

SMALL-SCALE FISHERIES GOVERNANCE IN BRAZIL

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Introduction

In Brazil, small-scale fishery contributes up to 50% of all marine fishery production, the North and Northeast being the regions where such activity predominates. In 2009 official figures indicated a production of 585.671,5 t.. Studies indicate that the fisheries resources are overexploited (lobster, red snapper), fully exploited (tuna) or their exploitation level is unknown (shark, sailfish, crab) (Freire, 2003).

Brazilian fisheries are being altered by various factors, including overfishing, habitat degradation, pollution and climate change. Moreover, for small-scale fishers, defending their territories in face of the conflicts with land speculation and economic activities such as tourism and aquaculture has been the guarantee of continuity of their activities. Such conflicts require fisheries management to dialogue with other agents in an integrated approach.

Governance is the role of public and private interactions taken to solve societal problems and create societal opportunities. It includes the formulation and application of principles guiding those interactions and care for institutions that enable them (Kooiman et al., 2005). In Brazil, fishery institutions have become strong in the last 20 years, mainly when the participation of social movements and fishers' communities is analyzed. Social participation is a recurrent theme in papers which analyse environmental governance in the country.

This paper analyses the institutions and main public policies of the small-scale fishery sector, as well as the social participation and control in the formulation of such policies, with a focus on the Northeastern region due to its production representativity (33%) and the percentage of fishers (43%) in Brazil. Moreover, this has been the region where small-scale fishers have made important social achievements along the years.

Methodology

When considering fishery resources as common property assets (Ostrom, 1990), establishing appropriate institutional relationships in the fishery activity is essential for promoting the rational use of resources. In this sense, the New Institutional Economics can contribute to the analysis of institutions in promoting the efficient and sustainable use of fishery resources (North, 1995).

The study took three years (2007-2009). The methodological approach of this study is formed by interviews with fishers, their leaders and managers from governmental and non-governmental institutions in the federal, state and local government spheres, as well as participant observation in government and community meetings.

Fisheries Policies in Brazil

Along history, fishery management in Brazil has moved within several public spheres until the creation of an exclusive Ministry for Fishery and Aquacultural issues - MPA. The history of the fishery management in Brazil can be divided into 6 phases:

i. Before 1912, fishery was under the responsibility of the Navy, not regarded marginally as a food-producing activity. After that year, the Ministry of Agriculture was in charge of it.

ii. After the First World War, fishers were regarded by the government as a means to defend the coast, organised in guilds (“colônias”) and entitled Navy reservists. The guilds were institutions which grouped fishers by area, who received social and financial assistance and were managed by other professional sectors, generally for political purposes.

iii. After 1930, the Hunting and Fishery Division and the first Code of Fishery were created, subordinating the fishers to the Ministry of Agriculture and creating the first credit programme to the sector.

iv. In 1962, within the worldwide context of fishery industrialization (post Second World War), the Fishery Development Agency –Sudepe was created, whose main objective was the industrialization of the sector.

v. In 1989, Sudepe was incorporated to the new Brazilian Institute for the Environment – Ibama. By combining the worldwide environmentalist movement to the reduction in the fishery stocks and the consequent dismantling of the fishery industry, Ibama assumed a new posture towards fishery. Policies of incentive lost power while policies of conservation of fishery resources were intensified.

vi. As from 1998, fishery was back in the Ministry of Agriculture and policies resumed incentives to production, then directed at high seas fisheries and aquaculture. In 2002, the Fishery and Aquaculture Secretariat was established, culminating with the creation

of the Ministry of Fisheries and Aquaculture in 2009. This Ministry, along with the Ministry of Environment – MMA, operates incentives to production as well as management of resources.

Figure 1 shows fishery production and aquaculture as from 1950. In phase 4 a rapid production growth is observed due the sector industrialization. Phase 5 shows the change to a resource conservation policy and phase 6 reflects the new development policy centred in the aquaculture. The rise in production in the last phase is also due to a change in fishery statistics, which allowed for better data collection.

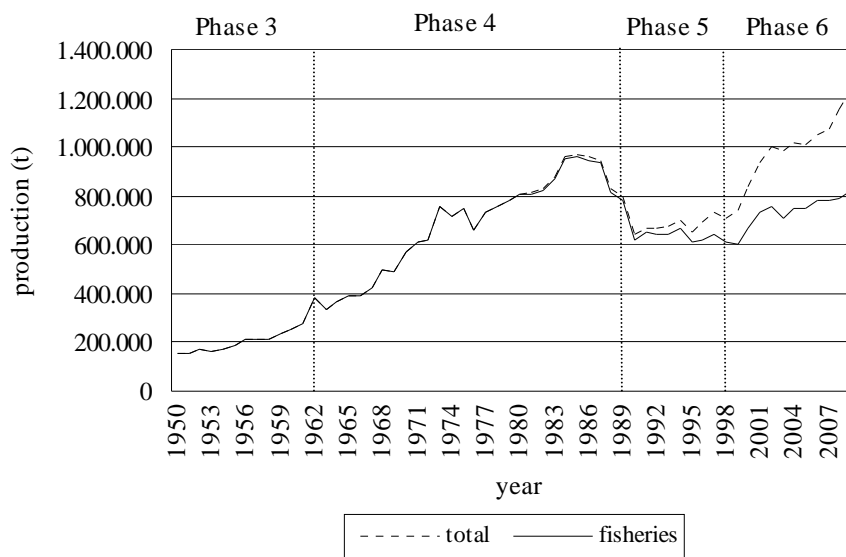


Figure 1 - Brazilian fishery and aquaculture production (1950-2008). (Source: FAO and Brazilian Government's data)

Small-scale fisheries and policies

Some historical moments which have strengthened the small-scale fishery sector should be mentioned:

- i. the 2.700 km raft-trip (“jangada”) of fishers from Ceará to Rio de Janeiro in 1941, when retirement benefits were claimed and granted by the President. Other fishers have repeated this act 5 times along the following 55 years, always to request attention to their activity;
- ii. the fisherwomen’s fight and recognition by Sudepe in the 1970s;
- iii. the fishery constituent movement in 1988, bringing the guilds to the same standard as unions, and culminating in the National Movement of Fishers (MONAPE);
- v. the new fishery law (2009) implemented important changes to small-scale fisheries by qualifying them to have access to rural credit and by recognizing the women who do

activities connected to fishery - such as the processing of fish –, granting them the same rights as fishers;

vi. the 1st National Conference on Artisanal Fisheries (2009), when for the first time fishermen and fisherwomen marched to the federal capital.

The opening for the users' participation in fishery management has been strengthened as from the 1988 Federal Constitution, especially the development of practices that allow for participatory democracy (Jacobi, 2006) and co-management experiences, for instance the fishing accords in the Amazon region (Almeida et. al., 2009) and fishing forums in southern Brazil (Kalikoski, 2002).

At the beginning of the 1990's, extractive reserves were created in Brazil (Figure 2) as a kind of institution that mixed the concepts of environmental protected areas and land assurance for traditional people. This kind of protected area allows users' participation in management and nowadays fishers' leaders see marine extractive reserves as one of the only ways to assure the territories of traditional fishers.

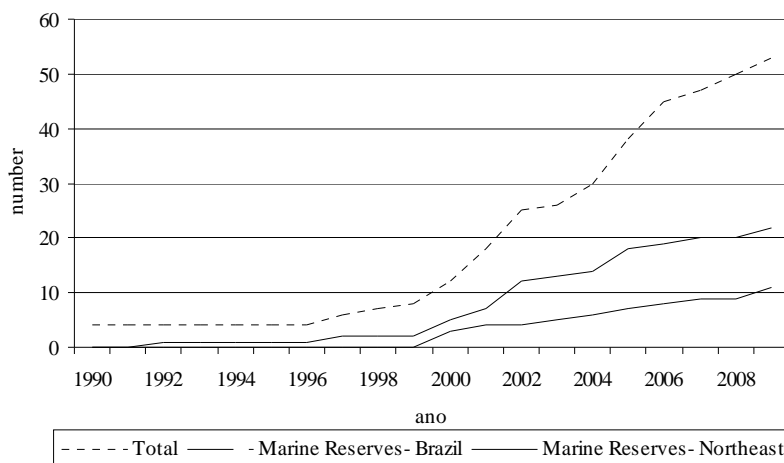


Figure 2 – Extractive Reserves in Brazil. (Source: Ministry of Environment, 2010)

The present public policies for small-scale fisheries are, on several occasions, extensions of the Government's social policies, extended or even adapted to fishery, assignments for the MPA to perform. This happens to the literacy programme "Fishing Letters". There is also the inclusion of fishers in interministerial policies. The fisheries policy of territories is an example: coordinated by the MPA, it follows the citizenship policy of territories from the Ministry of Agrarian Development. The National Policy for the Sustainable Development of Traditional Peoples and Communities takes over the historical invisibility of those communities in the public policies.

A second criterion refers to policies inherent to the activity itself, such as the closed season unemployment insurance, managed by the Ministry of Labour, the MPA and the MMA. This policy ensures a monthly salary to fishers who are restricted from fishing

during the closed fishing season - defeso. Figure 3 shows the growing volume of resources available since the policy was created. This policy is responsible for the continuity of some traditionally exploited stocks in Brazil, such as the spiny lobster and the sardines.

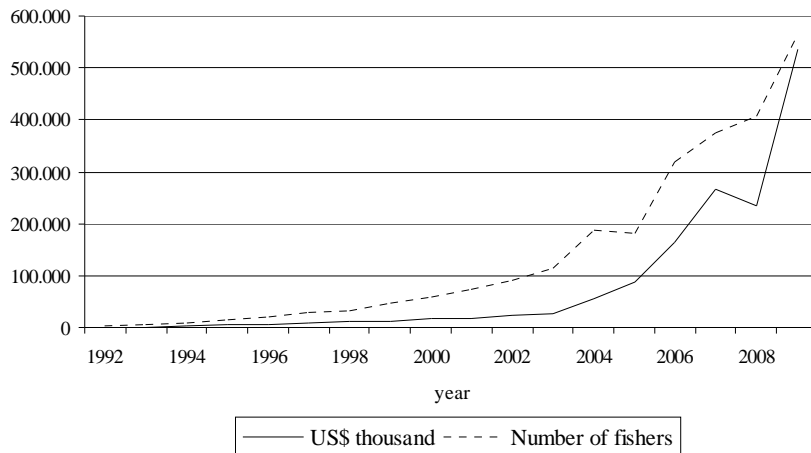


Figure 3 - Unemployment insurance (in thousand dollars) for the closed fishing season in Brazil. (Source: Ministry of Labour, 2010)

The regulation policies of the resources are managed by the Ministry of Fisheries and the Ministry of Environment. Currently this regulation is directed at the main species captured in the country by means of management committees. In the Northeast, lobster is the only species that has a committee established and a management plan.

All programmes covering the coastal region, its regulation and conservation relate to small-scale fishery: Coastal Management (GERCO), Ecological and Economic Zoning (ZEE), Agenda 21, among others. Despite the fishers being directly affected by conflicts in the coastal region, their participation in those policies is still marginal.

These various state institutions clash, especially regarding environmental issues and fisheries. The Ministries that deal with fishery development and the creation of Conservation Units, for instance, do not work as a team. There is often a conflict in government circles, especially with the states and municipalities.

The Fisheries Councils, the Environment Councils and the River Basin Committees are also very important courts. These forums for civil society participation in public policies are the result of the struggle for democracy that occurred until the 1980s. The Environmental Federal Council (CONAMA) is the oldest, having being established in 1981. The National Fisheries Council was created in 2003 and the State ones are in process of creation. In 2003 there was the 1st National Conference of Aquaculture and Fisheries, organized by the Federal Government, with representatives of industrial fisheries, aquaculture and small-scale fishers.

Besides those participatory forums, small-scale fishery leaders complain about their low decision power in National Fisheries Council and Conferences, feeling under-represented in face of the interests of industrial fisheries and aquaculture, as well as the environmental unsustainable infrastructure policies of Brazilian Federal Government. As a result of such conflicts, small-scale fishers performed their own meeting in 2009, the 1st National Conference on Artisanal Fisheries, which happened in Brasilia just before the 3rd National Conference organized by the MPA.

In fact, it is important that the different government spheres may act in developing policies for fisheries. Thus, the federal government as well as the states and municipalities should be considered in the analysis of such policies. Despite fishery management being part of the federal sphere, due to characteristics such as common property resources and mobility of fish resources, the local governments are the ones who have closer relationships with the more local small-scale fishers.

In the states, the fisheries management is usually inserted in the Secretariats of Agriculture. Several other State Secretariats also maintain a relationship with small-scale fisheries, especially with regard to the environment, which monitor and create protected areas statewide. In Pernambuco, for example, the Secretariat of Economic Development hosts the Council of Aquaculture and Fisheries, whereas the Secretariat of Environment acts in the creation of environmentally protected areas. In the state of Rio Grande do Norte, the Environment Agency was responsible for creating a State Sustainable Development Reserve (a protected area similar to the extractive reserves), which is managed by a board where the fishers are majority.

The link between the municipalities and small-scale fisheries has been restricted to mediating and bringing the federal policies to the communities. In the Northeast, several municipalities have established specific secretariats of fishery within the last phase of the federal management. The creation of such secretariats are been encouraged to facilitate the relationship and the application of federal policies in the fishery communities. What has been observed, however, is a high level of political commitment between leaders and local governments.

The fishers' guilds represent them mainly before the government in the acquisition of social benefits such as retirement, closed season unemployment insurance, social projects of food distribution and in the representation in councils and meetings on fisheries management.

Figure 4 examines the institutions involved in small-scales fishery in the Northeast of Brazil, establishing links between them. The Ministry of Fisheries has a strong link with universities and with the fishers' guilds. The fisheries management is based mainly on resources research, the Ministry being an important inductor and funder of the research conducted in Brazil, which has proven quite robust. The relationship with the guilds is reflected in their representativity as regards issuing the fisher's document, necessary for the access to social programmes and credit, as well as to the Ministry's fishery investment programmes themselves, which use the guilds as a link between government

and fishers. The relationship with the states and municipalities, on the other hand, is weak, the policies being implemented directly by the federal government. Finally, it is important to highlight the conflicts within the government, particularly those of competencies between the Ministry of Fisheries and the Environment, currently co-managers of fishery resources.

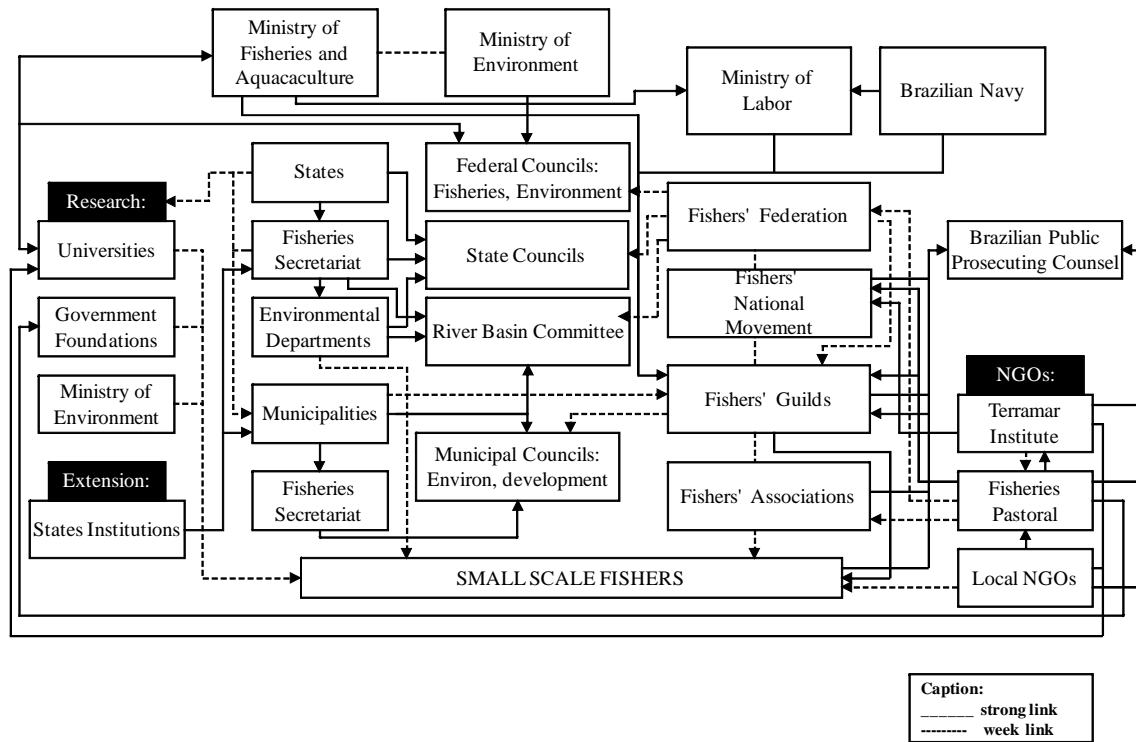


Figure 4 – Small-scale fisheries institutions in northeast Brazil.

Research institutions have a weak link with the institutions responsible for fishery extension, which act primarily in developing projects aimed at credit to fishers and very little in the diffusion of technologies and good practices.

The representation of fishers in many existing councils is still incipient, even in the Fisheries National Council. This Council currently has 54 members, 50% from the civil society. Out of those 27 places, small-scale fishers are represented by only 8 councilors.

NGOs' running projects directly related to small-scale fishers have direct contact with their leaders. The Fishers' Pastoral Council is an institution linked to the Catholic Church which has a key role in the fight for the recognition of small-scale fishers in the public policies. Several NGOs work locally in the States, but only those listed in Figure 4 have regional operations.

Conclusion

The small-scale fishery sector cannot be restricted to the Ministry of Fisheries. Fishery is a complex activity, and so are the policies surrounding it. The difficulty in the coordination between the institutions reflects in the disarticulation of the fisheries policy with other coastal policies in Brazil.

In this sense, the creation of the Marine Extractive Reserves is an example of policy that incorporates good governance practices and has proven effective in the management and continuity of small-scale fisheries, especially in ensuring the territories of fishers.

Moreover, although there are several participatory decision forums, it may be argued that they do not encourage the small-scale fishers' participation properly.

The strengthening of fishery governance involves the small-scale fishers' knowledge and empowerment as a means to enable them to participate effectively. Good governance implies in more than institutional design and participation, it requires capacity enhancement.

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