COVID 19
LEFT US HUNGRY:
The shortcomings of Governance Frameworks in the Inland Fisheries Sector of South Africa through a Lens of the Covid-19 pandemic
1. Introduction

The inland small-scale fisheries sector has long been marginalized and undermined despite its important socio-cultural and economic contribution to rural livelihoods as well as the role it plays in ensuring food and nutrition security at the local level. The sector is extremely complex and diverse due to the colonial and apartheid history of South Africa, but also due to the resulting present-day constructs of power in the narratives on biodiversity conservation and the ways in which they impact on access rights of fishers to traditional fishing grounds. To date, freshwaters remain the only natural resource whose management has not gone through a reform post-1994. This results in a situation where those fishing for food, livelihoods, and income do not have a legal right to fish, and are forced to fish with recreational fishing licenses and post-office permits.

The global COVID-19 pandemic, and the lockdown regulations and restrictions that were implemented by the South Africa government in response to the pandemic, have greatly impacted the ability of inland small-scale fishers to practice their livelihood activities, access their fishing grounds, and to ensure local food security. This pandemic has highlighted and intensified the faults in the existing governance frameworks and current legislative state of the sector.

Small-scale inland fishers have been operating in a legislative vacuum. A clear policy and legislative framework have been lacking, and the administrative procedures and competent authority for the facilitation of permitting for the harvesting of freshwater species have been unclear, resulting in a fragmented governance, varying from one Province to the other. The management and governance of the freshwater resources and inland fishing has historically had a nature and conservation focus, with little consideration of human rights. A National Freshwater (Inland) Wild Capture Fisheries Policy for South Africa was adopted by cabinet in August 2021, but is yet to be implemented and resembles more of a guiding framework than a complete policy document.

The objectives of this report are to increase the awareness of the role of inland small-scale fisheries in providing food security and livelihoods for riparian communities and the challenges and opportunities that exist in supporting and prioritising the development of the sector.

This report focuses on the impacts of COVID-19, and the impacts of the associated restrictions and regulations that were implemented, on inland small-scale fishing communities’ livelihoods and food security, as a major inhibiting factor in the ability of inland small-scale fishers to assert their rights and engage in traditional livelihood activities. The research prioritises the right to food as well as the policy implications emerging from this crisis in relation to the current and future governance of inland fisheries. The research as well as the findings and recommendations for the support of the sector are timely, given the recent adoption of the Freshwater (Inland) Wild Capture Fisheries Policy for South Africa.

The information and findings included in the report were gathered through a series of engagements with small-scale fishers and members of fishing families from Vanderkloof, Gariep and Jozini Dam communities, as well as with relevant governance institutions. Masifundise has engaged and supported inland fishing communities in these areas since 2015 and throughout the pandemic, gathering insights and knowledge of the issues experienced. Additionally, surveys were conducted with 135 fishers or members of fishing families, focusing on their experiences during level 5 and 4 of the national lockdown restrictions imposed by the government. Focus group interviews were undertaken with members from each of the 3 areas, for a deeper understanding of the situation on the ground. Key informant interviews were conducted with a member of the Northern Cape Department of Agriculture, Land Reform and Rural Development (DALRRD), as well as with a member of the Free State Department of Economic, Small Business Development, Tourism and Environmental Affairs (DESTEA). While Vanderkloof, Gariep and Jozini Dam constitute the case studies for this report, the findings are relevant to the many other inland small-scale fishing communities that have been impacted by Covid 19 restrictions and regulations.

In order to unpack and understand the shortcomings of the governance frameworks in the sector, the report outlines the situation in inland small-scale fisheries before the Covid-19 pandemic; it then looks at the impacts of the pandemic on local food security and livelihoods; and finally, we present some discussion points and recommendations for the way forward in the implementation of the National Freshwater (Inland) Wild Capture Fisheries Policy and the development of the sector.

2. The Situation in Inland SSF Pre-Covid

The World Bank Poverty and Equity Brief (2020) reports that 25% of the South African population experience food poverty. Similarly, STATS SA (2019) reports that food inadequacy remains a challenge as hunger continues to affect 1.7 million households across the country. This is because poverty-stricken households lack the money to buy food and are unable to produce their own food (STATS SA, 2019).

Since 2015, poverty in South Africa has been on the rise (STATS SA, 2017). At the time, half of South Africans were considered poor, with people living in rural areas being of the most vulnerable groups. According to Bittar (2020), 65.4% of the population living in rural areas fall below the upper-bound poverty line (R1,183 [$70.90] per month). This coincides with a trend of increasing unemployment in South Africa (STATS SA, 2018).

“I CAN ALSO SURVIVE… I CAN LIVE MY LIFE WITHOUT HAVING TO GO AND STEAL FROM OTHERS”

South Africa, however, is rich with catchments and river systems, many of them situated in rural areas. As there are very few work or alternative income opportunities in these areas, inland dams and rivers are of great significance to the food security and livelihoods of surrounding communities through the provision of fish resources. Masifundise estimates that there are about 80 000 people across South Africa depending on freshwater for food,
nutrition and livelihood, but the fishing communities referred to in this report reside and practise their livelihood activities in the regions of the Jozini, Gariep, and Vanderkloof Dams.

The Pongolapoort Dam, which the locals refer to as ‘Lake Jozini,’ is fed by the Phongolo river and is situated in the province of KwaZulu-Natal. Both the Gariep Dam and Vanderkloof Dam are fed by the Orange (Gariep) river, which is the largest river in South Africa. The Gariep Dam is situated in the Free State province, while the Vanderkloof Dam is located 130km downstream from the Gariep dam, transcending both the Free State and the Northern Cape provinces.

For many of the local people living in the rural areas in which these dams are situated, fishing provides the only income opportunity to sustain their livelihoods and provide for their families. The fish caught by the local fishers are used both for personal consumption and sold for an income to buy household necessities, such as food, clothes and paying for children’s school fees. One of the focus group participants describes their dependence on fishing as follows, “I can also survive…I can live my life without having to go and steal from others”.

Fish resources from the dam are also important for women in these local areas, a group that is recognised as particularly vulnerable to poverty and unemployment (Cheteni et al. 2019; STATS SA, 2018; World Bank, 2020). By being involved in the inland fisheries value-chain, from harvesting to selling, women are able to provide for their families, especially their children, as well as contributing to other needs within their communities.

To many, fishing or being part of the fisheries value-chain, is seen as an occupation, similar to other forms of work. For example, one participant in the Jozini focus group pointed out that they would like “to be in business like other people who are working”. At the same time, the criminalization of fishers resulted in many of them regarding fishing as a last resort to put food on the table: “I fish because I am unemployed” is a common way in which fishers describe their livelihood activities.

Although fishing at the dam is often the only source of livelihood for fishers and their families, many obstacles are faced in accessing fish resources. Without formal access and tenure rights, fishing activities by small-scale fishers are criminalised. At the Jozini Dam, fishers report incidents where their boats get destroyed and their gear is confiscated by lodge owners and SAPS, preventing them from being able to undertake their livelihood activities. At the Gariep and Vanderkloof dams, local fishers’ access to fishing grounds is often blocked by private land ownership, and instances of harassment by local authorities are
not uncommon. One fisherwoman from Petrusville, in the area of the Vanderkloof, shares her experience:

Whilst we were fishing, the police were sitting there in the “randjies”… those small mountains there, no torch, no lights, nothing. It’s pitch black. Then after we pick up the fish that we want… whilst we were going out they were always sitting there… waiting for us… they catch us, they take our bags of fish, they take us to the police station in Vanderkloof… We were not allowed on the premises because it was DWS premises… if they catch you it is most definitely 3 months in prison… every time you go, it’s you risking your freedom, you risking your life outside, just to put food on the table, looking out for yourself, just to be a human being.

In the focus group discussions held with all three communities, it was reported that the fishers and their families do not have enough food to eat due to being prevented from fishing, in light of the obstacles that they face. One of the participants in the Jozini focus group noted, “you can’t even see that he is a fisherman, because of that gap of running short of clothes or food”. Moreover, in both focus group discussions, participants noted that if fishers are unable to catch fish, they and their families are forced to resort to asking neighbours for food or going to bed hungry. The latter situation also has a direct impact on fisherwomen who depend on the fish to sell, to earn an income, and to be able to provide for their families. When fishers cannot access fish, the broader community suffers.

“YOU CAN’T EVEN SEE THAT HE IS A FISHERMAN BECAUSE OF THAT GAP OF RUNNING SHORT OF CLOTHES AND FOOD”

The dire situation of food insecurity described by the fishers in the focus group discussions, stands against the human right to food. The right to food is enshrined in the Universal Declaration of Human Rights of 1948 (article 25). The right to food is also enshrined in the Constitution of the Republic of South Africa of 1996. Section 27(1)(b) of the Constitution provides for the right to sufficient food, while section 28(1) states that every child has the right to basic nutrition (The Constitution of the Republic of South Africa, 1996). Section 27(2) of the Constitution further imposes an obligation on the state to take reasonable measures to achieve the realisation of these rights, such as the framing and operationalisation of suitable policies (Nkrumah 2019).

For the inland small-scale fishing communities, catching fish at the dam and nearby rivers is also about more than access to livelihoods, food and nutrition. It is also about a cultural, traditional and historical attachment to the area and the way of life of their ancestors. One of the older fishermen recalls his ancestral and historical connection to a customary fishing practice, called kraal fishing, noting:

“the kraals have been there before we were. Even long before we were born our forefathers had their own ways of making kraals… Apartheid actually came and killed the kraals because you could not really live out your tradition. You could not make use of your customary or human rights because the place did not belong to us. It all belonged to the whites who came to take these places”.

When asked whether he sees a future for himself in fishing, one of the youth in the Jozini focus group responded that he does see a future for himself in fishing at the dam. He explained that besides his awareness that there are not many employment opportunities for youth like himself, fishing is also a way of life for him and that he values it as something that he learned from his forefathers.

It is evident that together with many other people living in South Africa, especially in rural areas, inland small-scale fishing communities are gripped by poverty, unemployment and a food crisis. They are marginalised and their human rights to food, freedom, and way of life are infringed upon. However, their situation is not inevitable, as the importance of freshwater fisheries resources to contribute to their socio-cultural and economic welfare, their livelihoods, and food security is well recognised (DFFE 2021). What they need is the freedom and protection to carry out their livelihoods free from arrests and harassment. The Constitution places an obligation on the state to ensure that their rights are secured through the development and implementation of appropriate policies and legal frameworks.

The South African government has been in the process of developing the inland policy since 2017. However, the process has been slow-paced, leaving inland fishing communities vulnerable to the onslaught of the Covid-19 pandemic, which exacerbated their already precarious livelihoods.

3. Impacts of Covid-19 on Inland SSF Communities

In March 2020, Covid-19 landed on South African soil. Since the beginning of the pandemic, a significant number of people have experienced food shortages, and it is widely agreed that South Africa is amid a food crisis.

The findings of the National Income Dynamics Study - Coronavirus Rapid Mobile (NIDS_CRAM) Survey show that the impact of the crisis is most felt in rural areas, where one in 5 respondents (20%) said that someone in their household had gone hungry in the last 7 days compared to 16% in cities/towns and 13% in metro areas. In addition to experiencing a severe level of hunger, opportunities for employment are also less available: in June 2020, unemployment in rural areas was 52%, considerably higher than in cities/towns (43%) and metros (35%).

For inland small-scale fishing communities, the effects of the pandemic hit hard on their already precarious livelihoods. When the National Lockdown was declared on 26 March 2020, fishing...
was declared an essential service by the DFFE. The department also provided distress relief to several coastal communities, such as food parcels and the extension of permits (DFFE, 2020). However, inland fishing communities were still awaiting formal recognition of their rights, their livelihood activities, and due to the lack of a permit system recognizing them as small-scale fishers, their fishing activities were not recognised as an essential service, neither did they benefit from the department’s distress relief. They were still operating without formal legal rights to protect their access to fish resources for food and income. In some instances, fishers were able to obtain exemption permits from local municipalities or other relevant authorities, but in most cases, inland small-scale fishers found themselves even more at risk of criminalization, for infringing lockdown regulations and restrictions.

In the Gariep and Vanderkloof focus group discussion, participants noted that where they had not had enough food before 2020, it was especially true during the pandemic given the regulations that were put in place and the lack of recognition of small-scale fishers. A small-scale fisher from Norvalspont, a community on Gariep Dam, was arrested for trespassing in the Oviston Nature Reserve in May 2020, in an attempt to access his fishing grounds. This case highlights the continued harassment and criminalisation of fishers who are active on dams during the pandemic.

At the Vanderkloof Dam, at the time of the imposition of the national lockdown, it was open season for fishing, and fishers were prevented from accessing their fishing areas. It was only after four months of South Africa being under lockdown that small-scale fishers received assistance from the relevant provincial departments in the Northern Cape (see Box 1). However, by the time fishers were granted exemption permits by the DALRRD, the fishing season was nearing its close. Additionally, fishers were required to travel to Koffiefontein to get these permits and faced further challenges with the need for a travel permit as well as the national curfew.

In the Jozini focus group discussion, participants reported that access to their usual fishing grounds was restricted during the pandemic. Interestingly, they noticed that during the time of the strict lockdown, there were a lot more fish available. The fishers’ hypothesis is that this is due to the fact that there were no tourists and recreational fishers at the dam and therefore much less disturbance to the fish.

Although the fishers had enough fish for personal consumption, they were not able to sell their surplus catch in the townships and other public spaces due to the restrictions on movement imposed by level 5 and 4 of the lockdown. Thus, they were not able to make an income from fishing to be able to buy household necessities, including electricity.

The results from the survey (see Table 1) shows that overall the pandemic had a negative impact on the livelihood and food security of inland fishing communities that are dependent on fish resources from the Jozini, Gariep and Vanderkloof dams. The majority of respondents indicated that in addition to not being able to access fish (72%), they did not have access to enough food (89%), and did not have access to, or could not afford, nutritious food (87%) during the lockdown.

![Table 1: Access to food during the lockdown](image)

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
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</thead>
<tbody>
<tr>
<td>Ability to access and afford nutritious food (eg fruit, vegetables) during the lockdown</td>
<td>13%</td>
<td>87%</td>
</tr>
<tr>
<td>Access to enough food during COVID-19 pandemic</td>
<td>11%</td>
<td>89%</td>
</tr>
<tr>
<td>Availability and accessibility of fish during the lockdown</td>
<td>28%</td>
<td>72%</td>
</tr>
<tr>
<td>The disruption to fishing activities had an effect on ability to put food on the table</td>
<td>95%</td>
<td>5%</td>
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Further, the results (see Table 2) show that maize meal, rice, flour and bread are the most frequently consumed food group amongst respondents (5 - 7 times per week [60.6%]). However, in terms of protein, although only consumed once or twice a week, they consume fish (79.7%) much more than they do chicken, beef, pork or lamb (50.8%).

**NORTHERN CAPE DALRRD RESPONSE TO COVID**

Below the Vanderkloof Dam wall, small-scale fishers catch fish in traditional stone kraals with the changing tides caused by the dam wall sluices. However, due to the Vanderkloof hydro-electric Power Station, the area below the dam wall is under strict security.

Through engagement by small-scale fishers and Masifundise with the DALRRD and DWS in the Northern Cape in the context of the Vanderkloof Fisheries Project, recognised small-scale fishers have been granted access the security area, and have been able to catch fish without being harassed since 2016. Years of engagements and the building of relationships with the departments as part of the Advisory Group of the Vanderkloof Fisheries Project have had a positive impact on what the communities of Keurkieskloof, Luckhoff, and Petrusville can achieve. During the hard lockdown, DALRRD, with support from Masifundise and Rhodes University, collaborated with the Renosterberg and Letsemeng Municipalities to organise exemption permits for small-scale fishers. They also partnered with the Department of Social Development to organise food parcels.

This case highlights how relationships with local and provincial government departments and the investment of these departments in the sector, can support the fisheries and advance their struggle, overcoming bureaucratic delays, especially in a moment of crisis.

**Box 1: Northern Cape DALRRD response to Covid**
Figure 1 shows that respondents indicated chicken, beef, pork and lamb (1.5%) to be less affordable than fish (5.2%), which, if allowed, can be caught at the dam nearby.

In the focus group discussion, participants from the Vanderkloof area pointed out that during the lockdown, the Department of Social Development provided a feeding scheme for people over the age of 60 and those without employment. However, it is said that not everybody had access to the feeding scheme as one needed to be on the database. This underscores the bureaucratic and formalised nature of engagements that undermines the informal sector and excludes those in rural settings and with limited capacities.

From the survey results (see Figure 2), it shows that overall most respondents (56.8%) indicated that they did not receive any assistance from the government, while 16.7% indicated they only received the R350 Covid relief grant. However, some women fish traders in the Jozini area were told they were not permitted to access this grant given that they were fish workers.

Table 2: Frequency of consumption

<table>
<thead>
<tr>
<th>FREQUENCY OF CONSUMPTION</th>
<th>5 - 7 times per week</th>
<th>4 - 3 times per week</th>
<th>2 - 1 times per week</th>
<th>Never</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maize meal, rice, flour, bread</td>
<td>60.6</td>
<td>30.3</td>
<td>9.1</td>
<td>0</td>
</tr>
<tr>
<td>Fruit, vegetables, beans</td>
<td>5.3</td>
<td>51.5</td>
<td>40.2</td>
<td>3</td>
</tr>
<tr>
<td>Fresh fish</td>
<td>20.5</td>
<td>27.3</td>
<td>50.8</td>
<td>1.5</td>
</tr>
<tr>
<td>Chicken, beef, pork, lamb</td>
<td>7.5</td>
<td>11.3</td>
<td>79.7</td>
<td>1.5</td>
</tr>
</tbody>
</table>

The most affordable food available (%)

It is evident from the findings and survey results that the lack of a legislative framework, clear policy, and the associated administrative procedures left the already vulnerable and marginalised inland small-scale fishers even more vulnerable to food insecurity and criminalisation during the Covid-19 pandemic. It highlights the lack of resilience of the sector, as well as the lack of support from governing and authoritative bodies at local, provincial, and national level.

4. Covid-19: A crisis we can learn from

There is much that can be learned from the impacts of a moment of crisis - the Covid-19 pandemic - on small-scale fisheries in South Africa. Looking at the sector through the lens of the global pandemic has brought to light both the importance of inland fishers as well as the need for effective legislation and policy frameworks that support the sector and foster an enabling environment to allow small-scale fishers to play an active role in the provision of food security and development of local livelihoods across the country. Inland small-scale fisheries have great potential if they are recognised and supported as a sector, their rights are respected, and their right to decent work is prioritised.
With the cabinet’s approval of the National Freshwater (Inland) Wild Capture Fisheries Policy in August 2021, the state formally recognises inland small-scale fishing activities as a livelihood opportunity, source of food security, and contributor to the economy, within the framework of sustainable utilisation (DFFE, 2021). It also recognises the potential of the sector to be further developed in order to enhance the socio-economic benefits that can be derived from it. Based on the interviews conducted with provincial departmental officials, the approval of the policy has been received positively, with a sense of optimism for the future of inland small-scale fishing and the development of the sector.

However, the impacts of the Covid-19 crisis on small-scale fishers have highlighted and deepened the shortcomings and flaws in the existing system. The pandemic emphasises the need for the implementation of the policy, as well as the importance of the implementation of interim measures to assist fishers to access freshwater resources to sustain their livelihoods and ensure their right to food and their way of life, in accordance with their human rights enshrined in the Constitution, while awaiting the implementation of the policy. It also highlights the need for the recognition of the importance of small-scale fishers in securing food and nutrition security at the local level and opportunities for local economic development. The work of inland small-scale fishers must be recognised and supported for the essential service that they provide at the local level.

During the pandemic, the needs of small-scale fishers were not prioritised, and decisions were made that affected their lives and livelihoods without the consultation or consideration of community needs. It is imperative that the implementation of the policy includes the voices and needs of small-scale fishers, that it adopts a human rights-based approach, and that it is not implemented in a top-down manner. The first step in the process of designing the implementation of the policy must include the voices of small-scale fishers. Co-management, as mentioned in the policy, is an important tool in ensuring that fishers are heard and respected in the implementation of policy and the development of inland fisheries from a bottom-up perspective.

Many of the issues and challenges that communities are faced with cut across various government departments, from provincial nature conservation authorities, to local Department of Water and Sanitation, up to the national Department of Forestry, Fisheries and the Environment. It was evident from decisions taken in the pandemic that these departments and different levels of government work in a siloed manner, often not communicating with each other, despite the overlapping and inter-linking nature of the complex socio-ecological systems of freshwater bodies and fishing communities. There is therefore a need for increased communication and more effective collaboration between and within local, provincial and national government departments, in order to improve the capacity and efficacy of processes and to ensure that small-scale fishers are not subjected to constant criminalisation and harassment for undertaking their livelihood activities.

In a statement by the DFFE, it is explained that inland fishing activities will continue to be regulated by the provincial departments that are responsible for environmental management, while the work surrounding the inland fisheries legal framework unfolds (DFFE, 2021). However, through Masifundise’s engagements with the government at different levels, it has become evident that local governments can also play an important role in enabling and supporting inland small-scale fisheries. This is in line with the Constitutional mandate of Municipalities. Chapter 7 of the Constitutions states that the objectives of local government are, among others “to ensure the provision of services to communities in a sustainable manner” (152 (b) and “to promote social and economic development” (152 (c). Also, municipalities should strive to “structure and manage its administration and budgeting and planning processes to give priority to the basic needs of the community, and to promote the social and economic development of the community” (153 (a).

The recognition of inland small-scale fisheries and public investments in their value-chain would help to meet the local government constitutional mandate. In light of the Covid pandemic, and the associated impacts on food security across the country, it has been noted that small-scale fisheries could be supported to play a role in contributing to food security at different levels. Inland fisheries could bring locally caught fish into school feeding schemes, hospitals and retirement homes, as well as providing affordable protein for communities. At the same time, such development will immediately create livelihood opportunities for thousands of people, especially for women and youth, who could be employed in the fishery value-chain. Local government could, and should, support the development of inland small-scale fisheries in at least 2 ways:

1. Provide necessary material support (gear, site for value-adding and selling, cold storage facilities) for the development of the value-chain. This would create livelihood opportunities in inland fishing communities resulting in local economic development.
2. Purchase inland SSF products to include them in local nutrition and feeding programmes. This would increase food security and nutrition at local level, and also create positive loops and boost the local food system and economic development.

Additionally, local government could play a key role in the development and management of inland fisheries, allowing the fishers’ management to be tailored based on the local context and facilitating the participation of small-scale fishers in decision-making processes, thus enabling both local government and fishing communities to work together in identifying opportunities, challenges, and solutions to develop the fisheries, through participatory processes and co-management structures.

Awareness raising, capacity building, and resources are urgently needed to enable local governments to play a role in the management and development of inland small-scale fisheries. At the same time, it is necessary for the political will to exist, for these developments to build on the current practices and existing livelihoods of small-scale fishers. Their voices must be the primary drivers in the design and implementation of any project aiming at developing the sector. These are key elements to ensure that such projects are successful and create sustainable social and economic local development, while prioritising and protecting the rights of small-scale fishers.
References


Department of Forestry, Fisheries and the Environment (2020) Food parcels to be distributed to small-scale and interim relief fishers in all provinces [online] at https://www.environment.gov.za/mediarelease/foodparcels_smallscaleinterimrelieffishers_covid19 [Accessed 18 October 2021]


