

IMPACT STORY

RESEARCH AND ACTION
ACROSS SCALES:
Impacting UN Guidance





From the start, the One Ocean Hub has recognised the value of engagement across all scales of governance. One of our goals has been to connect global processes with the voices and 'ways of knowing' of ocean-dependent communities. Such insights can increase the capacity of international human rights bodies to support States to recognise ocean-related human rights and monitor compliance.

The Hub's broad range of expertise spans international law, ecology, socioeconomics, history, and more. We have thus been singularly well placed to engage in international processes, framing our research results and lessons from our partners in ways that are meaningful to UN institutions. This has included:

- uptake of Hub research and analysis by the UN Special Rapporteur on Cultural Rights;
- a request by the UN Special Rapporteur on the Right to Food to support the next global thematic report on the right to food and fisheries; and
- opportunities to co-develop global capacity tools with the FAO and UNEP.

UN guidance on sustainable development

Cultural rights are an inherent part of the human rights system. They "protect the rights for each person, individually and

in community with others, as well as groups of people, to develop and express their humanity, their world view and the meanings they give to their existence and their development through, inter alia, values, beliefs, convictions, languages, knowledge and the arts, institutions and ways of life." The UN Special Rapporteur on Cultural Rights developed a report on principles for sustainable development, examining how projects intended to enhance sustainable development can have negative effects on cultural rights. When she put out a call for inputs to the report, the Hub was well positioned to respond.

Because of the Hub's attention to and respect for the knowledge and perspectives of ocean-dependent communities, we were able to provide evidence and analysis of impacts of cultures of development around the blue economy. The Rapporteur's [2022 report to the UN General Assembly on cultural rights and sustainable development](#) cites the Hub's submission three times, including an entire paragraph devoted to Hub evidence:

"...One Ocean Hub observed how the South African, Namibian and Ghanaian Governments' project to develop an ocean economy (blue economy) has marginalised Indigenous peoples and small-scale fishers. The low regard for knowledge pluralism, including of small-scale fishers, and the historical stereotyping of Indigenous peoples hindered their potential contribution to sustainable economic development, in particular their potential contribution through a holistic and integrated environmental ethos. Hub researchers have witnessed how marine space and resources have been appropriated with little or no consultation with local communities and peoples..."



Photo: Dylan McGarry

Evidence from the Hub was also cited by the Rapporteur in stating that “sustainable development cannot be separated from the recognition of individual and collective cultural rights, including spiritual and heritage rights” (para 20).

Reports such as this one are vital if we are to meet the UN’s ambitious 2030 Agenda for Sustainable Development. Special Rapporteur reports are considered authoritative guidance and influence international monitoring of relevant State conduct.

The Special Rapporteur on Cultural Rights is now contributing to a new UN General Comment on Economic, Social and Cultural Rights and Sustainable Development (zero draft to be published later in 2023). She is bringing the lessons of her 2022 report to this work.

The Hub is also taking part in processes to develop this new General Comment. Our interventions have highlighted: the need to include discussion of blue economies as part of sustainable development; the use of strategic environmental assessments to address systemic injustices such as climate change, historical dispossession, and marginalisation; and the use of art-based research to protect cultural rights and unlock the protection of other human rights of small-scale fishers (SSFs).

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“sustainable development cannot be separated from the recognition of individual and collective cultural rights, including spiritual and heritage rights.”

UN guidance on the right to food and fisheries

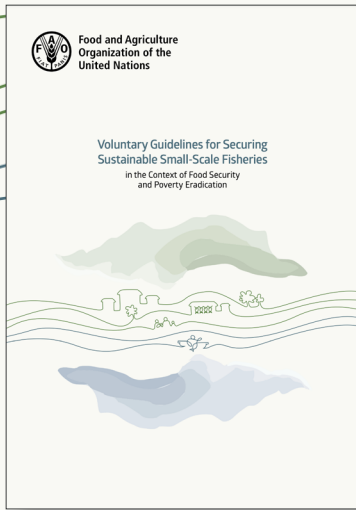
The UN Special Rapporteur on the Right to Food first engaged with the Hub at our webinar on connecting international human rights bodies with SSF representatives and their allies. In early 2023, he approached us to support the scoping of and expert discussion for his next global thematic report on the right to food and fisheries. Hub findings

are being used to structure the report and map areas that have not yet been addressed by the Special Rapporteur, who has already published three reports on food and fisheries.

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Prof Elisa Morgera,
One Ocean Hub Director





The Hub is collaborating with the UN Food and Agriculture Organisation (FAO) to support national implementation of the FAO Guidelines on Sustainable Small-Scale Fisheries.

Developing global capacity-building tools

The Hub is collaborating with the UN Food and Agriculture Organisation (FAO) to support national implementation of the FAO Guidelines on Sustainable Small-Scale Fisheries. In 2021, we co-designed a regional virtual workshop for government officers, fishers, and researchers in South Africa, Namibia, and Ghana. The workshop sought to identify legal barriers to the protection of SSFs' human rights and to opportunities for SSFs to meaningfully contribute to decisions supporting sustainable fisheries (see "Ways of Working" impact case study).

We captured the learning and replicable findings from these initiatives in 3 global capacity-building tools, co-developed with the FAO:

- A new FAO e-learning Academy course on SSFs' human rights and the governance of sustainable small-scale fisheries. It includes case studies based on our research in Ghana on women in small-scale fishing communities and in South Africa on customary fishing rights. The course is targeted to SSFs, NGOs working with fishing communities, members of local and national governments, and others interested in small-scale fishing legislation.
- A global policy and legal diagnostic tool for sustainable small-scale fisheries. This tool was developed with insights from SSF representatives and Hub researchers

from Ghana, Namibia, and South Africa. It is meant to be used by policy makers to identify national-level regulatory barriers to implementing the FAO SSF Guidelines and protecting human rights.

In 2021, we co-designed a workshop for government officers, fishers, and researchers in South Africa, Namibia, and Ghana, that sought to identify legal barriers to the protection of small-scale fishers' human rights.

- The SSF-LEX, a database of national legislation and policies related to SSFs. The Hub contributed research from South Africa, Ghana, and Namibia to this new database. A subset of FAOLEX, the SSF-LEX provides country profiles with detailed information relevant to small-scale fisheries, such as international and regional commitments, constitutional provisions, and national legislation and policies. SSF-LEX aims to make current laws more accessible and understandable, thus

making it more likely that stakeholders can challenge or use the laws.

We have also partnered with the UN Environment Programme (UNEP) to co-develop a suite of international e-learning and awareness-raising tools as part of UNEP's InforMEA Initiative. This one-stop portal for information on Multilateral Environmental Agreements (MEAs) aims to improve coherence of information and knowledge

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sharing to support effective implementation of MEAs. UNEP provided additional finance to the Hub to support the development of:

- A Learning Course on Sustainable Development Goal (SDG) 14, clarifying how MEAs contribute to achieving the various targets of SDG 14 (to conserve and sustainably use the oceans, seas, and marine resources for sustainable development). The course covers many issues, including ocean acidification, marine protected areas, fishing subsidies, and small-scale fisheries. We connect each target with relevant human rights issues, integrating our research and what we've learned from partners in our focus countries.
- A Learning Course on Marine Litter which focuses in greater depth on one subset of land-based marine pollution. The course surveys the issue, looking at the international legal and policy framework as well as regulatory approaches within national legislation. The course has a strong focus on plastic pollution as an especially important global concern within marine litter.
- A series of awareness-raising materials on the links between environmental justice and marine litter. These materials highlight how plastic pollution hinders achievement of the SDGs and how the entire lifecycle of plastics – from source extraction to waste – disproportionately affects marginalised communities around the world.
- A Learning Course on Gender and the Environment. This course analyses legal and policy developments on gender equality across international agreements in the areas of terrestrial biodiversity, freshwater, climate change, chemicals, and the ocean, with specific reflections on the human rights of girls.

All of these materials are free to access. The InforMEA and FAO elearning Academy courses are self-paced and include final exams. Those who complete the courses and pass the online exams obtain international certificates, contributing to professional development and recognition. We have found these capacity-building tools to be concrete ways to disseminate our research findings and the insights of the communities we've worked with.

Publications:

1. N Bennet, R López de la Lama, P Le Billon, I Ertör, and E Morgera, "Ocean defenders and human rights" (2022) 9 *Frontiers in Marine Science*, <https://doi.org/10.3389/fmars.2022.1089049>
2. N Bennet et al, "Environmental (in)justice in the Anthropocene ocean" (2022) 147 *Marine Policy* 105383

3. S Switzer, E Morgera and E Webster, "Casting the net wider? The transformative potential of integrating human rights into the implementation of the wto agreement on fisheries subsidies" (2022) *RECIEL* <https://onlinelibrary.wiley.com/doi/epdf/10.1111/reel.12477>
4. J Nakamura, D Diz and E Morgera, "International legal requirements for environmental and socio-cultural assessments for large-scale industrial fisheries" (2022) *RECIEL* 1-13 <https://onlinelibrary.wiley.com/doi/full/10.1111/reel.12462>
5. HJ Niner et al, "Issues of context, capacity and scale: Essential conditions and missing links for a sustainable blue economy" (2022) 130 *Environmental Science and Policy* 25-35
6. A Christoffels-DuPlessis, B Erinosh, L Major, E Morgera, J Sunde and S Vermeylen, "Navigating a sea of laws: the quests of small-scale fishing communities in Ghana and South Africa for protecting their customary rights" in Rose Bosewell et al (ed), *The Palgrave Handbook of Blue Heritage* (Palgrave, 2022), 325-356
7. E Morgera and J Nakamura, "Shedding a light on the human rights of small-scale fisherfolk: Complementarities and contrasts between the UN Declaration on Peasants' Rights and the Small-Scale Fisheries Guidelines" in M Alabrese, A Bessa, M Brunori, and P Filippo Giuggioli (eds), *Commentary on the Declaration on the Rights of Peasants* (Routledge, 2022)
8. B Erinosh, H Hamukuaya, C Lajaunie, AM Lancaster, M Lennan, P Mazzega, E Morgera and B Snow, "Transformative governance for ocean biodiversity" in Visseren-Hamakers, IJ. and M. KoK (eds), *Transforming Biodiversity Governance* (Cambridge University Press, 2022) 313-338 – open access at https://www.cambridge.org/core/services/aop-cambridge-core/content/view/C76E504286F1CEA420BB923FCFD12C19/9781108479745c15_313-338.pdf/transformative_governance_for_ocean_biodiversity.pdf
9. P Mbatha, "Unravelling the perpetuated marginalisation of customary livelihoods on the coast by plural and multi-level conservation governance systems" (2022) 133 *Marine Policy* <https://doi.org/10.1016/j.marpol.2021.104713>
10. M Sowman and J Sunde, "A just transition? Navigating the process of policy implementation in small-scale fisheries in South Africa" (2021) 132 *Marine Policy* <https://doi.org/10.1016/j.marpol.2021.104683>
11. HK Golo and B Erinosh, "Tackling the challenges confronting women in the Elmina fishing community of Ghana: A human rights framework" (2023) 147 *Marine Policy* <https://doi.org/10.1016/j.marpol.2022.105349>
12. HK Golo, S Ibrahim, and B Erinosh, "Integrating communities' customary laws into marine small-scale fisheries governance in Ghana: Reflections on the FAO Guidelines for Securing Sustainable Small-Scale Fisheries" (2022) *RECIEL* <https://doi.org/10.1111/reel.12478>.
13. JW Ansah, GY Oduro, and D Wilson, "Narratives of non-compliance in 'Tuesday Non-Fishing Day' in Ghana," in Rose Bosewell et al (ed), *The Palgrave Handbook of Blue Heritage* (Palgrave, 2022), 357-382.
14. K Erwin, T Pereira, D McGarry, and N Coppen, "Lalela ulwandle: An Experiment in Plural Governance Discussions," in Rose Bosewell et al (ed), *The Palgrave Handbook of Blue Heritage* (Palgrave, 2022), 383-409.

