

Input for report on the Right to Food and Securing Sustainable Small-Scale Fisheries (NIGERIA) November 2023

**Prepared for:
Special Rapporteur on the right to food**

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1. What are the main human rights challenges facing small-scale fishers and fish workers in your country?

Small-scale fishers (SSF) and fish workers in Nigeria are constrained by diverse human rights challenges that impair their well-being and means of livelihood. First, there is a decent work deficit, which exposes informal fish workers to unhealthy and unsafe working conditions¹. Second, exploration activities of oil companies in the Niger Delta lead to oil spills, gas flaring and environmental degradation and ultimately displace local fish workers.² Recently, over 2000 people from the Bille community, a predominantly fishing community, have been seeking justice in the high court in London against Shell, claiming it is responsible for devastating pollution for their water resources and destruction of their livelihood. Also, fisherfolk in Bayelsa, Nigeria, has complained that the use of toxic dispersants to contain oil leaks at

¹Olaoye, O., Odebiyi, O., & Abimbola, O. (2015). Occupational hazards and injuries associated with fish processing in Nigeria. *Journal of Aquatic Science*, 3(1), 1-5.

² Laville, S. (2023, November 23). Shell to face human rights claims in UK over chronic oil pollution in Niger delta. *The Guardian*. <https://www.theguardian.com/business/2023/nov/23/shell-to-face-human-rights-claims-uk-over-chronic-oil-spills-niger-delta>

Conoil's field had distorted aquatic life and threatened their occupation³. From 2017 till date, SSFs in different fishing communities in Lagos, including Otodo-Agbame and Makoko have been forcefully evicted by the Lagos State Government. Yet there is no explicit plan about resettlement or compensation for evictees^{4 5}. In addition, there is a lack of participation and representation in fisheries governance and policy processes, which are mainly centralised and seem not to take cognisance of the voice of SSFs and fish workers⁶. Lastly, the lives and livelihood of fish workers are adversely affected by foreign poachers and illegal fishers who allegedly threaten SSFs with guns. This trend has caused indirect economic loss because of the fear and uncertainty of when to go fishing⁷.

2. What good practices could be shared from your country that has strengthened the recognition, protection and remedies for small-scale fishers and fish workers?

The Nigerian government has consistently pledged to support fish farmers to boost production⁸. However, media reports suggest that small-scale fishers (SSFs) have been neglected by the

³ Sahara Reporters. (2023, January 18). Fishermen, residents lament use of toxic chemicals to tackle oil spill at Conoil's field in Bayelsa. *Sahara Reporters*. <https://saharareporters.com/2023/01/18/fishermen-residents-lament-use-toxic-chemicals-tackle-oil-spill-conoils-field-bayelsa>

⁴ Munshi, N (2019, September 12). How urbanisation displaces Lagos's fishing families. *Financial Times*. <https://www.ft.com/content/48cd5b3c-b796-11e9-8a88-aa6628ac896c>

⁵ Ngam, R., & Thiam, I. (2023, July 9). Makoko Island: living under the constant threat of statelessness and gentrification. *Climate Justice Central*. <https://www.climatejusticecentral.org/posts/makoko-island-living-under-the-constant-threat-of-statelessness-and-gentrification>

⁶ Fakoya, K. (2023). Advocacy as a challenge to small scale fisheries governance in Nigeria. National Workshop on Media and Advocacy Capacity Building for the Implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries (SSF Guidelines) in Nigeria- 9- 11 May 2022. *Report prepared by Akintola, S., & Fakoya, K.* https://www.icsf.net/wp-content/uploads/2023/03/012_Final-report-of-Training-Workshop-on-Media-and-Advocacy.pdf

⁷ Ojekunle, R. (2020, December 25). <https://www.dataphyte.com/latest-reports/special-report/special-report-fishers-suffer-as-obsolete-fishing-regulations-in-nigeria-aid-illicit-activities/>

⁸ Agency Report (2022, January 22). The Nigerian government has consistently pledged to support fish farmers to boost production. *Premium Times*. <https://www.premiumtimesng.com/agriculture/agric-news/508886-fg-pledges-to-support-fish-farmers-to-boost-production.html>

government for decades, resulting in a lack of tools, credit, and skills. leaving the sector and⁹. Though the Nigerian government has seemed passive in supporting small-scale fisheries, it recently signed the World Trade Organization's agreement on fisheries subsidies¹⁰. Further, while the WTO's agreement, among others, aims to halt illegal, unreported, and unregulated fishing activities, the governance of SSFs' operations on coastal waters, which are primarily informal¹¹, needs to be clearly defined in the country's constitution. The Inland Fisheries Act of 1992¹², does not adequately¹² consider small-scale fishing management.

Commendably, the African Development Bank, WorldFish and other stakeholders partnered to launch the Aquaculture Compact project in 2018. The project aims to boost the capacity of fish farmers by ensuring access to improved fish seed by 80% of fish farmers, a 20% increase in aquaculture production, a 10-30% reduction in fish imports, and employment creation for youth in the value chain¹³. The initiative also seeks to enhance the capacity of marketers, and service providers, and promote gender equality¹⁴. Similarly, WordFish, Lagos State University, ICSF FAO, and other stakeholders organised a national workshop on media and advocacy capacity building for the implementation of the voluntary guidelines for securing sustainable small-scale fisheries guidelines in Nigeria in May 2022¹⁵.

⁹ Udegbunam, O. (2021, September 15). Nigeria's neglected fishing industry and workers feeding millions with crude tools. *Premium Times*. <https://www.premiumtimesng.com/news/headlines/484843-nigerias-neglected-fishing-industry-and-workers-feeding-millions-with-crude-tools.html>

¹⁰ World Trade Organisation (2023, June 12). Nigeria formally accepts the Agreement on Fisheries Subsidies. *World Trade Organisation: Negotiations on Fisheries Subsidies*. <https://www.wto.org/english/news>

¹¹ Fakoya, K; Akintola, S. (2020). Nigeria: a heavy blow. Nigeria: Covid-19. *Samudra Report No. 83* https://aquadocs.org/bitstream/handle/1834/41288/Sam_83_art11_Nigeria_Kafayat.pdf?sequence

¹² Inland Fisheries Act (n.d). <https://faolex.fao.org/docs/pdf/nig48232.pdf>

¹³ WorldFish (2018, August 5) Nigeria workshop seeks to scale up proven technologies, boost aquaculture production in West and Central Africa <https://worldfishcenter.org/press-release/nigeria-workshop-seeks-scale-proven-technologies-boost-aquaculture-production-west>

¹⁴ WorldFish (2023) Nigeria: WorldFish in Nigeria. <https://worldfishcenter.org/where-we-work/africa/nigeria>

¹⁵ Akintola, S., & Fakoya, K (2023). National Workshop on Media and Advocacy Capacity Building for the Implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries (SSF Guidelines) in Nigeria- 9- 11 May 2022. *Report prepared by Akintola, S., & Fakoya, K.* <https://www.icsf.net/wp->

3. To what extent small-scale fisheries, coastal communities, and fishery workers have been included in national and international policy processes related to the fisheries sector?

To promote decent work and the elimination of forced labour in the fishing industry, the International Labour Organization (ILO) signed a memorandum of understanding with the Fisheries Committee for the West Central Gulf of Guinea (FCWC) in 2022¹⁶. The MOU, however, appears to provide for formal employment relationships, which differs from SSFs' informal orientation. There is also the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines), endorsed by the FAO in 2014, providing a strategic policy framework for Nigeria to use¹⁸. The WorldFish Nigeria Strategy 2018–2022¹⁹ aims to enhance food security, nutrition, employment, income, and empowerment of women and youths through sustainable aquaculture and small-scale fisheries. In addition, the National aquaculture strategy²⁰ aims to promote the development of the fisheries sector, including small-scale fisheries, and ensure the

¹⁶International Labour Organisation (2022, November 15). Unchartered waters: ILO signs MoU with the Fisheries Committee for the West Central Gulf of Guinea. *The 2030 development agenda* <https://www.ilo.org/global/topics/sdg-2030/goal-8/target-8-7/accelerator->

¹⁷ FCWC , which comprises six West African countries: Benin, Cote d'Ivoire, Ghana, Liberia, Nigeria, and Togo, have been set up to ensure a coordinated approach to fisheries management and ocean protection.

¹⁸ Akintola, S. L., Fakoya, K. A., & Joseph, O. O. (2017). Applying the small-scale fisheries guidelines in Nigeria: Status and strategies for Badagry coastal and creek fisheries. *The Small-Scale Fisheries Guidelines: Global Implementation*, 635-656. https://link.springer.com/chapter/10.1007/978-3-319-55074-9_30

¹⁹ WorldFish (2018). *WorldFish Nigeria Strategy: 2018-2022*. Penang, Malaysia: WorldFish. Strategy: 2018-09. <https://worldfishcenter.org/publication/worldfish-nigeria-strategy-2018-2022>

²⁰ Federal Ministry of Agriculture and Rural Development (2018). *Nigeria: National Aquaculture Strategy*. <https://faolex.fao.org/docs/pdf/nig189027.pdf>

optimal utilisation of the fishery resources. Recently, Nigeria's President Bola Tinubu created a new Ministry of Marine and Blue Economy to harness marine resources, including small-scale fisheries. However, some of the challenges that hinder the effective implementation and recognition of these policies are policy inconsistency and lack of coordination among different levels of government and stakeholders²¹, lack of data and information on the status, trends and socio-economic contributions of small-scale fisheries²², gender inequality and marginalisation of women and youths in small-scale fishing²³. Therefore, there is a need for more research, advocacy, and capacity building to address these challenges and ensure that small-scale fisheries in Nigeria are fully integrated and supported by national and international policies.

4. What are the main concerns regarding working conditions in the fisheries supply chain? Which parts of the supply chain are the most dangerous or problematic?

Some primary concerns regarding working conditions in the Nigerian fisheries supply chain include the occupational hazards of using fish kilns to smoke and the lack of personal protective equipment (PPE). For instance, the use of kilns for smoking poses multiple risks to Nigerian fish workers, particularly women. The lack of personal protective equipment and modern equipment causes the women to suffer burns on their skin ²⁴.

²¹ Williams, S. (n.d) Competing Fisheries Stakeholders: User Rights in Nigeria's Coastal and Inland Fishing Communities. <https://www.fao.org/fishery/static/tenure-user-rights/root/volume8/C810.pdf>

²² Akintola, S. L., Fakoya, K. A., & Joseph, O. O. (2017). Applying the small-scale fisheries guidelines in Nigeria: Status and strategies for Badagry coastal and creek fisheries. *The Small-Scale Fisheries Guidelines: Global Implementation*, 635-656.

²³ Williams, S. (n.d) Competing Fisheries Stakeholders: User Rights in Nigeria's Coastal and Inland Fishing Communities. <https://www.fao.org/fishery/static/tenure-user-rights/root/volume8/C810.pdf>

²⁴ Adebulu, T. (2020, August 2020). Women who feed Lagos: How lack of education robs fish traders of booming digital market <https://www.thecable.ng/women-who-feed-lagos-how-lack-of-education-robs-fish-traders-of-booming-digital-market>

One of the most problematic parts of the supply chain is losses incurred by fishermen due to frequent boat mishaps caused by seaweed or hyacinth on the waterways.²⁵. Besides, some fishermen are being attacked by pirates²⁶ and terrorists²⁷, which seriously threaten the safety and security of fishers and their vessels, as well as the quality and quantity of their catch. The high cost of operations, including the pump price of diesel used to power fishing boats and generators for fish farms, presents a critical challenge to the fishery supply chain.²⁸. There is also the case of post-harvest losses, due to mishandling of products, contamination during transportation, poor storage, longer wait time on the way to markets²⁹. Lastly, due to the health risks associated with improperly processed smoked fish, Nigerian producers and exporters have faced barriers in exporting their products to the United States and European Union countries over concerns about ecolabel requirements³⁰.

²⁵ Gbadamosi, H. (2023, July 17). Our waterways no longer safe for business, Ondo fishermen cry to govt.

<https://tribuneonlineng.com/our-waterways-no-longer-safe-for-business-ondo-fishermen-cry-to-govt/>

²⁶ Sahara Reporters. (2022, February 8). One killed, Others Injured as Sea Pirates Attack Fishing Community in Bayelsa. *Sahara Reporters, New York*. <https://saharareporters.com/2022/02/08/one-killed-others-injured-sea-pirates-attack-fishing-community-bayelsa>

²⁷ Sahara Reporters. (2023, March 10). Death Toll Rises To 36 In ISWAP Terrorists' Attack On Fishermen In Borno. <https://saharareporters.com/2023/03/10/update-death-toll-rises-36-iswap-terrorists-attack-fishermen-borno>

²⁸ Editor (2016, April 24). Special report on fisheries and aquaculture in Nigeria. *BusinessAgro: The Guardian* <https://guardian.ng/features/special-report-on-fisheries-and-aquaculture-in-nigeria/>

²⁹ Nukpezah, J., Steensma, J., & Tran, N. (2020) The Aquaculture Postharvest Value Chain in Nigeria. <https://www.fishinnovationlab.msstate.edu/newsroom/2020/08/aquaculture-postharvest-value-chain-nigeria>

³⁰ Ibirogba, F. (2020). How fish smoking endangers humans, causes deforestation. *The Guardian: BusinessAgro*. <https://guardian.ng/features/agro-care/how-fish-smoking-endangers-humans-causes-deforestation/>