economy</p> <p>Ministry of Culture</p> <p>NGOs</p> <p>CODISRA</p> <p>DEMI</p>	5, 6

ACTIONS	ACTIVITY	RESOURCES		
		TECHNICAL AND HUMAN	MATERIALS	FUNDS
Recognition of the role of IPs in the fishing sector in conservation and rational use of resources	Socialization of agreements and binding agreements that refer to the rights of IPs.	<ul style="list-style-type: none"> - Indigenous community - Community leaders - Elderly - Fishermen - NGO - Municipality - Fishing authority - Ministry of Agriculture, Livestock and Food (MAGA) 	Copies of: <ul style="list-style-type: none"> - Constitution of the Republic - Agreement on Identity and Rights of Indigenous Peoples - Declaration on the Rights of Indigenous Peoples - ILO's Convention No.169 - SSF Guidelines - Statistics of the current situation - Work sheets - Book material 	Years 1 and 2: Q 1 000 000
	Strengthening ancestral knowledge for the use of fishery resources.			
	Integration of current regulations and their homogenization with traditional indigenous practices.			
Promoting the inclusion and permanent participation of IPs in national programmes and policies, with emphasis on their knowledge and ancestral customs.	Promoting reforms to legal fishing instruments in line with the reality of IPs and agreed with the sector.	<ul style="list-style-type: none"> - Indigenous community - Community leaders - Elderly - Fishers - ONG - Municipality - Fishing authority - MAGA 	<ul style="list-style-type: none"> - Copies of current laws that address the issue of fishing - Didactic material (markers, flip chart, masking tape, cards, others) 	Years 2 and 3: Q 1 000 000
	Systematization of ancestral knowledge about traditional technology.	<ul style="list-style-type: none"> - Indigenous community - Community leaders - Elderly - Fishers - Fishing authority 	<ul style="list-style-type: none"> - Didactic material (markers, flip chart, masking tape, cards, others) - Lodging, food, transportation 	
	Creation of an indigenous commission in the artisanal fishing sector to make future decisions regarding fishing.	<ul style="list-style-type: none"> - Indigenous community - Community leaders - Elderly - Fishers - Fishing authority 	<ul style="list-style-type: none"> - Didactic material (markers, flip chart, masking tape, cards, others) - Lodging, food, transportation 	

ACTIONS	ACTIVITY	RESOURCES		
		TECHNICAL AND HUMAN	MATERIALS	FUNDS
Strengthening of traditional economies of indigenous fishing communities with an approach on gender equality and equity	Diagnosis of the current economic situation of IPs	<ul style="list-style-type: none"> - NGO - Indigenous community - Fishing authority - Ministry of Economy 	<ul style="list-style-type: none"> - Surveys - Stationery - Current diagnosis 	Years 5 and 6: Q 1 500 000
	Determination of gaps in economy and value chain	<ul style="list-style-type: none"> - NGO - Fishers - MAGA - Ministry of Economy - CONAP - MARN 	<ul style="list-style-type: none"> - Didactic material (markers, flip chart, masking tape, cards, bond paper, others) - Lodging, food, transportation 	
	Promotion of solidarity markets focused on food sovereignty	<ul style="list-style-type: none"> - NGO - Fishers - MAGA - Ministry of Economy - CONAP - MARN 	<ul style="list-style-type: none"> - Spots - Recordings - Books - Visits - Stationery - Didactic material (markers, flip chart, masking tape, cards, bond paper, others) - Lodging, food, transportation 	
	Strengthening processes of traditional economies based on fishery with specific indigenous communities	<ul style="list-style-type: none"> - NGO - Fishers - MAGA - Ministry of Economy - CONAP - MARN 	Copies of: <ul style="list-style-type: none"> - Constitution of the Republic. - Agreement on Identity and Rights of IPs. - Declaration on the Rights of Indigenous Peoples - ILO's Convention No.169 - SSF Guidelines <ul style="list-style-type: none"> - Didactic material (markers, flip chart, masking tape, cards, bond paper, others) - Lodging, food, transportation 	
	Training directed at indigenous women in marketing processes and value chain	<ul style="list-style-type: none"> - Association of women - Municipality - Ombudsman for Indigenous Women (DEMI) - MAGA - Fishing authorities 	Copies of: <ul style="list-style-type: none"> - Constitution of the Republic - Agreement on Identity and Rights of Indigenous Peoples - Declaration on the Rights of IPs - ILO's Convention No.169 - SSF Guidelines <ul style="list-style-type: none"> - Didactic material (markers, flip chart, masking tape, cards, bond paper, others) - Lodging, food, transportation 	
TOTAL				Q 35 000 000 USD 469 798 65

COORDINATION AND RESPONSIBILITIES OF ACTORS



HONDURAS

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Nuryñ Meza
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DIVING CERTIFICATION AND PLANNING ON THE BASIS OF FISHING PRACTICES IN INDIGENOUS COMMUNITIES, THE GENERAL LAW ON FISHERIES, AND BINDING ACTORS

INTRODUCTION

The objective of this paper is to present a proposal for the professionalization of artisanal fishers (divers) before the authorities of FILAC and FAO, as a result of the Workshop on Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the context of food security and the eradication of poverty for IPs of Central America.

In Honduras, according to the structural survey of small-scale fisheries and aquaculture in Central America 2009–2011 (conducted by OSPESCA), there are 21 250 artisanal fishers (26 percent in the Caribbean, 56 percent in the Gulf of Fonseca and 22 percent in inland waters). In total, there are 133 artisanal fishing communities, of which 87 are settled in the Caribbean and 46 in the Pacific Ocean. In the Caribbean, artisanal fishing is carried out by the Garífuna, Miskito and Ladino ethnic groups, from Barra del Motagua, on the border with Guatemala, to Cabo Gracias a Dios. In the Pacific, it is carried out by the population of the Gulf of Fonseca.

Artisanal marine fishing is developed using basic means: 10–25 m long wooden or fiberglass boats, outboard motors of 25, 40 or 75 hp and different gear according to the target species (nets, fishing line, creels or traps and diving tanks for fishing lobsters and snails). According to data provided by the Central American Fisheries and Aquaculture Organization (OSPESCA), 69 percent of fishermen work within the first five nautical miles in daily trips of 6 to 12 hours, although most of the boats have autonomy to work for up to three days. In the case of shrimp, cast nets are used to catch brown shrimp (*F. aztecus*), white shrimp (*P. schmitti*) and seabob shrimp (*Xiphopenaeus kroyeri*) for domestic consumption and for sale through intermediaries who distribute them in the domestic market.

In 2010, the extraction of sea cucumber (*Holothuria mexicana* and *Isostichopus badionotus*) for research purposes were initiated in accordance with the applications submitted. Until 2013, vessels with a capacity of more than 10 tonnes were used, using autonomous diving (scuba and hookah) as catch methods and carrying out the processing on board the vessel. Currently, artisanal and industrial activity is exercised mostly under the regulations established through a ministerial agreement. In 2015–2016, artisanal fishery was granted a global precautionary quota of 362874.33 kg, distributed in 32 vessels, each one allowed to transport the equivalent of 11 339.82 kg or 25 000 lb. as long as they complied with the legal requirements, generating employment for an average of 512 diver fishers per fishing season (2017, Evaluación de Protocolo de Pepino de Mar, DIGEPESCA).

IDENTIFICATION OF THE CURRENT STATUS

In the northern coast of Honduras, small-scale fisheries are directed to species with scales, shrimp, shells, crabs, jellyfish, sea cucumber and, to a lesser extent, lobster and snail. In the Gulf of Fonseca, small-scale fisheries target species with scales, shrimp, crabs and shells (*Anadara tuberculosa*, *Anadara grandis*, oyster).

Currently, the practice of small-scale fisheries, as in the case of sea cucumber, involves diving; the methods allowed through the Ministerial Agreement 2017 issued by the Honduras Secretary of Agriculture and Livestock (SAG) are spearfishing and scuba spearfishing. Other fisheries such as lobster and snail also involve types of diving, which are regulated by ministerial agreements that are issued annually. The country is currently on an indefinite extension status regarding the closure of the issue on lobster-hunting dive due to the lack of transformation of the fishing fleet and of uniformity in the subject at the regional level.

Currently, the management of fisheries resources is regulated by law under the direction of the General Directorate of Fisheries and Aquaculture, according to the Fisheries and Aquaculture General Law. Access to fishing by IPs is free by tradition in order to cover family needs regarding food and income generation. Under the current legislation, IPs have rights certain and obligations recognized such as free and informed participation, preservation of culture, preferential access to the use of hydrobiological resources, prior consultation processes or social protection to diver fishers and the community.

The following problems have been identified with respect to fishing in indigenous territories:

1. Exhaustion of marine resources due to overexploitation, leading fishermen to move to more distant places requiring more fuel for engines, time and effort.
2. Weaknesses for identifying artisanal fishes
3. Currently, artisanal fishers do not have access to social security, which is why it is necessary to promote the regulation of Art. 31 of the Fisheries and Aquaculture Law to initiate the registration of fishers.
4. For years, non-professional diving has resulted in the death of fishers, has caused injuries to fishers who do not have access to medical care through social security, and has left orphaned children (father) and mothers (widows) alone to raise the children, to assume the economic subsistence of their homes without any support from the state.
5. The declaration of protected areas in places where small-scale fishing has traditionally been practiced and in areas of influence of IPs (Cayos Cochinos, Jeanette Kawas National Park, Punta Izopo, Punta Sal, Cuero y Salado, Guaimoreto Lagoon)
6. The overlap of the shrimp trawl industrial fishing area within three nautical miles of the small-scale fishing area has an impact on coastal marine fauna, reducing the possible use by artisanal fishers.
7. Tourism and infrastructure limit free movement for small-scale fishing in areas of ethnic communities.
8. The progress of shrimp aquaculture in the Gulf of Fonseca has displaced small-scale fishing activities from the places where they were previously practiced.
9. There is a need to create fishing and non-fishing areas in fisheries management plans at the national level, with the aim of contributing to the sustainability of fishing with the intervention and direct action of the fishers of each locality.

Considering the above mentioned facts, there is a need to prepare and certify professionally artisanal fishers in Honduras on topics such as the technical practice of diving activities, survival at sea, first aid, firefighting, access to social security, Code of Conduct for Responsible Fisheries, Declaration on the Rights of Indigenous Peoples, SSF Guidelines and Fisheries and Aquaculture Law.

OBJECTIVES

- To certify spearfishing among the indigenous population to reduce mortality and side effects.
- To organize spearfishing based on the General Fishing Law and binding actors.
- To train artisanal fishers in fisheries management and sustainability issues.

EXPECTED RESULTS OF THE WORKSHOPS

- Strengthened technical knowledge on spearfishing, which will lead fishers to adopt and apply appropriate techniques and good practices. Using proper techniques and equipment will also result in greater occupational safety. Regional standards that regulate the participation of young people without training in spearfishing.
- A social security model that protects active, disabled and retired divers.
- The positive results of the workshop will extend to the communities and fishers who did not participate in first stage of the strengthening of good spearfishing practices.
- In the short term, DIGEPESCA is expected to issue a regulation agreed upon local leaders that will organize and control spearfishing techniques, regulating the profile of certified fishers.

ADVOCACY PLAN AND SWOT ANALYSIS

CONPAH (CONFEDERATION OF AUTONOMOUS PEOPLES OF HONDURAS)

This is a multinational and pluricultural association of national public interest, with historical social and political significance in championing the ancestral rights of the native nationalities.

Table 1. SWOT analysis

SWOT ANALYSIS			
STRENGTHS	OPPORTUNITIES	WEAKNESSES	THREATS
<ul style="list-style-type: none"> • It has legal status • Nine territorial federations • Higher political body representing indigenous and Afro-Honduran peoples • Signatory of treaties, agreements and resolutions on human rights of IPs 	<ul style="list-style-type: none"> • Political organization and recognition at domestic and international level • Participation in the United Nations Permanent Forum on Indigenous Issues • Advocacy in national indigenous issues 	<ul style="list-style-type: none"> • No budget assigned • No permanent technical team 	<ul style="list-style-type: none"> • Managerial opportunism • Discontinuity of projects due to lack of budgets and poor management

IDENTIFICATION OF ACTORS

Actors (allies, indecisive and opponents)

CONPAH

- Close allies: DIGEPESCA, ICF, FAO, UNDP, USAID, Swedish Cooperation, IDB, IUCN, SDC, local authorities, Navy, churches, National Institute for Women.
- Indecisive: skeptical of the process
- Opponents: Fishing industry companies

STRATEGY OF ACTION, ROUTE AND WORK PLAN

Boots the awareness, communication, resource mobilization, capacity building, negotiation and dialogue to achieve the target proposed

- Contacting local authorities, representatives of institutions related to fishing and community leaders to expose the status of spearfishing, so they can accompany the entire work process, as this will give greater credibility to the programme among fishers.

- Conducting socialization workshops with diving fishers to discuss and reflect on the risks of the activity, which can have negative consequences for them and their families.
- Preparing a proposal of standards to regulate this activity, together with key actors of fishing communities, so that it can be presented to the DIGIPESCA authorities when appropriate.

The training programme will be developed during the closed season to ensure the participation of the majority of fisher.

DEFINITION OF TACTICS AND ACTIVITIES

As a result of the negotiation workshops, fisherms who meet the requirements will commit to participate in the training programme, aimed at applying good practices when they return to spearfishing activities.

A technical profile will be created of the kinds of fishers who can participate in the workshops. Those who pass the course can obtain certification.

Sponsorship and technical advice from companies of goods and services linked to fisheries that can provide logistical support to strengthen the development of the workshops will be sought.

The workshop training plan or programme will be discussed ahead of time with key stakeholders to ensure that the design is technically appropriate and applicable. The programme will then be carried out with defined groups and under the responsibility of technical experts.

At the end of the workshops, the methodology and the results achieved will be assessed to establish the effectiveness and identify possible weaknesses, leading to future improvements.

Consensus meetings will be held with DIGEPESCA authorities and leaders of the indigenous communities at the same time to promote the proposal of a resolution to organize the practice of spearfishing.

It should be noted that adopting of good spearfishing practices will have an impact on occupational safety and will bring peace of mind to the families of the fishers.

Certified fishers will also be monitored to evaluate the practice of spearfishing after receiving certification.

Table 2. Work schedule

ACTIVITIES	MONTHS						PERSON RESPONSIBLE
	I	II	III	IV	V	VI	
Meeting with local authorities, leaders of COMPAH, to discuss the proposals	2						Representative of COMPAH (José Serrano) / Local authority representative (Gerson Miller)
Socialization meetings with fishers for the participation in the workshops	2	2					David Suasin (COMPAH)
Request sponsorship of companies and government institutions (INFOP) that provide logistical support	1	1					David Suasin / Gerson Miller (COMPAH)
Developing training workshops on good practices for spearfishing			2	2			INFOP / DIGEPESCA / COMPAH
Meeting with DIGEPESCA authorities to present a proposal to regulate spearfishing activity		1		1			Nuryn Meza y Geovani Sabillon (COMPAH)
Evaluation of the development and results of the workshops				1			David Suasin, Gerson Miller, and José Serrano (COMPAH)
Preparation of the technical report detailing the development and outcomes of the workshops					1		David Suasin, Gerson Miller, and José Serrano (COMPAH)
Follow-up with fishers trained in spearfishing to encourage good practices					1	1	David Suasin, Gerson Miller, and José Serrano (COMPAH)

NECESSARY RESOURCES

- Technical specialists in the area of intervention and scope of the project
- Development and training in human resources
- Resources for the financial and administrative area
- Training in artisanal fishing

Table 3. Approximate budget (for a day)

EQUIPMENT	TOTAL (HONDURAN LEMPIRAS)
COMPUTER EQUIPMENT	
Data show	HNL 12 500
Laptop	HNL 15 000
Digital marker	HNL 500
TEACHING EQUIPMENT	
Pencils	HNL 200
Notebooks (30)	HNL 750
Flip chart	HNL 500
Markers	HNL 200
FOOD	
Snacks	HNL 3 000
Lunch	HNL 5 500
LODGING	
30 people (double rooms)	HNL 7 500
TRANSPORTATION	
30 people	HNL 72 000
PERSONNEL	
Trainers (3 technicians per training session)	HNL 18 000
LOGISTICS FOR WORKSHOPS	
Rental of boats and engines	HNL 5 000
Diving and lifeguard equipment	HNL 5 000
LOCATION RENTAL	
Room	HNL 2 000
TOTAL	HNL 137 650
Exchange rate in USD	HNL 23,80
TOTAL IN DOLLARS	USD 5 783

RESPONSIBILITIES OF THE ACTORS

The technical team of DIGEPESCA will act as general coordinators of the programme and will coordinate activities with CONPAH leaders and leaders of the federations that have an impact on the places selected to develop the workshops. By integrating and adopting the programme, the leaders of CONPAH and the federations, with the support of the local authorities, will be responsible for contacting and motivating the fishers, so that they register and participate in the training sessions.

The leaders of CONPAH and the federations will promote the activities among the companies that trade in fishing goods and services, so that they provide technical, material and financial support for developing the workshops.

The technical team will be responsible for organizing the workshop in coordination with key fisheries actors to elaborate and present the proposal jointly before the authorities of DIGIPESCA.

The follow-up with the fishers who obtain certification will be the joint responsibility of the technical team and the leaders of CONPAH along with the federations that have participated in the whole process, to verify if the training has been effective.

EXPECTED RESULTS

- IPs of the fishing sector recognized by the state and civil society for decision-making regarding the conservation and rational use of resources.
- Inclusion of IPs with permanent presence and impact in decision-making processes of national programmes and policies that address their ancestral customs and traditions for the sustainable use of hydro-biological resources.
- Strengthened traditional economic systems of indigenous fishers, with decent work and inclusion of women in the value chain.

NICARAGUA

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Xenia Gordon
Nadia Padilla Morales
Augusto Ortiz
Yuri Rugama,
Henderson Tobie



INDIGENOUS AND AFRO-DESCENDANT TERRITORIAL RULES ON ARTISANAL FISHING IN THE CARIBBEAN COAST OF NICARAGUA

LEGAL FRAMEWORK

- Autonomy Law and its regulations, Law 28, Law of the Communal Property Regime of the IPs and Ethnic Communities of the Autonomous Regions of the Atlantic Coast of Nicaragua and of the Rivers Bocay, Coco, Indio and Maíz.
- United Nations Declaration on the Rights of Indigenous Peoples.

Article 3. “Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.”

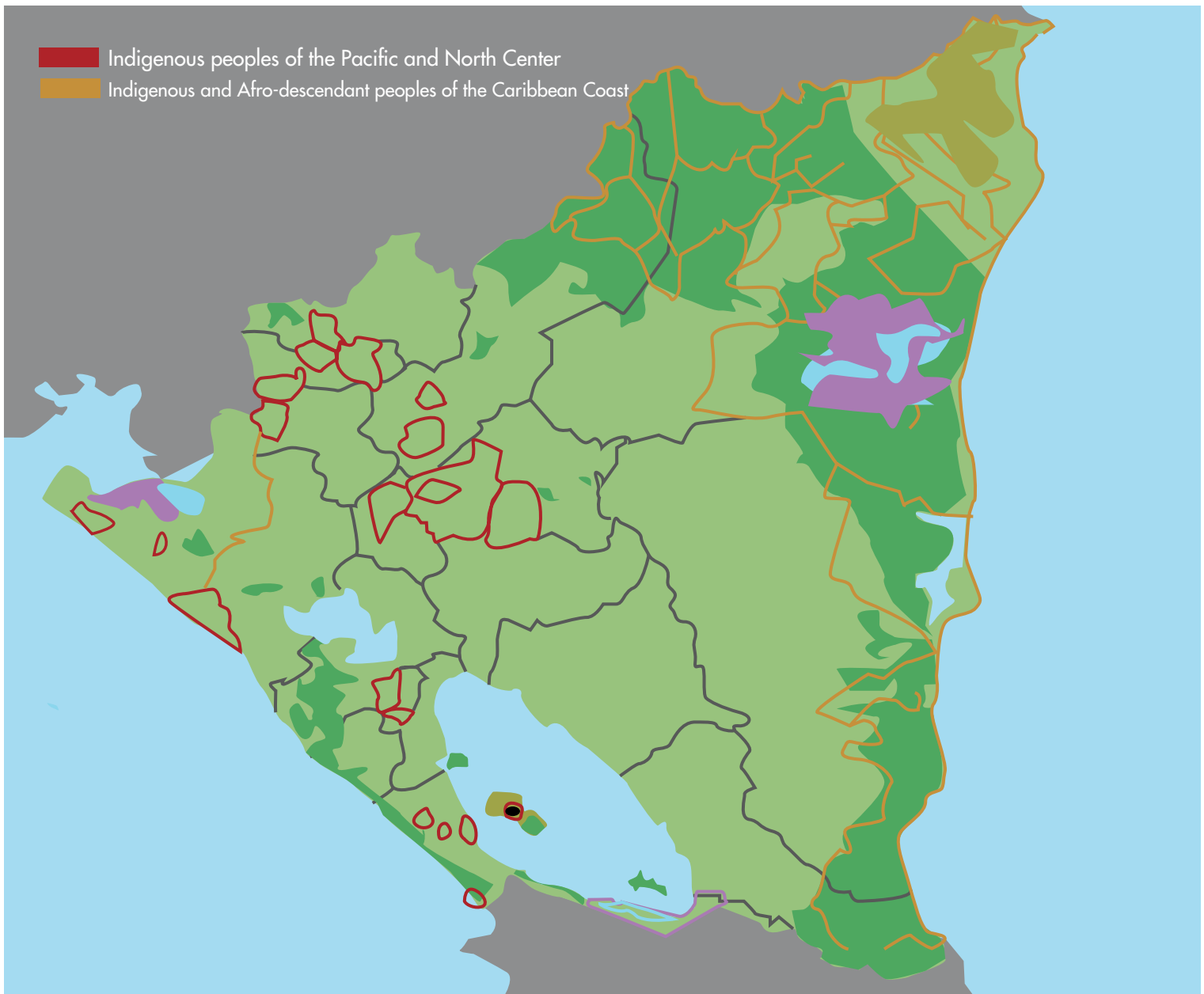
Article 4. “Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.”

STATUS AND CONTEXT OF THE PROBLEM

Currently, artisanal and community fishery provide the main source of income of the indigenous territories and communities of the Caribbean coast in Nicaragua, generating employment for over 6 000 people. In some cases, this activity is the only source of food and income for many people, since the rational and sustainable use of fishery resources is one of the fundamental methods to guarantee food and nutrition security for indigenous families.

The rights of indigenous communities of the Caribbean coast of Nicaragua are recognized by the state for their use and enjoyment of natural resources in their territories within the framework of Law 445. However, there are some obstacles in applying the law in terms of the governance of access and use of natural resources policies within the indigenous territories. This has caused tensions between territorial governments and representatives of the state with respect to managing public policies for administering natural resources.

Figure 1. Indigenous and afro-descendant territories of Nicaragua



Source: Prepared by the authors

OBJECTIVES

- To establish an administrative and technical procedure for the use and control of community and artisanal fishing and the exploitation of the maritime resources of the cays and coasts adjacent to the indigenous territories located in the autonomous region of the Caribbean coast of Nicaragua, as stated in Article 3 of Law 445 of the Law of the Communal Property Regime of the Indigenous Peoples and Ethnic Communities of the Autonomous Regions of the Atlantic Coast of Nicaragua and of the Rivers Bocay, Coco, Indio and Maíz.
- To establish an institutional, technical, operational and official instrument in a participatory manner for to management the coastal and marine areas, with an ecosystem, multisectoral, comprehensive and representative approach to coastal indigenous territories and communities for managing the sustainable development and conservation of the natural and sociocultural values of the RACCN.

EXPECTED RESULTS

- Ensuring the exercise of the right to ownership, possession and use of the maritime space within three miles of the littorals and twenty-five miles of the adjacent keys.
- Regulating administratively the mechanisms of access and use of fishery resources and ecosystems, which correspond to the space determined by Law 445 in favour of indigenous and Afro-descendant communities.
- Creating synergies for interterritorial coordination to make effective the implementation of the ordinary, ancestral and community policies and norms of artisanal fisheries.
- Establishing a sectorial coordination framework for fisheries with the regional and national governments and other strategic actors.
- Establishing the sea limits for each of the territories, as well as the rules of common use for the three territories in the categories of community and artisanal fishing.
- Preserving and restoring the natural terrestrial, aquatic and marine ecosystems and their interconnection areas as wildlife habitats and basis of the economic and cultural values of the Miskito communities.

- Rationally managing the environment in favour of viability and economic, social, ecological and cultural sustainability for the indigenous territories that make up the Indigenous Biosphere Reserve.
- Promoting the material and spiritual development of the Miskito communities, based on the sustainable use of natural resources and ecosystem services, diversification and application of technologies of low environmental impact in order to maintain a high provision of ecosystem services.
- To foster scientific research in the field of conservation of terrestrial environments and coastal-marine wetlands.
- Facilitating the development of infrastructures and services that allow visitors to know the culture of the Miskito people, as well as the natural features and landscapes of the protected area.
- Facilitating the development of environmental education activities for the Miskito population.

ACTORS RESPONSIBLE FOR THE DESIRED CHANGE (DECISION MAKERS)

- Community governments
- Territorial governments
- Municipal governments
- Regional governments
- Institute of Fisheries and Aquaculture (INPESCA)
- Guilds of organized women
- Fishers' unions

Table 1. Identification of actors

ALLIES	INDECISIVE	OPPONENTS
Organized women GTI NGO Religious groups Domestic universities	State institutions	Industrial businesses Fishers' Unions Third parties

Table 2 presents the SWOT analysis for the development of small-scale fisheries in indigenous territories.

Table 2. SWOT Analysis

STRENGTHS	OPPORTUNITIES	WEAKNESSES	THREATS
<p>Livelihood, decrease in poverty</p> <p>Major socio-economic impact on the territory</p> <p>Commitment to preserve the resources</p> <p>More knowledge on fisheries</p> <p>Integration of women in the change processes</p> <p>Legal framework of livelihood</p>	<p>Diversity of species with commercial value to incorporate them into the production chain</p> <p>Increase of internal and external demand for higher quality scale species</p> <p>Development of community tourism</p> <p>Participation of artisanal fisheries in the marketing chain</p> <p>Collaboration agreements with non-governmental organizations.</p>	<p>Lack of community fishers organizations.</p> <p>Lack of coordination between territorial governments and state institutions</p> <p>High dependence on intermediaries in the marketing chain</p> <p>Lack of social insurance</p> <p>Lack of a framework for approved traditional fishing standards</p>	<p>Unsustainable economic policies.</p> <p>Instability of the communal and territorial authorities.</p> <p>Conflicts with Industrial fishing fleets.</p> <p>Unregulated fishing.</p> <p>Lack of a definition of artisanal.</p>

ACTION STRATEGY

The action strategy is made up of different work areas that are the responsibility of all the actors involved in the sector's work chain.

- **Awareness**

Harmonizing information among territorial authorities and communities through assemblies, meetings, workshops and talks, in order to persuade communities to exercise their right to participate in the processes of approval and application of SSF Guidelines in IPs.

- **Comunication**

Using the different means of communication of the country, such as letters, radio, television or social networks, in order to have an effect on the relevant authorities on topics of interest. It is also important to take advantage of strategic dates for communication.

- **Mobilization**

Peaceful demonstrations, group meetings, press conferences.

- **Capacity building**

Application of the SSF Guidelines; Law No. 445, Law of Communal Property Regime of the Indigenous Peoples and Ethnic Communities of the Autonomous Regions of the Atlantic Coast of Nicaragua and the Rivers Coco, Indio and Maiz; Law 28 "Autonomy Law and its Regulations"; and Law 489 "General Fisheries and Aquaculture Law" through workshops, courses and diplomas addressed to the communal and territorial authorities.

- **Negotiation and dialogue**

Prior to negotiation, actors should be identified to know with whom to negotiate and establish grounded approaches, strategies and proposals for the common and equitable benefit of the actors involved.

COORDINATION AND RESPONSIBILITIES OF ACTORS

Within the framework of the implementation of the SSF Guidelines, a strategy of coordination and shared responsibility should be included to promote the participation of IPs in the construction of policies and strategies for the use of natural resources in the indigenous territories. It should be noted that the legal framework established in the national legislation on the rights of IPs for the administration of their territories and natural resources establishes that state institutions must establish coordination bridges based on respect, dialogue and joint management of public policies in the sector.

Table 3. Schedule of activities

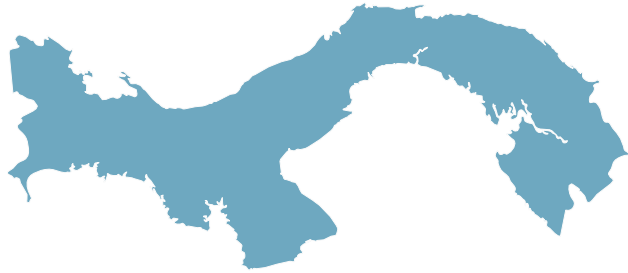
AREA OR SECTOR	ACTIVITY	METHODOLOGY	PARTICIPANTS	INSTRUMENTS	EXPECTED RESULTS	MONTHS									COMMUNITY / TERRITORY	RESPONSIBLE		
						1	2	3	4	5	6	7	8	9				
Small Scale Artisanal Fishing	1) Creation and strengthening of traditional organizations.	Theoretical training will be provided using audiovisual methodologies (presentations, videos). Exchange with fishers already organized.	Fishers and artisanal fishers of the Caribbean Coast of Nicaragua	Delivery of an instructional manual on how to organize.	Artisanal fishers are organized in Cooperatives, associations, etc.												Indigenous communities of the RACCS/RACCN	- Regional governments - Territorial governments - Community governments
	2) Strengthening inter-institutional coordination.	Dialogue tables	Regional governments Territorial governments Community governments	Law 445 Law 489	The use of these instruments to secure the sustainability of the fishing resource												Indigenous communities of the RACCS/RACCN	- INPESCA - Regional governments - Territorial governments - Community governments
	3) Promoting community micro-enterprises.	Technical training will be provided.	Fishers and artisanal fishers of the Caribbean Coast of Nicaragua	Delivery of an instructional manual on how to organize.	Creation of micro-enterprises to improve food security and family economy.												Indigenous communities of the RACCS/RACCN	- INPESCA - Regional governments - Territorial governments - Community governments
	4) Promoting the insertion of fishers into the social security system.	Raise awareness among fishers regarding social security benefits for their families	Fishers and artisanal fishers of the Caribbean Coast of Nicaragua	Instructions Trainings	Integration of all fishers into the National Social Security System.												Indigenous communities of the RACCS/RACCN	- INSS - NPESCA - Regional governments - Territorial governments - Community governments

Table 4. Budget

ACTIVITY	RESOURCES			SOLIDARITY CONTRIBUTION
	TECHNICIANS	MATERIALS	FUNDS	
1	Human resources specialized in community association.	Computer, data show, flipchart, notebooks, pens, markers, fuel and lubricant 2T.	USD 25 200	USD 2 800
2	Human resources specialized in law.	Computer, Data show, flipchart, notebooks, pens, markers, fuel and lubricant 2T.	USD 25 200	USD 2 800
3	Human resources specialized in administration and economics.	Computer, Data show, flipchart, notebooks, pens, markers, fuel and lubricant 2T.	USD 25 200	USD 2 800
4	Human resources specialized in social security.	Computer, Data show, flipchart, notebooks, pens, markers, fuel and lubricant 2T.	USD 25 200	USD 2 800
	Subtotal		USD 100 800	USD 11 200
Grand total				USD 112 000

PANAMA

Arcadio Castillo
Marcelo Guerra
Ariel Gonzales
Erick Montecsuma
Alfonso Simón
Vielka Tello



FISHERY MANAGEMENT IN THE INDIGENOUS COASTAL AREAS OF THE CARIBBEAN SEA IN PANAMA

BACKGROUND

In recent decades, the territorial claims of the IPs of Panama have focused on the demarcation of their lands and their right to exploit of forest-coastal resources. However, early in the last century, some of the most visible territorial conflicts between the IPs and the coastal settlers were related to the exploitation of marine resources in conflict zones.

Panama is one of the richest countries in coastal-marine biodiversity, since it has 2 988 km of coastline, of which 1 700.6 km are located on the Pacific coast and 1 287.7 km in the Caribbean. Its island systems are made up of 1 600 islands, islets and cays. In addition, it has unique and irreplaceable fluvial and coastal and marine environments, which are essential habitats for the reproduction, growth, development, feeding and migration of many endangered species of freshwater and marine animals.

In the past, the vast biological diversity of marine resources in the sea was thought to be unlimited. Now, it is known that coastal-marine resources, although renewable, are limited, and have to be managed carefully if they are to continue to contribute to the socio-economic and nutritional well-being of the growing population living in coastal areas in the future. It should be noted that marine-coastal resources are an excellent source of animal protein and offer a wide range of essential nutrients rich in calories, contributing to the food security and sovereignty of many coastal regions. According to Cooke (2001), aquatic resources have been the primary food of native populations for thousands of years, especially freshwater

and coastal marine fish, which have contributed 80 percent of the animal protein consumed by indigenous communities, together with agricultural products.

Seven indigenous communities are found in the Republic of Panama and they represent over 10 percent of the population: Naso, Bribri, Bugle, Ngäbe, Guna, Emberá and Wounnan. The indigenous territories are legally recognized in Panama in the form of Comarcas (regions) and collective land titling, especially the Ngäbe Buglé Comarca and the Guna Yala Comarca.

The indigenous comarcas represent the recognition of the collective rights on the land and the rights of administration of their resources:

- Law 16 of 1953, Gunayala comarca;
- Law 22 of 1983, Emberá/Wounaan comarca;
- Law 24 of January 12, 1996, Guna de Madugandí comarca;
- Law 10 of March 7, 1997, Ngäbe-Buglé comarca;
- Law 34 of July 25, 2000, Guna de Wargandí comarca;
- Draft of Law 19 of April 21, 2005 for the constitution of the Naso Tjër Di comarca;
- Law 72 of 2008, which establishes the procedures for adjudicating collective lands traditionally occupied by IPs and communities that are not included in the Comarcas.

The Guna Yala comarca has an extension of approximately 300 km and the Ngäbe Buglé comarca of approximately 150 km. For thousands of years, freshwater and marine resources have been a staple food for the indigenous communities that inhabit their coasts and islands.

LOCAL LEGAL ENVIRONMENT

The laws that gave rise to the comarcas have the following general characteristics:

- I. Most laws have been written based on the indigenous worldview and identity. The right to preserve their own customs and institutions has been established. That is not incompatible with the fundamental rights defined by national legal law and/or internationally recognized human rights.
- II. The traditional authorities and regional institutions —congresses, councils— and consulting organizations have been recognized
- III. Justice administration and conflict resolution are exercised taking their culture into consideration. The protection and legal security of the territory is promoted.

- IV. The collective ownership of non-adjudicable land; the forms of use and usufruct of lands and modes of transmission; and the recognition of possessory rights to third parties and indigenous that have been left outside the comarcas have been recognized.
- V. The right to use renewable natural resources, their protection and ecological conservation according to tradition, benefits and indemnities has been established.
- VI. Regarding environmental matters, there is agreement with national laws (especially the General Environmental Law) and coordination with the National Environmental Authority (ANAM).
- VII. Intercultural bilingual education is another right recognized.
- VIII. The Ministry of Health recognizes traditional medicine as a valuable contribution to health care and has created bodies to promote it.
- IX. Their religion has been recognized.

Artisanal fisheries or small-scale fishing is a type of fishing activity that uses traditional techniques with little technological development. The small unloading places of artisanal fishing are located on the natural banks of rivers, beaches and estuaries of over 400 places nationwide (Panama). Most of them are not properly equipped as fishing discharge sites.

The difference is that community fisheries practices related to fisheries available to the community in community waters. These practice are carried out using sustainable methods and arts and contribute to marine conservation and governance with equity in marine or community protected areas.

In the case of the indigenous comarcas (Guna Yala), the Dule peoples have their own heritage. Therefore, they have access and rights to fishing based on their own community rules.

In the case of the indigenous comarcas of Panama, there are no overlaps, but there are industrial fishers who use the waters of the region without permission.

GENERAL OBJECTIVE:

To initiate the regulation and planning process of the indigenous fishing areas of the Panamanian Caribbean in order to be presented and proposed to the regional and national authorities.

SPECIFIC OBJETIVES:

- To evaluate and analyze the situation of the fishery areas of the Panamanian Caribbean area to which the indigenous communities have access.
- To sensitize and promote the rapprochement between fishing groups and local, regional and national authorities for the design of fishing policies and regulations.
- To propose regulations or rules for fishers in indigenous areas.

ACTORS

- Artisanal fishers from the indigenous regions
- Organized fishing groups of the regions
- Fishing families
- Marine ecosystem

JUSTIFICATION

- Although some indigenous territories have legal recognition, there are no regulations and rules on fisheries resources and commercialization of marine products such as lobster, snails or octopus, among others.
- This lack of regulation reduces their ability to control, monitor and commercialize at fair prices in internal and external markets.
- It is necessary to have a fisheries planning for adequate coastal-marine management.

ACTIVITIES

Fishing resources are renewable, but overexploitation and misuse of marine resources require the following actions:

- Training and education for fishers, women, youth and local authorities on conservation and sustainability of coastal-marine resources.
- Proposing and establishing special marine management areas on site for IPs.
- Implementing traditional knowledge and practices.
- Defining regulations for the management plan of special coastal-marine ecosystems in indigenous communities.
- Training organized community groups on the regulations of indigenous artisanal fishing.

ACTORS RESPONSIBLE FOR THE DESIRED CHANGE

DECISION MAKERS:

- General congresses of the regions
- Regional congresses
- Local authorities

DEVELOPERS:

- Organized fishers
- Expert advisory group on regional fisheries
- NGOs and bodies

Table 1. SWOT Analysis

STRENGTHS	OPPORTUNITIES	WEAKNESSES	THREATS
<ul style="list-style-type: none"> • Coastal-marine resources are abundant (high reproduction rate, low natural mortality, resilience, high displacement rate) • Regional laws • Recognition of IPs • International instruments • Source of food and economic support • Source of employment and retention of populations in coastal areas • Major socio-economic impact on the territory • Exclusive fishing zone established by law • Commitment to preserve the resources • Inclusion of women as transmitters of culture and leaders of processes 	<ul style="list-style-type: none"> • Diversity of species with the possibility of incorporating non-traditional resources • Increase of internal and external demand for fish or other marine resources • Potential to train skilled workers giving value to traditional knowledge • Training for organized groups to strengthen commercialization • Participation of artisanal fisheries in international trade • Collaboration agreements with state and scientific entities, and specialized NGOs. • Access roads for distributing and commercializing Developing ecotourism • Training in the use and management of communication and navigation technologies • Maritime Labour Convention • Support from local and national organizations (sources of funding for applied research and capacity building) 	<ul style="list-style-type: none"> • Lack of information on the management of coastal-marine resources • Lack of equipment and training on safety at sea. • Lack of public policies for access to social and medical benefits for fishers • Lack of formal jobs. • Social and economic vulnerability versus other economic systems • Lack of organized groups • Lack of women's empowerment • Migration due to socio-economic and political factors • Lack of return of trained elements and workforce (brain drain) • Deliberate fishing in fishing grounds • Lack of regulations or traditional indigenous fishing law for fishing and coastal-marine management • Lack of government support for creating associations • Expensive and difficult bureaucratic procedures to obtain licenses for catching, sailing and direct marketing • Instability and political weakness of state and local authorities • Lack of support from local governments 	<ul style="list-style-type: none"> • Overfishing • Degradation of marine ecosystems by global warming (harms the habitat of marine species) • Propagation of invasive species that compete with native species • Mismanagement of coastal-marine resources • Unsustainable economic and financial policies • Lack of fair and responsible trade for fisheries products • Lack of control and regulation of fisheries • Inflation, increase in production costs • Conflicts of use of spaces for tourism • Conflicts with other vessels or fishing fleets. • Establishing companies for processing and transfering industrial products • Free trade agreements, permits granted and commitments by the state for designating fishing zones in indigenous areas • Agreements for releasing ballast water at 50 nautical miles

Table 2. Allied, undecided and opponent actors

ALLIES	INDECISIVE	POTENTIAL OPPONENTS
Traditional government structures NGOs Regional organizations State Cooperation agencies Professionals and experts Assembly of deputies Progressive governments Conservation groups	Political parties depending on their political line Universities Foreign research centre	Entrepreneurs and fishing industries Transnational companies Economic and political powers Political leaders Neoliberal governments

ACTION STRATEGIES

Awareness:

- Disseminating information through workshops, conferences and participatory meetings on the importance of regulating fisheries in indigenous territories with regional authorities, decision-makers (regional and local) and fishermen.
- Creating an interdisciplinary commission (table) for regulating fishing in indigenous areas.

Communication:

- Letters to the authorities, speaking before the general congresses of the comarcas, campaign to spread information (social networks, community radios, statements, others).

Mobilization:

- Demonstrations and pacific marches, picketing, rallies, voluntary retention

Capacity building:

- Educating and training work teams.
- Requesting personnel specialized in coastal-marine issues to the Aquatic Resources Authority of Panama (ARAP) and international cooperation agencies.

Negotiation and dialogue:

- Establishing agreements, strategic alliances with state institutions, universities, research centres, and among IPs.

**Table 3. Work schedule
(actions, activities, resources for verification and indicators)**

ACTIVITIES/ TASKS	RESPONSIBLE/ ACTORS AND PARTICIPANTS	RESOURCES	EXECUTION DATE
Education and training for fishers, women, youth and local authorities on the preservation and sustainability of coastal-marine resources	Specialists in fisheries management	Technical assistance Financing Cooperation with NGOs	1 year
Proposing and establishing special marine management areas on site for IPs	Regional general congresses Fishing authorities Expert professionals (marine biologists)	Expert professionals Solidary contribution Financing	1 year
Implementing traditional knowledge and practices	Commission of experts on traditional cultural issues	Community contribution Traditional knowledge	1 year
Defining regulations for the management plan of special coastal-marine ecosystems in indigenous communities	Regional general congresses Fishing authorities International marine conservation organizations	Expert technicians Financing	1 year
Training organized for community groups on the regulations of indigenous artisanal fishing	Commissions to sensitize target groups in coordination with fisheries authorities	Cooperation with NGOs	1 year

EXPECTED RESULTS

- Development of an awareness programme for applying methods of fishing that involves the communities, fishers, women, educators and other interested parties.
- Trained for raising awareness among community members, including educators and the general population, so that they become aware of the sustainability of the coastal-marine resources and climate change.
- Designed a proposal for fisheries regulations for the IPs of the Panamanian Caribbean.



Annex 3. MUTUAL CONSENT

for designating the acting president for creating the Small-scale Fishermen's Network of Central America.

MUTUO CONSENTIMIENTO AUTORIZA

En Panamá, a los 08 días del mes de Septiembre del 2017.

Estimado D.Sr. Demóstenes Ariel González.

En atención a la presentación de toma de decisiones.

Reunidos y con plena facultad de nuestras aptitudes mentales **AUTORIZAMOS** al Sr. Demóstenes Ariel González cedula de identidad 10-700-301 para que asuma la Presidencia Provisional del Directorio ejecutivo de la Red de Pescadores Artesanales de Centro América en pequeña Escala, con la cual tiene como visión de fortalecer el recurso humano y la mejora de la calidad de vida de nuestros hermanos pescadores indígenas y de la de su familia en toda Centro América y Panamá.

Y para que se haga cargo de nuestra voluntad, firmamos como constancia.

Adjunto fotocopias de pasaporte de los miembros

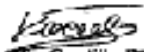
Acreditados


Jose Antonio Gerrano
Honduras

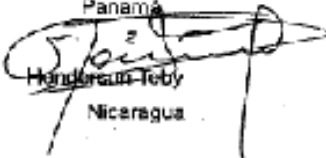

Erick Montezuma
Panamá


Marcony Lacayo
Costa Rica


Elicer Veras Alvarez
Costa Rica

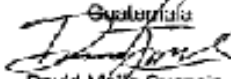

Arcadio Castillo
Panamá


Gastón Miller Wood
Honduras


Henderson Teby
Nicaragua


Paola Lindario Valquez
Guatemala

Demostenes Ariel Gonzalez
Panamá


David Mejía Suansin
Honduras

In Panama on the 8th day of the month of September 2017

Dear Mr. Demóstenes Ariel González

Regarding the presentation of decision making.

Gathered and in full possession of our mental faculties WE AUTHORIZE Mr. Demóstenes Ariel González, holder of the citizenship card no. 10-700-301 to assume the Interim Presidency of the Executive Board of the Small-scale Fishermen's Network of Central America, in order to strengthen human resources and improve the quality of life of our fellow indigenous fishers and their families throughout Central America and Panama.

In witness whereof this document is signed so that our will, be fulfilled.

The copies of the passports of the members are enclosed.

Sincerely,

(Signed)
José Antonio Serrano
Honduras

(Signed)
Erik Montezuma
Panamá

(Signed)
Marcony Lacayo
Costa Rica

(Signed)
Eliecer Velas Álvarez
Costa Rica

(Signed)
Arcadio Castillo
Panama

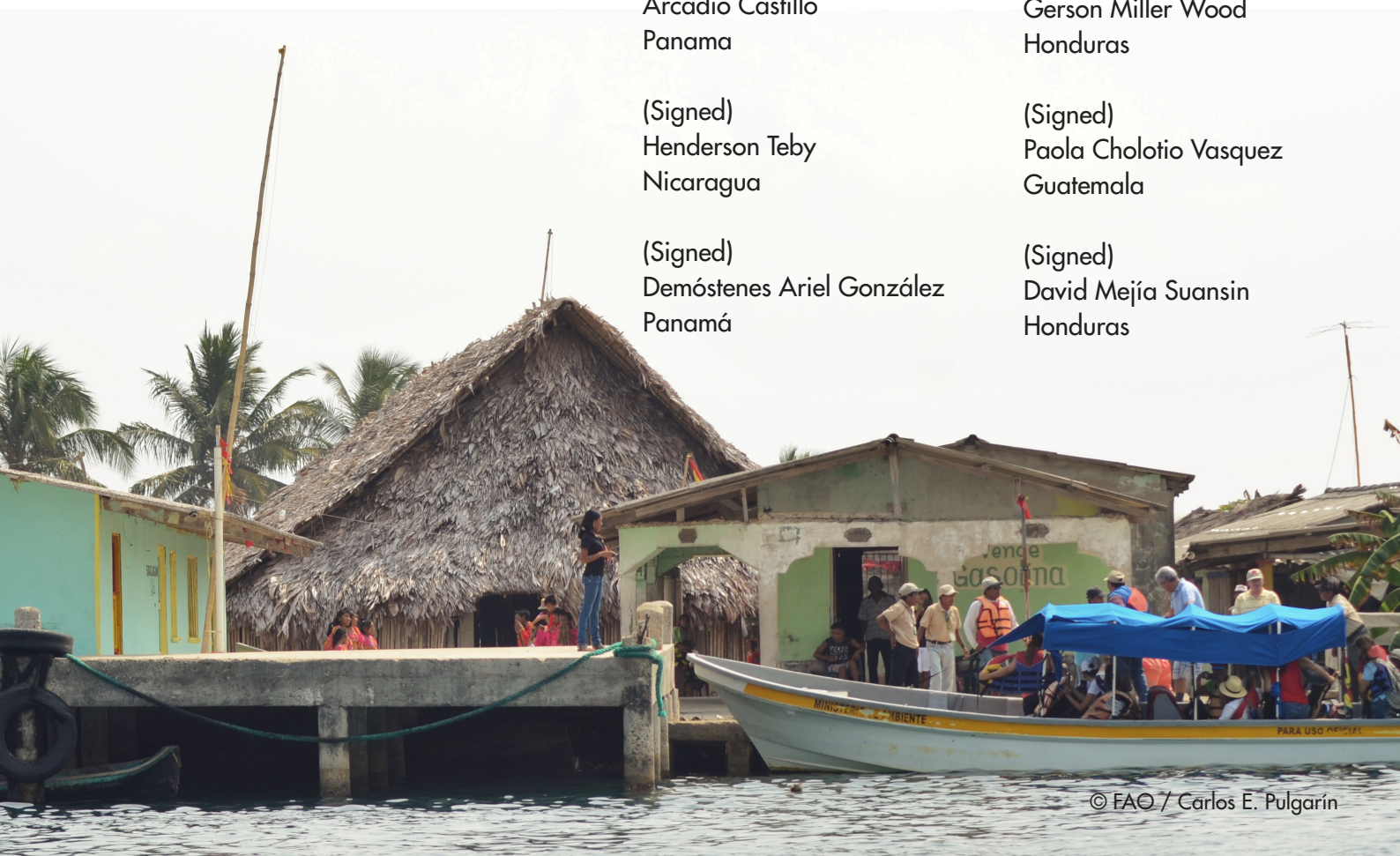
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Gerson Miller Wood
Honduras

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Henderson Teby
Nicaragua

(Signed)
Paola Cholotio Vasquez
Guatemala

(Signed)
Demóstenes Ariel González
Panamá

(Signed)
David Mejía Suansin
Honduras



¹ Indigenous Food Systems, Agroecology and the Voluntary Guidelines on Tenure.
<http://www.fao.org/3/a-i4549e.pdf>.

² Fisheries and Aquaculture Law. Law No. 489, Passed on November 26, 2004

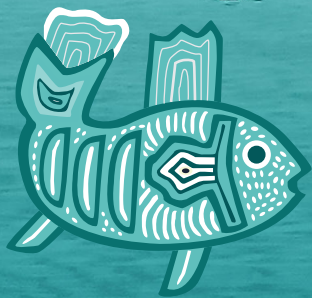
Article 81.- Owners of artisanal fisheries boats must comply with the provisions established by the Naval force regarding the corresponding departure and other measures required for this type of activity to be done.

Article 82.- Industrial fisheries of all species inhabiting the San Juan River are banned, only artisanal fisheries are allowed. In the case of sport, recreational, and scientific fishing in the San Juan River, such activities shall only be allowed if the corresponding authorities have issued a permit for it.

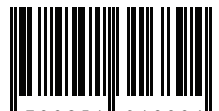
Article 78.- In order to participate in artisanal fisheries activities, an artisanal fisheries permit with a five (5) years validity per boat must be obtained, as well as an artisanal fisher identification card, issued by the MIFIC (Ministry of Development, Industry and Trade of Nicaragua), where the data of the fisher are provided. Permits and identification cards will be given by the respective municipalities, so that they keep a record and permanent control of these. Applications shall be submitted in writing to the MIFIC, who shall decide on the granting within thirty (30) days.

³ The Tragedy of the commons is a dilemma described by Garrett Hardin in an article published in the journal Science in 1968. The concept refers to a situation in which several individuals, seeking only their personal interests and acting independently but rationally, end up destroying a limited shared resource (the commons), even though such destruction is not convenient to any of them, either as individuals or as a whole. "The Tragedy of the Commons" Garrett Hardin in Science, v. 162 (1968), pp. 1243,1248.

⁴ Members of this group were advised to consider the OSP-02-09 Regulation on the regional management of Caribbean Spiny lobster (*Panulirus argus*) fisheries, and its article 13: "States Parties shall prohibit autonomous diving with purpose of fishing lobsters in a maximum term of 2 years from the adoption of this present regulation."



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