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Portfolio Committee – Agriculture, Forestry and FisheriesPublic hearings 15/16 October 2013MARINE LIVING RESOURCES AMENDMENT BILL [B30-2013]Oral submission of the South African United Fishing FrontPresented by Pedro Garcia (Chairperson – SAUFF)

THE SOUTH AFRICAN UNITED FISHING FRONT IS A REGISTERED NPO AND REPRESENTS FISHERS IN VARIOUS FISHERIES SECTORS WITH SIGNED-UP MEMBERS IN BIETOUVILLE (GOURITZMOND), MELKHOUTFONTEIN (STILBAAI), VERMAAKLIKHEID (PUNTJIE), BUFFELJAGSBAAI, STANFORD, WESTDENE, MOUNT PLEASANT, ZWELIHLE, HAWSTON, KLEINMOND, BETTY'S BAY, PRINGLE BAY, CAPE PENINSULA, ATLANTIS, ELANDBAY, LAMBERTBAY AND OLIFANTSDRIFT. IT ALSO WORKS CLOSELY WITH SMALLER LOCAL FISHING ORGANIZATIONS AND CBO'S.

Mr Chairman, honourable members of the portfolio committee, ladies and gentlemen, on behalf of the South African United Fishing Front, its members and allies we would like to sincerely thank you for this long-awaited opportunity to have our views and opinions heard.

In an effort to use this opportunity in a most constructive manner it is our intention to present to you the **facts** as perceived by the organization and its members. Given the current socio-economic conditions among fishers and in fishing communities and the urgency with which many challenges in the fishing industry **MUST** be addressed, we would consider it counter productive to use this platform to apportion blame for our current situation. That being said we cannot exclude any decisions by any party, which may have been self-serving or not in the interest of our constituents, which is contributing toward this industry being brought to its knees. These will be addressed in this submission.

Chairperson we are aware of what your expectations are here today and will therefore attempt to give an accurate and concise submission focused on why the Amendment Bill should or should not be approved.

Chairperson, for the record, the South African United Fishing Front would like state categorically that it submits its unequivocal support to the following:

- The Constitution of the Republic of South Africa
- The Bill of Rights
- The imperatives of social upliftment and transformation and
- The redistribution of South Africa's natural and mineral resources in an environment that makes sense and which benefits all South Africans, especially those who have been previously marginalized.

One of the main objectives of the Amendment Bill is the re-introduction of Co-operatives into the Marine Living Resources Act as a form of ownership during fishing rights allocations processes (included in FRAP 2013?). One of the main reasons why Co-operatives were written out of the MLRA was due to the degree of exploitation it brought to bear on fishers and fishing communities. To this very day we are still dealing with that fall-out.

Our position with respect to various forms of collective ownership proposed for the small scale fisheries policy may be summed up as follows:

- We acknowledge the advantages of Co-operatives with respect to gaining access to financing, training, markets etc.
- We acknowledge that certain areas along the South African coastline can operate successful co-operatives due its cultural and historical social structures.

We do however remain opposed to the introduction of collective forms of ownership when:

- It is entrenched in policy as the only choice of ownership
- Fishers and fishing communities are not adequately empowered to understand the advantages and disadvantages of this form of ownership

Chairperson we would now like to focus on two very important documents which had contributed toward this Amendment Bill being tabled before you.

1. Small Scale Fisheries Policy (SSFP)
2. SSFP – Implementation Plan

On Tuesday, 8th October, 2013, a senior Fisheries official had told the Portfolio Committee that the build up to the finalization of the Small Scale Fisheries Policy had been an inclusive process and was supported by all small scale fishers and fishing communities. We reject this statement in its entirety as there is clear evidence that this process was of an exclusive nature and driven by a hand-full of individuals and Fisheries officials who claimed that representation was complete. Representatives of the South African United Fishing Front and representatives of many smaller local fishing groups and organizations were completely excluded from these processes. As a matter of fact Mr Chairperson during the times of Richard Seleke and Ntobeka Bacela I was physically removed from meetings at the request of other organizations who claimed to represent all the small scale fishers in South Africa.

The SSFP Implementation Plan has us all dumbstruck to say the least. We had served with other organizations and stakeholders as a technical team to advise and assist in creating an implementation plan that would give affect to the Small Scale Fisheries Policy. We were a small team of 10 people who had met on two occasions to discuss the implementation presented by an individual who DAFF had commissioned to draw up the plan. From SAUFF's side we could make very little sense of what was being presented as it appeared that the presenter was not really in touch with what was/is happening on the ground. To our amazement the 14 (fourteen) page presentation had changed to a complex 66 (sixty six) page implementation plan when DAFF rolled out their "consultation" road-show. It must be noted that the technical team did not meet again after the second meeting with DAFF officials and therefore had no knowledge of additions to the implementation plan. Perhaps of greater concern is the fact that once again senior fisheries officials had, at the very first implementation plan consultation meeting in Langa, arrogantly informed anyone who questioned the document that this was a DAFF initiative and it will be enforced regardless of any opposition. We were also told rather bluntly by officials that if we do not agree we should find alternatives?

Chairperson we would like to submit what we believe to be valid reasons why the Amendment Bill should only be approved once these key issues have been addressed:

- The small scale fisheries policy was not an inclusive process and the vast majority of our fishers do not understand its content.
- The SSFP implementation plan is a complex document which needs to be introduced to our fishers and fishing communities in language of choice and in a manner which could be understood and interpreted by them (the fishers).
- To date DAFF fisheries officials have not been able to guarantee that the SSFP can produce a basket of species which will be economically viable to its beneficiaries.
- The basket of species presented by DAFF is completely untested. Very little or no market research has been done to determine whether the proposed species can contribute to the monetary value of the basket system.
- Very little research has been done on many of the species which now appears on the basket list with regard to the sustainable exploitation of these stocks.

Given the limited time we have to address a wide range of important issues the South African United Fishing Front propose the following as a means to overcome a rather complex situation.

1. That enough time be set aside to address and remedy the challenges highlighted in this submission.
2. That the current FRAP2013 processes be suspended until the expiry of all near-shore rights allocations in 2015. (these include the high-value species which may be needed to create a basket system which is economically viable)
3. That the interim relief dispensation allocation be increased to a level which makes economic sense until 2015
4. That a properly formulated identification and verification process is rolled out to identify bona-fide fishers and fishing communities.
5. That near-shore rights which expire in 2013 be extended until 2015 to protect the jobs of crew members and land-based fishery workers who are dependent upon it.
6. That local, national and international markets be explored in the interest of creating rights which can produce allocations which would be economically viable.
7. Ensure that all rights allocations processes are governed by a set of rules that ensures sustainable fisheries management practices.
8. Re-engineer and restructure the South African fisheries value chains to ensure that fishers and fishing communities derive maximum financial benefits from their allocations (release pressure on resource)
9. Create a task team which is representative of all fishers and fishing communities and spear-headed by our Fisheries Department to drive a process which would be acceptable to all stakeholders.

Chairperson there remains two burning issues which we feel must be addressed in this submission, the first being the fact that now a single form of ownership is being entrenched in the Small Scale Fisheries Policy and in turn being thrust upon our fishers and fishing communities. In all other fishing sectors applicants are given a choice of the form of ownership they think would best suit them. We appeal for your guidance and wisdom in this respect and also question whether this action is constitutionally correct as it is our view that we may be compromising a South African's right to freedom of association. It has, and remains our view that fishing rights should be granted to individuals and that at a community level individuals must choose whether or not they wish to be part of a form of collective ownership. Given the levels of acrimony in our communities and the dismal failure of co-operatives and forms of collective ownership in the fishing industry individual allocations would at the very least give our fishers the assurance that should they voluntarily join co-operatives they would be able to activate their individual permits should the collective collapse.

Chairperson the second issue, in our view, is indeed a sensitive one but one that must nonetheless be brought to your attention. Today we are proud to be part of a process that allows us to interact with government at a level we could not before. We have to, unreservedly, trust that our leaders will listen and make decisions which will serve the interest of the people of South Africa. Chairperson it is therefore extremely important that we must advise that the perception on the ground is that this Portfolio Committee's reputation and integrity may have, through no action of their own, been drawn into question.

The current course of action by DAFF and its officials with respect to the Fisheries Rights Allocations Processes, 2013, clearly shows that DAFF have pre-empted a decision by the Portfolio Committee regarding the Amendment Bill. Fisheries sector policies have been changed to include co-operatives and the allocations process has also made provision for applicants to apply as co-operatives. Logic dictates therefore that DAFF assumes that the Portfolio Committee will rule in favour of the Amendment Bill. We cannot speculate on the basis for this assumption. It is however clear that many fishers in the various sectors regard this as a foregone conclusion that DAFF's submission of the Amendment Bill is rather a

procedural matter as opposed to a request for guidance and consideration by the Portfolio Committee. In the event that the Amendment Bill is not approved the entire FRAP2013 process will collapse. What are we to think?

In conclusion Mr Chairman we would like to thank you and your committee for affording us the opportunity of presenting our side of the story today.

It is our view and our opinion that the fishing industry is hovering in a very uncertain and volatile environment and that any rash decision making will move our people further into the abyss of suffering and abject poverty which presently prevails in many of our communities. We place our trust and confidence in your abilities to recognize the truth for what it may be and we are certain that you will rule in favour of the people of South Africa.

Thank you