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# RESUMED SESSION OF THE TECHNICAL CONSULTATION ON INTERNATIONAL GUIDELINES ON SECURING SUSTAINABLE SMALL- SCALE FISHERIES

**Rome, Italy, 3-7 February 2014**

**Voluntary Guidelines for Securing Sustainable  
Small-scale Fisheries in the Context of  
Food Security and Poverty Eradication**

This document contains the draft text of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication. It has been developed as a complement to the 1995 FAO Code of Conduct for Responsible Fisheries.

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## ABBREVIATIONS AND ACRONYMS

CCA	Climate Change Adaptation
CCRF	Code of Conduct for Responsible Fisheries (FAO)
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CFS	Committee on World Food Security
CSOs	Civil Society Organizations
DRM	Disaster risk management
EAF	Ecosystem approach to fisheries
HIV/AIDS	Human immunodeficiency virus/acquired immunodeficiency syndrome
ICESCR	International Covenant on Economic, Social and Cultural Rights
IGO	Intergovernmental Organization
ILO	International Labour Organization
IMO	International Maritime Organization
IUU (fishing)	Illegal, unreported and unregulated (fishing)
MCS	Monitoring, control and surveillance
NGO	Non-governmental Organization
RFB	Regional fishery body
Rio+20	United Nations Conference on Sustainable Development (Rio+20)
SSF	Small-scale fisheries
UN	United Nations
UNFCCC	United Nations Framework Convention on Climate Change
WTO	World Trade Organization

Securing and increasing the contribution of small-scale fisheries face many challenges and constraints. The development of the fisheries sector over the past three to four decades has in many cases around the world led to overexploitation of resources and threats to habitats and ecosystems. Customary practices for the allocation and sharing of resource benefits in small-scale fisheries, which may have been in place for generations, have been changed as a result of non-participatory and often centralized fisheries management systems, rapid technology developments and demographic changes. Small-scale fishing communities also commonly suffer from unequal power relations. In many places, conflicts with large-scale fishing operations are an issue and there is increasingly high interdependence or competition between small-scale fisheries and other sectors. These other sectors often can have stronger political or economic influence and include: tourism, aquaculture, agriculture, energy, mining, industry and infrastructure developments.

Where poverty exists in small-scale fishing communities, it is of a multidimensional nature and is not only caused by low incomes but also due to factors that impede full enjoyment of human rights including civil, political, economic, social and cultural rights. Small-scale fishing communities are commonly located in remote areas and tend to have limited or disadvantaged access to markets, and may have poor access to health, education and other social services. Other characteristics include low levels of formal education, existence of ill-health (often including above average incidences of HIV/AIDS) and inadequate organizational structures. The opportunities available are limited, as small-scale fishing communities face a lack of alternative livelihoods, youth unemployment, unhealthy and unsafe working conditions, forced labour, and child labour. Pollution, environmental degradation, climate change impacts and natural and human-induced disasters add to the threats faced by small-scale fishing communities. All these factors make it difficult for small-scale fishers and fish workers to make their voices heard, defend their human rights and tenure rights, and secure the sustainable use of the fishery resources on which they depend.

These Guidelines have been developed through a participatory and consultative process, involving representatives of small-scale fishing communities, civil society organizations (CSOs), governments, regional organizations and other stakeholders. A Technical Consultation of the Food and Agriculture Organization then reviewed the Guidelines. They take into account a wide range of important considerations and principles, including equality and non-discrimination, participation and inclusion, accountability and rule of law, and the principle that all human rights are universal, indivisible, interrelated and interdependent. The Guidelines are consistent with and promote international human rights standards. These guidelines are complementary to the CCRF and its related instruments. They also take into account the technical guidelines, such as the Technical Guidelines for Responsible Fisheries No 10 “Increasing the Contribution of Small-Scale Fisheries to Poverty Alleviation and Food Security”, as well as other voluntary international instruments, such as the Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests in the Contexts of National Food Security (*Tenure Guidelines*) and the Voluntary Guidelines on the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (*Right to Food Guidelines*), as applicable. States and other stakeholders are encouraged to also consult these other guidelines, as well as relevant international and regional instruments, to fully integrate applicable obligations, voluntary commitments and available guidance.

## **PART 1: INTRODUCTION**

### **1. OBJECTIVES**

1.1. The objectives of these Guidelines are:

- a) to enhance the contribution of small-scale fisheries to global food security and nutrition and to support the progressive realization of the right to adequate food,
- b) to contribute to the equitable development of small-scale fishing communities and poverty eradication and to improve the socioeconomic situation of fishers and fish workers within the context of sustainable fisheries management,
- c) to achieve the sustainable utilization, prudent and responsible management and conservation of fisheries resources consistent with the CCRF and related instruments,
- d) to promote the contribution of small-scale fisheries to an economically, socially and environmentally sustainable future for our planet and its people,
- e) to provide guidance that could be considered by States and stakeholders for the development and implementation of ecosystem friendly and participatory policies, strategies and legal frameworks for the enhancement of responsible and sustainable small-scale fisheries,
- f) to enhance the public awareness and promote the advancement of knowledge on the culture, role, contribution and potential of small-scale fisheries, considering ancestral and traditional knowledge, and their related constraints and opportunities.

1.2. These objectives should be achieved through the promotion of a human rights based approach, by empowering small-scale fishing communities, including both men and women, to participate in decision-making processes, and assume responsibilities for sustainable use of fishery resources and placing emphasis on the needs of developing countries and for the benefit of vulnerable and marginalized groups.

### **2. NATURE AND SCOPE**

2.1. These Guidelines are voluntary in nature. The Guidelines should apply to small-scale fisheries in all contexts, be global in scope but with a specific focus on the needs of developing countries.

2.2. These guidelines are relevant to small-scale fisheries both in marine and inland waters, i.e. men and women working in the full range of activities along the value chain, and pre- and post harvest activities. The important linkages between small-scale fisheries and aquaculture are recognized, but these Guidelines principally focus on capture fisheries.

2.3. The Guidelines are addressed to member countries and non-member countries of the FAO, at all levels of the State, as well as to subregional, regional, international and intergovernmental organisations (IGOs) and small-scale fisheries actors (fishers, fish workers, their communities,

**3. Non-discrimination:** Promoting in the small-scale fisheries the elimination of all kinds of discrimination in policies and in practice.

**4. Gender equality and equity** is fundamental to any development. Recognising the vital role of women in small-scale fisheries, equal rights and opportunities should be promoted.

**5. Equity and equality:** promoting justice and fair treatment – both legally and in practice – of all people and peoples, including equal rights to the enjoyment of all human rights. At the same time, differences between women and men should be acknowledged and specific measures taken to accelerate *de facto* equality, i.e. using preferential treatment where required to achieve equitable outcomes, particularly for vulnerable and marginalized groups.

**6. Consultation and participation:** ensuring active, free, effective, meaningful and informed participation of small-scale fishing communities, including indigenous peoples, taking into account the UN Declaration on the Rights of Indigenous Peoples (DRIP) in the whole decision making process related to fishery resources and areas where small-scale fisheries operate as well as adjacent land areas, taking existing power imbalances between different parties into consideration. This should include feedback and support from those who could be affected by decisions prior to decisions being taken, and responding to their contributions.

**7. Rule of law:** adopting a rules-based approach for small-scale fisheries through laws that are widely publicized in applicable languages, applicable to all, equally enforced and independently adjudicated, and that are consistent with their existing obligations under national and international law, and with due regard to voluntary commitments under applicable regional and international instruments.

**8. Transparency:** clearly defining and widely publicizing policies, laws and procedures in applicable languages, and widely publicizing decisions in applicable languages and in formats accessible to all.

**9. Accountability:** holding individuals, public agencies and non-state actors responsible for their actions and decisions according to the principles of the rule of law.

**10. Economic, social and environmental sustainability:** applying the precautionary approach and risk management to guard against undesirable outcomes, including overexploitation of fishery resources and negative environmental, social and economic impacts.

**11. Holistic and integrated approaches:** recognizing the ecosystem approach to fisheries (EAF) as an important guiding principle, embracing the notions of comprehensiveness and sustainability of all parts of ecosystems as well as the livelihoods of small-scale fishing communities, and ensuring cross-sectoral coordination since small-scale fisheries are closely linked to and dependent on many other sectors.

## 5A. Responsible governance of tenure

- 5.2. All parties should recognize that responsible governance of tenure of land, fisheries and forests applicable in small-scale fisheries is central for the realization of human rights, food security, poverty eradication, sustainable livelihoods, social stability, housing security, economic growth and rural and social development.
- 5.3. States, in accordance with their legislation, should ensure that small-scale fishers, fish workers and their communities have secure, equitable, and socially and culturally appropriate tenure rights to fishery resources (marine and inland) and small-scale fishing areas and adjacent land, with a special attention paid to women with respect to tenure rights.
- 5.4. All parties, in accordance with their legislation, should recognize, respect and protect all forms of legitimate tenure rights, taking into account, where appropriate, customary rights, to aquatic resources and land and small-scale fishing areas enjoyed by small-scale fishing communities. When necessary, in order to protect various forms of legitimate tenure rights, legislation to this effect should be provided. States should take appropriate measures to identify, record and respect legitimate tenure right holders and their rights. Local norms and practices, as well as customary or otherwise preferential access to fishery resources and land by small-scale fishing communities including indigenous peoples and ethnic minorities, should be recognized, respected and protected in ways that are consistent with international human rights law. The UN DRIP and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities should be taken into account, as appropriate. Where constitutional or legal reforms strengthen the rights of women and place them in conflict with custom, all parties should cooperate to accommodate such changes in the customary tenure systems.
- 5.5. States should recognise the role of small-scale fishing communities and indigenous peoples to restore, conserve, protect and co-manage local aquatic and coastal ecosystems.
- 5.6. Where states own or control water (including fishery resources) and land resources, they should determine the use and tenure rights of these resources taking into consideration, *inter alia*, social, economic and environmental objectives. States should, as applicable, recognize and safeguard publically owned resources that are collectively used and managed, in particular by small-scale fishing communities.
- 5.7. Taking due account of Art. 6.18 of the CCRF, States should where appropriate grant preferential access of small-scale fisheries to fish in waters under national jurisdiction, with a view to achieving equitable outcomes for different groups of people, in particular vulnerable groups. Where appropriate, specific measures, *inter alia*, such as the creation and enforcement of exclusive zones for small-scale fisheries, should be considered. Small-scale fisheries should be given due consideration before agreements on resource access are entered into with third countries and third parties.
- 5.8. States should adopt measures to facilitate equitable access to fishery resources for small-scale fishing communities, including, as appropriate, redistributive reform, taking into account the provisions of the Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests in the Contexts of National Food Security.

traditionally used for their livelihoods. Accordingly, States should involve small-scale fishing communities – with special attention to equitable participation of women, vulnerable and marginalized groups – in the design, planning and, as appropriate, implementation of management measures, including protected areas, affecting their livelihood options. Participatory management systems, such as co-management, should be promoted in accordance with national law.

- 5.16. States should ensure the establishment of new or promote the application of existing monitoring, control and surveillance (MCS) systems applicable to and suitable for small-scale fisheries. They should provide support to such systems, involving small-scale fisheries actors as appropriate and promoting participatory arrangements within the context of co-management. States should ensure effective monitoring and enforcement mechanisms to deter, prevent and eliminate all forms of illegal and/or destructive fishing practices having a negative effect on marine and inland ecosystems. States should endeavour to improve registration of the activity. Small-scale fishers should support the MCS systems and provide to the state fisheries authorities the information required for the management of the activity.
- 5.17. States should ensure that the roles and responsibilities within the context of co-management arrangements of concerned parties and stakeholders are clarified and agreed through a participatory and legally supported process. All parties are responsible for assuming the management roles agreed to. All endeavours should be made so that small-scale fisheries are represented in relevant local and national professional associations and fisheries bodies and actively take part in relevant decision- and fisheries policy-making processes.
- 5.18. States and small-scale fisheries actors should encourage and support the role and involvement of both men and women, whether engaged in pre-harvest, harvest, or post-harvest operations, in the context of co-management and in the promotion of responsible fisheries, contributing their particular knowledge, perspectives and needs. All parties should pay specific attention to the need to ensure equitable participation of women, designing special measures to achieve this objective.
- 5.19. Where transboundary and other similar issues exist, e.g. shared waters and fishery resources, States should work together to ensure that the tenure rights of small-scale fishing communities that are granted are protected.
- 5.20. States should avoid policies and financial measures that may contribute to fishing overcapacity and hence overexploitation of resources that have an adverse impact on small-scale fisheries.



- 6.8. States and other stakeholders should support already existing, or the development of, complementary and alternative income-generating opportunities – in addition to earnings from fisheries-related activities – for small-scale fishing communities, as required and in support of sustainable resource utilization and livelihood diversification. The role of small-scale fisheries in local economies and the links of the subsector to the wider economy need to be recognized and benefited from. Small-scale fishing communities should equitably benefit from developments such as community-based tourism and small-scale responsible aquaculture.
- 6.9. States and all parties should create conditions for men and women of small-scale fishing communities to fish and to carry out fisheries-related activities in an environment free from crime, violence, mafia activities, piracy, theft, sexual abuse, corruption and abuse of authority. All parties should take steps to institute measures that aim to eliminate violence and to protect women exposed to such violence in small-scale fishing communities. States should ensure access to justice for victims of violence, abuse etc., including within the household or community.
- 6.10. States and small-scale fisheries actors, including traditional and customary authorities, should understand, recognize and respect the role of migrant fishers and fish workers in small-scale fisheries, given that migration is a common livelihood strategy in small-scale fisheries. States and small-scale fisheries actors should cooperate to create the appropriate frameworks to allow for fair and adequate integration of migrants who engage in sustainable use of fisheries resources and who do not undermine local community-based fisheries governance and development in small-scale fisheries in accordance with national law. States should recognise the importance of coordinating among their respective national governments in regards to migration of fishers and fish workers in small-scale fisheries across national borders. Policies and management measures should be worked out in consultation with small-scale fisheries organizations and institutions.
- 6.11. States should recognize and address the underlying causes and consequences of transboundary movement of fishers and contribute to the understanding of transboundary issues affecting the sustainability of small-scale fisheries.
- 6.12. States should address occupational health issues and unfair working conditions of all small-scale fishers and fish workers by ensuring that the necessary legislation is in place and is implemented in accordance with national legislation and international human rights standards and international instruments to which a state is party, such as the International Covenant on Economic, Social and Cultural Rights (ICESCR) and relevant conventions of the International Labour Organization (ILO). All parties should strive to ensure the inclusion of the aspect of occupational health and safety as an integral part of fisheries management as well as development initiatives.
- 6.13. States should eradicate forced labour, prevent debt-bondage of women, men and children and adopt effective measures to protect fishers and fish workers, including migrants, with a view to the complete elimination of forced labour in fisheries including small-scale fisheries.
- 6.14. States should provide and enable access to schools and education facilities that meet the needs of small-scale fishing communities and that facilitate gainful and decent employment of youth,

- 7.2. All parties should recognize the role women often play in the post-harvest subsector and support improvements to facilitate women's participation in work. States should ensure that amenities and services appropriate for women are available as required, to enable women to retain and enhance their livelihoods in the post-harvest subsector.
- 7.3. States should foster, provide and enable investments in appropriate infrastructures, organizational structures and capacity development to support the small-scale fisheries post-harvest subsector in producing good quality and safe fish and fishery products, for both export and domestic markets, in a responsible and sustainable manner.
- 7.4. States and development partners should recognize the traditional forms of associations of fishers and fish workers and promote their adequate organizational and capacity development in all stages of the value chain, in order to enhance their income and livelihood security in accordance with national legislation. Accordingly, there should be support for the setting up and the development of cooperatives, professional organizations of the small-scale fisheries sector and other organizational structures, as well as marketing mechanisms, e.g. auctions, as appropriate.
- 7.5. All parties should avoid post-harvest losses and waste and seek ways to create value addition, building also on existing traditional and local cost-efficient technologies, local innovations and culturally appropriate technology transfers. Environmentally sustainable practices within an ecosystem approach should be promoted, deterring, for example, waste of inputs (water, fuelwood etc.) in small-scale fish handling and processing.
- 7.6. States should facilitate access to local, national, regional and international markets and promote equitable and non-discriminatory trade for small-scale fisheries products. States should work together to introduce trade regulations and procedures that in particular support regional trade in products from small-scale fisheries and taking into account the agreements under the World Trade Organization (WTO), bearing in mind the rights and obligations of WTO members where appropriate.
- 7.7. States should give due consideration to the impact of international trade in fish and fishery products and of vertical integration on local small-scale fishers, fish workers and their communities. States should ensure that promotion of international fish trade and export production do not adversely impact the nutritional needs of people for whom fish is critical to a nutritious diet, their health and well-being and for whom other comparable sources of food are not readily available or affordable.
- 7.8. States, small-scale fisheries actors and other value chain actors should recognize that benefits from international trade should be fairly distributed. States should ensure that effective fisheries management systems are in place to prevent overexploitation driven by market demand that can threaten the sustainability of fisheries resources, food security and nutrition. Such fisheries management systems should include responsible post-harvest practices, policies and actions to enable export income to benefit small-scale fishers and others in an equitable manner throughout the value chain.

## 9. DISASTER RISKS AND CLIMATE CHANGE

- 9.1. States should recognise that combating climate change, including in the context of sustainable small-scale fisheries, requires urgent and ambitious action, in accordance with the objectives, principles and provisions of the United Nations Framework Convention on Climate Change (UNFCCC), taking into account the Rio+20 outcome document 'The future we want'.
- 9.2. All parties should recognise and take into account the differential impact of natural and human induced disasters and climate change on small-scale fisheries. States should develop policies and plans to address climate change in fisheries, in particular strategies for adaptation and mitigation, where applicable, as well as for building resilience, in full and effective consultation with fishing communities including indigenous peoples, men and women, paying particular attention to vulnerable and marginalized groups. Special support should be given to small-scale fishing communities living on small islands where climate change may have particular implications on food security, nutrition, housing and livelihoods.
- 9.3. All parties should recognize the need for integrated and holistic approaches, including cross-sectoral collaboration, in order to address disaster risks and climate change in small-scale fisheries. States and other relevant parties should take steps to address issues such as pollution, coastal erosion and destruction of coastal habitats due to human-induced non-fisheries-related factors. Such concerns seriously undermine the livelihoods of fishing communities as well as their ability to adapt to possible impacts of climate change.
- 9.4. States should consider assisting and supporting small-scale fishing communities affected by climate change or natural and human induced disasters, including through adaptation, mitigation and aid plans, where appropriate.
- 9.5. In case of disasters caused by humans, impacting small-scale fisheries, the responsible party should be held accountable.
- 9.6. All parties should take into account the impact that climate change and disasters may have on the post-harvest and trade subsector in the form of changes in fish species and quantities, fish quality and shelf-life, and implications with regard to market outlets. States should provide support to small-scale fisheries stakeholders with regard to adjustment measures in order to reduce negative impacts. When new technologies are introduced, they need to be flexible and adaptive to future changes in species, products and markets, and climatic variability.
- 9.7. States should understand how emergency response and disaster preparedness are related in small-scale fisheries and apply the concept of the relief-development continuum. Longer term development objectives need to be considered throughout the emergency sequence, including in the immediate relief phase, and rehabilitation, reconstruction and recovery should include actions to reduce vulnerabilities to potential future threats. The concept of 'building back better' should be applied in disaster response and rehabilitation.
- 9.8. All parties should promote the role of small-scale fisheries in efforts related to climate change and should encourage and support energy efficiency in the subsector, including the whole value chain – fishing, post-harvest, marketing and distribution.

there should be well-defined points of contact in government authorities and agencies for small-scale fishing communities.

- 10.6. Small-scale fisheries stakeholders should promote collaboration among their professional associations, including fisheries cooperatives and CSOs. They should establish networks and platforms for the exchange of experiences and information and to facilitate their involvement in policy- and decision-making processes relevant to small-scale fisheries communities.
- 10.7. States should recognize, and promote as appropriate, that local governance structures may contribute to an effective management of small-scale fisheries, taking into account the ecosystem approach and in accordance with national law.
- 10.8. States should promote enhanced international, regional and subregional cooperation in securing sustainable small-scale fisheries. States, as well as international, regional and subregional organizations, as appropriate, should support capacity development to enhance the understanding of small-scale fisheries and assist the subsector in matters that require sub-regional, regional or international collaboration, including appropriate and mutually agreed technology transfer.

## **11. INFORMATION, RESEARCH AND COMMUNICATION**

- 11.1. States should establish systems of collecting fisheries data, including bio-ecological, social, cultural and economic data which are relevant for decision making on sustainable management of small-scale fisheries with a view to ensuring sustainability of ecosystems, including fish stocks, in a transparent manner. Efforts should be made to also produce gender-disaggregated data in official statistics, as well as data allowing for an improved understanding and visibility of the importance of small-scale fisheries and its different components, including socio-economic aspects.
- 11.2. All stakeholders and small-scale fisheries communities should recognise the importance of communication and information, which are necessary for effective decision-making.
- 11.3. States should endeavour to prevent corruption, particularly through increasing transparency, holding decision-makers accountable, and ensuring that impartial decisions are delivered promptly and through appropriate participation and communication with small-scale fishing communities.
- 11.4. All parties should recognize small-scale fishing communities as holders, providers and receivers of knowledge. It is particularly important to understand the need for access to appropriate information by small-scale fishing communities and their organizations in order to help them cope with existing problems and empower them to improve their livelihoods. These information requirements depend on current issues facing communities and concern the biological, legal, economic, social and cultural aspects of fisheries and livelihoods.
- 11.5. States should ensure that the information necessary for responsible small-scale fisheries and sustainable development is available, including on illegal, unreported and unregulated (IUU)

programmes in order to increase awareness of the nutritional benefits of eating fish and impart knowledge of how to assess fish and fishery product quality.

## **12. CAPACITY DEVELOPMENT**

- 12.1. States and other parties should enhance the capacity of small-scale fishing communities in order to enable them to participate in decision-making processes. To this effect, it should be ensured that the range and diversity of the small-scale fisheries subsector along the entire value chain is appropriately represented through the creation of legitimate, democratic and representative structures. Specific attention should be paid to the need to work towards the equitable participation of women in such structures. Where appropriate and necessary, separate spaces and mechanisms should be provided to enable women to organize autonomously at various levels on issues of particular relevance to them.
- 12.2. States and other stakeholders should provide capacity building, for example through development programmes, to allow small-scale fisheries to benefit from market opportunities.
- 12.3. All parties should recognize that capacity development should build on existing knowledge and skills and be a two-way process of knowledge transfer, providing for flexible and suitable learning pathways to meet the needs of individuals, including both men and women and vulnerable and marginalized groups. Moreover, capacity development should include building the resilience and adaptive capacity of small-scale fishing communities in relation to DRM and CCA.
- 12.4. Government authorities and agencies at all levels should work to develop knowledge and skills to support sustainable small-scale fisheries development and successful co-management arrangements, as appropriate. Particular attention should be given to decentralized and local government structures directly involved in governance and development processes together with small-scale fishing communities, including the area of research.

## **13. IMPLEMENTATION SUPPORT AND MONITORING**

- 13.1. All parties are encouraged to implement these Guidelines in accordance with national priorities and circumstances.
- 13.2. States and all other parties should promote aid effectiveness and responsible use of financial resources. Development partners, specialized agencies of the United Nations, and regional organizations are encouraged to support voluntary efforts by States to implement these Guidelines, including through South-South cooperation. Such support could include technical cooperation, financial assistance, institutional capacity development, knowledge sharing and exchange of experiences, assistance in developing national small-scale fisheries policies and transfer of technology.