

The South African Small-Scale Fisheries Collective (“the Collective”)

A program of awareness raising at a grassroots level aimed at assisting South African coastal and rural communities understand their Democratic Right to participate in consultative processes and to develop a better understanding of their Right to “informed consent” as citizens of South Africa in preparation for government public hearings on the effectiveness (or lack thereof) of:

Section 25 of the Constitution of South Africa (in reference to the expropriation of land without compensation)

Through a collaborative process and the assistance of the National Civil Society platform for land governance and the International Land Coalition, the Collective was able to embark upon the process as mentioned above. We would however be remiss if we did not acknowledge existing challenges in rural and coastal communities which were certain to affect the process we embarked on. It was however the urgent nature of the Constitutional processes, in particular the public hearings, which compelled us to pursue our course of action even though we knew we may not achieve the project objective/s at satisfactory levels.

Problem statement:

Literacy and numeracy levels in coastal and rural communities remains the biggest challenge in the delivery of effective awareness and information campaigns. Until a measurable grassroots communications framework, which takes local dynamics into account, can be created and implemented, the outcomes of awareness and information public campaigns will remain questionable. Furthermore, if we cannot determine the effectiveness of our advocacy and awareness programs due to the absence of a reliable measuring tool, we run the risk of creating unrealistic expectations in already impoverished communities and also diminish the notion of “informed and prior consent”.

This challenge requires a multi-stakeholder approach cutting across all sectors of civil society, government, academia and science as all will benefit from a common solution. This however is a topic for a different platform and was highlighted because of its impact on the activities of the Collective.

The Collective Section 25 program:

Our program was divided into three distinct components

1. The assembly of a core group of individuals (including persons not affiliated to the Collective but familiar with land issues and the SA constitution) whose primary task was to create the necessary literature needed for dissemination in the Western Cape and to also share with Provinces who were still in line for the Section 25 public hearings. The group’s core mandate was to ensure that all information was presented in a simplistic, yet concise manner and that the content should in no way whatsoever influence the decision of the individual during the public hearings.
2. Meetings with community/organizational leaders to ensure their understanding of the Section 25 processes and for leaders to convene meetings in the local areas in preparation of the government hearings. It was also to ensure that local leaders had access to information and literature created by the Collective for dissemination and explanation at community level.
3. To continuously follow-up with local community leaders in the various districts to ensure participation at government hearings as these occurred across the province.

The process leading up to the actual engagements between Government and community members started as early as April 2018 during the Land Governance Platform meeting at Kopanong, Johannesburg. The Collective, together with other civil society organizations serving on the Platform, had also recognized the need to launch awareness campaigns in coastal and rural communities to ensure meaningful participation during the Section 25 engagements.

Upon returning to our respective provinces we immediately started to include notices of the government public road shows into our everyday discussions as well as posting the road show schedules onto our whatsapp groups. The road shows were scheduled from 26/06/18 – 04/08/18. Sharing the information among the various groups worked well as many community members started asking questions and we could now sensitize them to the upcoming government road show.

The following notice was sent out on our whatsapp groups:

“Good evening Unity/Action group members

I would like to draw your attention to the minutes of the Action Group Whatsapp meeting which took place on 09/07/18 @ 20H00. The minutes of this meeting was posted on the Unity Group by Hilda Adams on the 10/07/18 @ 14H48.

***I would like to draw your attention to Point 3.A.2 –
Civil Society Platform in conjunction with ILC (International Land Coalition)***

The Collective participates on this platform and also serves on the Steering Committee of the Platform. Although we, the Collective, focus on fisheries in all its different forms, we also recognize the serious situation regarding land transformation and access to natural resources for South African Citizens.

As the Collective we are therefore fully in support of the “informed” participation of our local communities in the Section 25 engagements with Government concerning amendments to this part of our Constitution to facilitate the expropriation of land without compensation.

Restorative Justice is but one part of the land issue that affects millions of South Africans. Access to natural resources makes up another critical component of these engagements and it is therefore vitally important that when our fishers and fishing communities attend the Section 25 engagements that they are adequately capacitated and can get their message/s across from an informed point of view.

The Collective will therefore embark on the following activities to assist the Land Governance Platform in creating constructive dialogue sessions with Government.

Next week Collective members will collaborate with experts on land transformation and customary/traditional rights to produce and print pamphlets and brochures in English, Afrikaans and isiXhosa which will inform our communities (in layman’s terms):

- **What Section 25 of the South African Constitution means to ordinary citizens**
- **Awareness around Section 25 as to whether it should be amended or not**
- **How Section 25 speaks to access to natural resources**
- **When and how are customary rights applicable within Section 25**
- **The impact of the present Section 25 on our basic Human Rights**

Upon completion (and approval by the Land Governance Platform) of the literature the Collective will arrange a number of meetings with fisheries and community leaders (dates and venues will be communicated to all) with the aim of capacitating our leaders to host local workshops prior to the Section 25 engagements in Clanwilliam, Swellendam and Cape Town. The literature will also be forwarded in soft copies to areas in South Africa where the Section 25 engagements are still to take place.

The Collective will keep all members and other interested parties updated on it's progress.

Thank you."

*** although the above extract had served as a basis for a strategic approach to the road show engagements, it must be noted that the Collective had started engaging it's members and communities immediately after the Kopanong conference committing resources and manpower to the Section 25 project before actual funding was received. ***



Above was the meeting between Collective leadership and land governance specialist to design and print the community pamphlet for distribution prior to the Western Cape Section 25 road show.

The Collective membership included:

Overberg/Strand, Eastern Cape, Cape Metropole, West-coast/Cederberg and Southern and Northern suburbs and collaborative partners:

- Mr Gary Simpson – fisheries expert
- Dr Jackie Sunde – land and customary rights expert
- Mr Mark Botha – Economist and value-chain expert
- Mr John Reed – land and Khoisan specialist

Upon completion of the pamphlet and in accordance with the guidelines for the development thereof, the final draft was forwarded to the Land Governance Platform (Laurel Odette) for approval before print and distribution.

Below is a copy of the Section 25 pamphlet which was translated into Afrikaans and isiXhosa before distribution to community leaders in the Western Cape and to provinces that had not yet been visited by the government road show.

“Section 25” Meetings

What is “Section 25”?

Section 25 is that part of the South African Constitution that deals with property and land reform in our country. Property also includes water, minerals and marine resources. Section 25 was included into our country's Constitution to ensure that All our citizens could benefit equally from our natural resources and at the same time correct the wrongs of the colonial and Apartheid eras.

Who is arranging these meetings?

The meetings are being arranged by the South African Government and are being hosted in all of our provinces.

What is the purpose of the meetings?

The South African government, Civil society, private sector and the general public agrees that, after 24 years of Democracy, the pace at which land reform is taking place, is far too slow and NOT benefitting the citizens of our Country. Government is therefore coming to a grassroots level to hear what our people have to say about land and property reform in our country. Government also wants to know whether Section 25 should be changed to ensure that it can be more effective and our people can really start benefitting from it or whether Section 25 should stay as it is with the processes being applied with more determination and urgency on the part of government.

Why should you attend and have your voices heard at these meetings?

Property and land reform is very, very important to the economic growth and prosperity of all our citizens. The slow pace at which government is moving means our people remains caught up in the same old Apartheid-style poverty trap. As long as property and land reform does not happen, the following Constitutional Rights will still be trampled on, even within a Democratic South Africa:

- Basic Human Rights as a direct result of extreme poverty and the lack of opportunities
- Customary and traditional Rights which are meaningless unless there is access to land and natural resources
- The Right to a **BETTER LIFE FOR ALL SOUTH AFRICANS.**

Sections 25 meetings in your area:

02 August 2018 : West Coast, Citrusdal Thusong Centre (Citrusdal)
03 August 2018 : Overberg, Swellendam Thusong Centre, Swellendam
04 August 2018 : Public hearings in Cape Town....Old Assembly Chamber, Parliament.

This is the link for those in need of transport to the nearest meeting venue:

<http://goo.gl/KJDexLJ>

Contact person : Pat Jayiya (Ms)
Telephone number : (021) 403 8437
Mobile Number : 081 703 9542
Email : razzakani@parliament.gov.za

Pursuant to the completion of an acceptably worded pamphlet the Collective immediately embarked upon the second phase of its Section 25 operational strategy; engaging and capacitating local leaders to further sensitize and inform communities. At this juncture we were dealing with severe time constraints leading up to the actual road shows and were compelled to operate around the clock to meet our deadlines. Furthermore, a plethora of fisheries livelihood challenges also presented a range of communication challenges for community leaders who now had to become much more persuasive when engaging community members. It also meant that the core team had to spend much more time with community leaders in order to convince them (community leaders) of the importance of the upcoming government/community engagements.

Even though we knew that we were dealing with severe time constraints and that community leaders would only have one chance at achieving a successful outcome we were fortunate enough to have continued the Section 25 discussions on our whatsapp groups. As we had learnt after de-briefing sessions, many of our regular members were able to assist community leaders during local sessions.

The program for community leadership sessions were conducted as follows:

For the Clanwilliam session on the 2nd August 2018 the following communities were included:

Lambertsbay
Elandsbay
Velddrift
Laaiplek
Noordhoek
Laingville
Saldanha Bay
Vredenburg
Langebaan
Hopefield
Darling
Mamre

For the Swellendam session on the 3rd August 2018 the following communities were included:

Arniston
Struisbaai
Buffeljagsbaai
Pearly Beach
Gansbaai/Blompark/Masakhane
Stanford
Hermanus/Mount Pleasant/Zwelihle
Hawston
Kleinmond
Betty's Bay/Mooiuitsig

For the Cape Town Metro session on the 4th August the following communities were included:

Strand/Somerset West
Macassar
Khayelitsha/Mitchell's plain
Southern and Northern suburbs
Kalkbay
Redhill
Ocean View
Masiphumilele
Houtbay/Imizamo Yethu
Cape Town Central
Atlantis

As per the third phase of our strategy we had remained in constant communications with our community leaders' right up to the point where they had made contact with government officials responsible for transport arrangement. We had only encountered problems with the west coast regions where certain towns were outside the transport radius of government service providers.

Upon completion of the public hearings in the Western Cape region we had arranged de-briefing sessions for organization/community leaders via telephone or whatsapp to avoid unnecessary expenditures.

We believe that we had achieved our operational objectives within the set timeframes but we are not in a position to give a realistic assessment of the impact of our actions mainly due to the on-going livelihoods challenges which leaves our people totally exposed and vulnerable and also because of the historic challenges alluded to in our "problem statement".

Pedro Garcia
Co-Chair / Liaison Officer
South African Small-Scale Fisheries Collective ("the Collective")