



Food and Agriculture Organization
of the United Nations



RURAL EMPLOYMENT

CASE STUDY

Decent rural employment in small-scale and semi-industrial fishing sectors in Costa Rica

CASE STUDY

Decent rural employment in small-scale and semi-industrial fishing sectors in Costa Rica

E. Solórzano-Chavez; V. Solís-Rivera and I. Ayales-Cruz

The designations employed and the presentation of material in this information product do not imply the expression of any opinion whatsoever on the part of the Food and Agriculture Organization of the United Nations (FAO) concerning the legal or development status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries. The mention of specific companies or products of manufacturers, whether or not these have been patented, does not imply that these have been endorsed or recommended by FAO in preference to others of a similar nature that are not mentioned.

The views expressed in this information product are those of the author(s) and do not necessarily reflect the views or policies of FAO.

ISBN 978-92-109534-8

© FAO, 2017

FAO encourages the use, reproduction and dissemination of material in this information product. Except where otherwise indicated, material may be copied, downloaded and printed for private study, research and teaching purposes, or for use in non-commercial products or services, provided that appropriate acknowledgement of FAO as the source and copyright holder is given and that FAO's endorsement of users' views, products or services is not implied in any way.

All requests for translation and adaptation rights, and for resale and other commercial use rights should be made via www.fao.org/contact-us/licence-request or addressed to copyright@fao.org.

FAO information products are available on the FAO website (www.fao.org/publications) and can be purchased through publications-sales@fao.org.

This publication has been printed using selected products and processes so as to ensure minimal environmental impact and to promote sustainable forest management.

Contents

Preparation of the document	v
Acronyms	vii
Acknowledgements	viii
Executive Summary	ix
1. Introduction	1
2. Methods	6
3. Working conditions for small-scale fishers in Costa Rica	9
4. Results from interviews with key informants from government agencies in relation to employment and decent work	28
5. Results from interviews with small-scale fishers and mollusc fishery sectors	35
6. Findings from the group interviews and the focus group discussion conducted	38
6.1 Group interviews with workers in the shrimp fishery	38
6.2. Focus group discussion with vessel owners or operators	39
7. Conclusions	42
Bibliography	46
Annex 1. Key informants interviewed	49
Annex 2. Questionnaire on decent work in small-scale fisheries	49

Figures

FIGURE 1. Political map of Costa Rican provinces	1
FIGURE 2. Geographical distribution of coastal marine fishers in Costa Rica among provinces	2
FIGURE 3. Percentage of men and women in different occupational categories within the fishing sector in the province of Puntarenas, Costa Rica	3
FIGURE 4. Relative distribution of the population engaged in fishing activities in Puntarenas and Guanacaste, according to social security status and gender	17
FIGURE 5. Distribution of the population engaged in fishing activities in Puntarenas and Guanacaste, according to sources of social security and civil status	17
FIGURE 6. Age distribution of the population of men and women working in fishing in Puntarenas and Guanacaste	24

Tables

TABLE 1. Population of men and women engaged in fishing activities in Puntarenas represented as the number of individuals and percentage of the total population, according to occupational category	3
TABLE 2. Key demographic and social indicators at the national level and by province in Costa Rica	12
TABLE 3. Number and percentage of men and women working in the small-scale fisheries sector according insurance status in the provinces of Puntarenas and Guanacaste, Costa Rica	16
TABLE 4. Age-based distribution of men and women working in small-scale fisheries in Puntarenas and Guanacaste, in terms of absolute numbers and percentage of the total population	23

Preparation of the document

This participatory case study on *Decent rural employment in small-scale and semi-industrial fishing sectors in Costa Rica* was developed within the new FAO Strategic Framework (2010–2019) under Strategic Programme 3: Reduce Rural Poverty, Outcome 2: The rural poor have greater opportunities to access decent farm and non-farm employment.

The case study incorporated the principles from the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (FAO, 2015)¹.

The main objective was to gather specific national evidence on the working and living conditions of artisanal fishers in Costa Rica. The case study had the following objectives:

1. Identify criteria for decent work and employment according to national and international conventions and norms, and according to fishers (based on a diversity of fishing activities) that participated in this study.
2. Gather information from secondary sources and statistical data, grouped by sex and age, to identify levels of poverty within fishing communities and social security conditions in coastal areas (e.g. weaknesses and challenges in terms of legislation and regulations).
3. Perform a community-based participatory study using mapping activities that reflect the state of labour and employment in coastal areas, and their prospects over the medium and long terms.

Based on these objectives, the following central themes were identified:

1. The concept of decent employment and decent work
 - According to the literature
 - According to fishing communities in Costa Rica
2. Decent work and employment in fisheries according to primary and secondary sources
 - Poverty levels in small-scale fisheries
 - Social security for populations in coastal areas: regulation and access (disability, elderly and life insurance, pensions, and other safeguards for the elderly)
 - Access to credit, resources and tools to perform activities (means of production)
 - Access to training and information for decision-making
 - Traditional knowledge and child labour: dilemmas and recommendations
 - Access to technological advances in fishing and fair markets
 - Access to information on current regulations (e.g. fishing permits)

1. Available at www.fao.org/3/a-i4356e.pdf

- Advances and challenges according to gender: access to decent work for women and young people involved in fisheries
 - Shared responsibility and networks for the care of children and the elderly in fishing communities
 - Fair and equitable working conditions according to national and international legislation
3. Current realities and mapping of scenarios of employment in both the small-scale and semi-industrial sectors.

In 2015, FAO developed a definition of decent rural employment² to operationalize the ILO decent working agenda in rural areas. Although the study doesn't follow the definition of decent rural employment, the main element are captured.

To meet the study objectives, a literature review of these three strategic themes is presented, in addition to a series of interviews conducted with key informants from different institutions in the region, who provided their views on decent work and employment. Information was also gathered through interviews with focus groups and through questionnaires with fishers from traditional and semi-industrial sectors. This compilation of multiple sources permitted the study to draw conclusions, make recommendations and identify challenges in various areas (international cooperation, the small-scale and semi-industrial fishing sectors, and the institutional level in Costa Rica), thus contributing to sound decision-making for improved working conditions and employment within the small-scale and semi-industrial sectors.

2. Available at www.fao.org/3/a-bc270e

Acronyms

AMPR	Network of Marine Areas for Responsible Fisheries
CAMAPUN	Puntarenas Fishers' Chamber
CCSS	Costa Rican Social Security Fund
CNP	National Production Council
ESP	FAO Social Policies and Rural Institutions Division
FAO	Food and Agriculture Organization of the United Nations
ILO	International Labour Organization
IMAS	Joint Institute for Social Aid
INA	National Institute of Apprenticeship
INCOPESCA	Costa Rican Institute of Fisheries and Aquaculture
INEC	National Institute of Statistics and Censuses (Costa Rica)
INFOCOOP	National Institute of Cooperative Development (Costa Rica)
INS	National Insurance Institute (Costa Rica)
IUCN	International Union for Conservation of Nature
MIDEPLAN	Ministry of National Planning and Economic Policy (Costa Rica)
MOPT	Ministry of Public Works and Transport (Costa Rica)
MTSS	Ministry of Labour and Social Security (Costa Rica)
OLDEPESCA	Latin American Organization for Fisheries Development
OSPESCA	Organization of Fishing and Aquaculture in Central America
PEN	State of the Nation Programme (Costa Rica)
PIMA	Comprehensive Agricultural Marketing Programme (Costa Rica)
PRADEPESCA	Regional Support Programme for Fisheries Development in Central America
PRETOMA	Restoration Programme for Sharks and Sea Turtles
TSE	Supreme Electoral Tribunal
UNED	State Distance Learning University

Acknowledgements

This case study was prepared by Estefaní Solórzano-Chavez, Vivienne Solís-Rivera and Ivannia Ayales-Cruz from CoopeSoliDar R.L. with the financial support of the FAO Fisheries and Aquaculture Department.

Special thanks from the authors go to the men and women fishers working in the shrimp sector who, through their testimonies and daily hard work, allowed the authors to complete the study and develop conclusions applicable at the national level. The recommendations from this study will contribute to the improvement of the working and living conditions of coastal fishing communities. In these communities, fishers work under difficult circumstances and are often unable to fully enjoy all those rights to which they are entitled for decent employment.

The authors would like to thank Marita Berguerí for her contribution to the statistical data, and the government officials from the different institutions who participated in this study. Thanks also go to the Costa Rican Institute of Fishing and Aquaculture (INCOPESCA) and to the Executive President, Gustavo Meneses, who helped the authors understand the Costa Rican Government's perspective on the living conditions of fishers. Currently, the Government is engaged in the implementation of the FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries, in order to improve the working and living conditions of fishers and female workers. This process capitalizes on the efforts of those men and women who have been promoting better working conditions for fishers and fishworkers. To all those women and men, the authors give a big thank you.

The authors would also like to acknowledge the input received from Nicole Franz and Daniela Kalikoski from the FAO Fisheries and Aquaculture Department, Carlos Fuentevilla from the FAO Subregional Office for the Caribbean and Ileana Grandelis from the Social Policies and Rural Institutions Division (ESP).

Any errors or omissions in this report are those of the authors.

Executive summary

Artisanal fishing and harvesting of coastal products is one of the most important activities in the coastal zones of Latin America, and particularly for Costa Rica where thousands of families obtain their daily sustenance from the quantity and quality of its marine resources. While men currently predominate in this work, some women from these communities also participate in fishing activities. These activities are not limited only to harvesting – there are other activities where women play important roles (e.g. the preparation and commercialization of fish products). Thus, fishing is not just a simple economic activity, but rather a complex social and cultural dynamic that influences the quality of life of men and women fishers, the satisfaction of their families' needs, and the integrity of their communities.

Given the particular implications of fishing activities for fishers and policy makers, it is necessary to understand the proper conditions and standards of decent employment. The main objective of this paper is to understand fully not only the concept and characteristics of fishing labour, but also the situation of the fisherfolk of Costa Rica and the roles of the relevant governmental agencies.

The current work is grounded in various studies: a statistical review of the conditions of the artisanal fishing sector in relation to topics associated with decent labour; a series of interviews and surveys targeted at the participants of the artisanal fishing sector, among them *molusqueros* and *molusqueras*, artisanal fishers, and workers from the semi-industrial sector; and interviews with members of the different governmental institutions to whom the topic is directly related.

A key point highlighted by this investigation was that most of the workers in the artisanal fishing sector in Costa Rica are doing this labour on the margins of the law and, therefore, are being excluded from the benefits that the state provides to people with similar needs. The low harvest and profit rates of the artisanal fishing sector and the availability of only a few livelihood alternatives in the coastal communities leads to many fishers suffering from low economic and social growth and development, thereby plunging them into conditions of poverty. Furthermore, the lack of visibility of women's labour in this sector is also noted, which makes women more vulnerable to these poverty conditions.

As a contraposition to this, the country has in the judicial realm a stern social system of worker protection, which can denote a lack of intervention from the state in the sector. A lack of feedback between the government and its constituents often means the government is uninformed of the social and economic realities of the artisanal fishing sector. This finding is corroborated by the representatives of several public institutions.

In conclusion, it is recommended that the Government of Costa Rica, through means of its diverse institutions, investigate the artisanal fishing sector and become informed about the particularities and difficulties of the fishers and their communities in order to improve the work and life conditions of all involved. This involves ensuring the fundamental right to decent employment, labour rights, growth opportunities and social participation, all of which lead to improvements in the quality of life for men and women fishers, as well as their families and communities.



1. Introduction

The fisheries sector saw rapid development as a large-scale activity after World War II, yet its growth “had no positive impact on artisanal fisheries, as the changes and improvements were not implemented equally but rather benefited almost exclusively the industrial sector” (Salazar, 2013, p. 314). Artisanal, or traditional, fishing is defined by the Costa Rican Institute of Fishing and Aquaculture (INCOPECA, 2014) under the category of commercial fishing and is divided into three subcategories: small-scale, medium-scale and advanced artisanal fishing. Small-scale artisanal fishing in Costa Rica is:

conducted in a traditional manner by individuals without the use of vessels in inland waters or along the coast, or may be practiced on board a vessel within the range of up to three nautical miles in Costa Rican continental waters (INCOPECA, 2014).

Medium-scale fishing operations may fish out to 40 nautical miles from the coast into continental waters. Advanced artisanal fisheries are defined by INCOPECA (2014) as fishing “done by mechanical means, individuals or other legal entities, aboard a vessel authorized to fish within a range of over forty nautical miles from the coast, targeting pelagic longline and other commercially important species.”

For the purposes of this report, all artisanal fishing in Costa Rica is hereafter defined as “small-scale” fishing or fisheries, encompassing all types and scales of artisanal or traditional fishing as defined by INCOPECA.

Small-scale fishing has been displaced from the markets and gradually removed from more favourable extraction zones (Salazar, 2013), resulting in a deterioration in the quality of life of families who depend on fishing for their subsistence.

FIGURE 1 Political map of Costa Rican provinces

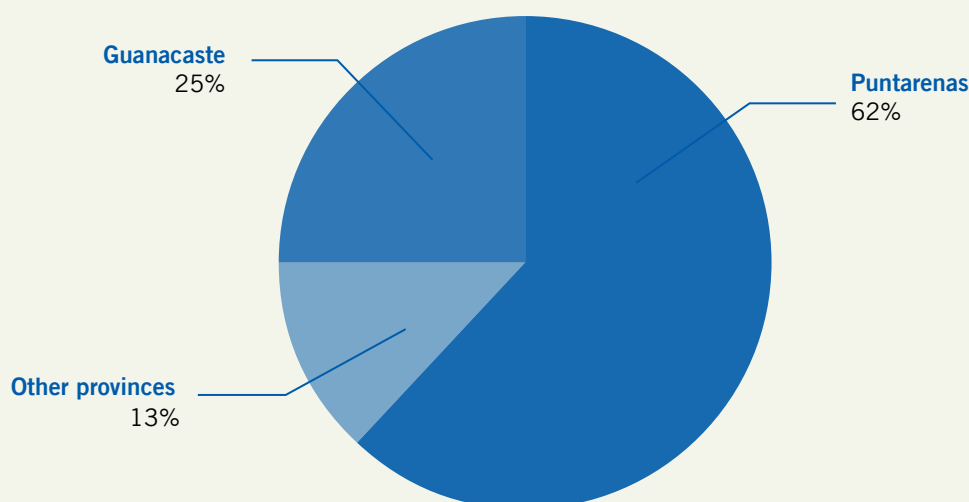


Although small-scale fishing seems superfluous or destined to disappear under the current development model, the small-scale fishing sector represents 25 percent of the global catch and in Latin America “involves more than 2 million fishers that together produce over 2.5 million tonnes per year, reaching production values of approximately US\$3 000 million annually” (OLDEPESCA, cited in Salazar, 2013). Nonetheless, in Costa Rica, unlike other countries in the region, fishing activities in both industrial and small-scale sectors have been in decline over the last 15 years. This trend could be related to the country’s development model, which is based on attracting foreign investment in areas such as tourism and services (Salazar, 2013).

Semi-industrial fishing is distinguished from small-scale fishing as “fishing conducted by individuals or legal bodies aboard vessels that focus on shrimp trawling, as well as sardine and tuna fishing using purse seines” (INCOPEPESCA, 2014). Under the commercial fishing category, however, the maximum distance of navigation from the coast into the country’s territorial waters is not specified by INCOPEPESCA.

The Pacific coast comprises 80 percent of the Costa Rican coastline, within which most fishing activities are concentrated in the Puntarenas region (Figure 1). This province is the principal landing point, suggesting the importance of fishing as an economic activity for the Puntarenas communities. As of 2008 there was an increase in the number of employed individuals, especially in the province of Guanacaste, with 21.25 percent of people hired to work in the tourism and service sectors, which coincided with a decline in the fishing industry. Nonetheless, in the same year Salazar (2013) noted that 52.2 percent of people had abandoned fishing and farming activities, implying that the level of displacement in these sectors was not entirely absorbed by the growing tourist industry. Despite this decline, in 2011 6 353 small-scale fishers were recorded in the country, of which 62 percent were in Puntarenas, 25 percent in the province of Guanacaste and 13 percent in the rest of the country (INEC, 2011; see Figure 2).

FIGURE 2 Geographical distribution of coastal marine fishers in Costa Rica among provinces



Source: Compiled from the National Population Census (INEC, 2011).

TABLE 1 Population of men and women engaged in fishing activities in Puntarenas represented as the number of individuals and percentage of the total population, according to occupational category

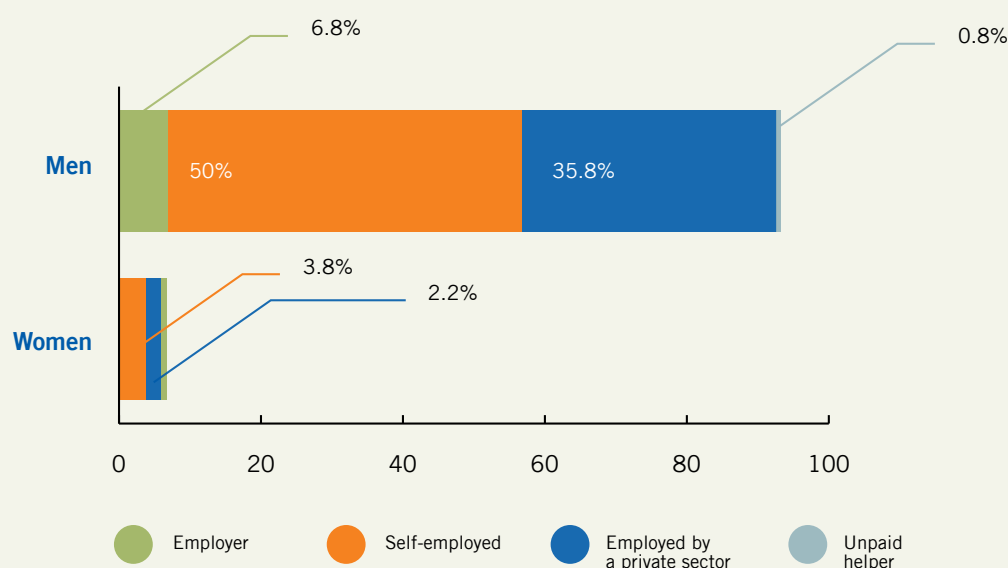
Gender	Total	Employer		Self-employed		Privately employed		Assistant without pay	
	No.	No.	%	No.	%	No.	%	No.	%
Men	4 035	293	6.8	2 161	50.0	1 548	35.8	33	0.8
Women	288	21	0.5	166	3.8	96	2.2	5	0.1
Total	4 323	314	7.3	2 327	53.8	1 644	38.0	38	0.9

Source: Based on data from Costa Rica's National Population Census (INEC, 2011).

In 2008 there were approximately 3 000 legally registered small-scale fishers and 2 000 unregistered fishers in Costa Rica who were fishing illegally (Fernández, 2013). These figures reflect the limited opportunities for fishers, who must resort to illegal practices to survive. There are seven major ports in the country where small-scale fisheries operate, five on the Pacific coast and two on the Caribbean

coast. Marine species caught by the fishers are sold at these ports to local and international markets, although the latter to a lesser extent (OLDEPESCA and FAO, 2011). The distribution of fisheries workers in the country is presented in Table 1, based on recent data collected by the National Population Census conducted by INEC (2011) and indicating that most of the country's fishers are self-employed.

FIGURE 3 Percentage of men and women in different occupational categories within the fishing sector in the province of Puntarenas, Costa Rica



Source: Compiled from the National Population Census (INEC, 2011).

The predominant trends observed among fishers in the Puntarenas province reflect national trends, whereby approximately 50 percent of men and 3.8 percent of women are self-employed fishers (Table 1).

In 1995, the Regional Support Programme for Fisheries Development in Central America (PRADEPESCA) indicated that the country had a total of 3 393 small-scale fishing vessels, of which 438 were motorboats (*lanchas*), 2 168 were small outboard motorboats (*pangas*), and 787 were rowboats (*bote*). These vessel types were expected to have increased substantially over the past two decades, but to our knowledge there are no similar studies examining changes in the number of vessels or the technology in the area.

FAO (2014) mentions the technological advancements in world fisheries in both industrial and small-scale sectors, noting improvements in methods for cooling and transporting fish, changes in materials for constructing fishing nets (e.g. replacement of natural fibres with synthetic fibres), the use of hydraulic equipment for gear, and an increasing use of outboard motors in small-scale fishing. This, according to FAO, has permitted the advancement and expansion of fisheries worldwide. However, the accessibility and dissemination of such technologies to small-scale fishers is not indicated in this data. In addition, it is also noted that those technological advancements “actually introduced in many small-scale fisheries may amount to no more than motorizing a dugout canoe, using modern and lighter gear, or introducing the use of iceboxes to ensure the quality of the product landed” (FAO, 2014).

Similarly, in Costa Rica there is an apparent lack of updated and detailed studies that compile information on fishers’ access to technological advances and to markets, as existing data focus mainly on larger-scale fisheries. Nonetheless, OLDEPESCA and FAO (2011, p. 6) note that in the country, “fishing systems employed (by the small-scale sector) generally consist of low-tech

boats (*pangas*) with outboard motors”. While this observation offers minimal detail, it provides some insight as to how fishers perform their activities, but not how they sell their products.

Along similar lines, Morux and Murillo (2013, p. 33) point to INCOPESCA as the body responsible for issuing licences for fishing, trade, sport fishing, vessels, transportation, fishing ID cards, and for the suspension or revoking of licences for their national offshore seawaters, among others. Salazar (2013) mentions weaknesses in the legislation in the region, resulting in a frequent lack of resources for the administration and weak regulation and control of fishing activities, which ends up benefiting some and harming others. Fernández (2013, p. 141) also notes that obtaining a licence for small-scale fishing is virtually impossible as “the allocation of licences is based on political criteria that favour those interested in large-scale fishing operations”. Since 2002, new licences have not been granted to small-scale fishers in the Gulf of Nicoya, but rather only to large vessels (Fernández, 2013).



2. Methods

BOX 1 Key informants in this study and their institutional affiliation and position

Key informant	Institutional position
Dr Eduardo Flores	Head of the special coverage of the Costa Rican Department of Social Security – CCSS
Randall Sánchez	Chief of Planning – INCOPESCA
Luis Fallas	Vice Minister of Planning
Juan Manuel Cordero	Director, Quality of Life, Ombudsman Office
Johnny Ruíz	Head of Migration Office – MTSS

The case study consolidates data from multiple sources: i) formal agreements, national and international legislation, and grey literature, including theses and scientific articles providing an overview of the current situation for small-scale fishers in Costa Rica; ii) semi-structured interviews with government officials; iii) interviews with fishers using qualitative and quantitative methods; iv) group interviews with individuals involved in shrimp harvesting; and v) a focus group discussion with fishing vessel owners.

The subject of each semi-structured interview centred around specific themes relevant to each government institution. This was done in order to understand the perspectives of different sectors within the country that are associated with decent work in small-scale fisheries. Therefore, interviews were conducted with representatives of the following institutions (Box 1): the Costa Rican Social Security Fund (CCSS), Ministry of National Planning and Economic

Policy (MIDEPLAN), the Costa Rican Institute of Fishing and Aquaculture (INCOPESCA), the Ombudsman Office, and the Ministry of Labour and Social Security (MTSS). The results of the interviews are presented in Chapter 4.

As part of the integrated approach for the research, individual interviews were also conducted with an exploratory sample of 28 people involved in small-scale fisheries and the mollusc fishery sector, using quantitative and qualitative questions to gain an understanding of the local opinions regarding decent employment and work, working conditions, and the role of women, children and youth in fisheries. There was a higher representation of male informants, 20 men (71.4 percent) compared with eight women (28.6 percent), due to the greater representation in the sector by men in the Guanacaste and Puntarenas provinces. Among those interviewed, 78.6 percent were from the small-scale fisheries sector and 21.4 percent from the mollusc fishery sector.

Among respondents, the largest age group ranged from 51 to 60 years old, representing 39.3 percent of those interviewed, while the second largest age group consisted of those between 41 and 50 years, representing 28.6 percent. These age ranges are consistent with the fact that 21.4 percent of informants claimed to have been engaged in fishing activities for about 40 years. However, overall, fishers reported a fairly broad time span of 4 to 45 years dedicated to fishing as a profession (Chapter 5).

During the second interview phase, a group interview of 16 people (14 women and 2 men) was conducted with workers from the shrimp fishery (Chapter 6). All of the women were heads of household who provided for their families through shrimp processing work (heading, peeling and packing). The ages among the women were diverse, with one worker in the 18–30 year range, two in the 31–40 range, seven in the 41–50 range, and six in the 51–60 range. Women worked mainly in two shrimp industries in Puntarenas, one of which had recently closed and relocated its fleet to a neighbouring country, leaving many women unemployed. Most women had been working in this sector since childhood, and some reported needing a work permit from the National Children's Trust to enter the factories. In general, these women acquired skills for shrimp harvesting and processing over their lifetime. Many women have had to remain in this area of work due to having families at a young age and thus needing to provide for their children and other family members.

All the women interviewed claimed shrimp harvesting and processing as their primary form of labour, upon which they were economically dependent. As observed by the age distributions of workers interviewed, most women were between 40 and 60 years of age, which for women represents a major constraint for employment in other sectors. The shrimp industry hires migrant women, particularly from Nicaragua, who have their legal documents up to date in order to work and access social services provided by the state of Costa Rica.

A third series of focus group discussions was held with six fishing vessel owners, all of whom were men. Their ages ranged from between 31 and 40 years (one man), 41 to 50 years (three men), to over 61 years old (two men). The youngest interviewee claimed 16 years of experience in the sector, while the others reported 24, 35, 36 and 45 years of experience. All belonged to the Puntarenas Fishers Chamber (CAMAPUN), and one of the interviewees was the current president of the association. These men depend on semi-industrial fishing for work. In these focus group, similar to the other interviews in this study, questions focused on the group's views on their condition as fishers.

The statements from key informants as well as those obtained in the individual and focus group discussions were categorized according to the central themes of this study, in order to analyse and compare their responses in an integrated manner.



3. Working conditions for small-scale fishers in Costa Rica

Decent work and employment

The term “work” refers to any activity undertaken by one or more people oriented towards a purpose, where the provision of a service or production of an asset with a social utility satisfies a need that is either personal or of another person or group (Neffa, 2003). From this perspective, any person using skills to produce goods and services for non-commercial domestic purposes, without wage compensation, would be doing work (Neffa, 2003). When the activities are carried out with the objective of obtaining a financial return as an employee, employer or self-employed, these activities should be referred to as employment (Neffa, 2003).

According to the International Labour Organization (ILO, 1999), decent work is productive work under the conditions of freedom, equity, security, public participation and organization, gender equality, solidarity and human dignity. It is also a goal of every individual and their families as well as a development goal for countries. The ILO (1999) also recommends that the dialogue on decent work should take into account the nature of work and employment in particular, an individual's capacity to exercise his or her labour rights, the security and capacity for representation and, finally, dialogue with employers. In this manner decent work can be understood as “the set of opportunities and capabilities that individuals have, as well as the right to access equity, liberty, security and dignity, being a set of social rights for which society is responsible in providing” (Gálvez, Gutiérrez and Picazzo, 2011). Therefore, the term “decent work” should integrate the following dimensions (Ghiotto, 2014):

- Employment
- Fundamental labour rights

- Labour benefits and employment protection
- Social dialogue

In the 2001 *Labour Overview for Latin America and the Caribbean*, prepared by the ILO in a first attempt to understand the history of decent work in selected countries from 1990 to 2000, Costa Rica was identified as having a high level of decent work and exhibiting an increase in the index of decent work over this time period. This trend signified a decrease in unemployment and informality, as well as an increase in purchasing power (Gálvez, Gutiérrez and Picazzo, 2011). Although the more recent Labour Overview notes the importance for the ILO to continue to seek out the existence of decent work in various countries within the region (ILO, 2014), there is no study with which to compare within-country trends after 2000 in order to determine whether Costa Rica has improved in this respect.

The ILO has developed a set of indicators to measure decent work, developed at the Tripartite Meeting of Experts on the Measurement of Decent Work (2008), in addition to country-specific profiles that facilitate the identification of decent work in different countries. Among them, Brazil is the only country in the Americas with a profile.

The working conditions of fishers in particular have distinct characteristics that differentiate them from workers due to the dangers and hazards of their work in relation to other sectors (ILO, 2007). Fishers' work is often placed in the category of informal work by unregistered workers or those en negro, which refers to employees undeclared by their employers, or to undeclared self-employed workers. Unregistered employment is considered “as that which without being illegal in itself, is not declared to the respective authorities that should otherwise

be aware; that which evades regulations and the payment of taxes, and implies a reduction in social security benefits” (Neffa, 2003), and ensuring that authorities have no control over the hours worked or wages received. As such, many fishers have no clear differentiation between working hours and time off from work, and their wages, rather than based on a fixed salary, are based on the frequency of catches. Many are considered self-employed which, according to the ILO (2007), creates many more problems for fishers in securing decent work conditions.

For these reasons, in 2007 the ILO adopted the Work in Fishing Convention (No. 188) and the accompanying Recommendation (No. 199), which stipulates the manner in which the Convention provisions (ILO, 2007) should be implemented, all with the aim to “ensure that fishers worldwide have decent work through a modern legal instrument that can be widely ratified” (ILO, 2007). This agreement includes all types of fishing and sizes of fishing vessels with the exception of subsistence and recreational fishing. Considering that over 90 percent of fishers worldwide fish in small boats (frequently without a motor), they often remain on the margins of legislation.

The Convention specifies measures that should be implemented in order to allow fishers to gain access to decent work. However, many of these laws have much less weight regarding small boats. For example, the Convention establishes the need for a medical exam to determine the optimal health according to the age of the fisher and the tasks to be performed on board, in addition to periodic exams. However, the Convention notes that these measures can be “relaxed” when concerning vessels less than 24 metres in length or those staying up to three days at sea, which excludes a fraction of fishers employed in small-scale fisheries from the provisions of this measure.

The Convention also states that fishers on board fishing vessels should be guaranteed regular periods of rest to conserve their health as well as spaces that provide suitable accommodations

in terms of ventilation, lighting, and facilities for ailing workers, etc., with some flexibility for small vessels or those remaining fewer than three days at sea. With regard to food, the agreement emphasizes that vessels must carry sufficient drinking water that meets quality standards as well as food of sufficient nutritional value, quality and quantity (ILO, 2007). With regard to health and safety, the agreement assigns the Member State the responsibility to establish legislation and necessary measures to promote a culture of safety on board fishing vessels (ILO, 2007). With regard to payment of workers, the Convention states that workers should be guaranteed either a monthly salary or wages based on an agreement among involved parties, and adjusted according to the work performed by the worker on the vessel (ILO, 2011b, p. 45). However, Costa Rica has not yet ratified this agreement, which affects the development and implementation of national fisheries regulations in accordance with international binding agreements.

Work at sea in Costa Rica is regulated by the country's Labour Code in Chapter 2 of the *Labour Contracts and Labour Agreements* and in Chapter 11 of *Work at sea and in navigable waterways*, comprising Articles 118 and 132 (TSE, 2014) which describes the protection of seafarers in the country.

It is important to note that according to Morux and Murillo (2013) the Costa Rican legislation has ratified the following ILO Conventions relating to work at sea:

- Convention No. 8 on Unemployment Indemnity (shipwreck), by Law No. 6729
- Convention No. 16 on Medical Examination of Young Persons (sea), ratified by Law No. 6728
- Convention No. 92 on the Accommodation of Crews, by Law No. 2561
- Convention No. 113 on the Medical Examination of Fishers, ratified by Law No. 3344

- Convention No. 114 concerning Fishermen's Articles of Agreement, ratified by Law No. 3344
- Convention No. 134 on the Prevention of Accidents (seafarers), by Law No. 5851
- Convention No. 145 on Continuity of Employment (seafarers), by Law No. 6548
- Convention No. 147 on Merchant Shipping (minimum standards), by Law No. 6549 (pp. 42–43)

Regarding child labour in fishing activities, both the FAO and ILO (2013) found that young boys tend to be more involved in fishing activities while young girls work in post-harvest activities, which also reflects the gender division of labour among adults. The country has ratified ILO Convention No. 182 regarding the Worst Forms of Child Labour and No. 138 on Minimum Age (which in Costa Rica is 15 years old) that protect and limit the participation of children in activities hazardous to their moral and physical integrity, such as fishing. Moreover, Law No. 8922 on the Prohibition of Dangerous and Unhealthy Work for Adolescent Workers (ages 15 to 18) states in Article 5 that young children are prohibited from “work or activities conducted offshore, marine activities at any scale and mollusc fishing “ and work or activities underwater, scuba diving and any activity involving submersion, due to the dangerous conditions under which they are employed. A penalty for those who breach the law is established at the equivalent of 19 minimum wages.

Poverty levels in small-scale fisheries

The displacement of the fisheries sector, and in particular of small-scale fisheries, to give way to the development of other sectors (for example, a tourism sector largely based on foreign capital), combined with the indifference and lack of attention from state-level authorities,

places families who view fishing as their principle (if not only) source of income at a great disadvantage. The situation for small-scale fishers in the country reached such a point of vulnerability that in 2005, during Abel Pacheco's administration, “the declaration of a state of circumstantial poverty of small-scale fishers” was instated, during which Pacheco stated “the sector was in a situation of a lack of means of subsistence, finding themselves facing extreme poverty” (Salazar, 2013). It was also noted that due to this declaration, the Joint Institute for Social Aid (IMAS) should provide quality aid during closed seasons to fishers registered in the Costa Rican Institute of Fishing and Aquaculture (INCOPECA) who had no other economic activity. This amounted to “eighty-five thousand colones (₡85 000 or US\$159)³ per beneficiary in the first closed season, and forty thousand colones (₡40 000 or US\$75) per beneficiary in the second closed season” (Pacheco, 2005). However, the compensation funds awarded in these periods do not always arrive on time and are considered insufficient for meeting the requirement of “quality” as proposed by the declaration.

Meanwhile the Latin American Organization for Fisheries Development (OLDEPESCA), of which Costa Rica is a member, states that it is necessary to consider the multidimensional nature of poverty in the fisheries sector, which includes technological aspects, the sociocultural and institutional context, the high degree of vulnerability experienced by populations in the sector, and the scarce political representation that worsens the conditions for them (Salazar, 2013). Moreover, *descampesinización*, a term encompassing the process of rural depopulation and the consequent changes in rural culture and economy, is a product of the country's current development model and has led to the displacement of people from coastal and rural areas to the country's central region, which, given its incapacity to absorb this population, has

3 Throughout the document an exchange rate of 1 USD to 533 Costa Rican Colon has been used (January 2016).

resulted in many seeking temporary employment with minimum security.

The coastal provinces of Puntarenas and Guanacaste, in conjunction with the third coastal province of Limón, have the lowest levels for social indicators, including low population density, high demographic dependency ratios (the ratio of people under 15 or over 60 relative to the population aged 15–65) and the highest percentage of uninsured individuals (Table 2). These indicators provide an example of the living conditions for families in the region, where a relatively large number of people are economically dependent on a small group of workers.

For this reason, Salazar (2013, p. 324) states:

There is a local population displaced by the dismantling of regional activities and a labour market characterized by relaxed, deregulated conditions and a lack of job

protection; this work is largely taken on by the foreign population (especially from Nicaragua) who, having been displaced from even more precarious working and living conditions, endure appalling conditions.

Along similar lines, Vindas (2014) mentions that despite the increase in revenues from the fishing sector worldwide over the last year, this trend has not been reflected in the gains among small-scale fishers, owing to the delicate situation they face today. This vulnerability is also reflected in household surveys conducted in 2013, showing that rural areas are more affected by poverty and that there was an increase in poverty levels from 25.8 percent in 2012 to 26.5 percent in 2013. In parallel, there was an increase in unemployment rates in the regions of Chorotega (11.2 percent), Central Pacific (11.1 percent), and the Atlantic Huetar (10.8 percent), which coincide with areas of small-scale fisheries development (INEC, 2014).

TABLE 2 Key demographic and social indicators at the national level and by province in Costa Rica

Province	Population		Density (km ⁻²)		Urban (%)	DDR	Over 65 y (%)	Born abroad (%)	Disabled (%)	Uninsured (%)
	No.	(%)	(km ⁻²)	(%)			(%)	(%)	(%)	(%)
Costa Rica	4 301 712	100	84.2	72.8	47.2		7.2	9.0	10.5	14.5
San José	1 404 242	32.6	282.8	86.4	44.4		8.2	10.6	11.1	13.2
Alajuela	848 146	19.7	86.9	60.7	48.1		7.1	10.4	9.9	16.6
Cartago	490 903	11.4	157.1	82.5	45.2		7.0	4.2	9.1	13.7
Heredia	433 677	10.1	163.2	86.0	42.9		7.1	10.0	10.0	11.6
Guanacaste	326 953	7.6	32.2	55.2	50.9		7.5	8.2	10.9	18.5
Puntarenas	410 929	9.6	36.5	54.7	53.0		6.6	5.9	11.3	15.3
Limón	386 862	9.0	42.1	56.5	54.7		5.2	8.7	11.2	14.4

Source: Compiled from the National Population Census (INEC, 2011).

Fair and equitable working conditions under current legislation

Regarding employment contracts, the Labour Code establishes in Article 120 bis that the Ministry of Labour and Social Security (MTSS), together with the National Directorate of Employment of the Ministry of Labour, the Occupational Health Council, INCOPECSA, and the Directorate of Maritime and Port Security of the Ministry of Public Works and Transport (MOPT), should be “responsible for seeking to collectively undertake the formalities and guarantees of the contract, seeking the protection of fishers’ rights and ensuring compliance by the fishing vessel owner with the obligations outlined therein” (Morux and Murillo, 2013). The article also mentions that the Directorate of General Labour Inspection must ensure compliance with the current regulations in the country.

Article 120 of the Labour Code also mentions:

The contract will indicate the name of the fishing boat aboard which the fisher will serve and the voyage or voyages to be undertaken, if such information can be determined at the signing of the contract, or otherwise the estimated dates of departure and return to port, destinations, and form of payment. If the fisher is remunerated as a proportion of the catch or on a piecework basis, the agreement shall specify the amount of his/her share and the method for calculation; if paid through a combination of salary and part of the catch, the minimum wage will be specified in cash, which may not be less than the legal minimum wage (TSE, 2014, para. 3).

In conjunction, the Directorate of Employment shall design and register “identification cards for seafarers” containing data on seafarers that will be required to sign employment contracts.

The issue of salaries in the fisheries sector has certain characteristics that permit some flexibility in relation to payment of workers. However,

contracts must still follow the principle of equal pay, as discrimination of any kind is prohibited in the process of remuneration whereby two people, regardless of their differences, should receive equal pay for equal work (Morux and Murillo, 2013). Concerning wages by freight, monthly salaries or by piecework, national legislation further states that the contract should specify the mechanisms by which adequate remuneration will be provided, always taking into consideration the basic minimum wage.

Under Executive Order No. 38728 MTSS of 10 November 2014 published in La Gaceta No. 235 on 5 December 2014, the current minimum monthly wages in the country, as of 1 January 2015, by the different sectors (including fisheries) are as follows:

- Unskilled workers: ₡83 799.64 (US\$156)
- Semi-skilled workers: ₡305 323.98 (US\$571)
- Skilled workers: ₡320 961.11 (US\$600)
- Mid-level technicians of diversified educational backgrounds: ₡336 344.36 (US\$629)
- Skilled Workers: ₡360 435.70 (US\$674)

It is important to note that according to this Executive Order, the provision of food should also be a requirement, given that many workers, such as those in the fisheries sector, cannot return to their homes at the end of the workday.

National legislation states that in the case of a shipwreck, workers should be given severance pay equal to two months’ salary and upon unforeseen extension of the trip, workers should receive a proportional increase in salary. However, if the trip is shortened, salaries cannot be reduced or deducted (Morux and Murillo, 2013). It is also mentioned that when workers fall ill during fishing trips, the fishing vessel owner is responsible for bearing the costs that this generates or, in some cases, must comply with legislation with regard to forms of payment.

Regarding working hours, the Labour Code establishes that in contracts both parties (vessel owner and fisher) should reach an agreement based on the nature of the work at sea, and that these working hours should not threaten the freedom and dignity of the worker. This issue is one of the most difficult to monitor, but as previously mentioned, compliance with regulations regarding working hours should be sought.

Fishers are entitled to all labour benefits set out in the Labour Code, including statutory holidays, vacation and periods of rest, and social security benefits according to relevant legislation in each case and in accordance with the terms of employment (Morux and Murillo, 2013).

The MTSS is responsible for regulating norms concerning work at sea as established in the Labour Code, particularly regarding the protection of labour rights of fishers (Morux and Murillo, 2013). However, because most small-scale fishing activities are conducted in an informal way and using family labour, many of these fishers lie at the periphery of such norms. In relation to this, a study by Morux and Murillo (2013) asked fishers in the Puntarenas fishing sector about their knowledge of legal instruments for protecting fishers in the country. Sixty-eight per cent of respondents said that they were unaware of such instruments, suggesting that although there are a number of laws protecting the sector, many fishers are unaware of them and this permits arbitrary decision-making with respect to labour rights. For this reason, it is the responsibility of the Council for Occupational Safety to provide manuals and protection for seafaring workers on the issue of occupational health, according to Article 174 of the Labour Code.

Although presently there is no project that directly addresses the issue of decent work and employment in fisheries, the Development Plan for 2015–2018 proposes a project entitled “Strengthening of coastal and aquaculture communities for sustainable development of their productive activities” (MIDEPLAN, 2014,

p. 305). This project could initiate a process that improves working conditions for seafarers through strengthening of communities.

Social security in coastal communities: standards and access

Due to the nature of their work, fishers often lack the protection of social security. Addressing this, Convention No. 188 stipulates that it is the responsibility of each state to ensure that “fishers that ordinarily reside in the territory, as well as those under their care, are entitled according to national legislation to benefit from social security protection in no less favourable conditions than those that are applied to other workers” (ILO, 2007, p. 16). Each state must also ensure that fishers have access to appropriate medical care and, if applicable, corresponding compensation.

In the case of Costa Rica, the National Insurance Institute (INS) is the institution responsible for administering insurance within the Costa Rican State. With regard to fishing, the INS provides insurance to cover risks related to fishers’ work and fishing vessels. However, after the enforcement of the Dominican Republic–Central America–United States Free Trade Agreement in 2007, there was a break in the insurance monopoly that previously maintained that the INS was the sole insurance provider in the country, and now foreign companies also have the right to sell insurance.

In Costa Rica, the fishing vessel owner is in charge of insuring marine activities and his/her employees through professional risk insurance, by which workers are protected from risk at work while at sea, as well as through insurance of the vessel, which safeguards fishing boats, especially those of larger size (Morux and Murillo, 2013).

In the study conducted by Morux and Murillo (2013), 17 per cent of the 25 informants reported being directly insured. However, 43 per cent had no coverage by social security. It bears noting that in Guanacaste (7.6 per cent of the national population) 18.5 per cent of the provincial population was uninsured, followed

by Puntarenas (9.6 percent of the national population) with 15.3 percent of the provincial population uninsured and Limón with 9 percent of the provincial population uninsured. This situation has an impact on the health and welfare of both fishers and their families. For instance, in case of illness they must cover their own medical costs, which then affects their share of pension funds. With regard to pension access, there is no special regulation and the Labour Code states that in the event of disability or death during the trip, the vessel owner is responsible and should also be responsible for corresponding payments based on the contract, which (as previously mentioned) is not very common in the small-scale fishing sector and for which fishers generally seem to have no protection.

Many fishers choose, based on advice from the trade union or community to which they belong, to be included in group insurance, which was created in 1984 and allowed the CCSS to “negotiate with trade unions a group policy for all members, with costs based on a presumptive income” (Rodríguez, 2006, p. 5). Such members constitute the directly insured, i.e. those who pay directly (in this case collectively) to the CCSS (Sáenz et al., 2011).

Table 3, based on data from the 2011 national census by INEC, summarizes the distinct conditions under which both men and women are insured in the fisheries sector by province, noting differences between workers in the Puntarenas and Guanacaste provinces.

In the case of men, in both provinces, over 30 percent do not have social insurance. Moreover, in Puntarenas there are a similar number of individuals insured by their own account or voluntarily, while in Guanacaste 37 percent are insured employees. Among women, the situation is different: insured and employed women in Puntarenas represent 28.1 percent of the provincial population, while those by their own account or by agreement represent 22.2 percent of the provincial population, indicating that approximately half

are insured. In Guanacaste, 64 percent of the women are insured employees.

In evaluating the insurance status of the population engaged in fishing according to marital status, a lack of insurance is prevalent among those in free unions or with single marital status. Self-insured fishers predominate among married couples, followed by those that receive insurance as employees (Figure 5).

Access to credit, resources and tools (means of production)

The Costa Rican Institute of Fishing and Aquaculture (INCOPECA) is responsible for providing credit options, technical assistance and other resources that foster fisheries development and allow for stable prices of commodities, with the end goal of achieving the maximum social benefit for fishers (Morux and Murillo, 2013).

Article 4 of the Law of Fisheries and Agriculture (No. 8436), from 10 February 2005, authorizes the National Banking System to implement differentiated forms of credit as well as complementary banking services to facilitate easy access to credit for the fisheries and aquaculture sector, depending on closed seasons and the availability of fishing resources. These organizations may finance the capture, storage, processing, transportation and marketing of marine fishing and aquaculture products. The law establishes that fishers may use, as collateral for credit, liens for respective vessels and equipment if insured through the National Insurance Institute (INS) and if the fisher holds an up-to-date fishing permit issued by competent authorities. In many cases, workers in the artisanal sector cannot meet such requirements, limiting their access to such credit options. This study found that at present there are no credit options specifically geared towards traditional or small-scale fishers, including both men and women.

Under Article No. 36 of the same law and the Executive Decree issued simultaneously, the

TABLE 3 Number and percentage of men and women working in the small-scale fisheries sector according insurance status in the provinces of Puntarenas and Guanacaste, Costa Rica

Social security status	Puntarenas				Guanacaste			
	Men		Women		Men		Women	
	No.	%	No.	%	No.	%	No.	%
No social security from CCSS	1 299	32.2	47	16.3	536	34.8	20	9.9
Self-employed, voluntary or by agreement	1 167	28.9	64	22.2	277	18.0	14	6.9
Employee	772	19.1	52	18.1	569	37.0	130	64.0
State employee	580	14.4	81	28.1	97	6.3	21	10.3
Family of insured	146	3.6	37	12.8	52	3.4	10	4.9
Other forms of social insurance	32	0.8	2	0.7	4	0.3	4	2.0
Pensioner	24	0.6	4	1.4	2	0.1	4	2.0
Non-contributory mechanisms (receive pensions)	15	0.4	1	0.3	2	0.1	0	0.0
Total	4 035	100	288	100	1 539	100	203	100

Source: Compiled from the National Population Census (INEC, 2011).

Joint Institute for Social Aid (IMAS) is responsible for allocating funds from the National Budget to develop socio-economic assistance programmes for fishers affected by closed seasons, provided they have no other sources of income besides fishing and live in conditions of poverty. These programmes require beneficiaries of assistance programmes to either perform community service or conduct studies related to the fishery, in accordance with relevant regulations.

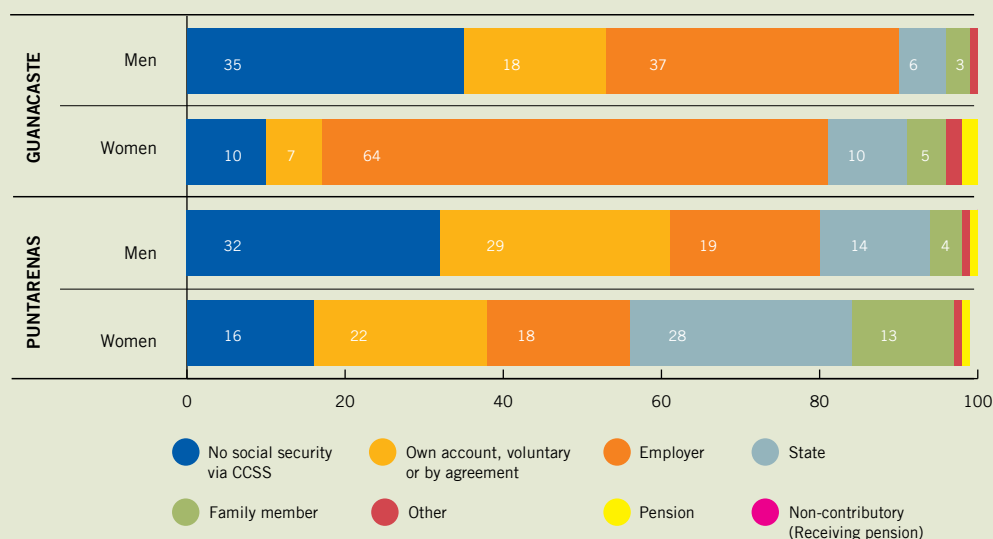
It is for this reason that in closed seasons (defined by INCOPESCA based on related studies) fishers are offered a monthly subsidy that, in 2007, was equivalent to ₡45 000 (US\$84). This amount is insufficient for many fishers and their families to

cover monthly expenses. In addition to receiving this subsidy, fishers are required to perform community service, which in many cases they consider a demeaning practice (Fernández, 2013). It is important to note that only registered fishers are eligible for the subsidy, as the requirements to obtain this benefit under IMAS (2015) include:

- name on the list of registered fishers issued by INCOPESCA;
- photocopy of fishing permit or fishing assistant licence.

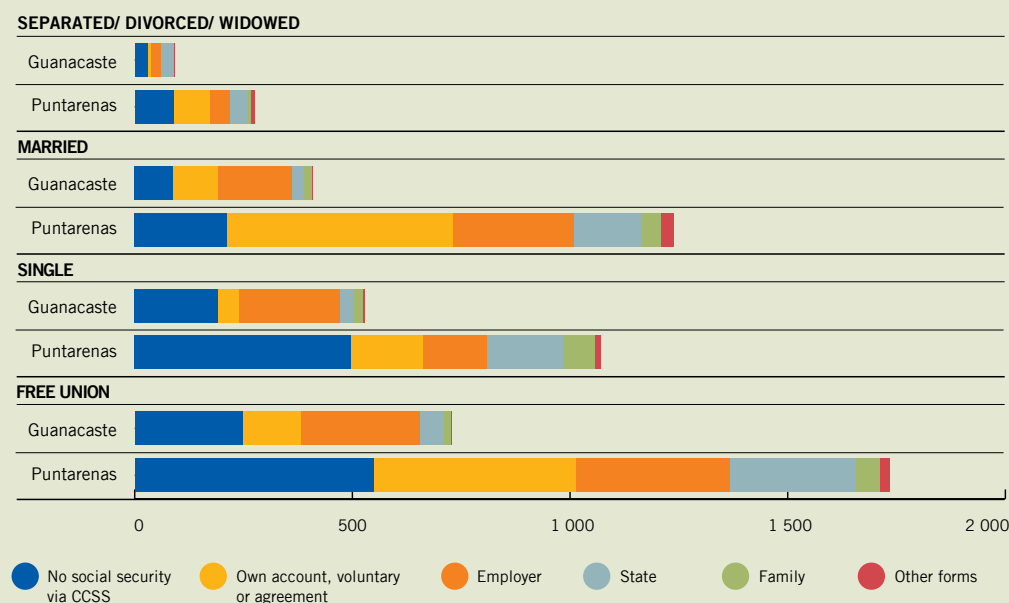
Among the noted issues with this subsidy, fishers often have to wait about two months to receive

FIGURE 4 Relative distribution of the population engaged in fishing activities in Puntarenas and Guanacaste, according to social security status and gender



Source: Compiled from the National Population Census (INEC, 2011).

FIGURE 5 Distribution of the population engaged in fishing activities in Puntarenas and Guanacaste, according to sources of social security and civil status



Source: Compiled from the National Population Census (INEC, 2011).

the funds due to the administrative procedures of INCOPESCA and IMAS (Fernández, 2013). During this time, fishers are often forced to borrow money and live frugally until subsidies are granted.

In addition to the small amount of money received, the delay in subsidy payment often forces fishers to disregard closed seasons or search for more remote and dangerous fishing locations, potentially placing their lives at risk.

Another form of support for fishers provided by INCOPESCA is fuel price subsidies, which are granted exclusively to licensed fishers. However, there have been many problems with the issuing of such subsidies due to an alleged misuse of resources that led to a reduction in the number of coupons for the purchase of fuel, thus worsening living conditions for many families (Fernández, 2013).

Access to training and information for decision-making

With regard to fishers' safety and health, the Work in Fishing Convention (No. 188), adopted by Member States of the ILO, indicates that states are required to provide "adequate instruction and training to workers in activities such as handling fishing gear" (ILO, 2007). In addition, the Vocational Training Recommendation No. 126 of the ILO states that those countries intending to develop a fishing industry should offer fishers free public training centres (Morux and Murillo, 2013).

This recommendation also suggests the organization of training courses in order for fishers to enhance their theoretical and practical knowledge, their related skills, and to keep up to date with modern techniques of fishing and navigation in order to advance in their profession (ILO, cited in Morux and Murillo, 2013). This recommendation was issued in 1966, and while the country and the small-scale fishing sector are not specifically oriented towards industrialization, if these recommendations were appropriately integrated, Costa Rica could provide useful tools for fishers to improve their work.

With regard to Costa Rican legislation, Salazar (2013) notes that training facilities in the country are part of a national policy founded upon Law No. 8436 on Fisheries and Aquaculture, in which Chapter V (training of the fishing industry) states in Article 25 that training in the fisheries and aquaculture sector should pertain to the extraction, processing and marketing of fisheries resources and, in particular, the production of seafood for human consumption (OLDEPESCA, 2011). Shipbuilding in particular is one of the most important issues in maritime training in the country (OLDEPESCA and FAO, 2011), one which nonetheless lacks more comprehensive training and clarification of priority subsectors or the manner in which these skills should be taught. OSPESCA (2012) noted that the more attended training programmes designed for small-scale fishers concern topics such as the conservation and processing of fish, first aid, safety at sea, assembling gear and maritime navigation.

Training of professionals in fishing should be included in the National Plan for Fisheries and Aquaculture Development, and INCOPESCA is responsible for not only ensuring that the Vocational Training Recommendation is included in the plan, but also for coordinating training and teaching in the areas of fisheries and aquaculture with institutions in the public and private sectors, as prescribed by the fishing law.

The National Institute of Apprenticeship (INA) is the main body responsible for providing many of the training programmes and courses, many of which focus on the repair of fishing equipment (rod and reel) and basic safety measures for fishers, among other issues related to navigation (INA, cited in Morux and Murillo, 2013). These opportunities provide some form of capacity building for fishers in the country, as part of the "Nautical-Fishing Core" that:

... is responsible for the design and evaluation of training programmes for the Nautical Fisheries Production Sector and the implementation of training, research and technology transfer with

the goal of increasing productivity of all individuals, companies and institutions linked to the productive sector (INA, no date).

In addition to these institutions, there are partnerships with various interest groups that allow for a broader approach to the training and extension services available to fishers, including the Comprehensive Agricultural Marketing Programme (PIMA), the National Production Council (CNP), the National Institute for Cooperative Development (INFOCOOP) and the State Distance Learning University (UNED), all of which have training initiatives for the sector (OLDEPESCA and FAO, 2011).

In the study by Morux and Murillo (2013), of the 25 fishers in Puntarenas who were asked if they had received training for their profession, 92 percent claimed to have received no training. This may reflect the lack of knowledge among fishers regarding training opportunities available to them and the means with which to access them. This is despite a substantial increase in 2007 of observed training opportunities as compared with previous years, in which 4 448 people were trained in 113 courses primarily in the area of navigation (OLDEPESCA and FAO, 2011). Given the variety of courses offered largely by INA, it seems that these opportunities are still not widely available to the small-scale fisheries sector. In this respect, Salazar (2013) also highlights the shortcomings of the state in relation to capacity-building efforts targeted at vulnerable sectors within the country.

This issue is reflected in the deficiencies identified by OLDEPESCA and FAO, highlighting the lack of “business management training, promotion of the legal incorporation of fishers’ and farmers’ organizations, and inter-institutional coordination for implementing projects with technical cooperation” (OLDEPESCA and FAO, 2011, p. 15), as well as lack of interest in aquaculture training among fishers and the neglect of other areas of interest to the sector. However, there are initiatives such as those developed in the community of Tárcoles by

CoopeTárcoles R.L. and Consortium for the Sea R.L. (a subsidiary cooperative comprising both CoopeTárcoles R.L. and CoopeSolidar R.L.) to facilitate the organization and training of many of its members in areas parallel to fishing in order to help empower the community with regard to responsible and sustainable small-scale fishing.

Regarding information for decision-making, there appear to be very few opportunities for fishers to make informed decisions. For example, in a study focusing on various communities affected by the issue of marine protected areas, when discussing conservation in protected areas and their work in fishing, small-scale fishers of Uvita, Bahía and Ballena stated that they “feel excluded from any possibility of participation” (CoopeSolidar R.L. and CIAPA, 2012). At the end of the study, it was determined that in the communities of Golfo Dulce, Uvita, Bahía, Ballena and Cuajiniquil there are no spaces for real participation and those in existence were not utilized in the best manner. The authors highlight the demand by fishers to open more spaces for influencing decision-making in fisheries. It is also important to consider improving access to formal education within the sector. Although there are no current studies on the educational level of small-scale fishers in Costa Rica, according to INEC (2014) the central Pacific coast (where much of the small-scale fisheries sector is concentrated) together with the areas of the North and Atlantic Huetar have an attendance rate in the formal education system of 71.3 percent among youth ages 12–17, which is 8 percent below the national average. Meanwhile, the Fourth Report on the State of Education (PEN, 2013) shows that only 38.5 percent of people in the farm labourer class (which includes the fisheries sector) have real opportunities to complete their education. According to the same report the central Pacific district of Parrita, one of the districts that forms part of the segregated spaces or those where the family educational environment is poor. This seems to be partly due to limited access to resources, correlated with poor performance of the population in school. Although these

indicators are not direct predictors of the sector's access to information for decision-making, they do provide an overview of the educational background among individuals in the small-scale fisheries sector.

Community and union-based organizations in the small-scale fisheries sector

Regarding the organization of the small-scale fisheries sector through partnerships, cooperatives and unions, Morux and Murillo (2013) mention that the same laws govern the sector as the rest of the country. In 1995, only 16 percent of fishers participated in some type of organization, either in cooperatives (4 percent), associations (5 percent), trade unions (1 percent), chambers (1 percent) or local committees of fishers (5 percent) (PRADEPESCA, 1995).

There are currently 39 registered cooperatives in the agricultural, forestry and fishing sectors, representing 10.3 percent of all registered cooperatives within Costa Rica. Of these, two are engaged in marine fishing for shark, snapper, dorado, croaker (*corvina*), conger (*congrío*) and mackerel (INFOCOOP, 2012). Among them, the Cooperative of Small-Scale Fishers in Tárcoles (CoopeTárcoles R.L.) brings together small-scale fishers from the central Pacific and, together with the self-managed Professional Services Cooperative for Social Solidarity (CoopeSoliDar R.L.), form the Consortium for the Sea R.L. which is responsible for familiarizing people with small-scale fishing culture (Consortium for the Sea R.L., 2009).

Noteworthy solidarity associations, which “are social organizations, whose primary aim is to promote justice and social peace, good worker–employer relations and integrated development of its members” (MTSS, no date), include the Association of Fishers of Puerto Coyote (Aspepuco) and the Association of Fishers of Bejuco (Asobejuco), both located in Nandayure, Guanacaste, and both of whom joined in the struggle against shrimp trawling in the country in 2012 (PRETOMA, 2014).

Examples of various industry associations include the following, all of which played an active role in the effort against shrimp trawling (PRETOMA, 2014):

- Fishers’ Association of District IV of Quebrada Honda, Puerto Pochote
- Local Fishers’ Committee of Medlar
- Local Fishers’ Committee of Colorado
- Fishers’ Association for Sustainable Development of Puntarenas
- Association of Conservationist Small-Scale Fishers of Isla Puntarenitas de Golfito
- Pacific Coastal Fisheries Association – Costa de Pájaros
- San Juanillo Fishers’ Association
- Association of Small-Scale Fishermen “Pangueros” of Puntarenas (ASOPPAAPU)
- Fishers’ Local Committee Association of Corozal Jicaral de Puntarenas
- Small-Scale Fishers’ Chamber Association of Puntarenas
- Association of Small-Scale Fishers of Puerto Pilon, Pavones (Asosinpap)
- Association of Fishers and “Piangueros” of the Golfo Dulce
- Association of Small-Scale and Tourism Fishers of Zancudo

It is also important to mention the National Federation of Fishers and Allied Workers (FENOPEA), which has central offices in Golfo Dulce.

Despite the alternatives mentioned previously, it appears that in many regions there is currently little interest among fishers in community organization within the small-scale fisheries sector (Fernández, 2013). This observation agrees with the findings of Morux and Murillo (2013), where upon asking respondents if they were affiliated with an association or cooperative, 96 percent of fishers in Puntarenas said “no”,

which Moreno Gómez (cited in Morux and Murillo, 2013) associates with individualism within the sector and which is inconsistent with these types of organizations. This also indicates a deficiency in community development proposals and organization within the sector: fishers and cooperative members appear to be unaware of the importance of organization in some form for the advancement of work in fishing, and in many cases have agreed to communal proposals that are unclear or do not meet the expectations of an industry accustomed to individual-based work.

From the investigation conducted with fishing associations, it is noteworthy that apparently none of their statutes include the topic of labour rights, gender equality or youth empowerment. However, one key informant did refer to the Federation of Workers of Puntarenas (which includes dock labourers) as having an approach to exploitation and labour rights, as well as advocacy on these issues. Although the issue of gender is not raised in the statutes of fishing associations, there is a national guideline for the integration of women on administrative boards of associations (guideline DRPJ 003-2011). This sets a minimum percentage of women to be included on the boards of associations, unions and solidarity associations, thus meeting the goals of equal representation of men and women according to Law No. 8901.

In relation to unions, respondent Maykall Rojas (cited in Morux and Murillo, 2013) mentions that only three unions belonging to the fisheries sector are registered. These include the Fishermen's Union of Puntarenas, comprised of 67 associates of whom 12 are women; the National Fishermen's Union, which has a board of three men and three women (no data were available on the number of members); and the Industrial Union of Small-Scale Fishers, Fish Farmers and Associates of Puntarenas (SIPACAAP), which has 67 members including seven women. In the latter, all members are given equal representation on the board (four women are on the board, although a man continues to serve as general secretary, which is an important position with regard to decision-

making). The existence of only three unions also shows, as previously stated, the lack of interest among fishers in organization as a sector.

Traditional knowledge and child labour

Child labour is defined as “work for which the child is too young, work done below the required minimum age, or work which, because of its detrimental nature or conditions, is altogether considered unsuitable for children and is forbidden” (FAO/ILO, 2013, p. 7). A lack of awareness among parents is a primary cause of child labour, as they often see it as normal for their children to work. It is often the case that the parents know that child labour is wrong, but have no other option for subsistence (FAO/ILO, 2013). These reasons are all framed in a context of poverty and minimal possibilities for progress in this population.

The Work in Fishing Convention (No. 188) establishes 16 years as the minimum age for work on board a fishing vessel. However, it also lowers this age to 15 years during school holidays, under the condition that only light tasks are performed (ILO, 2007; FAO/ILO, 2013). Furthermore, it is noted that on special occasions and depending on the type of fishing, an age of 18 years may be recommended for starting to work as a fisher, but the activities considered under this category are left to the discretion of national authorities (ILO, 2007). Recommendation No. 199 issued by the ILO in order to implement Convention No. 188 also notes that fishers under 18 years of age should not work more than 8 hours per day or 40 hours per week, nor should they work overtime (Morux and Murillo, 2013). In Costa Rica, according to Law No. 8922 enacted in 2011 prohibiting dangerous and unhealthy work for adolescent workers (youth ages 16 to 18 years covered under a special arrangement for the protection of adolescent workers in the Code for Children and Adolescents), these workers are prohibited from participating in dangerous and unhealthy activities, including activities or work at sea as mariners at any scale or as mollusc extractors.

In Article 120 bis of the national Labour Code, the final paragraph states that it is entirely forbidden to employ minors under 16 years of age for services of any kind aboard a ship (Morux and Murillo, 2013). Child labour is one of the problems that affect many vulnerable populations in the region, to which the population dependent on small-scale fishing is not exempt. According to the ILO (2013), 59 percent of the 168 million child labourers worldwide in 2012 (98 million) were working in agriculture, fisheries, aquaculture and other activities that prohibit their attendance in school.

When the National Institute of Statistics and Censuses surveys employment status, either via the population census or through household surveys, personal interviews are conducted in homes, with the requirement that the informant be a “household member over 15 years of age and who is sufficiently familiar with the characteristics of everyone in the home” (INEC, 2011, p. 82).

Household economic activities are defined as “any activity or work aimed at the production of economic goods and services, intended for sale or barter ...” (INEC, 2011, p. 157).

By these definitions, the 2011 National Population Census showed the existence of children working under 15 years of age, of which 0.5 percent worked as fishers. This suggests that in reality, official statistics underestimate to some degree child labour in the fishing sector, and accurate data will require a specific strategy that reformulates the definition of economic activity status and of targeted informants.

Because of the type of work performed, it is much more common for children to work informally as unpaid labourers. It is estimated that only one in five working children are paid and among those, the vast majority are paid unfair wages.

Overall, child labour occurs mainly among youth ranging from 5 to 17 years in age. Globally, in 2012, 264 million children engaged in some kind of economic production among whom

168 million (10.6 percent) fall under the category of child labour. In this category, 85 million children (5.4 percent) were performing work considered as dangerous to their health, i.e. in jobs that “by their nature or circumstance in which the work is carried out, are likely to harm the health, safety or morals of children” (ILO, 1999). Between 2004 and 2008 there was an increase in the number of youth ages 15 to 17 engaged in some kind of work: in 2004 this was estimated at 52 million and in 2008 at 62 million (FAO/ILO, 2013).

According to the study in Costa Rica by Morux and Murillo (2013), 72 percent of the 25 interviewed fishers in the Puntarenas district indicated they were underage when starting their work as fishers, demonstrating the early age at which people start their work in this sector. According to household surveys in rural areas, 23.7 percent of minors who are not enrolled in the educational system are working (INEC, 2013). For the 10–14 age range, in Puntarenas there were 17 male youth (0.4 percent of all Puntarenas fishers) and two females (0.0 percent of all Puntarenas fishers) engaged in fishing. In Guanacaste, there were eight males (0.5 percent of Guanacaste fishers) and two females (0.0 percent of Guanacaste fishers) working as fishers (INEC, 2011). In the same year for the 15–19 age range, there were 243 young men in Puntarenas (5.6 percent of all male fishers in the province) and 12 young women (0.3 percent of female fishers in this province). In Guanacaste in the same age range, there were 96 young men (5.5 percent) and 13 young women (0.7 percent) devoted to fishing as a source of income (INEC, 2011).

ILO and FAO recognize that the data related to child labour in fisheries are scarce and that those available are the product of isolated case studies, indicating that further investigation is needed regarding this topic.

Children are responsible for a wide variety of fishing tasks that may range from collecting and weighing catch, to other activities such as marketing, boatbuilding, or domestic

tasks (FAO/ILO, 2013). Children frequently work in small family businesses that are part of an informal economy where decent work is often either poorly organized or simply does not exist.

Finally, it is important to note that child labour is often closely linked to poverty, which may be used as an indicator. Child labour, rather than functioning to generate better conditions for the population sector it serves, often perpetuates poverty and ultimately results in negative impacts on literacy rates and education, mental health, and childhood development (FAO/ILO, 2013). However, in some contexts child labour is the only option for training available to children in areas where access to schools is non-existent and therefore learning the craft from their parents is their only chance of survival (FAO/ILO, 2013).

Access to decent work options for women and young people

According to the study by Fernández (2013), in the Gulf of Nicoya, women are mostly employed in household work. Other women work as manicurists or domestic employees. Among households interviewed in the study, 62 percent were devoted to small-scale fishing and among those, 65 percent were financially dependent upon the husband and his fishing activities to maintain the household. This shows the continuing trend as noted by PRADEPESCA in 1995, in a survey of fishing activities in Central America, that in Costa Rica the households of those involved in fisheries had an average of five members, of which three (e.g. two males and one female), were directly involved in fishing and marketing of fisheries products.

TABLE 4 Age-based distribution of men and women working in small-scale fisheries in Puntarenas and Guanacaste, in terms of absolute numbers and percentage of the total population

Age group (years)	Puntarenas				Guanacaste				Total			
	Men		Women		Men		Women		Men		Women	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
From 10 to 14	17	0.4	2	0.0	8	0.5	2	0.1	25	0.4	4	0.1
From 15 to 19	243	5.6	12	0.3	96	5.5	13	0.7	339	5.6	25	0.4
From 20 to 39	1 953	45.2	142	3.3	889	51.0	133	7.6	2 842	46.9	275	4.5
From 40 to 54	1 332	30.8	88	2.0	422	24.2	48	2.8	1 754	28.9	136	2.2
From 55 to 64	388	9.0	36	0.8	106	6.1	6	0.3	494	8.1	42	0.7
From 65 to 69	60	1.4	4	0.1	15	0.9	0	0.0	75	1.2	4	0.1
Over 70	60	1.4	4	0.1	15	0.9	0	0.0	75	1.2	4	0.1
Total	4 035	93.3	288	6.7	1 539	88.3	203	11.7	5 574	91.9	491	8.1

Source: Compiled from the National Population Census (INEC, 2011).

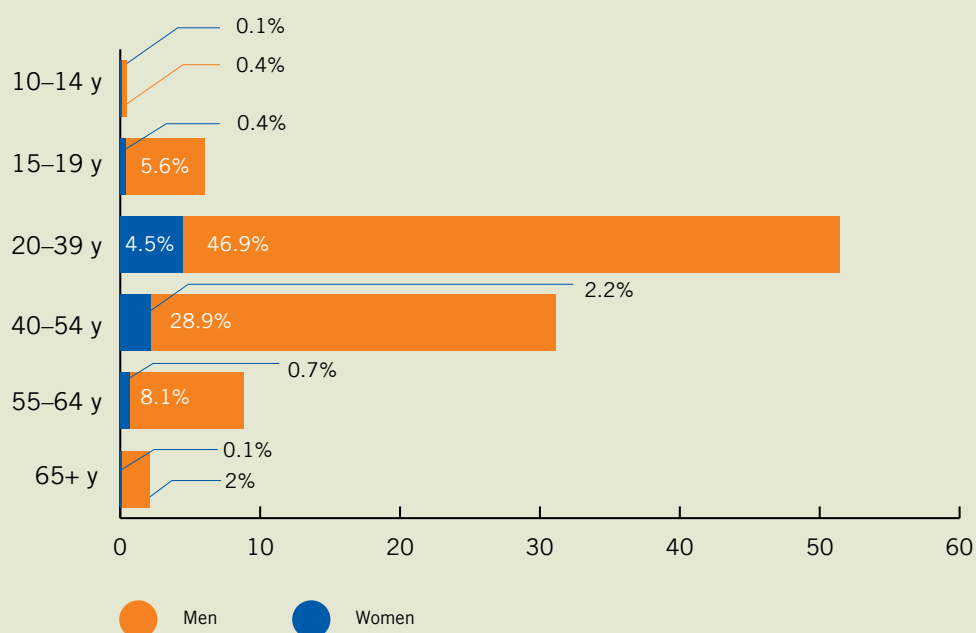
The Costa Rican National Institute of Statistics and Censuses (INEC) states that by 2011, 0.3 percent of the country's total female workforce (583 523 women) were engaged in work related to fisheries (marine and freshwater) and aquaculture. Although this percentage is relatively small, there has been an increase in female participation within the sector, with women reaching 3.3 percent of small-scale fishers in 2000 and 8.4 percent in 2011 (INEC, 2014); the INEC notes that the work performed in relation to fishing was unspecified. In provinces such as Puntarenas with a population of 40 779 people, 289 women worked in the fisheries sector. In Guanacaste, 203 women of the 35 675 total population worked in this sector, along with 22 women of Limón's total population of 37 897. It is important to note that according to the household survey conducted by INEC (2014), women's income in agriculture, forestry and fishing sectors averaged ₡213 514 (US\$399), which was less than that of men at ₡249 187 (US\$466). Although these values represent a

broad overview, they provide an indication of the gender inequity within the fisheries, in spite of the fact that women are joining the sector in greater numbers than men are.

The division of labour by gender is such that men are engaged in harvest activities while women perform post-harvest tasks related to fish farming and marketing. If women are directly involved in pre-harvest and harvest activities, their tasks often involve preparation of fishing nets and bait, or providing financing for the activities carried out by men (FAO, 2010). However, it is poorly understood how this affects the household and the distribution of work within it, which, given the traditional form of distribution of labour, could place additional burden or strain on women.

While the role of women in fisheries focuses more on post-harvest work, part of OLDEPESCA's plan to reduce poverty in the small-scale fishing sector proposes "to promote the empowerment of women, assigning roles of responsibility and adequate compensation for the stages of

FIGURE 6 Age distribution of the population of men and women working in fishing in Puntarenas and Guanacaste



Source: Compiled from the National Population Census (INEC, 2011).

processing and marketing fish” (OLDEPESCA, 2009). To accomplish this, it is important that opportunities for training and development place women in head roles within the fishery, although there seems to be no formal proposal by government institutions to meet such goals.

Regarding the participation of young people in the small-scale fishing sector, it is of fundamental importance to revitalize the sector and strengthen the identity of marine fishing communities. A first step is recognizing the diversity of fishing communities where not only male fishers but also women and young people play an important role in the fish production chain.

For the past 15 years, CoopeSoliDar R.L., together with INCOPESCA and other related institutions, has been supporting the sustainable use of marine resources and the recognition of local expertise and knowledge within communities.

The youth of fishing communities in Costa Rica face many challenges in modern times: declining fish stocks, and a lack of opportunities with respect to education, health and recreation (including limited access to credit), which causes social problems such as violence and drug trafficking, among others.

Despite these problems, young people play an important role in households, families and coastal marine communities by completing their education and contributing to their families and community organizations. Young people represent hope for small-scale fishing communities by retaining links to their cultural identity and by ensuring the future conservation of their marine biodiversity.

Acknowledging this, CoopeSoliDar R.L. has fostered various efforts to engage with young people over the last eight years. The group has held workshops with youth in Central America to encourage their involvement and to share experiences, and has helped their voices reach regional and international domains. For example, CoopeSoliDar R.L. participated in the fifth International Union for Conservation of

Nature (IUCN) World Conservation Congress in Jeju, South Korea in 2012; published papers that highlight the concerns of young people; and has produced a video for public outreach that reflects the perspectives of young men and women in coastal communities.

Within the framework of the constitution of the Network of Marine Areas for Responsible Fisheries (AMPR), a meeting of young people from the communities forming part of the network was held in 2014. Emerging from this initiative, another similar opportunity is planned for young fishers (both men and women) in coastal communities at the next AMPR meeting.

CoopeSoliDar R.L. and INCOPESCA coordinate efforts to strengthen and develop strategic partnerships with the Vice Ministry of Youth so that young people may serve as emerging leaders in their communities for fisheries policies and promote more sustainable development in their territories, including the strengthening of opportunities for good management practices within their fishing communities.

These collaborations emphasize the need for dialogue between generations and the integration of knowledge and discussions between adults and youth. For this reason, there have also been meetings and workshops involving youth and adult fishers to discuss topics of common interest. Spaces that also focus specifically on the participation of young people and affirmative actions that can be developed with them are of great importance to the fisheries sector.

Meetings with young small-scale fishers generally have objectives to: (i) strengthen relationships among young fishers in order to promote a shared vision of plans, opportunities and capacity building in coastal marine communities; (ii) share the FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries among young fishers with the aim of integrating the principles of the guidelines in their marine coastal communities; and (iii) understand the public policies emerging from the Vice Ministry of Youth as a means to enhance opportunities

and integrate the needs and visions of young people in marine fishing communities.

While there are many small-scale and regional outreach efforts for youth in these communities, as of yet there are no efforts at the national level to evaluate the success of these efforts.

Co-responsibility and networks of child and elderly care in fishing

Networks for childhood and elderly care were proposed by legislation of former Costa Rican President Laura Chinchilla in order to provide for the segment of the population who are predominantly inactive in the workplace, through both public and private stakeholders (IMAS, no date).

For these efforts, the state must effectively meet regulatory and supervisory standards, which “involves developing parameters at the national, local and establishment scales relating to equal access to services, quality care and proper use of resources as well as covering aspects regarding both the design and operation of the network” (Sojo, 2010). Although there has been some progress towards meeting these standards, there seems to be no specific regulations concerning the small-scale fisheries sector of the country. In the absence of national networks, the small-scale fisheries sector should be governed according to the availability of local cantons to provide such services for both children and the elderly.

In conclusion, although there exists legislation attempting to protect these sectors of the population, much remains on paper and is not effectively implemented (Elizondo, 2005; Fernández, 2013; Morux and Murillo, 2013). There remain gaps for the state to address, particularly concerning pensions, training and concrete proposals for market entry and gender equity that sufficiently encompass the needs and nature of the small-scale fisheries sector.

It is important to conduct further research to develop a clear understanding of the small-scale fisheries sector at the national scale, in terms of its characteristics, needs and status, and at present there appear to be only isolated attempts to update information, resulting in a fragmented view of the realities in which the sector operates. This situation seems to reflect the general state of the small-scale fisheries sector, which until now has been largely neglected by the state.



4. Results from interviews with key informants from government agencies in relation to employment and decent work

This section includes the main perspectives and opinions expressed by respondents in relation to the following five themes:

- Decent work and employment
- Current working conditions in the small-scale fisheries sector and the future of work in the sector
- Social security
- Child labour in the fisheries sector
- The role of women within the small-scale and semi-industrial fisheries sectors

Employment and decent work

With regard to what is considered to be decent work and employment within the small-scale and semi-industrial fishing sectors, representative Johnny Ruíz of MTSS highlighted that:

Fishing is considered dangerous given the risks to which workers are exposed, in many cases high-risk situations, and especially given that this work is defined by its link to the natural environment and is subject to natural phenomena (waves, extreme temperatures, etc). In many cases it is considered a strenuous activity that requires strenuous workdays.

Randall Sánchez, head of institutional planning of INCOPESCA, stated that “small-scale and semi-industrial fishing should have all the same working conditions as those available to other productive sectors, according to national and international law.”

Juan Manuel Cordero, representative of Costa Rica’s national human rights institution, the Ombudsman Office, noted that decent work is a lifetime right and requires long-term planning

and human development. The work should not be seen as an end in itself, but rather as a profession that goes beyond daily work and permits a lifestyle aimed at personal development. Decent and dignified work should be considered a lawful activity and human right, allowed and promoted by the state and protected under national regulation. Thereby one is protected during the working day, with the recognition of severe working conditions that are mitigated with worker safety policies. In fisheries, decent and dignified work should also be a right and there should be no exceptions in terms of concepts or practice in small-scale or semi-industrial fishing. Mr Cordero also stated that “certain risky activities by their nature should have a spectrum of protection that is above-standard, as they are risky jobs, prone to be hazardous to the worker’s physical health; thus standards should be raised according to the reality in which they live.”

When discussing the promotion of decent and dignified work in fisheries, Mr Sánchez stressed the existence of international regulations regarding work in fisheries by stating that “there should be a differentiation in the existing labour legislation that applies to land-based activities vs those in the water, as safety conditions and hours, among other things, are very different.” It is noted that although fisheries workers are protected by the same legislation as other workers, the specific working conditions of fishers are such that, in order to be considered decent, they must also comply with additional, specific regulations within the sector.

The Vice Minister of Planning of Costa Rica, Luis Fallas, proposed decent work as a means to an end, whereby employment and decent work are essential for improving people’s quality of life. One must consider the joint development of families and job creation that contributes beyond mere subsistence.

Johnny Ruíz of the MTSS stated that:

Applying the concept of decent work to small-scale fisheries activities is difficult given the reality of the work; usually fishers are almost confined to the sea, with no spaces for adequate rest. This can be seen in particular in relatively small vessels: while traditional fleets are integrated into marked concepts of informality, involvement or enrolment, traditionally small-scale fishing uses small boats with relatively small crews. It should be recognized that given the characteristics of these areas of work, regulation and monitoring of labour standards as defined by the Labour Code and other related laws is difficult.

Mr Fallas of MIDEPLAN mentioned that “to improve the manner in which the subject of decent work is addressed in fisheries, civil society organizations are called upon to be key leaders in this development. Their work may draw attention to the needs of coastal communities and make their issues visible”.

Mr Fallas stressed the need to integrate fishing with the agricultural sector: “We [the Ministry of Planning] have no lines of action in fisheries as other institutions do, but there is interest in joint public and private institutions, promoting the process of organization of fishing communities, and not just infrastructure”.

He also recommended that INCOPESCA incorporate marine fisheries programmes to develop a social foundation, in partnership with other ministries to pursue the comprehensive development of the fishery sector:

We need to move forward in developing larger-scale projects, which organizations can use to create an impact. Public-private partnerships are essential. We are characterized by a social approach that provides examples of new approaches to sustainability at a national level. It is important to promote a more aggressive role for INCOPESCA.

Mr Fallas also noted that the country is increasingly moving towards international agreements and labour legislation on human rights issues:

We now have a Ministry that must promote these issues, and we trust its perspective as the Ministry of Labour and Social Security. In this country we are moving towards better regulation and enforcement.

To this, Juan Manuel Cordero of the Ombudsman Office, added that there is much that remains to be done regarding international agreements and labour legislation in the country. He noted that there are major challenges with closing the gaps regarding compliance with international conventions. In addition, he noted the lack of resources for labour inspection (i.e. with no skiff or boat, inspectors can visit the port but not the workplace), which limits the ability of staff to ensure compliance with measures when workers are at sea. He mentioned that “there is a gulf between industry, commerce, agriculture and work at sea. The state has prioritized national security and the fight against drug trafficking.”

While various officials had distinct opinions on the issue, it is noteworthy that when talking about work and decent employment, all agreed that the small-scale fisheries sector has long endured difficult and dangerous working conditions that have largely remained invisible beyond community-level discussions, and there is need to adopt changes to ensure decent and dignified work within the fisheries sector.

Current conditions of workers in the small-scale fisheries sector and future work in the sector

The representative of the CCSS, Dr Flores, indicated that the small-scale fisheries sector has experienced little development in the country, and few incentives exist for fishers. He noted that the country has turned its back on the sector and that the profit from these fisheries is not sufficient to allow for decent living conditions: “The workers and fisheries

face a job with many risks. The women of Golfo fish, but their catch barely provides for the food security of the family.” Johnny Ruíz added that “occupational health and hygiene on board is supervised sporadically in port, especially when in response to complaints”.

Mr Ruíz also stated that, “with reference to the international conventions of the ILO that pertain to fishing, perhaps it should be accepted that they are not satisfied in full”. This shows the low priority that state agencies assign to the sector, in addition to the lack of resources and personnel that may be employed for compliance with these agreements.

Adding to this, Dr Flores indicated:

Socio-economic development in Costa Rica has been in the Central Valley. As state programmes have started being decentralized, fishers have begun to appear. At least one member of the family in the Caribbean uses a boat. There is a large difference between the fisher in the Caribbean, where there is a strong influence from those of African descent, and Pacific coast populations that have greater marine biodiversity available for fisheries.

Randall Sánchez of INCOPESCA stated that the dialogue on small-scale fisheries today is centred around the opinion that “there is no employment relationship, but rather piecework arrangements; it is fishing for family consumption as conducted by the father, mother, and in some cases the children.”

For semi-industrial fishing, Mr Sánchez noted that “there is a [formal] employment relationship between workers and owners of the vessels, whereby social security and current labour legislation must be respected, although such legislation should be adjusted to the distinct conditions of work on the water.”

These comments highlight the fact that work in the small-scale sector is more “informal” and the lack of a formal employment relationship

leads to suboptimal working conditions. Johnny Ruíz of MTSS added:

There is no exhaustive control over contracts for one-time enrolment; each company applies its own procedure but for an employment contract in its traditional sense, which in many cases involves verbal agreements. One problem is the registration of contracts which, although outlined in Article 23 of the Labour Code, is not a practice that is fulfilled, and much less so by companies in this sector.

He also added that “the Ministry of Public Works and marine port offices have not implemented the ‘identification card’. A commission drafted and proposed a prototype for the card similar to a passport, but the issue of cost was disputed, which is unlikely to be defrayed by workers”.

In addition, Juan Manuel Cordero of the Ombudsman Office noted that “small-scale fisheries may be subject to some degree of stigma with regards to an identification system, and some cases of drug trafficking have occurred.”

Adding to comments expressed by the other respondents, Mr Cordero noted that “we are more focused on controlling other issues rather than the human being and the worker. The view of the State is that of persecution, rather than a more human perspective focusing on the worker.”

The Vice Minister of Planning, Luis Fallas, noted the future priorities for national and territorial planning oriented towards the most vulnerable sectors, such as coastal zones and their fishers. He also provided information on how this issue is included as a priority of the government in the new National Development Plan. According to Mr Fallas, the biggest concern of the state is how to reach communities, particularly those in coastal areas. To this end, the government has designed a strategy within each of its institutions and private sectors. Mr Fallas stated that there are 16 target sectors in the National Plan, with one sector as a spearhead, such as the

agricultural and fisheries development sector, in order to revitalize the economies of rural and coastal areas that were abandoned under previous national economic models. Previously the focus was on competition, now it is on sustainability.

The Vice Minister of Planning recognized that work in coastal areas has not been pursued with sufficient effort by the country. Although progress has been made at a regional level, coastal areas have not advanced as they should have:

As we address the elimination of extreme poverty, the challenge is to support these vulnerable populations through the creation of jobs and employment opportunities. This effort would attempt to bring together the six developing regions and the Cantonal Interagency Coordination Committees (CCCCI) in order to reach, in particular, the development associations, and to develop agreements among individual cantons. Local power belongs to the municipality and to the institutions for coordination and incorporation of the needs of the population. The idea is to initiate a dialogue and a joint collaboration between institutions and organizations representing civil society, at national and regional level.

Mr Fallas mentioned that “there are not enough [initiatives for other productive activities] and the State has not achieved the minimum conditions necessary to counteract the exclusion of people. In addition, there is the international bureaucracy, and the question of how we begin to develop concrete alternatives to improve of the quality of life.”

Mr Fallas also added:

With the assistance programmes currently in place, we are not solving the underlying problems in decent work and employment. We must have staff working in communities with people; we have 26 programmes against poverty,

but we confront issues of interagency coordination and welfare. A solution cannot be seen as a problem. The Ministry of Planning should also create conditions such that institutions can assume roles for coordinated work.

While the specific initiatives for the small-scale fisheries sector and their specific conditions were not mentioned, it is important to note the initiatives outlined by the Vice Minister of Planning for vulnerable populations, which in the future could include the small-scale fisheries sector.

Johnny Ruíz of MTSS also mentioned:

The MTSS should recognize that there is no specific programme to define strategies that protect this group within the working population. Inspections are carried out by our offices in coastal areas if requests are received by workers of this activity. In the case of Puntarenas, the local leaders have informed me that they have conducted activities for rights awareness; it is in such fairs or booths that the presence of seafaring workers seeking advice has been noted.

Mr Cordero from the Ombudsman Office, stated that for the country to improve working conditions for small-scale fishing workers, one should first consider the activity as an important and productive activity in the national economy, with knowledge of how much fishers contribute and what their income is: “in this manner, interest [is] based on financial grounds, credit, and guarantees with respect to [human] rights”.

Mr Cordero also noted:

We should change the way work in fisheries is viewed, placing the activity in its real dimension and being more proactive in ensuring that the issue is addressed systematically in relation to work. Without the concept that there is an economy of this scale at sea, workers in this economy are not seen to need protection, nor do CCSS staff have boats to go see what working conditions are.

Mr Cordero mentioned the importance of disaggregated statistical data, which provides the basis for decision-making: “I was made aware that the big agricultural census has just been completed and that there is no national census of fisheries. Variables considered for management can be very selective, very environmental, but social aspects and labour are important.”

He also mentioned that, “since the administration is preparing the National Development Plan where goals are set, the issue of decent work at sea should be made visible. If this is done, we address the law of the republic. That which is not in the national development plan does not exist”.

In conclusion, many leaders are in agreement that the small-scale fisheries sector has been neglected for too long by the powers of the state, and they recognize the importance of improving current conditions for fishers and their families via measures at the national level.

Social security

As for social security in the fisheries sector, Dr Flores of the CCSS noted that “the CCSS has an Area of Special Coverage that should ensure that vulnerable populations are protected by social guarantees.” This area is responsible for providing protection to migrants or those with any degree of vulnerability when seeking medical care, given that they do not have the option of contributing to the CCSS. Additionally, the possibility of a pension at retirement is jeopardized under this scheme. Dr Flores also reported that since the 1980s the state has promoted a type of group insurance, where people are insured through partnerships or cooperatives. He noted “an agreement for group insurance was made with fishers to improve their health conditions, and this at the same time strengthened organization within this sector”.

Dr Flores said that fishers often live in vulnerable areas, such that on occasion they may access “national insurance” which:

... applies to those who work independently and have insufficient income, such that they

qualify for national insurance. This is a big step by Costa Rican law to offer this type of insurance for self-employed and vulnerable populations.

Child labour in fisheries

Randall Sánchez of INCOPESCA noted that “yes, child labour exists owing to the fact that [fishing] is developed as a family activity, where the whole family participates, such that it becomes the only source of work”. The authors are unaware of any cases of child labour in semi-industrial fisheries.

Mr Sánchez also said that although there are national efforts to eradicate child labour, he does not know of any regulations specifically for child labour in fisheries and doubts their existence, owing to the lack of national regulations for this in the sector.

Mr Fallas of MIDEPLAN recognized the importance of combating child labour, given that this is one of the main obstacles for achieving decent work and employment in the sector, and also given the relationship between child labour and poverty.

Juan Manuel Cordero of the Ombudsman Office added that:

The Defensoría de los Habitantes has had a historic struggle in the reporting and monitoring of child labour. Above all, the monitoring of public policies within the workplace, of education and of health care, which we call ‘the social network for the protection of the child worker’. The Defensoría has helped draw attention to the issue, which is not a peaceful theme (our economy does not function only among adults). Children work in hazardous and unhealthy activities. There are exceptional cases of children and youth assigned to cleaning the deck on boats (a risky, heavy and very poorly paid job), in response to which the Defensoría has taken action through the Council for Children and

Adolescents to shed light on this topic at sea.

It was stressed that the country needs to recognize child labour in fisheries and identify cases with greater precision. Mr Cordero emphasized that INEC should be in a position to analyse the permanent survey module, something which is currently not performed. He also mentioned that the last survey in which the issue of child labour was included was in 2001, meaning that a decade of information has been lost. From 2001 to 2011, the latest estimate indicated that there were 137 500 children working, concentrated in agriculture and commerce. The survey considered children between 13 and 16 years of age with about 6 years of schooling, and living in the rural sector. When it was redistributed in 2011, there were 47 000 children working, pointing to the success of universal public policies in education and health.

Johnny Ruíz of MTSS also highlighted that:

As a dangerous activity, children are not subject to either informal or less formal labour force participation, in accordance with the Code for Children and Adolescents, the ILO convention on the worst forms of child labour, and the Law on prohibition of dangerous and unhealthy work for adolescent workers through Executive Decree No. 36640 (MTSS, 22 June 2011).

While legislation concerning the prohibition of child labour in the sector was mentioned by respondents and described as dangerous and unsuitable for children, the reality is that child labour does exist in the sector, and there are no programmes, policies or strategies to put these regulations into practice.

Women in the small-scale and semi-industrial fisheries sector

Regarding women's labour in fisheries, Dr Flores of CCSS has highlighted that there is more potential and capacity for moving forward. In this sector, women reportedly work more than men

in addition to caring for their families. Therefore, women deserve the best possible opportunities in their personal, social and community life, including participation in decisions about their own lives and long-term plans.

The Vice Minister of Planning, upon consultation regarding the issue of gender in the fisheries sector, stated that the National Development Plan considers the issue of gender and progress and has included gender variables in its acts and plans. However, he did not specify whether there are specific measures in relation to gender issues in the fishing sector.

Juan Manuel Cordero of the Ombudsman Office stated that "fishing has very particular conditions; it is a work based on male chauvinism where female labour is undervalued and underpaid, and carried out under poor conditions. There is a lack of respect".

Johnny Ruíz of the Ministry of Labour and Social Security mentioned that in the MTSS, there are no programmes for improving the conditions of women in fishing; however he emphasizes that, "in informal family-based fishing, it is common for women to be involved, many as heads of household who engage in fishing as a means of support or maintaining minimum income".

In conclusion, it is noteworthy that although respondents agreed that the problems faced by women working in the fisheries sector include the lack of acknowledgement of their needs and recognition for their work, there are no policies or programmes in place to address these problems.



5. Results from interviews with small-scale fishers and mollusc fishery sectors

This chapter presents the results of interviews with different group of fishers from the small-scale and mollusc sector. Data were collected through a questionnaire with qualitative and quantitative questions (Annex 2).

The objective of the interviews was to gain an understanding of the local opinions regarding decent employment and work, working conditions, and the role of women, children and youth in fisheries. The interviews were conducted with an exploratory sample of 28 people. There was a higher representation of male informants: 20 men (71.4 percent) compared with eight women (28.6 percent), due to the greater representation in the sector by men in the Guanacaste and Puntarenas provinces. Among those interviewed, 78.6 percent were from the small-scale fisheries sector and 21.4 percent from the mollusc fishery sector.

The interview findings are organized according to the themes of interest in the study as follows:

- Decent employment
- Access to legislation, social security and pensions
- Access to training
- Women's labour in the sector
- Child labour in fisheries

Decent employment

Among respondents, 57.1 percent mentioned that although fishing was sometimes difficult given their current situation, they did not engage in other activities besides fishing and mollusc harvesting, whereas 42.9 percent claimed to have other income-generating activities in addition to fishing. This highlights the plight that the sector is currently experiencing and the increasing tendency of fishers to search for alternative sources of income.

Upon asking whether they perceived their job to be conducted in a dignified manner, all participants mentioned that their work was dignified, but 50 percent of informants indicated that on many occasions conditions were not entirely adequate, which affected the way in which they carried out their work.

Access to legislation, social security and pensions

When asking respondents if they were insured directly by the CCSS, 73.1 percent answered in the affirmative, while the other 26.9 percent reported having no insurance or having group insurance through a cooperative or association. Similarly, when asked if they were aware of whether they would have access to retirement in the future, 48.1 percent said yes while 51.9 percent had no knowledge of their eligibility for retirement income or of the requirements to receive this benefit in the future. These figures point to the fact that fishers have little to no knowledge about their access to insurance and pensions, which is supported by the fact that 88 percent of respondents claimed they had no knowledge about what laws existed to protect them and only 12 percent mentioned having some knowledge about such legislation.

Access to training

Among fishers, 52 percent claimed to have received no training on the part of any entity, except for obligatory basic offshore safety and emergency training (zafarrancho) for their profession; while 48 percent mentioned having been part of some kind of work-related training such as for the repair of motors and vessels, working with fibreglass, training in fisheries and navigation, and training for captains and tour guides. However, many respondents also pointed to the need for more training to stay up to date on different techniques.

Women's work in fisheries

Although women's work in the fishing sector is somewhat less visible than that of men, women have had increasingly active participation in decision-making as well as equal recognition. Most of the respondents mentioned that while few women engaged in fishing activities themselves, many engaged in commerce or other supporting activities while their partners were out fishing. As such, when asked if women are recognized as equals with men for performing the same work, 83.7 percent said yes, while 14.3 percent said they are not equally recognized, owing to, among other things, the heavy workload they are given and the lack of acknowledgement their work.

Child labour in fisheries

With regard to child labour, 67.9 percent of respondents reported that in their communities there were minors engaged in either fishing or mollusc harvesting. Among them, 65 percent mentioned that minors do not abandon their studies to engage in fishing activities, but rather alternate with studying: for example, they fish during school vacations, or before or after school, depending on the task. Among all respondents, 39.1 percent said that the age of children engaged in fishing activities in their community was from 13 to 15 years old; 39.1 percent stated the range at 16 to 18 years; and 21.7 percent reported the range at 6 to 12 years.



6. Findings from the group interviews and the focus group discussion conducted

6.1 Group interviews with workers in the shrimp fishery

The information presented below is the result of a group interview with workers in the shrimp fishery. There were 16 people interviewed (14 women and two men). All women were heads of household who maintained their families through the work of processing the shrimp (heading, peeling and packing). The ages among the women were diverse, with one worker between 18 and 30, two between 31 and 40 years, seven between 41 and 50 years, and six between 51 and 60 years.

Similar to previous sections, the information collected in the focus group interviews are organized by theme. In the group interviews with women involved in the shrimp sector, the topics discussed were:

- Decent work and employment and current status
- Social security and social guarantees
- Gender division of labour and different forms of recognition
- Child labour

Decent work and employment: current conditions

Women described certain features that from their perspective characterized decent work, including a stable job that permits holidays and other social guarantees, and also provides insurance policies that do not discriminate against women between 50 and 60 years old who still need to earn a living to maintain a household.

An important finding is that not all women are employed in permanent jobs with labour-management contributions to the Costa Rican

social security system. Among the women invited to participate in the focus group, 50 percent had occasional work or had been dismissed from their work owing to the expiration of trawling licences. The remaining 50 percent had steady work, with their salaries corresponding to those approved by law, and also had social security through worker–employer insurance as well as risk insurance from the National Institute of Insurance. As for work hours, they worked 8-hour working days, in correspondence with national law.

Women who have difficulty obtaining social security are often those with temporary employment who are hired two or three times a week with low daily pay, thus making it difficult for them to fully satisfy the basic needs of their families.

Informants also noted that in industries and factories, approximately 20 percent of women hired to work are women from Nicaragua.

The interviews demonstrated that the 50 percent of women with a stable job believed that they did have decent and dignified work. Meanwhile, women hired on a temporary basis had a different opinion: these women believed that exclusion from social services such as insurance and retirement income, among other benefits, did not constitute decent work. Women's work is dependent upon the quality and quantity of the resource delivered to the industry; if the influx of the product is low or nil, women either lose their jobs or are paid less, and struggle to gather basic funds for their personal needs and those of their family.

Social security and labour guarantees

Women in temporary employment have no social guarantees and feel forced to pay insurance separately, to be insured by their children, or to

receive coverage under the national insurance plan that is offered to vulnerable populations living in poverty. However, a drawback of the national plan is that recipients do not receive a pension or retirement funds, and when pensions are received, they are often meagre at about US\$125 a month, which is insufficient to cover basic needs.

All of the women and the two men that were interviewed noted that the factories provide them with protective gear such as boots, aprons, pants, protective eyewear, masks, and hats to avoid risks and provide health and safety in the workplace.

Some factories employ women who are pregnant, but give them jobs that will not compromise their health during pregnancy. Respondents believed that in this sense, national legislation has advanced substantially.

Gender division of labour and different forms of recognition

Women in the sector largely work on the processing side. Many of their activities are not valued economically, and women feel constrained by a minimum income that benefits neither them nor their families.

In most cases, work-related skills are learned through practice, without formal training. Those women who had been employed in factories sometimes received food handling courses or safety training in the company, but overall they mostly learned these procedures on the job.

All focus group participants said that women's work is not recognized using the same parameters for valuing the work of men:

Men are paid more than women primarily because men are given more overtime than women, and this makes them earn more in jobs that increase their wages and income. For us women it is much more difficult, especially given that most women are heads of household.

The participants added that they are not recognized as part of the fisheries chain of production, and thus receive no economic support during closed seasons or any other guarantees because they are not formally considered part of the shrimp trawling fishery sector.

Child labour

There was consensus among all respondents that factories do not recruit minors because it is prohibited by law. Note this response from a young female packing worker in Puntarenas:

I am 29 years old and from the age of 11 I've been peeling shrimp. We shrimp peelers are many. If the factories close, we are left without work, as Puntarenas has no labour sources and even less for young people. I am also a single mother and I have to look after my daughter. There are many women with occasional work. When the season closes, we are out of work and we do not receive any support or help; this time of joblessness hits us very hard.

6.2. Focus group discussion with vessel owners or operators

In the focus group discussion with vessel owners and operators, the topics covered were:

- Decent, dignified, and safe work in fishing: current status
- Women's labour in the industry
- Child labour in the semi-industrial fishing sector.

Decent, dignified, and safe work in fishing: current status

This group put forward that decent and dignified work in the fisheries sector is one that generates economic stability, owing to the fact that it is an activity regulated by law.

All considered the work they performed to be decent, as it ensures economic support. The

work has dignity because it involves the entire family, and generates income for their survival; it also allows other family members to learn the activity and to continue the way of life of semi-industrial fishers.

Among the respondents, the number of employees ranged from 2 to 48. In the latter case, 24 of the 48 people employed were women, and only one vessel owner reported having a woman employed as an administrator.

All employees have employer-based coverage and a risk policy from the National Insurance Institute. Employed fishers also receive an additional economic premium of 18 percent or 21 percent of production value.

Focus group participants agreed that there are no established working days during offshore fisheries work: if fishing is at night, fishers rest during the day and vice versa. The unpredictability of the daily work schedule is a disadvantage for labourers in fishing, as other jobs conducted on land have a more consistent work schedule.

All respondents are insured independently and know the labour laws and the labour code that protects its employees.

None of the respondents had received training for their profession. All fished with trawl nets and they reported adapting and improving their gear to make their fishing more efficient. For example, they had reduced the horsepower of their motors, used turtle exclusion devices, and increased their mesh size (from 1.25 inches to 2 inches).

Women's labour in the industry

Only one of the six vessel owners interviewed hired or had hired women to work at sea. One of them said that in the past he had employed women, but for traditional tasks like peeling and packing shrimp: "In our culture it is not common for women to want to work at sea and sometimes it is not even asked, because that means women must be far away from the home and their families."

In one particular case, the vessel owner/operator did involve female family members in administration and management activities; he considered their organizational skills to be an incentive to hire them, in addition to strengthening the family business.

One respondent noted that "women perform work in this activity more efficiently and generally have incomes that are similar to or greater than men."

Child labour in the semi-industrial fishing sector

According to interviewees, children and adolescent youth do not work in the semi-industrial fisheries sector because it is prohibited by law. However, many respondents suggested that, in their opinion, the involvement of youth (teenagers) in fishing activities reduced their likelihood of involvement in criminal activities (drugs), and provided them with skills for job opportunities. They noted that if the law permitted it, they would hire young people to apprentice in the business.



7. Conclusions

Small-scale fishing is more than a means of financial gain for subsistence. For those in the sector, it is a way of life that incorporates culture, a relationship with the sea and its resources, time management, traditions, strong ties with the region, social roots, and traditional wisdom.

Seafaring workers, especially those engaged in small-scale and semi-industrial fishing, are involved in the full cycle of production, from preparation for going out to sea to the moment the product is delivered for sale either to intermediaries or directly to consumers. For this they must endure long and difficult days performing tasks in suboptimal working conditions.

The characteristics of the work and its instability, as well as the country's traditional economic model that widens gaps and inequities, make these fisheries a vulnerable sector. This is also demonstrated by economic indicators as well as the level of poverty in rural populations, especially indigenous populations, peasants (*campesinas*) and others in the small-scale fisheries sector. Based on the findings from this exploratory study, it is important not to view poverty and small-scale fishing as having a causal relationship without taking into account the conditions in which the activity is carried out.

One of the consequences of informal work in fisheries is the difficulty of access to social security for those within the sector. Group insurance seems to be one of the best options for addressing this problem; however, this alternative is subject to the decisions of members in positions of power within fishers' associations, with the result that most fishers that are not associated are also not insured, which in turn affects their families.

The investigation further revealed that fishers note an important difference between what is decent work and decent employment. In the

testimonies of small-scale fishers, both men and women, it was apparent that their labour falls within the framework of decent work, involving the implementation of values and knowledge provided by years of experience, as well as earning a living in a dignified and respectable way. However, despite working independently, fishers experience poverty and despair more frequently than many other sectors due to the lack of opportunities, conditions, and resources to perform their work.

The situation of poverty and the lack of dignified conditions within the sector are deepened with respect to decent employment, because as noted by those interviewed, the conditions in which they work are poor. While at the national level there are conventions, agreements, labour laws, regulations, and a general openness to improve working conditions for the country's inhabitants, in the fisheries sector there are still many gaps and contradictions between the proposal and the reality. For example, there is minimal use of formal contracts for workers in fishing, which ultimately limits the protection for many fishers.

It was also found that fishers have a limited notion of the policies designed for their protection or of regulations that must be complied with, making it difficult for them to know the necessary procedures to follow if regulations are not implemented by responsible agencies.

The system for closed season subsidies to small-scale fishers was also considered, which are often late to arrive or insufficient for maintaining a good quality of life. We also highlighted certain aspects of exclusion with regard to this subsidy, such as the lack of consideration of women's role in the home and their contribution to fishing, even though they are often also heads of household. The law also imposes community

service upon men and women in exchange for the subsidy; which is associated with persons deprived of their liberty, thus affecting the self-esteem especially of those without other alternatives for compensation.

The lack of access to credit and training alternatives that provide tools for improving their work at sea and managing their finances is another barrier for small-scale fishers to enhancing their performance. Most fishers depend on intermediaries, hence the challenge to achieving greater independence in the supply chain and higher product value. It is extremely urgent to change the logic of the market and the visibility of fishers' efforts, as well as increase awareness of the importance of responsible small-scale fishing in all its dimensions, including the cultural, environmental, and social value of traditional knowledge.

The institutions that are responsible and competent within the sector owe it to small-scale fishers to provide real opportunities for capacity building and access to resources, as well as the promotion of labour rights and the implementation of mechanisms adjustable to their work at sea. This sector has been largely invisible at the level of public policies and social programmes, and only recently has the small-scale sector mobilized to be included in consultations and to participate in decision-making.

Present policies have used an assistance-based approach to providing welfare and training courses on basic protection at sea that do not take into account fishers' traditional knowledge and their own strategies for fishing, research, protection, marketing and commercialization. Many initiatives have been designed from the top down in such a disjointed manner that they have left fishers disengaged. A real discussion regarding this issue is needed among the various agencies involved in order to move forward in an integrated way.

It was also found that while the sector is composed of a large number of fishers, very few are part of any organization. This seems

to be related to the lack of value workers place on joining such groups, as well as to the limited number of consolidated associations. Nonetheless, in those associations with what appear to be successful experiences, fishers have positive views about joining an association or cooperative and the benefits this brings. From these interviews, a broad spectrum of interest can be seen in consolidating an organization for the protection of the rights of small-scale fishers.

Due to the nature of fishers' work, children, youth and women participate in the fishing process. Children may engage in the process of preparation for fishing and to a lesser extent in the activity itself. These activities are alternated with attendance at primary school or high school (in fishing communities where this option is available), and according to surveys and interviews in this study, there appears to be a younger age of entry into activities around mollusc harvesting. Young people in fishing communities apparently have a much more active role in fisheries. This is partly due to the few opportunities that coastal areas offer to this age bracket of the population, as well as the economic conditions of families that lead many young people to abandon school (or to not enrol in universities) and take up the family trade (i.e. fishing). Nonetheless, there are no recent studies that investigate the actual participation of this sector of the population in small-scale fisheries.

According to interviews, women are increasingly recognized for their work in the fishing process, both in the preparation of materials and the collection of resources. Nonetheless, there is still much progress to be made on gender in fisheries work in order to recognize the importance of women's role in the fishing economy. In this sense, the challenge lies not only in the appreciation of the activities of both men and women in fisheries, but also the need to share equitably in domestic chores and child care, such that women are not overburdened by double and triple workdays that are unseen and without compensation.

It is also important to note that in the country there is currently little information on the living conditions of people who are engaged in small-scale or semi-industrial fishing. Without any records on the labour of migrant sectors, which represents a significant proportion of workers, there are no data to identify their characteristics. A similar situation occurs with the shellfish sector, which has very scarce data on current working conditions.

Based on this exploratory study, it can be noted that there are pending issues for the various organizations involved in the process, mainly in relation to decent employment in fishing. It is worth emphasizing that many regulations are barely met, which merits rethinking of the objectives and ideas that we as a country have for the sector, in order to better serve its demands in pursuit of both economic and social development.

Recommendations

Below are listed some recommendations for follow-up actions emerging from the study conducted:

- A national census of the fisheries sector should be conducted, including all subdivisions: small-scale, semi-industrial, mollusc and aquaculture, including information in relation to the sex and age of the fishers. This will give a clearer panorama of the living conditions of people working in both domestic and foreign industries, in order to take measures at the national level to develop plans based on the actual conditions in the sector.
- Together with the Ministry of Health, the Ministry of Labour and the Costa Rican Department of Social Security should conduct an analysis of viable mechanisms that provide adequate accessibility to different services linked to the actual conditions of fishers in their work at sea, including their workdays, risks, equipment, and other circumstances particular to the fishing trade. This would include promoting, for example, more regionalization of services.
- This study reveals the great vulnerability of women working in fisheries who lack recognition for their work, indicating that institutions should promote a discussion of and specific proposals for women's access to social security. This can be coordinated with the Department of Special Insurance of the Costa Rican Department of Social Security.
- Promote comprehensive programmes for participatory research and management of marine areas for responsible fishing, accompanied by forms of governance and multi-stakeholder participation, to achieve concrete results that can serve to motivate other fishers to continue their work in small-scale fisheries, seek options for improving living conditions, and maintain their rights to coastal lands and their relationship with the sea.
- Expand national training programmes for the fisheries sector that respond to the specific characteristics of the population.
- Provide opportunities for supporting the organization of associations and/or cooperatives, including legal and administrative support, ensuring adequate development in these programmes to improve the sector.
- Employ strategies to ensure that fisheries workers have efficient access to information regarding labour rights, as well as access to health and the education necessary to conduct their work under optimal conditions.
- Ensure that women engaged in fishing and other activities in the production chain are given real opportunities for personal development and profitable ventures, as well as optimal working conditions, so as to continue their

tradition of fishing while improving their family environment and empowering individuals and groups in their communities.

- Ensure that government institutions not only make the fisheries sector and the characteristics of work at sea visible, but also implement the Labour Code and ratified international conventions, such that affirmative actions are proposed to reduce poverty levels in the sector.
- With regard to childhood and fisheries, a process of identification with the sea and coastal areas is recommended as part of the school curriculum, as well as increasing teacher awareness regarding fishery zones.
- For youth in fisheries, new formal education opportunities should be offered that provide access to new technical, business, technological, computational and communication skills, allowing them to become contributing members of their fishing communities and thus facilitating the integration of multiple generations in fisheries and organizations. Cultural roots and traditions based on the sea should also be strengthened.
- Build partnerships between public institutions (Costa Rican Institute of Fishing and Aquaculture, Ministry of Labour, Costa Rican Department of Social Security, Ministry of Health, National Institute for Cooperative Development, National Child Welfare Agency) and private sector organizations that address the themes of work, youth, sustainability and children. This dialogue along with the strategic guidelines that emerge here will focus on the issues of employment and decent work at sea based on those proposed in the National Development Plan 2015–2018.

Bibliography

- Consortium for the Sea R.L.** 2009. *Who are we?* (available at <http://www.consorcioporlamar.com/>).
- CoopeSolidar R.L. & CIAPA.** 2012. *Conservación de áreas marinas protegidas en Costa Rica: ¿y su gente?* Reflexiones como insumo hacia Río +20 y el congreso mundial de conservación JEJU 2012.
- Elizondo, S.** 2005. *Pesca y proceso de trabajo: el caso de los pescadores de isla Caballo, Golfo de Nicoya, Costa Rica.* University Of Costa Rica, San José (tesis de licenciatura inédita).
- FAO.** 2009. *Fisheries management. 2. The ecosystem approach to fisheries. 2.2 Human dimensions of the ecosystem approach to fisheries.* FAO Technical Guidelines for Responsible Fisheries. No. 4, Suppl. 2, Add. 2. Rome. 88p. (available at <http://www.fao.org/3/a-i1146e.pdf>)
- FAO.** 2014. *Fishing technology* (available at www.fao.org/fishery/technology/en).
- FAO/ILO.** 2013. *Guidance on addressing child labour in fisheries and aquaculture.* Rome, ILO International Training Centre (available at www.fao.org/docrep/018/i3318e/i3318e.pdf).
- FAO.** 2015. *Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the context of Food Security and Poverty Eradication.* (available at <http://www.fao.org/3/a-i4356e.pdf>)
- Fernández, D.** 2013. Pesca artesanal y pobreza en comunidades aledañas al Golfo de Nicoya. *Revista de Ciencias Sociales*, 140: 137–152.
- Gálvez, E., Gutiérrez, E. & Picazzo, E.** 2011. El trabajo decente: nuevo paradigma para el fortalecimiento de los derechos sociales. *Revista Mexicana de Sociología*, 73: 73–104.
- Ghiotto, L.** 2014. Repensar la categoría de trabajo decente: acerca de los nuevos modos de integración de la insubordinación del trabajo en el capital. *Revista Sociológica de Pensamiento Crítico*, 8: 41–55.
- ILO.** 1999. *Memoria del Director General: Trabajo Decente.* 87th Meeting, Geneva (available at www.ilo.org/public/spanish/standards/relm/ilc/ilc87/rep-i.htm).
- ILO.** 2007. *Decent working conditions, safety and social protection. Work in Fishing Convention* No. 188 and Recommendation No. 199 (available at www.ilo.org/sector/Resources/publications/WCMS_161209/lang--en/index.htm).
- ILO.** 2011a. *Manual para empleadores y trabajadores sobre trabajo infantil peligroso* (available at https://www.ilo.org/legacy/spanish/buenos-aires/trabajo-infantil/resource/bibliografia/industria/8_manual_empleadores_peligroso.pdf).
- ILO.** 2011b. *Guidelines for port State control officers carrying out inspections under the Convention on Work in Fishing.* Geneva, Switzerland, International Labour Office.
- ILO.** 2013. *Global estimates and trends of child labour 2000–2012.* International Labour Office (available at http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@ipe/documents/publication/wcms_221881.pdf).

ILO. 2014. *2014. Panorama Laboral: America Latina y el Caribe* [2014 Labor Overview: Latin America and the Caribbean] (available at http://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/documents/publication/wcms_325664.pdf).

IMAS (Joint Institute for Social Aid). (no date). *Red de Cuido* (available at http://www.imas.go.cr/ayuda_social/red_de_cuido.html).

INA (National Institute of Apprenticeship). (no date). *Núcleo náutico pesquero* (available at http://www.ina.ac.cr/nautico_pesquero/estructuranucleo_nautico.html).

INCOPESCA (Costa Rican Institute of Fisheries and Aquaculture). 2014. *Pesca comercial* (available at https://www.incopesca.go.cr/pesca/pesca_comercial.html).

INEC (National Institute of Statistics and Censuses). 2011. *Manual para Censistas: X Censo Nacional de Población*. San José.

INEC. 2014. *Encuesta nacional de hogares: resultados generales*. San José.

INFOCOOP (National Institute of Cooperative Development). 2012. *IV National Cooperative Census* (available at http://www.infocoop.go.cr/cooperativismo/estadistica/censo_cooperativo_2012.pdf).

Legislative Assembly of the Republic of Costa Rica. 2011. Ley de pesca y acuicultura. *La Gaceta*, 25 April 2005 (available at <http://www.hacienda.go.cr/centro/datos/Ley/Leyes%20436-Ley%20de%20pesca%20y%20Acuicultura-La%20Gaceta%2078-25%20ABR-2005.pdf>).

Legislative Assembly of the Republic of Costa Rica. 2011. Prohibición del trabajo peligroso e insalubre para personas adolescentes trabajadoras. *La Gaceta*, 25 March 2011.

MIDEPLAN (Ministry of National Planning and Economic Policy). 2014. *Plan nacional de desarrollo 2015–2018 “Alberto Cañas Escalante”*. San José.

Morux, L.D. & Murillo, J. 2013. *El trabajo en el mar: situación del trabajador pesquero en Costa Rica*. University of Costa Rica, San José (unpublished undergraduate thesis).

MTSS (Ministry of Labour and Social Security). (accessed December 2014). *¿Qué son las asociaciones solidaristas?* (available at <http://www.mtss.go.cr/preguntas-frecuentes/asociaciones-solidaristas.html?pid=438&sid=439:Qu-son-la-asociaciones-solidaristas>).

Neffa, J.C. 2003. *El trabajo humano: contribuciones al estudio de un valor que permanece*. Buenos Aires/Mexico City, Lumen Press.

OLDEPESCA (Latin American Organization for Fisheries Development). 2009. *Pesca Artesanal* (available at <http://www.oldepesca.com/node/89>).

OLDEPESCA & FAO. 2011. *Pesquerías en pequeña escala en los estados miembros de OLDEPESCA: servicios de extensión y entrenamiento en Costa Rica, Ecuador, Perú y México*. Circular de Pesca y Acuicultura. No. 1046 (available at <http://www.fao.org/docrep/014/i0997s/i0997s00.pdf>).

OSPESCA (Organization of Fishing and Aquaculture in Latin America). 2012. *Encuesta estructural de la pesca artesanal y la acuicultura en Centroamérica 2009–2011* (available at <http://dige pesca.sag.gob.hn/dmsdocument/70>).

Pacheco, A. 2005. Decreto N° 32511-MTSS. *La Gaceta* (available at <http://www.hacienda.go.cr/centro/datos/Decreto/Decretos-La%20Gaceta%20147-1%20AGO-2005.pdf>).

PEN (State of the Nation Programme). 2013. *Desempeño de la Educación General Básica y el Ciclo Diversificado*. En Cuarto Informe Estado de la Educación. San José.

PRADEPESCA (Regional Support Programme for Fisheries Development in Central America). 1995. *Encuesta de las actividades pesqueras con énfasis en la pesca artesanal*. Panama, PRADEPESCA Regional Executive Unit.

PRETOMA (Restoration Programme for Sharks and Sea Turtles). 2014. *Pescadores Artesanales de Nandayure, Costa Rica, se unen a lucha contra la pesca de camarón por arrastre* (available at <http://www.pretoma.org/es/fishermen-of-nandayure-costa-rica-join-anti-shrimp-trawl-fisheries/>)

Rodríguez, A. 2006. *Duodécimo informe estado de la nación en desarrollo humano sostenible: la cobertura de los seguros de salud y de invalidez, vejez y muerte* (available at http://www.estadonacion.or.cr/files/biblioteca_virtual/012/Rodriguez_2006.pdf).

Sáenz, M.R., Acosta, M., Muisier, J. & Bermúdez, J.L. 2011. *Sistema de salud de Costa Rica*. Salud Pública de México, 53: 156–167.

Salazar, S. 2013. *Situación actual de la pesca artesanal en Costa Rica*. Anuario de Estudios Centroamericanos, 39: 311–342. (available at <http://revistas.ucr.ac.cr/index.php/anuario/article/view/11809/11131>).

Sojo, A. 2010. Red nacional de cuido en Costa Rica y desarrollo infantil: objetivos, principios e institucionalidad (available at <http://www.cepal.org/dds/noticias/paginas/5/44945/sojo-red-nacional-cuido.pdf>).

TSE (Supreme Electoral Tribunal). 2014. *Código de Trabajo*. Law No. 2 of 27 August 1943 (available at <http://www.tse.go.cr/pdf/normativa/codigodetrabajo.pdf>).

Vindas, L. 2014. Sector pesquero crece pero beneficios no llegan a pescadores artesanales. *El Financiero*, 21 February 2014 (available at http://www.elfinancierocr.com/negocios/Sector-pesquero-beneficios-pescadores-artesanales_0_469153085.html).

Annex 1. Key informants interviewed

Key informant	Institutional position
Dr Eduardo Flores	Head of special coverage of the Costa Rican Department of Social Security – CCSS
Randall Sánchez	Chief of Planning – INCOPECA
Luis Fallas	Vice Minister of Planning
Juan Manuel Cordero	Director, Quality of Life, Ombudsman Office
Johnny Ruíz	Head of Migration Office – MTSS

Annex 2. Questionnaire on decent work in small-scale fisheries

Decent work in small-scale fisheries

The objective of this questionnaire is to contribute information to the study on *Decent rural employment in small-scale and semi-industrial fishing sectors in Costa Rica*, with the aim to propose recommendations for achieving decent and dignified work in fisheries. The questionnaire is confidential and data are used solely for the purposes of the research.

I. Sociodemographic and work-related data

Gender: F___ M___ No response___

Age

18 to 30	31 to 40	41 to 50	51 to 60	61 and over

Type of work conducted in fisheries

Artisanal fishing	Semi-industrial fishing	Other (specify)

Place of work _____

Residence _____

Organization in which you participate _____

Are there other activities that generate income besides fishing?

Yes_____ Which activities? _____

No _____

How long have you been dedicated to fishing?

II. Decent, dignified, and safe work

1. What does decent and safe work in the fisheries sector mean to you?

2. Do you think that your work in fishing and related activities are conducted in a dignified and decent manner?

Yes _____

Why?

No _____

Why?

III. Employment status in the artisanal and semi-industrial fisheries sectors

The following includes a series of questions related to the general characteristics of work in fisheries and the labour rights of their workers, some of them based on the interview developed by Morux and Murillo (2013):

1. Do you have direct insurance with the CCSS?

Yes _____ No _____

2. Are you aware that you will have a pension when you retire from fishing?

Yes _____ No _____

3. Do you know about the laws that protect you as a worker at sea?

Yes _____ No _____

4. Did you receive any training to learn fishing as a trade?

Yes _____ No _____

5. What is the fishing method you use most often? Has it changed over the years?

IV. Work of minors and women in the fishing sector

6. In your community, do minors work in fisheries?

Yes _____ No _____

7. Do they abandon their studies in order to fish?

Yes _____ No _____

Observations _____

8. In what age category do you think these minors fall?

Artisanal fishing	Semi-industrial fishing	Other (specify)

9. What type of work do women carry out in the artisanal and semi-industrial fishing sectors?

10. Is women's work in fisheries recognized in the same way as men's work?

Yes ____

Why?

No ____

Why?

The case study explores living and working conditions in small scale and semi-industrial fishing sector in Costa Rica to increase the knowledge base in relation to decent work in fisheries. It draws on a bibliographic review, as well as on focus group discussions and key informants interviews.

The study found that fishing at sea is a very dangerous occupation characterized by long and difficult working hours and limited occupational safety and health. Furthermore, fishers and fish workers face high levels of informality, poverty, and vulnerability. The combination of these factors disproportionately limits the access of fisher folk to social security schemes, credit and subsidies, training services, and they are weakly engagement in collective action.

ISBN 978-92-5-109534-8



9 7 8 9 2 5 1 0 9 5 3 4 8

I6519EN/1/03.17