

For South Africa's small fishers, co-ops prove a necessary, but bumpy, step up.

by Victoria Schneider on 31 August 2023

- *Sixteen years after small-scale fishers in South Africa were promised legal recognition and fishing rights, the policy regulating the new sector is at last being implemented.*
- *As fishing communities draw closer to finally claiming equal rights in a fishing industry that has been dominated by the commercial sector, they are currently forming cooperatives to access collective fishing rights and co-manage local marine resources.*
- *The rollout of the new policy has been long and bumpy, with many issues still to be resolved, and long-time fishers complaining they've been excluded.*
- *Even so, hope remains that cooperatives can hold new opportunities for income generation and equity building.*

STEENBERG'S COVE, South Africa — For more than 40 years, the sea has been Anthony Stofberg's livelihood. Stofberg, 62, is a fisherman, just like his father, his grandfather and his great-grandfather before him, who used to go out into the waters in front of their home and harvest seafood. Species like snoek, Cape bream and west coast rock lobster secured both their income and their food.

And yet, Stofberg is not legally considered a fisher by South African authorities. In its process of rolling out the country's new small-scale fishing (SSF) policy, 11 years after it was finalized, the Department of Forestry, Fisheries and the Environment (DFFE) declared his application to be recognized as a small-scale fisherman "unsuccessful." Stofberg is currently awaiting the outcome of the appeal he lodged in March.

For now, he will remain excluded from joining his “successful” colleagues in Steenberg’s Cove and the rest of Western Cape province, as they form and register fishing cooperatives, the community-based legal entities that will allow them to access collective fishing rights promised under the new policy.

“The system doesn’t work,” Stofberg told Mongabay on a wet and cloudy winter day that prevented him and his fellow fishers from going to sea. “How can someone who has been fishing all his life not be a fisher?” Rains and stormy winds were washing over St. Helena Bay, home to five communities, including Steenberg’s Cove, and more than 50 small-scale fishers.

“We have a team of 10, 12 guys here who weren’t successful, even though they are deriving their full income from fishing,” said Christian Adams, who works with Stofberg and chairs the nascent SSF cooperative in Steenberg’s Cove. Adams has been involved in the fight for their recognition for more than 20 years and helped formulate the new policy.

Against a backdrop of severe overfishing and shrinking quotas, small-scale fishers are finally gaining legal recognition as equal stakeholders in the country’s fishing industry. The rollout of the SSF policy, however, has been long and bumpy, especially in the Western Cape. Many issues have yet to be resolved, and fishers are wondering how much change the new framework will really bring.



Norton

Dowries (left) and Anthony Stofberg (right), small-scale fishers from Western Cape province. Image by Jackie Sunde.

After centuries of marginalization, a paradigm shift

Until 2007, small-scale fishers did not exist under South African law. Centuries of systemic dispossession and marginalization dating back to colonial times were continued by the racist laws of the apartheid government. The first post-apartheid law regulating the sector, the Marine Living Resources Act (MLRA) of 1998, changed little for fishers like Adams and Stofberg. The MLRA mentioned commercial, recreational and subsistence fishers who fish to feed themselves. But it excluded those who catch fish and sell it in small quantities to sustain their livelihoods.

The fisheries were managed through so-called individual transferable quotas (ITQs). Originally, this system was supposed to open market access for previously disadvantaged people. But most fishing rights were allocated to the commercial sector. Few artisanal fishers were granted rights, and their quotas were low.

“For many years we weren’t part of the lawful structure; we were never recognized as small-scale fishers, or as fishers as such, and were not allowed to fish,” Adams said.

He was one of 5,000 fishers who challenged the MLRA through a class-action lawsuit in 2005. In 2007, the South African Equality Court, which handles unfair-discrimination cases, ordered the fisheries minister to develop an SSF policy through a participatory approach.

Until then, the post-apartheid government’s attention had focused on the commercial sector, which [according to official figures](#) generated 6.6 billion rand (\$345 million) in 2019 and employed almost 20,000 people.

But tension between fishing sectors has not eased over the years, as the largest portions of quotas still go to the offshore commercial sector. South African waters are severely overfished, with some species, above all the west coast rock lobster, close to depletion. Climate change has only compounded the pressure on fish stocks. Catches of small pelagic fish, key to marine food webs and reserved for the commercial sector, declined from 600,000 metric tons in 1987 to less than [200,000 in 2019](#). Meanwhile fishers, commercial and artisanal alike, are increasingly competing for space with the oil and gas industry, marine transport and marine protected areas.



Christian Adams and lawyer Wilmien Wicomb in front of Western Cape High Court in Cape Town in 2022, when the court [sided with fishing communities](#) who challenged marine oil and gas prospecting. Image by Jackie Sunde.

Due to the informal nature of small-scale fisheries, catch data aren't specific. Many people from the 147 fishing communities along the country's 3,000-kilometer (nearly 1,900-mile) coastline turn to the sea only at certain times of year due to the migratory nature of the fish they catch. While commercial offshore boats can be as long as 50 meters (164 feet) and deploy heavy gear, the country's estimated 30,000 artisanal fishers typically use small boats and low-impact traditional gear like lines and hoop nets.

Finalized in 2012 and gazetted in 2014, the SSF policy promised to recognize these fishers and give them equitable access to marine resources through collective quotas.

But first, fishers had to organize themselves in geographically based cooperatives. They propose the species they want to catch to DFFE and, when granted, distribute the quotas among their members. Run as small businesses, co-ops do much more than catch fish: they manage their own finances, market and sell the fish, and find other ways of deriving income along the value chain. A fisherman who goes to sea can be as much part of the cooperative's workforce as a woman who weaves hoop nets for the lobster fishers, or an admin person.

Once established, according to the policy, co-ops will co-manage with DFFE the near-shore marine resources in their area, taking an active role in setting quotas and fishing seasons.

"What was asked for [in the policy] was a community-based system where the fishers would become the custodians of the resources in our bay or along our coast, and all the fishers would get something which they can make a go of," Jackie Sunde, a researcher at the University of Cape Town, told Mongabay.



Small-scale

fishing boats in Saldanha Bay in Western Cape province. Image by Victoria Schneider for Mongabay.

Policy vs. implementation: From bottom-up to top-down

Sunde, who is part of the One Ocean Hub Small-scale Fisheries Project, an international ocean research program, has been involved in the policy development process since the beginning, when she worked for the Masifundise Development Trust, an organization advocating for fishing communities' rights.

She said the bottom-up approach during the formulation of the policy, which was participatory and allowed communities input on the final.

.....