WAITING... to fish!!

FOR most small-scale fishers along the Western Cape coastline, fishing is not just their primary means of making a living, it is their only means of putting food on the table. Far removed from any other form of employment, fishers from Ebenhaeser, in the North West Coast, to Melkhoutfontein in Stilbaai, who were excluded from legal recognition and a right to fish, during the 2005 Long-Terms Fishing Rights Allocation process are waiting for the policy to be finalised so that their dignity can be restored and they can return to their traditional way of living.

2017 marked the 10th anniversary of the Equality Court Order, that forced the then Minister of Environmental Affairs and Tourism (minister responsible for fisheries), Marthinus Van Schalkwyk to amend the Marine Living Resources Act (MLRA) so that thousands of Small-Scale Fishers (SSF) along the SA coastline could be recognised, and their traditional way of life respected. The Court also instructed the minister to develop a policy for small-scale fishers SSF and history was made in the sector when Small Scale Fishers were part of a National Task Team that developed the policy which included the insights and traditional knowledge of fishers. This policy was eventually adopted in 2012, followed by the Regulations in 2016, which enabled the implementation of the policy.

FISHING communities were invited to register as fishing communities after which fishers were registered in a nation-wide fisher registration drive.

This process did not go as smoothly as planned, many fishers, especially youth and women were turned away, and even those fishers who registered, were not reflected in the provisional lists published by DAFF in 2016 and 2017.

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WC-EDITORIAL

FINALLY, the small-scale fisheries policy is being rolled out, and fishers in the four coastal provinces should feel elated, because rights will be accorded to them, rights which have been alluding them for more than 10 years.

In 2004, when the government allocated fishing rights under the Marine Living Resources Act of 1998, fishers everywhere, found themselves without the right to fish and earn decent livelihoods.

Fishers under the leadership of CLSA and Masifundise, with the help of the Legal Resources Centre (LRC) and other social partners took the government to the Equality Court.

In 2005, the Equality Court ruled that the government and its department responsible for fisheries should give fishing rights to small-scale fishers.

The Equality Court ruled that government develop a policy for small-scale fishers, and that fishers in the meantime be put on an Interim Relief (IR) system.

It is now almost twelve years later, the IR system has been corrupted, and fishers have started to lose faith in it, and are patiently waiting for the policy to be implemented as soon as possible.

What a great disappointment for fishers of the Northern Cape and KwaZulu-Natal (KZN), when they discovered that the approach and contents of the Department of Agriculture Forestry and Fisheries (DAFF)’s programme of implementation with regards the registration of the Co-operatives are very different from the spirit in which the policy is written.

Whilst the policy and the Equality Court emphasised that the fishers have to be consulted, fishers now discovered that DAFF has unilaterally drawn up a constitution for the co-operatives which gives DAFF full control over their co-operatives and livelihoods.

It is like a one-size-fits-all constitution, which does not take into consideration the differences between communities, regions and provinces.

After many years of delaying implementation, it now appears as if the DAFF wants to fast-track the process, without consulting and taking into consideration the concerns of fishing communities.

Fishing communities still have a major problem with the wide-scale exclusion of fishers who have been left out of the policy for frivolous reasons on the part of DAFF.

These developments bring fishing communities and the almost 30 000 small-scale fishers in South Africa a serious crossroads where important decisions must be made.

**Voices from the Coast:**

Fishing communities have diverse customary rights and customary practices along the coast.

Andre Cloete: IS the newly elected chairperson of Coastal Links South Africa (CLSA) in the Western Cape (WC), and gives us some insights on what is important for CLSA WC to do going forward.

“Presently CLSA is in a crisis and we need to look at how we can reposition ourselves, and start doing what CLSA was supposed to do in the first place, which is to represent the interests of small-scale fishers, whether it is locally, in the Western Cape or nationally. It is important that we work towards the implementation of the policy and to make sure that the policy gives us the necessary protection going into the future.

“Just recently, Mannetjies (Andries Klaase from Hondeklipbaai) died at sea, and we do not even have a fund to make contribution to the family.

“The policy can put in place programmes and mechanisms that can prevent the loss of life at sea, it can also play a huge role in transforming the fishing industry.

“As fisher we do not always have the means to make a decent living, and sometimes we put our lives at risk to put some food on the table. We must start looking at local structures in our communities, how we can strengthen them to help us in our struggle for a better future.”

Naomi Cloete – Paternoster:

“The policy implementation is weak, it should have been implemented a long time ago.

“The longer the government is postponing the implementation of the policy, the more it is impoverishing the fishing communities.

“I would not like to see another Interim Relief (IR) season being implemented, because it is limited in what it gives to the fishers and fishing communities.

“We cannot live off the IR, it only provides us with living from the hand to the mouth, and it is unfair to the fishers, especially those who do not have access to IR.

“Through IR we have no say in the fishing industry and what gets allocated to us, in the policy it would not be like that, and every year we get the same amount of kilo’s. Nothing matters anymore, because by the day we are getting poorer, all we can do now is wait for policy implementation.”

Kesia Leonard: I think it’s important and good that DAFF made provision for young people in the SSF sector. We have seen our parents struggle and make a living from the sea. We have fresh ideas and we think, and work faster because we have access to the internet and social media. We can research recipes and markets, and I have already established my own seafood dish that I market at Food Markets. One of these days, people will be able to buy my products online.
WANDA was born in Struisbaai and married John from the neighbouring fishing town Arniston. They are both 4th generation of fishers in their families.

John was six years old when he started fishing with the men in his family, and today he still fishes off his grandfather’s boat.

‘After, marrying John, I moved to Arniston and worked at a local restaurant to earn an income.

When the restaurant closed down, I looked for similar employment, not only because I loved working with food, but mostly because I needed to help John cover our household expenses.’

BECAUSE jobs are scarce in the small fishing town of Arniston, she decided to open her own little restaurant at home.

‘We practically did the extension ourselves, and when the building was complete, I purchased all the furniture and equipment second hand at an auction.’

After years of saving and struggle, she opened her restaurant in 2012 and has to date built up a business that, together with John’s income derived from fishing, pays their bills.

In a community in which work is scarce, Wanda’s Restaurant is a beacon of hope, as it provides work for a few community members, especially during summer, the festive season and public holidays.

Like fishing, business in the tourism sector is also seasonal, and presents Wanda with a lot of challenges, demanding good management, business skills and Johns income from fishing.

‘Despite these challenges, I have great aspirations and hope for the future, and intend expanding my restaurant into a sports bar in the near future,’ say Wanda.

JOHN, as mentioned previously, has been fishing since the age of 6. He was unsuccessful in 2005 when DAFF called applicants for the Long-term Fishing Rights.

‘I, joined Coastal Links in 2008 and actively participated in the development of the SSFP’ says John.

John remained actively fishing and has an IR permit. He is one of thousands along the SA coastline who eagerly awaited the finalisation of the Implementation of the SSFP.

In 2017 John was one of many traditional fishers who DAFF deemed unsuccessful.

‘Those of us left out, are in total disbelief’, says John. Wanda is concerned about her family and the other families in Arniston, emphasising that it is important that both partners need to work.

‘I am really worried as most of the other women in Arniston work as cleaners in guesthouses, this too, is a seasonal business ’ she says.

She suspects that John, a true, traditional fisher, was excluded because of her business and feel that it’s unfair and inhume to punish him, or them for carving out a business to help take care of their livelihoods.

As a community, they had such high hopes of all the traditional fishers being successful.

With a full basket of species, they were looking forward to uplifting the unemployed youth, and accommodating the women by restoring Arniston’s history of processing their own fish stock, and in so doing, many women and youth could be developed.

Their dreams of the co-operative developing the youth to become tour guides, and them owning their own tackle shop and transport facility is now hinging on the outcomes of the appeals process.

Wanda’s last comment on this issue was an appeal to DAFF to visit Arniston with the intention to see how the people live.

She believes they will allocate rights differently if they know the history of the town and their dependency on fishing.

FACE2FACE QUESTIONS:

with Wanda, who was born in Struisbaai.

It is a known fact that if a child is hungry, he/ she goes to the mother figure in the home. Women are known to ‘make a plan’ when it comes to feeding their families.

FACE2FACE QUESTIONS:

Gender and the SSF policy

THE SSF Policy aims to ensure that men and women get equitable benefits from the sector. It recognises that women have always played a key role in the pre- and post-harvest activities and in some areas, women are the primary harvesters on intertidal resources. It further promotes the role of women in the management plans, co-management and that CBLE should be based on promoting economic empowerment and changing practices that hindered women’s rights to access, benefit from resources, employment, economic opportunities and decision-making.

MORE specifically, small-scale fisheries policy must ensure that women are:
1. Empowered to exercise their rights to participate in the management of the marine resources;
2. Trained to participate in the marketing, tourism, aquaculture, and additional coastal economic opportunities;
3. Equally represented on institutional structures.
AFTER more than 10 years of waiting for policy implementation, the Western Cape fishers in Coastal Links took a decision at a Provincial Meeting in Athlone to stop waiting on the DAFF to deliver the policy, but to rise above their circumstances, and find ways to improve their livelihoods. The decision to start implementing parts of the policy that refer to the value-added opportunities was discussed at a Provincial Meeting. In the process of compiling an asset assessment, the group realised that there was more value added, and employment opportunities for the women and the youth than they realised. They discussed what delicacies and crafts they could make from species both in the ocean and in the intertidal zone and looked at how they could create employment opportunities especially for the youth and women. This discussion led to the planning of the first CLSA Small – Scale Food and Craft Market held in Paternoster in November 2017 The event created a great sense of camaraderie and confidence amongst the fishers as they painted banners and discussed the process of preparing their produce. An informal introductory conversation on Food Sovereignty, (ownership of the food production cycle) as a clear approach to SSF was discussed amongst fishers and the decision to further explore and understand this was taken. On the day of the event, CLWC SSF, proudly displayed a large variety of foods and crafts made from items associated to the ocean. As patrons milled amongst stalls, they heard stories of how SSF families depended on the sea for their livelihoods and how fishers are confident that given the full traditional basket of species through the SSF policy, they could live a decent life. This event sparked new hope amongst SSF’s and the event was declared an annual event, hosted by a different fishing community along the WC coastline.
**Regulations undermines policy**

WHEN the regulations were published in 2016, nearly four years after the small-scale fisheries (SSF) policy was promulgated, fishers noted glaring differences, replacing the democratic, consultative spirit with which the SSFP was written, with an autocratic, top down approach taken by the Regulations.

Submissions to the Minister of Agriculture, Forestry and Fisheries on the Proposed Regulations Relating to Small-Scale Fishing by LRC in May 2015, noted the following:

The proposed regulations, with respect, entirely misunderstand the meaning of a community-based approach. While it includes a section on co-management, this section provides for the establishment of committees at various levels who will help the Minister in deciding how to manage the resource and then to implement the management strategy. That does not accord with any definition of co-management. That is, at best, a very limited form of participatory management.

Thus, rather than providing the mechanisms whereby co-management, co-decision making and co-governance could be realized, the Regulations provide for a system whereby the Minister is expected to regulate the sector down to the most local details (with at best some inputs by co-management committees who are not communities).

This takes all responsibility out of the hands of the communities. The community, in the terms of the Regulations, is only allowed to engage in marketing of the fish through a series of co-operatives. While our clients submit that this proposed system is unworkable, it is - more importantly - entirely at odds with the SSFP and MLRA as amended. This is not permissible in South African law.

EVENTUALLY, many tradition fishers were excluded from the policy, as the final lists, published at the end of 2017 in the Northern Cape, and at the beginning of 2018 in KwaZulu/Natal (KZN) did not reflect the names of many real fishers. The Western Cape is still waiting for the final list to be published.

DAFF then engaged the Northern Cape and KZN fishers in setting up co-operatives to drive the policy implementation into the future.

This process also had many hiccups, as fishers resisted the attempts by DAFF to bind them into co-operatives that will be to the benefit of DAFF, but to the detriment of fishers and fishing communities.

Despite this challenging period, fishers remain hopeful that the SSF Policy would deliver the most needed relieve and restore their dignity and way of life, and that they can bring it back on track, in alignment with the needs of fishing communities, and not with what will be good for the DAFF.

The fishers are expecting this, after all, they had contributed to the development of the policy in the interests of fishers everywhere, along the entire SA coastline.

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**Blinkwater, Stilwater and Blouwater – the Buffelsjagbaai co-operatives with much promise**

IN 2009, fishers in Buffelsjagbaai on the South Coast of the Western Cape have set up three co-operatives with a vision to become strong business entities for about 30 members of the coastal community.

Sarah Niemand, the chairperson of the local Coastal Links SA branch in Buffelsjagbaai said that the three co-operatives: Blinkwater Co-operative, Stilwater Co-operative and Blouwater Co-operative – are all primary co-operatives all connected to fishing and life along the coastline.

“All three co-operatives are involved in fishing, landscaping, aquaculture, mariculture and arts and crafts,” said Niemand.

She said that the co-operatives have been quiet for the first few years since its inception, because there was some confusion regarding co-operatives and the small-scale fisheries policy.

“After we formed our co-operatives we learnt that the department was not going to recognise our co-operatives that we have already formed, so we stopped.”

She said that they recently decided to activate their co-operatives since the SSF Policy was taking too long to be implemented. They started to work with white mussel, crayfish and forestry work.

“We also

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WAITING… to fish!!

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**Blouwater Co-operative has been involved in making jams and other pickled products from seafood.**
Rasta slowly brings his boat to shore, laden to the brim with snoek, as he and his bakkie-maat (fellow-fisher) land their catch after a hard day’s work at sea, just as Thozama and Edgar get to the beach to watch the boats come to shore.

Yoh! Rasta have not seen such a lot of snoek in a long time, you must be very happy. I must go and see what my husband caught for the day. I think this will be the first time in a long time, the children will have a decent meal.

This is really a great pity that I missed out – I’ve been waiting three months for DAFF sort out my boat permit. Rasta, I hope you have left some snoek in the sea, for when DAFF sorts me out!

The news coming from the ocean is great, snoek is in abundance, but news coming from the Northern Cape and KZN regarding the co-operative registration is bad.

Yes, I thought the process is finally moving along, the final lists were published, workshops to set up co-operatives were held, fishers were trained to run their co-operatives and will now register co-operatives, which will allow DAFF to allocate rights to us in the form of a basket of species.

That sounds all good and well, but, when DAFF announced the final lists, it was discovered that many a traditional fishers still found themselves outside of the policy with no fishing rights.

Really?

Oh! Yes! And, those fishers who managed to make it onto the lists, were told their relatives cannot inherit their rights when they pass on.
But, the main point of the policy is then to provide for our families, especially us whose place of work is so dangerous. At all times we know that we might not come back when we go to work, and our hope was that the policy will provide for our loved ones.

Exactly, DAFF was under the impression that they can give us training in two days, in a language that we do not understand, and that they can force the fishers to sign off on a constitution that suits them more than it does the fishers.

Yes, I have heard, my comrade from the Northern Cape told me that when the DAFF officials come to the Northern Cape, they gonna dress them up in oil-skin suits, top boots, give them fishing gear and tell them to go fish!

Ha..ha.. ha...Why?

They say because DAFF wrote the constitution for the policy as if it is DAFF that will be managing and running the co-operative, and not the fishers, so DAFF must then become the fishers.

That is really good, because that is what they are doing, we must learn from what the fishers did in the Northern Cape and KZN, we must also refuse to sign the co-operative constitution.

We must only sign it when the proper small-scale fisheries policy is implemented, and DAFF treats us as serious partners and learns to consult with us.
Blinkwater, Stilwater and Blouwater – the Buffelsjagbaai co-operatives with much promise

started working with the local municipality, and their Local Economic Development (LED) department took us through some programmes:”

“Blinkwater Co-operative, through the LED has been able to raise funds for equipment through the Department of Land Affairs and Rural Development. The LED has also arranged for a company, Abe Gold to help Stilwater Co-operative to make jewellery out of abalone shells,” she said.

Another development is that Blouwater Co-operative has been involved in making jams and other pickled products from seafood.

Niemand say that through this work, they have been attending many community shows where they have been invited to come and showcase their products. These products are now sort after at various cheese and wine festivals in and around Cape Town and the South Coast towns.

Niemand say that she is quite excited about the possibilities that exist for their co-operatives, and the past few months they have made presentations to the top leadership in some companies that can be of help to them in the future.

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FACTS AND FIGURES

DAFF’s Provisional list for SSF policy.

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