The struggle of small-scale fishers for human rights and dignity took a big step forward last month when parliament adopted the Amended Marine Living Resources Act.

The Act allows for the implementation of the small-scale fisheries (SSF) policy, which was adopted by the Cabinet in June 2012.

The Act, together with the policy, gives legal recognition to the sector for the first time. They also provide a developmental, collective and human-rights based approach to the sector, away from the largely commercial and destructively competitive focus of the past.

The Bill first went through the Parliamentary Standing Committee on Fisheries in October, where Coastal Links members and Masifundise representatives made powerful submissions.

Coastal Links members who made submissions were; Eastern Cape representative Lulamile Ponono, Northern Cape leader Dawie Phillips, KwaZuluNatal chairperson Lindani Ngubeni, Sarah Niemand from Buffeljagsbaai, Sandile Mhlali from Khayelitsha and National chairperson Christaan Adams. MDT field worker Hahn Goliath and Director Naseegh Jaffer also made submissions.

Norton Dowries, Vice Chairperson: Coastal Links SA Langebaan, said: “This amendment is brilliant, now we can start building on our future, the road ahead! This is the best thing that ever happened in the history of small-scale fishers. We are now acknowledged in the MLRA, as people, as an entity and as role players in the fishing industry.”

The process that led to the adoption of the policy started in 2007 when Masifundise, Coastal Links, the Artisanal Fishers Association of South Africa and the Legal Resources Centre won an Equality High Court case that ordered the government to develop a policy that includes small-scale fishers. The majority of the content of the policy was proposed by small-scale fishers themselves, who deliberated in small and big gatherings.

The Amended MLRA and the small-scale fisheries policy adopted by Cabinet in June 2012, give legal recognition to the sector for the first time. They also provide a developmental, collective and human-rights based approach to the sector, away from the largely commercial and destructively competitive focus of the past.

The Bill first went through the Parliamentary Standing Committee on Fisheries in October, where Coastal Links members and Masifundise representatives made powerful submissions. Coastal Links members who made submissions were; Eastern Cape representative Lulamile Ponono, Northern Cape leader Dawie Phillips, KwaZuluNatal chairperson Lindani Ngubeni, Sarah Niemand from Buffeljagsbaai, Sandile Mhlali from Khayelitsha and National chairperson Christaan Adams. MDT field worker Hahn Goliath and Director Naseegh Jaffer also made submissions.

Norton Dowries, Vice Chairperson: Coastal Links SA Langebaan, said: “This amendment is brilliant, now we can start building on our future, the road ahead! This is the best thing that ever happened in the history of small-scale fishers. We are now acknowledged in the MLRA, as people, as an entity and as role players in the fishing industry.”

The process that led to the adoption of the policy started in 2007 when Masifundise, Coastal Links, the Artisanal Fishers Association of South Africa and the Legal Resources Centre won an Equality High Court case that ordered the government to develop a policy that includes small-scale fishers. The majority of the content of the policy was proposed by small-scale fishers themselves, who deliberated in small and big gatherings.

This outcome has its roots in the Equality Court ruling in 2007, after Masifundise, Coastal Links, the Legal Resources Centre and the Artisanal Fishers Association of South Africa sought legal intervention regarding the exclusion of small-scale fishers from fishing rights.

The Amended MLRA and the small-scale fisheries policy adopted by Cabinet in June 2012, give legal recognition to the sector and makes a decisive move from an individualistic, mainly commercial focus to a collective, human rights based approach.

CLSA has worked closely with its administrative arm, Masifundise which has also made good progress this year.

As the year closes, we must reflect on a successful year and divide our time between work and time with our families, friends and members of our communities.

We will continue our journey in 2014.

A new chapter opens

Amended MLRA sets small-scale fisheries on different path

The struggle of small-scale fishers for human rights and dignity took a big step forward last month when parliament adopted the Amended Marine Living Resources Act.

The Act allows for the implementation of the small-scale fisheries (SSF) policy, which was adopted by the Cabinet in June 2012.

The Act, together with the policy, gives legal recognition to the sector for the first time. They also provide a developmental, collective and human-rights based approach to the sector, away from the largely commercial and destructively competitive focus of the past.

The Bill first went through the Parliamentary Standing Committee on Fisheries in October, where Coastal Links members and Masifundise representatives made powerful submissions.

Coastal Links members who made submissions were; Eastern Cape representative Lulamile Ponono, Northern Cape leader Dawie Phillips, KwaZuluNatal chairperson Lindani Ngubeni, Sarah Niemand from Buffeljagsbaai, Sandile Mhlali from Khayelitsha and National chairperson Christaan Adams. MDT field worker Hahn Goliath and Director Naseegh Jaffer also made submissions.

Norton Dowries, Vice Chairperson: Coastal Links SA Langebaan, said: “This amendment is brilliant, now we can start building on our future, the road ahead! This is the best thing that ever happened in the history of small-scale fishers. We are now acknowledged in the MLRA, as people, as an entity and as role players in the fishing industry.”

The process that led to the adoption of the policy started in 2007 when Masifundise, Coastal Links, the Artisanal Fishers Association of South Africa and the Legal Resources Centre won an Equality High Court case that ordered the government to develop a policy that includes small-scale fishers. The majority of the content of the policy was proposed by small-scale fishers themselves, who deliberated in small and big gatherings.

This outcome has its roots in the Equality Court ruling in 2007, after Masifundise, Coastal Links, the Legal Resources Centre and the Artisanal Fishers Association of South Africa sought legal intervention regarding the exclusion of small-scale fishers from fishing rights.

The Amended MLRA and the small-scale fisheries policy adopted by Cabinet in June 2012, give legal recognition to the sector and makes a decisive move from an individualistic, mainly commercial focus to a collective, human rights based approach.

CLSA has worked closely with its administrative arm, Masifundise which has also made good progress this year.

As the year closes, we must reflect on a successful year and divide our time between work and time with our families, friends and members of our communities.

We will continue our journey in 2014.

A new chapter opens

Amended MLRA sets small-scale fisheries on different path

The struggle of small-scale fishers for human rights and dignity took a big step forward last month when parliament adopted the Amended Marine Living Resources Act.

The Act allows for the implementation of the small-scale fisheries (SSF) policy, which was adopted by the Cabinet in June 2012.

The Act, together with the policy, gives legal recognition to the sector for the first time. They also provide a developmental, collective and human-rights based approach to the sector, away from the largely commercial and destructively competitive focus of the past.

The Bill first went through the Parliamentary Standing Committee on Fisheries in October, where Coastal Links members and Masifundise representatives made powerful submissions.

Coastal Links members who made submissions were; Eastern Cape representative Lulamile Ponono, Northern Cape leader Dawie Phillips, KwaZuluNatal chairperson Lindani Ngubeni, Sarah Niemand from Buffeljagsbaai, Sandile Mhlali from Khayelitsha and National chairperson Christaan Adams. MDT field worker Hahn Goliath and Director Naseegh Jaffer also made submissions.

Norton Dowries, Vice Chairperson: Coastal Links SA Langebaan, said: “This amendment is brilliant, now we can start building on our future, the road ahead! This is the best thing that ever happened in the history of small-scale fishers. We are now acknowledged in the MLRA, as people, as an entity and as role players in the fishing industry.”

The process that led to the adoption of the policy started in 2007 when Masifundise, Coastal Links, the Artisanal Fishers Association of South Africa and the Legal Resources Centre won an Equality High Court case that ordered the government to develop a policy that includes small-scale fishers. The majority of the content of the policy was proposed by small-scale fishers themselves, who deliberated in small and big gatherings.

This outcome has its roots in the Equality Court ruling in 2007, after Masifundise, Coastal Links, the Legal Resources Centre and the Artisanal Fishers Association of South Africa sought legal intervention regarding the exclusion of small-scale fishers from fishing rights.

The Amended MLRA and the small-scale fisheries policy adopted by Cabinet in June 2012, give legal recognition to the sector and makes a decisive move from an individualistic, mainly commercial focus to a collective, human rights based approach.

CLSA has worked closely with its administrative arm, Masifundise which has also made good progress this year.

As the year closes, we must reflect on a successful year and divide our time between work and time with our families, friends and members of our communities.

We will continue our journey in 2014.
Working with and for small-scale fishers

Masifundise is a long-standing NGO and today focuses on the small-scale fisheries sector. On this page we provide some background and information about MDT.

ROCK LOBSTER ALLOCATION

MDT worked with Western Cape fishers ahead of the rock lobster season. The WCRL season began on 15 November 2013 and will end in June 2014. 2000 fishers in the Western Cape and Northern Cape will benefit and the allocation is 267 tons per collective permit which amounts to 138 kg per person. DAFF had proposed that 1 800 fishers receive allocations, but fishers, in an act of solidarity, asked for the number to be increased and the allocation to be reduced per person, so that more can benefit. Due to the scarcity of line fish in their areas, fishers from Arniston and Struisbaai also received rock lobster allocations. Twenty permits have been allocated in each area.

SPREADING THE MESSAGE

The MDT Communication Unit is working with a team that is completing two videos
The first video is about MDT (history, projects and future plans) and the second on the story of CLSA. Various MDT staff and CLSA members were interviewed for the videos. We will welcome any information or photographs or short video clips that you may have, for inclusion in the videos.

MDT has also started preparing for content for a Handbook on the Small-scale fisheries policy. The handbook will explain the elements of the policy, as a practical guide for small-scale fishing communities. It will be available in the first week of December.

In an exciting project, MDT plans to turn the outside and inside of its offices into a mini-exhibition. A wall mural is planned for the front of the building and visuals and text for the inside. Contact the office if you wish to participate in this initiative.

JOSH AND NEVILLE VISIT WEST AFRICA

Masifundise’s Josh Cox and Coastal Links’ Neville Luyt visited two national fisher organisations in Sierra Leone and attended regional West African meetings of fisher organisations, government and NGOs in Cape Verde and Senegal. They gained valuable insight on this trip on the issues and challenges facing fishing communities in other parts of Africa, and what can be done collectively through the Pan African Programme to address them. There has been good feedback on MDTs Pan African Newsletter, which was produced in August. Some of the feedback is noted below:

“I would like you to send the Newsletter as soon as possible as this topic sounds very serious to me. As the president of national association of artisanal fisheries operators it will be easy for me and my association to carry on this task of sensitizing my community on such an important topic ” - National Artisanal Fisheries Operation, The Gambia

“Congratulations Josh and Team - its powerful, the messages are clear and the content is varied and interesting. It’s the clearest statement I’ve seen on opposition to current policy trends and powerful partnerships” - Dr Edward H Allison, Senior Research Fellow, The WorldFish Centre

KEEPING THE WHEELS TURNING

A number of MDT staff keep the wheels of the organisation turning. We briefly introduce two of them to you in this edition.

Mandla Gqamlana coordinates the organisational development and community capacity building programmes of the organisation. He arrived at MDT in 2010, joining Sithembiso Gwaza in the Programme office. The two were later joined by Josh Cox.

Mcebisi Kraai implements and facilitates all programme work at community level and facilitates local leadership development. His working area is the Eastern Cape and he is regularly on field trips mobilising and engaging small scale fishers on MDT and CLSA work. The other members of the team are Nico Waldeck, Hahn Goliath, Lindani Ngubeni and Sithembele Tempi.
Voices from the Coast

As the year draws to a close, Fishers Net spoke to CLSA members about the Amended MLRA and related matters

JOYCE MBUYAZI MABIBI, KWAZULU NATAL

It will mean a victory for us, as it will show that our fight did not fall into the drain. Implementation of the policy is vital because we will be able to access boats, have proper businesses and other resources that will help us go out to the sea.

SOLENE SMITH LANGEBAAN, WESTERN CAPE

I feel good about the Amendment to the MLRA going through. I want to say thank you to the ANC and the Department of Agriculture Forestry and Fisheries (DAFF) who stood by us throughout this process, and all that DAFF has done to get this amendment through.

At the moment there are still many fisherfolk who are not part of the interim relief and they struggle to make ends meet, and hopefully this amendment will bring about the change we need to relieve the poverty in our communities. Now we must just work together as one unit.”

NTOMBENTSHA JABAVU PORT ST JOHNS, KWAZULU NATAL

It should be implemented already so that we can fish freely and honestly and so that we can make a proper living and a stable income.

ZODWA LANGAZANA BIZANA, EASTERN CAPE

Once the plan is implemented it will help small scale fishers, they will be free to go to the sea, because currently they are not doing anything and some do not have a source of income, we get arrested and do not have access to our source of living.

DAWIE PHILLIPS PORT NOLLOTH, NORTHERN CAPE

The amended MLRA will mean that we have greater access to marine resources, so that we are able to improve our living standards. I see it as positive, but believe that implementation will be a challenge. We have been disappointed by government’s lack of response in the past. The Department must ensure that officials have the capacity and competence to drive this process.

QUENTIN MARCH LANGEBAAN, WESTERN CAPE

This is something good, now more families can put food on their tables. I feel like I have a lot to say about the passing of the amendment. We have wished for this for a long time, we always just got a little, and forever had to be on waiting lists, but now it will change. It should now be good for us going forward in Langebaan, and it should not get worse.
## Face2Face

with Mr Lulamile Ponono

**Q** Where are you from Mr Ponono?
**A** I am from Cebe in the district of Centane, Eastern Cape.

**Q** What fish do you catch and where?
**A** I catch Line fish, abalone and prawns.

**Q** How did you get involved with Masifundise/Coastal Links?
**A** In 2004, we met as fishers at Cintsa, where we addressed issues with the permits, and by 2007 I was elected to be part of the executive of a group that organised fishers in the Eastern Cape. We heard about Masifundise and Coastal Links and their work and lobbying for fishers rights and we decided to join them.

**Q** What role are you currently playing for Coastal Links?
**A** Currently I am the organiser in the National Executive Committee of CLSA.

**Q** What has been your most memorable thing about being part of Coastal Links SA?
**A** I made a submission on the MLRA Amendment Bill to the Portfolio Committee of Agriculture, Forestry and Fisheries in Parliament, on 16 October 2013.

**Q** What are the current challenges for Eastern Cape fishers and how can they be resolved?
**A** Some of the fishers are still not being given permits to fish. The Department does not consult with us, on issues such as how the abalone system should be implemented in the province. Permits are given to divers, instead of fishers. The problem could be solved by training fishers to dive and allowing them to select the buyers themselves.

**Q** The MLRA amendment bill has been passed by the National Assembly, what are your thoughts on that?
**A** We are happy that the fishers will benefit from the passing of this bill. We won’t be arrested anymore, we will be able to dive and be compensated for what we catch. We are hoping that now that the MLRA amendment bill has been passed, it should be easy for the SSF Policy to be implemented.

---

**CLSA focuses on fisher empowerment**

Coastal Links South Africa plans to run a pilot project that makes fishers aware of the small-scale fisheries policy, and the benefits of its proper implementation.

This was one of the decisions that emerged from the Coastal Links National Executive Committee meeting held in Port Elizabeth late in October.

The project will run in 20 regions in which CLSA operates with the aim of increasing knowledge and empowering members of the organisation.

“Increasing fisher folks’ skills, creating jobs, informing and exchanging ideas with like-minded people is on our minds as an organisation,” commented Chairperson Christiaan Adams.

The MLRA Amendment Bill was on the agenda at the NEC meeting. The positive and powerful contributions made by Coastal Links members in submissions to the Portfolio Committee on Fisheries earlier that month, were acknowledged and celebrated.

The NEC also discussed events for the coming year, including the World Forum for Fisher People Conference, which will be held in South Africa, the Coastal Links 2014 AGM, a policy implementation programme and funding opportunities for the organisation.

The NEC spoke about the need to raise funds in a climate where funding sources were hard to come by. A valued partner, Afrika Kontak, is not able to continue funding programmes in the coming year. The final NEC meeting for 2013 was held in KwaZulu Natal, from 26 to 28 November, as Fishers Net went to print. Reports will be placed on social media and other media platforms.

---

**continued from page 5**

successful in the High Court, their case will automatically be thrown out,” said Smith.

Smith said that their High court application, if successful, will have wide-ranging effects, since it will have an impact on how Marine Protected Areas (MPAs) are managed, and that it can be used as an example in other parts of the world.

“People from Langebaan and the broader community must come and support our case, since it will have a benefit for the broader community, and make Zone B open for fishing, especially other fishers who also want to fish in the lagoon.”

Smith said that they have already received a lot of support.
Zone B at the centre of Langebaan Court Case

LANGEBAAN fishers will be heading to court early in 2014, but in the meantime, four fishers from there will be appearing in the Hopefield Lower Court in a case of fishing in Zone B in the Lagoon.

Earlier this year the fisherfolk of Langebaan, with the help of Coastal Links South Africa (CLSA), Masifundise and the Legal Resources Centre, brought an application to the High court in Cape Town to assert their rights to fish in Zone B.

Solene Smith, chairperson of CLSA in Langebaan, said that presently, no exact date has been given for when their case will be heard in the High Court in Cape Town.

Henry Makka and Mark Burling were arrested for allegedly fishing in Zone B in January and Oslin van Boven and Quentin March were arrested in August, and their cases have been put together as one.

“Their case has now also been tied to our High Court application, and when we are

PLAAS strongly promotes fishers rights

The progress of Masifundise and Coastal Links would not have been possible without the support and participation of a range of partners. In this edition of Fishers Net, we introduce one of the partners, the Institute for Poverty, Agrarian and Land Studies (PLAAS).

PLAAS is a research institute that focuses on subsistence farmers and farm workers. They also focus on coastal and inland artisanal fisheries and fishing communities and informal self-employment in rural and urban areas.

PLAAS, based at the University of the Western Cape, also does research and policy formulation, teaching and training about the dynamics of chronic poverty and structural inequality in Southern Africa.

Masifundise and PLAAS are engaging in participatory research with the organisation Too Big To Ignore in a project called Global Partnership for Small-Scale Fisheries. The project began in 2012 and is scheduled to last until 2018. For more information, go to www.toobigtoignore.net

“This project aims to enhance the understanding and real contribution of small-scale fisheries to food security, nutrition, sustaining livelihoods, poverty alleviation, wealth generation and trade,” said PLAAS Associate Professor, Moenieba Isaacs.

She said it also aimed to generate knowledge on the impacts and implications for small-scale fishers of global change processes such as urbanisation, globalisation, migration, climate change, aquaculture, and communication technology.

Isaacs said her key role at PLAAS is to look at fisheries reform, institutional governance like co-management, social ecological systems, human dimensions and ecosystem fisheries. “We also do research on Marine Protected Areas (MPAs) and fisher livelihoods, poverty, vulnerability, small-scale fisheries policy development in Southern Africa, HIV/Aids, fish value chains and food security in fishing communities.”

“PLAAS has worked closely with the Department of Agriculture, Forestry and Fisheries in facilitating stakeholders meetings to discuss interim relief measures in small-scale fishing communities.”

In 2005, PLAAS and Masifundise together with Legal Resources Centre and small scale fishers joined hands to challenge the constitutionality of the allocation of fishing rights.

PLAAS and Masifundise also raised the issues of small-scale fisheries at the International Conference on “Sharing the Fish”, organised by the Food and Agricultural Organisation (FAO), in 2006.

PLAAS researchers also participate in several international conferences focussing on the struggles of small scale fishers to access their rights.

PLAAS and Masifundise worked together on the Provincial Task Team and steering committee to develop a Fisheries Strategy and Aquaculture Policy for the Western Cape.

In 2008, Masifundise and PLAAS led a team of government, civil society and business representatives on field trips to Vietnam and the Philippines to investigate small-scale fishing and aquaculture projects.

PLAAS also regularly raises critical debates around small scale fishing, locally and internationally through seminars, workshops and public debates, which draws in key players and policy makers.

Two Masifundise staff members are currently students on PLAAS’ teaching programme, which has high academic quality in its content, teaching and supervision.
The voices of small-scale fishers were heard loudly and clearly in 2013. Adding to years of building organisation and campaigning for rights, this year we finally saw some significant movement when the Amended MLRA was adopted in the National Assembly. Coastal Links and Masifundise, together with our partners can justly claim that we contributed hugely to this outcome. This year we took our work to a new level, as shown in the pictures on this page.
YOU KNOW RASTA IT WAS GOOD TO GO TO PARLIAMENT IN OCTOBER TO SUPPORT THE MLRA AMENDMENT BILL

I FELT SO PROUD WHEN COASTAL LINKS MADE THEIR SUBMISSIONS SO STRONGLY!

TRUE THOZAMA, BUT YOH, WHEN IT BECAME LAW IN PARLIAMENT IN NOVEMBER, THEN WE WERE REALLY EXCITED!

WE ARE NOW LEGALLY RECOGNISED. THE LAW AND POLICY SAYS GOVERNMENT MUST SUPPORT US SO THAT OUR COMMUNITIES CAN DEVELOP

THE LAW WENT THROUGH PARLIAMENT AND COASTAL LINKS GOT A LOT STRONGER THIS YEAR...

YES, I UNDERSTAND WE ARE NOW IN ALMOST 100 COMMUNITIES THROUGHOUT SOUTH AFRICA!

AFTER YEARS OF STRUGGLE, 2013 HAS BEEN A GOOD YEAR. AT LEAST IT GIVES US SOME HOPE!

WE SALUTE OUR COMRADES THROUGHOUT THE LAND. WE ARE GRATEFUL TO OUR PARTNERS WHO GAVE US SUPPORT!

BY WORKING TOGETHER, WE CAN MAKE THIS LAW REAL IN OUR LIVES!! Aleta Continua!
Pearly Beach is a coastal town 43km from Hermanus on the East Coast of the Western Cape and 20 km from Gansbaai, which is also known as the capital of the Great White Shark on the Southern Right Whale migration route.

The bays along this coastline make it an ideal whale breeding site and other sea attractions include seals, dolphins, and sharks. Pearly Beach forms part of the Kogelberg Biosphere Reserve, known as the “heart of the fynbos kingdom” as there are many endemic plant species in the area.

The area hosts The Herbarium, “a collection of dried plants or parts of plants that are indexed and stored for scientific research information.”

The herbarium is one of the projects started by the Pearly Beach Conservancy many years ago in order to conserve the environment and also to develop a love and interest among the people staying in Pearly Beach.

On the inland side of Pearly Beach is one of the world’s hottest botanical hotspots. Several plant species are endemic (i.e. they occur only here and nowhere else in the world) to a small area of lime soils near Pearly Beach.

The area around Pearly Beach has an abundant bird and wildlife and is home to francolins, small buck, tortoises, and wild cat. Visitors can spot the rare African Black Oyster Catcher which nests on the beach.

Since the early 1920’s generations of families have come to spend their summer vacations camping and fishing on this seaside section of the original Kleinhangelkraal cattle farm, 25 km from Gansbaai on the R43 en route to Buffeljags and Quoin Point. Aptly dubbed Afsaal (Unsaddle), there was nothing more than open fynbos fields, an infinite beach and the lure of the fishing waters.

Amidst the beauty and small pockets of affluence, small-scale fishers find it hard to survive. The town’s residents range from the richest of the rich to the poorest of the poor. Like in many South African towns, one can see the “dividing” line and a lack of public service amenities. The nearest public school is 20km away and the nearest public hospital 71.5 km away. People travel either in private cars or have to hire a vehicle.

“At the moment we have no fishing rights in the area, so the people work as cleaners, contractors and the youth move out of the town to get better jobs,” said Maria Hoffman, one of the founder members of Coastal Links.

“We normally ride our bicycles from Gansbaai to Pearly beach or sometimes to Buffeljagsbaai to catch some fish – sometimes we get lucky, sometimes we don’t” said Neil and Chris, fishers from Gansbaai.

Popular activities in Pearly Beach are swimming, fishing and hiking, visitors can cycle, enjoy whale watching, visit quaint shops, eating places or sleep at a number of B and Bs that cater for every day demands.

The area is serviced by the Overstrand Municipality.


Published by: Coastal Links and Masifundise Development Trust: Email: info@masifundise.org.za 1 Station Road, Mowbray, Cape Town 7700 • Tel: 021 685 4549 • Fax: 021 685 3816