

## CONCEPT NOTE

# Dialogue Series on Human Rights Actors and Fisheries

## Advancing the protection of small-scale fisher rights at national and international level

Organised by the Danish Institute for Human Rights (DIHR), One Ocean Hub and the Office of the United Nations High Commissioner for Human Rights (OHCHR)

## BACKGROUND

The following is a concept note for a dialogue series on how national and international human rights actors can further engagement on the human rights issues facing small-scale fishers, fish workers and their communities. The ambition is to better understand current engagement and to explore opportunities for further collaboration between the different actors. The dialogue series is composed of two online webinars and follow-up events with international and national human rights bodies. The first webinar will focus on the role of national human rights institutions and the second webinar will focus on the current advice and recommendations to states from international human rights mechanisms on their human rights obligations in relation to the human rights of small-scale fishers and their communities. The findings from the two webinars will feed into follow-up events, bringing together national human rights institutions and networks and international human rights mechanisms.

The target group for the dialogue series is primarily national and international human rights actors, the regional and global network of NHRIs, and key national, regional, and global civil society organisations working on fisheries and human rights.

For resources from DIHR on human rights, fisheries and aquaculture go to website [Promoting human rights in fisheries and aquaculture](#), and try the new [the Human Rights Guide to Fisheries](#):

For resources from One Ocean Hub see:

<http://www.fao.org/3/cc3251en/cc3251en.pdf>; <https://oneoceanhub.org/publications/key-messages-high-level-event-on-small-scale-fishers-rights/>;

<https://oneoceanhub.org/publications/shedding-a-light-on-the-human-rights-of-small-scale-fishers-complementarities-and-contrasts-between-the-un-declaration-on-peasants-rights-and-the-small-scale-fisheries-guidelines/>

## WEBINAR 1 NATIONAL HUMAN RIGHTS INSTITUTIONS (NHRIS)

Title: National human rights institutions: Experiences and Potential for Addressing the Human Rights of small-scale fishers, fish workers and their communities  
Facilitator: Carol Rask, Chief Advisor, DIHR  
Date: 1 February 2023 at 13:00-14:30 CET.  
Language: English and Spanish

### INTRODUCTION

National human rights institutions (NHRIs) have a mandate to promote and protect human rights in their national contexts. Some NHRIs are using their mandate and functions to promote and protect human rights within fisheries and aquaculture. However, documented examples remain relatively few and collaboration, in general, among human rights actors, the sectoral ministries, and organisations working to improve the livelihoods of small-scale fishers and fish workers remains limited.

This first webinar will explore some of the current documented practices of NHRIs who have addressed the human rights abuses and violations affecting these communities, discuss some of the challenges for wider NHRI engagement on these issues, and explore possible measures for strengthening this engagement.

### PROGRAMME

#### Segment 1: Overview of the key human rights issues facing small-scale fishers

In the first segment, we will start by hearing from fisheries-related actors and organizations about the key human rights issues they face and explore how these issues are linked to the state's binding human rights obligations.

#### Speakers:

- What are the key human rights issues facing small-scale fishers, fish workers and their communities globally? by Margaret Nakato, member, International Planning Committee for Food Sovereignty (IPC) Working Group on Fisheries/ World Forum of Fish Harvesters & Fish Workers (WFF) and Executive Director, Katosi Women Development Trust, Uganda
- What are the key human rights standards of relevance to problems faced by small-scale fishers? by Harumi Fuentes Furuya, Human Rights Officer, OHCHR
- What are the key gaps in protection/remedies at the national level for fishers and fishing communities? by Dr Kira Erwin, Durban University of Technology, South Africa, One Ocean Hub

## Segment 2: NHRI Experiences of Engagement

This segment will explore the experiences of NHRIs in addressing the human rights of small-scale fishers, fish workers and their communities. It will focus on the background to their engagement, the way NHRIs have used their mandates, and the outcomes of this work. It will seek to identify opportunities for further engagement between NHRIs and small-scale fishers and their communities in addressing human rights abuses and violations. Three NHRIs that have engaged on this issue will present:

### Speakers:

- Monitoring the human rights situation of artisanal fisherfolks by Victor Joseph H. Obail, Development Management Officer, Commission on Human Rights, Philippines
- The Salmon industry and human rights in Chile by Sebastián Smart, Regional Director, National Human Rights Institute, Chile
- Opportunities for further engagement with small-scale fishers and their communities by Jonas Ben Sibanyoni, Commissioner, Human Rights Commission, South Africa

## Segment 3: Plenary Discussion

This will be an interactive session where participants will be able to engage through comments, questions and potentially polls. There will also be a few discussants to stimulate debate.

### Discussants:

- Wilmien Wicomb, Attorney, Legal Resources Centre, South Africa
- Matthias Klettermayer, National Institutions and Regional Mechanisms Section, OHCHR
- Jamshid Gaziyeu, Human Rights Officer, Office of the UN Special Rapporteur on the Right to Food, OHCHR

## Segment 4: Final Remarks

The facilitator will close the session highlighting the key NHRI practices to date and where opportunities for further engagement with fisher communities and their rights have been highlighted.

## WEBINAR 2 INTERNATIONAL HUMAN RIGHTS MECHANISMS

Title: Protecting the human rights of small-scale fishers through international human rights mechanisms  
Facilitator: Harumi Fuentes Furuya, Human Rights Officer, OHCHR  
Date: 2 February 2023 at 15.00-16.30 CET  
Language: English and Spanish

### INTRODUCTION

How can we use the current guidance from international human rights mechanisms to address the human rights issues facing small-scale fishers, fish workers and their communities and what opportunities exist for deepening engagement and collaboration on these issues?

International human rights monitoring mechanisms monitor the implementation of the international human rights obligations of States. The results of their monitoring processes are captured in outcome documents which provide a wealth of qualitative information on the status of implementation of these rights and include proposed measures for addressing gaps. These mechanisms also provide important guidance through their General Comments, communications, and reports, depending on their mandate.

This second online meeting will explore the ways in which international human rights mechanisms have engaged on the issue of human rights and fisheries, the obstacles that hinder their engagement, and explore opportunities for strengthening their recommendations, guidance, and collaboration in this area.

### PROGRAMME

#### **Segment 1: International Human Rights Mechanisms and their guidance and engagement in human rights and fisheries and aquaculture**

This segment will explore the practices of some of the key international human rights mechanisms in addressing the human rights issues facing small-scale fishers, fish workers and their communities. It will examine how current guidance can be used or expanded to further the protection of the human rights of small-scale fishers, fish workers and their communities. This will be done through the experiences of both UN treaty bodies and special procedures.

#### Speakers:

- The role, experiences, and challenges of a UN treaty body in addressing the human rights of small-scale fishers by Michael Windfuhr, member, UN Committee on Economic, Social and Cultural Rights
- The role, experiences, and challenges of UN Special Procedures in addressing the human rights of small-scale fishers by
  - Michael Fakhri, UN Special Rapporteur on the Right to Food
  - Dorothy Estrada-Tanck, Chair of the UN Working Group on Discrimination against Women and Girls

## Segment 2: Opportunities for further supporting the work of international human rights mechanisms in this regard

This section will focus on the ways in which other human rights and development actors engaged in the fisheries sector have co-operated with international human rights mechanisms and what more can be done in the future to strengthen this collaboration.

Speakers:

- Co-operation between NHRIs and international human rights mechanisms by William Salazar, Advisor for the Delegate on Agricultural and Land Issues, Colombian Defensoría del Pueblo, the NHRI of Colombia
- FAO engagement with international human rights mechanisms on human rights and small-scale fisheries by Ana Suarez Dussan, Human Rights Specialist, FAO

## Segment 3: Plenary Discussion

This will be an interactive session where participants will be able to engage through comments, questions and potentially polls. There will also be a few discussants to stimulate debate.

Discussants:

- Sofie Gry Fridal Hansen, DIHR, Denmark
- Dr Elaine Webster, One Ocean Hub, University of Strathclyde, Scotland
- Balortey Gormey, Hen Mpoano, Ghana

## Segment 4: Final Remarks

The facilitator will close the session concluding on the engagement to date and the potential for enhancing the human rights protection of small-scale fishers, fish workers, and their communities through collaboration with international human rights mechanisms.

## FOLLOW-UP EVENTS

Based on the initial take-aways from the above two online webinars and possibly a regional workshop in Asia in 2023, follow-up events will be developed. For example, side events and face to face meetings/engagement with different human rights mechanisms on how the human rights issues of small-scale fishers, fish workers and their communities can be mainstreamed in the work and work plans of the mechanisms.