

*Letter to the Editor*

## **Manifiesto for the protection of the human rights of small-scale fishing communities in Colombia**

### **Manifiesto para la protección de los derechos humanos de las comunidades pesqueras artesanales en Colombia**

Santa Marta, 1st of September, 2023

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Dear Editor,

We are an interdisciplinary group of researchers working at the *Universidad del Magdalena* (Colombia), in collaboration with a researcher from the Helmholtz Institute for Functional Marine Biodiversity (HIFMB, Germany). In 2019, we developed the project “Human Rights Violations in Artisanal Fisheries in Colombia”, co-producing a line of interdisciplinary research (Justice in Fishing Territories) focused on researching and reporting on the injustices experienced in fishing territories. Through the systematic analysis of 91 court rulings from the Colombian Constitutional Court, we have identified human rights violations associated with artisanal fishing communities across the country.

Our research led to the construction of the “Justice in Fishing Territories” digital database (available at <http://pescayjusticia.unimagdalena.edu.co/>), which seeks to increase the visibility of human rights violations experienced by the artisanal fishing sector and to facilitate future actions for the protection of the ways of living and rights of fishing communities in Colombia (see Figueroa et al. 2023).

On March 10, 2023, we hosted the “First National Dialogue Fishing for Justice: Human Rights Violations in Fishing Territories” where we launched this database and shared our research findings with representatives from fishing communities, academics, government agencies working on fisheries, environment, human rights, as well as non-governmental organisations. The dialogue and discussion of these results and their relevance to Colombia triggered the writing of the manifesto that we present below.

Sincerely,

Isabela Figueroa, Faculty of Humanities, Universidad del Magdalena

Paula Satizábal, Helmholtz Institute for Functional Marine Biodiversity (HIFMB), Alfred Wegener Institute of Marine and Polar Research, and University of Oldenburg

Lina M. Saavedra-Díaz, Research Group on Socioecological Systems for Human Wellbeing (GISSBH), Program of Biology, Universidad del Magdalena

Gina Noriega-Narváez, GRISJUM, GISSBH Research Assistant, Universidad del Magdalena

Yulibeth Velásquez-Mendoza, GISSBH, Research Assistant, Universidad del Magdalena

## Manifesto for the protection of the human rights of small-scale fishing communities in Colombia

*The participants of the **First National Dialogue Fishing for Justice: Human Rights Violations in Fishing Territories\*** organised on March 10th at the Universidad del Magdalena (Santa Marta, Colombia), after reflecting on the problems and struggles faced by artisanal fishing communities to protect their lives, their human dignity, and their right to participate in decision-making processes that affects them, declare that:*

Artisanal fishing is an ancestral art that is integral to human ways of living in marine, coastal, riverine and swamp places in Colombia. This art is one of the pillars of a "Total Peace", being an essential part of the social fabric, culture, identity, security, and food sovereignty of communities living in the Pacific, Caribbean (including insular areas), and continental areas. Fishers are peaceful by nature, they have patience in their blood, following the rhythms of fish, even waiting for hours at the seas and rivers for the first catch. Many fishing communities maintain traditional ways of living, resisting historical, colonial, extractive, and armed conflict violences. Indeed, continuing to fish in this context is in itself an act of peaceful resistance every day.

The struggle for artisanal fishing has cost the lives of many people, leading to the marginalisation of fishing communities and loss of territories both inland and in coastal-marine spaces — *maritorios* (traditional coastal and marine territories) and *acuatorios* (ancestral water reservoirs). Moreover, fishing communities are not adequately protected by the State and their legal and political rights have not yet been recognised. This has enabled and even encouraged a series of systematic human rights violations in artisanal fishing territories with differentiated racialised, gendered, and class impacts. All this in the context of environmental transformations at an abysmal speed, all of which is threatening the continuation of artisanal fishing ways of living.

An example of this is the so-called "Blue Economy", a set of extractivist policies targeting coastal and marine spaces, imagined from a capitalist perspective of the oceans and the species that cohabit it, including humans. The CONPES 3990 'Colombia Sustainable Bioceanic Power

2030' (*Colombia potencia bioceánica sostenible 2030*), is the national policy that defines the guidelines for the expansion of extractive activities at sea. This policy is conceived with its back to coastal life, especially fishing communities, excluding a human rights perspective that dignifies and protects their rights.

We demand the recognition of fishing communities as subjects of rights, that the protection of fishing territories, maritorios and acuatorios be safeguarded as a fundamental right of these communities, and that the activities related to artisanal fishing be declared as Intangible Cultural Heritage of the nation. Fishing communities must not only be consulted, but be central actors in the discussion of projects that affect their ways of living. This requires listening to navigating cultures using reflexive, transdisciplinary, and holistic approaches. It also involves challenging the idea that the sea is empty of people and full of resources. Finally, it demands recognising the importance and complexity of fishing ways of living as essential to the survival and flourishing of a more peaceful and equitable society. Justice is harmony in our territories, maritorios, and acuatorios; it is to encourage careful uses and enjoyment of nature; as well as the equitable distribution of costs and benefits. Without social justice there is no environmental justice.

We commit to continuing to build national, regional, and international alliances to resist injustice and work towards the protection of our bodies of water, food security, and fishing communities. From our national and international non-governmental organisations, from our universities and academic institutions, we are committed to strengthening a movement that unites the struggles of artisanal fishing communities to safeguard their rights and protect our oceans and rivers.

Union makes force.

### **Signatures (listed alphabetically)**

Ana Isabel Márquez, Universidad Nacional de Colombia - Caribbean Campus

Asociación Afrocolombiana de Pescadores con Cordel (APESCORDEL)

Asociación de Pescadores Artesanales, Ambientales y Ecoturísticos de Buenavista (LOS MANGLARES)

Asociación de Pescadores Artesanales de Don Jaca (ASPEJACA)

Asociación de Pescadores Artesanales y Acuícolas de Uribia (ASOPESCAURÍ)

Asociación de Pescadores Artesanales del Porvenir (ASOPESCARPOR)

Asociación Unida de San Antero (AUNISAN)

Asociación Wayuu Painwashii Waya Suluu Woumain

Cabildo Indígena de Taganga

Censat Agua Viva - Friends of the Earth Colombia

Confederación Mesa Nacional de Pesca Artesanal de Colombia

Comité de Pescadores Agricultores y Servicio ecoturístico de la región de Don Jaca (COOPEJACA)

Confederación de Pescadores y Acuicultores Artesanales del Caribe Colombiano (CONFEPESCAR)

Consejo Comunitario De La Boquilla

Cooperativa de Pescadores y Turismo de Don Jaca (COOPESTURJACA)

Fundación Alma

Fundación Manantiales de Luz

Gina Noriega-Narváez, GISSBH, GRISJUM, Universidad del Magdalena

Grupo de Investigación Saberes Jurídicos de la Universidad del Magdalena (GRISJUM)

Grupo de Investigación en Sistemas Socioecológicos para el Bienestar Humano (GISSBH)

Grupo Interinstitucional y Comunitario para la Pesca Artesanal (GIC-PA)

I-Fish Association

Isabela Figueroa, Faculty of Humanities, Universidad del Magdalena

Leopoldo Cavalieri Gerhardinger, Universitat Autònoma de Barcelona

Lina M. Saavedra-Díaz, Faculty of Basic Sciences, GISSBH, Universidad del Magdalena

Movimiento Social el Agua Contando Historias

Paula Satizábal, Helmholtz Institute for Functional Marine Biodiversity (HIFMB)

Philippe Le Billon, University of British Columbia

Providence and Ketlina Fishermen Federation

Red de Pescadores Artesanales y Étnicos de Colombia

Sea, Land & Culture Old Providence Initiative

Siembra - Centro Sociojurídico para la Defensa Territorial

Vivienne Solís, CoopeSoliDar R.L, International Collective in Support of Fishworkers (ICSF)

Yulibeth Velásquez-Mendoza, GISSBH, Universidad del Magdalena

This manifesto has circulated as a petition at the change.org platform, so far it has been endorsed by 160 signatories (see petition: <https://chn.g.it/WcFkQDKXsX>).

## Notes

Recordings of the *First National Dialogue Fishing for Justice: Human rights violations in fishing territories in Colombia* are available (in Spanish) at: [https://www.youtube.com/watch?v=aSjNuG5J\\_S4](https://www.youtube.com/watch?v=aSjNuG5J_S4) (morning session) and <https://www.youtube.com/watch?v=VoVzfX0sWTO> (afternoon session).

The project “Human Rights Violations in Artisanal Fisheries in Colombia” and the “Justice in Fishing Territories” digital database (available at <http://pescayjusticia.unimagdalena.edu.co/>) seeks to give visibility to the proceedings from the Colombian Constitutional Court discussing the violation of human rights of artisanal fishing communities (see Figueroa et al. 2023)

## Acknowledgements

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organisations that participated as panellists and who attended the Dialogue (in person and remotely), also to the 160 people who have digitally endorsed this manifesto for their support and solidarity.

## References

- Figuroa, I, Saavedra-Díaz, L.M., Satizábal, P, Noriega Narváez, G, Velásquez Mendoza, Y. (2023) Justicia en territorios pesqueros: violaciones a derechos humanos en la pesca artesanal analizadas por la Corte Constitucional de Colombia. *Estudios Socio-Jurídicos* 25(2):1-38. DOI: 10.12804/revistas.urosario.edu.co/sociojuridicos/a.12518