



DAKSHINBANGA MATSYAJIBI FORUM (DMF)

Trade Union Regn. No.20474/92. Affiliated to National Fishworkers' Forum (NFF)

Head Office: 20/4, Sil Lane, Kolkata – 70015. Phone & FAX: 033-23283989 e-mail: dmfwestbengal@gmail.com

September 15, 2016

Shri Aditya Kumar Joshi,

Joint Secretary (Fisheries),

Department of Animal Husbandry, Dairying & Fisheries, Ministry of
Agriculture & Farmers Welfare, Room No.221-A,

Krishi Bhawan, New Delhi-110001.

Subject: Submission on the 3rd Draft Statement on National Policy on Marine Fisheries

Sir,

Please find attached the submission of Dakshinbanga Matsyajibi Forum (DMF) on the 3rd Draft Statement on National Policy on Marine Fisheries.

We have had put up our comments on the 1st and 2nd draft of the National Policy on Marine Fisheries. As such we are restricting our comments on the 3rd draft on major issues only.

Yours faithfully,

Pradip Chatterjee,
President
Dakshinbanga Matsyajibi Forum



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Submission on the 3rd Draft Statement on National Policy on Marine Fisheries

Introductory Comments

The procedural flaw in the process of draft circulation and opinion collection and absence of stakeholders in the committee appointed for preparation of the draft policy –

- That the draft was not translated in all the coastal languages and circulated with sufficient time to organise discussions on the same among fish workers. The draft was published on 01.09.2016 and the last date of submission of comments has been 15.09.2016;
- That there should have been multiple consultative meetings with coastal fish workers in every coastal state depending upon the length of the coastline of the respective state;
- That the committee for preparation and finalisation of the draft should have representatives of fish workers as its members.

Preamble:

The preamble to the 3rd Draft Statement on National Policy on Marine Fisheries states, inter alia, that “The overall strategy of the NPMF, 2016 will be based on the five pillars of **sustainable development, principle of subsidiarity, partnerships, inter- generational equity** and **precautionary approach**. These five pillars will guide the actions of various stakeholders in meeting the vision and mission set for the marine fisheries sector of the country. While fishers will be at the core of this Policy, actions will also be guided by the ‘Public Trust Doctrine’.

The deprivation, inequality and backwardness associated with women fish workers, who contribute substantially to fish and fish products and who constitute about 66% of the workers engaged in the fisheries sector make it imperative to include gender justice as one of the basic pillars of NPMF 2016. As such the above statement should read as in the following –

“The overall strategy of the NPMF, 2016 will be based on the six pillars of sustainable development, principle of subsidiarity, partnerships, gender justice, inter-generational equity and precautionary approach. These six pillars will guide the actions of various stakeholders in meeting the vision and mission set for the marine fisheries sector of the country. While fishers will be at the core of this Policy, actions will also be guided by the ‘Public Trust Doctrine’.

The need to have a separate ministry for fisheries –

The largeness of the fisheries sector in area coverage, employment and revenue generation as well as its variegation call for a separate ministry without which the sector cannot be provided with administrative justice. This is all the more necessary in view of the requirements of implementation of the instant national policy.

Marine Fisheries Sector of India – A Profile

Section 3.0:

This section gives a description of the amount of marine catch by depth and states that 86.6% of the catch comes from 0 to 100 mtrs. depth. But most conspicuously it does not mention the amount of marine catch by category of fishing craft. Thus it fails to mention that 80% of the marine catch is taken away by the mechanised sector leaving the rest 20% for the motorised and non-motorised sectors. It states that the near shore waters are over fished but fails to mention the main cause behind it – **indiscriminate unsustainable fishing by the mechanised**



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fishing boats. This section should unequivocally mention that the indiscriminate and uncontrolled fishing by the mechanised sector is responsible for depletion of fish stock in near shore waters.

Section 4.0:

This section states that “Mechanised trawl fishery is now the most important among various fishing methods and contributes about 55 percent to the total marine fish production in the country.” But most conspicuously fails to mention that **trawl nets, bottom trawls in particular, are destructive gears and are mostly responsible for over fishing and fish habitat destruction.**

Fisheries Management

Section 6.0 to Section 18.0 :

In these sections the draft policy attempts to set some guidelines necessary for the sustainable and equitable use of the marine fish resources. But, we regret to say that in spite of our repeated suggestions (in our submissions on the previous two drafts) to incorporate a few universally accepted policies that are necessary to comply with the basic **pillars** mentioned in the preamble of the instant document, nothing has been done. As such we can't but place those policies for fisheries management once again here –

It is harmfully naïve to club the whole of the Indian fishing fleet as small scale. Small and big are relative terms used to indicate differences in capacity in fishing. One trawler or mechanised fishing boat in India has a capacity to fish hundred times the capacity of a motorized fishing boat and at least five hundred times the capacity of a manual fishing boat. To club the whole Indian fishing fleet as small scale means doing away with **principles of equitable access to resources and subsidiarity.**

There is no marine fishing regulation act for Indian EEZ beyond territorial waters. The territorial waters belong to the maritime states and there are variations in state marine fishing regulation acts. More often than not fishing vessels belonging to one state venture into the waters of other states. All these raise the need to have a **National Marine Fishing Regulation Act that will coordinate with the state acts and provide for sustainable and equitable utilisation of fish resources with preferential access to the small fishing communities.** This should include the following measures –

1. Match fishing effort to available sustainable yield:

- a) The fishing effort should match the **sustainable yield**. This should be **estimated and enforced area wise taking into consideration the specific number, nature and area of operation of fishing crafts and gears. In view of the present situation of over-fishing measures should be taken to first reduce the number of mechanised fishing boats applying the principle of subsidiarity.**
- b) In view of the full or over exploitation of fish resources in near shore area the following measures should be considered –
 - i. **Moratorium on registration of new mechanised boats;**
 - ii. **Immediate stoppage of government subsidy, loan etc. for new mechanised boats;**
 - iii. **For small fishing boats restricting registration to owner operators.**

2. Provide preferential access to marine fish resources to small fishers [follow principle of subsidiarity]. Smaller fishers are to have the first right to catch, larger ones are to get the rest. This may be enforced through following measures –

- a) **Extend exclusive fishing zone for small fishers upto territorial waters [12 nautical miles].**
- b) **6 months fishing ban on mechanised fishing, 3 months fishing ban on motorised fishing, no ban on manual fishing.** (Fishers with motorised and manual crafts are to be compensated)
- c) **Introduce quota of catch for mechanised fishing sector providing for the requirement of the small scale fishing sector.**



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3. Ban destructive fishing:

- i. Introduce **total ban on destructive fishing methods like bottom trawling and purse seining.**
- ii. **Stop fishing with fish finders and/or LED lights** that make fishing very aggressive and indiscriminately destroy the natural fish stock.

4. Section 15.0

No foreign fishing vessel - build capacity of Indian fleet for deep sea fishing:

In view of the dismal outcome of the LoP scheme and the threat it bears to the Indian fishing fleet the LoP scheme should be discarded and Murari Committee recommendation regarding capacity building of Indian fishing fleet for deep sea fishing should be resorted to.

5. Regulation should start from the top:

Since the larger the effort the bigger is the impact, regulations to control and restrict fishing should start from the top. This means the regulations and punishment for their violations should be, respectively, more stringent and severe on larger fishing boats and less on smaller fishing boats.

6. Section 8.0

Right to Fish in Marine and Coastal Protected Areas:

Small and Traditional Fishing Communities' Right to fish in the marine and coastal protected areas (reserve forests, sanctuaries, national parks etc.) where restrictions and blanket bans on fishing have been imposed without any consultation with the traditional fishing communities (many of whom are tribal or scheduled caste people), have been a very important livelihood issue. Any conservation measure aimed to protect the natural resources should be drawn and implemented with the informed consent and participation of the fishing communities likely to be affected by those measures.

Marine fisheries policy should provide for -

1. **Recognition of the right to livelihood, i.e., right to fish of the small fishing communities in the waters of the marine and coastal protected areas like Sundarban, Bhitarkanima, Gahirmatha, Gulf of Mannar, Malban etc.**
2. **Mandatory informed consent of the small and traditional fishing communities before imposition of any restriction on their livelihood for conservation.**
3. **Adequate compensation and rehabilitation of the affected fishing communities.**
4. **Mandatory participation of the small and traditional fishing communities dependent on the protected area in the management of the protected area.**

Section 23.0 & 56.0 to 58.0

Protection for fishers fishing in waters bordering neighbouring countries:

The marine fisheries policy should have –

1. **Provision to provide adequate warning to the fishers regarding national water limits through markers, patrolling vessels and GPS enabled monitoring system.**
2. **Provision to have negotiated agreement with neighbouring countries regarding cross border fishing and provide protection available under UNCLOS.**

Monitoring, Control and Surveillance

Section 19.0

MCS is almost non-existent. **Without robust and effective MCS enforcement of regulation is impossible.** The Department of Fisheries in the ministry of agriculture must work together with the state Fisheries Departments and the stakeholders to put in place MCS system. Coast guard and coastal police should be adequately trained and equipped to strengthen MCS. Most importantly every effort should be undertaken to put in place a **community based MCS system.**



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It is disheartening to observe that the draft policy document provides no space for fishing community participation in MCS system.

Section 24.0

Ratification of ILO Convention 188 for work in fishing -

The fish workers of the mechanised fishing boats are the worst exploited. They are deprived of the minimum rights and entitlements to secure their lives and livelihood. Though India has been a signatory to the ILO Convention 188 in 2007, GOI is yet to ratify the same. **It is a pity that the draft marine fishing policy has failed to make any reference to this major issue in marine fishing.**

The marine fisheries policy should make provision for –

- 1. Immediate ratification of ILO convention 188 for work in fishing;**
- 2. Extension of the benefits of the convention to all the fish workers as applicable.**
- 3. Enactment of legislation for statutory implementation of the provisions of the convention.**

Mariculture

Section 27.0

Utmost caution should be adopted regarding the impact of pollution, alien species, disease proliferation, scale of operation etc. In view of the reducing availability of natural fish resources the small fishing communities should be encouraged and given preference to go for small scale mariculture. There should be a total ban on introduction of exotic alien species. Strong quarantine laws are to be part of such a policy. Entry of large investors in the sector should be banned and the sector should be exclusively restricted for the small scale fishing communities.

Marine Environment and Pollution

Section 37.0 to 40.0

Protection from encroachments and pollution:

In view of the rampant encroachments on the coast and severe pollution of the coastal waters the marine fisheries policy should have a special reference to –

- 1. Recognise the necessity of a comprehensive and effective Act on coastal zone to conserve the coastal natural resources and the livelihood of small and traditional fishing communities dependent on those resources.**
- 2. Mandatory scope for participation of the small scale fishing communities in coastal management.**
- 3. Immediate and stringent administrative and legal action against the polluters and encroachers.**
- 4. Provide for mandatory consent and participation of the fishing communities and the fisheries department in the sanctioning process of any project on the coast.**

Control Coastal Prawn Aquaculture:

Coastal prawn aquaculture has become widespread and is a large source of pollution. It contributes to salinity ingress in ground water and its discharge is affecting marine life. There is almost no control on the functioning of prawn aquaculture farms. Government is providing these farms with financial and marketing assistance. The marine fisheries policy should provide for –

- 1. Control over the number and coverage area of coastal prawn aquaculture farms;**
- 2. Ban on intensive and semi-intensive coastal prawn aquaculture;**
- 3. Strict compliance of environmental norms by coastal prawn aquaculture farms.**

Moratorium on Ports:

Considering the severe erosion of the coast set in due to establishment of ports and a large number of new ports being in the pipeline all over the coast and also in consideration of the fact that the ports are



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functioning much below their declared capacity, there should be a moratorium on building of ports till a proper environmental and ecological assessment of existing and proposed ports are made and the informed consent of the local fishing communities are taken.

Climate Change (Adaptation and new initiatives)

Section 41.0

It is regretted that the part of our national territory most affected by climate change, namely the coast, had not been addressed by any of the original eight national missions on climate change. Though it has been included later, precious little has been done towards adoption and implementation of a proper policy to address the climate change impacts on the coast and coastal people. This shows the government's insensitivity towards the coast and coastal people including the coastal fisher people, who are the worst victims of climate change impact. We demand –

1. **Immediate adoption of a National policy for Coast and Coastal Eco-System to address the climate change impacts on coastal natural resources and livelihoods of people dependent on those resources with special emphasis on the small scale marine fishing communities. Coastal small scale fishing communities should be made partners to this effort as the largest stakeholders. Central and State Fisheries Departments also should be made partners to this effort.**
2. **Preparation of Coastal Climate Change management plans with mandatory scope for participation of the small scale fishing communities.**
3. **Statutory participation of small scale fishing communities in implementation of Coastal Climate Change management plans.**

Fisher Welfare, Social Security Nets & Institutional Credits

Section 42.0 to 47.0

Provision for Finance, Infrastructure and Social Security:

Finance - The small scale fishing communities including fishers, fish sorters and dryers and fish vendors, due to their lack of finance, are easy prey to money lenders and fish depot owners. They should be provided with easy access to bank finance at soft interest rate.

Infrastructure – Boats and nets, drying platforms, solar dryers, storage space, light, office space, community room, auction hall, rest room and toilets, roads, transports and markets etc. are the infrastructure requirements of small scale fishing communities.

Social Security – The small scale fishing communities need housing, life and health insurance cover, old age pension and assistance for children's education irrespective of their enlistment as BPL or APL.

Gender Equity

Section 48.0

Enabling Policy for Uplift of Women Fish Workers –

The marine fisheries policy should provide for special attention to women fish workers in –

1. **Development and strengthening of women fish workers' collectives like cooperatives, SHGs, production groups etc.**
2. **Infrastructure requirements of women fish workers like drying platform, solar dryers, resting and storage facilities, transport, market etc.**
3. **Access to finance, technology and marketing.**
4. **Comprehensive social security including housing, drinking water, life and medical insurance etc.**

Blue Growth Initiative



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Section 50.0 to 51.0

Learning a lesson from the horrific experience of the productivity driven 'Green Revolution' that has inflicted the rural populace with poverty and disease in spite of achieving one of the highest agricultural productivities in the world, 'Blue Revolution' must strictly abide by the environmental and ecological norms and aim at the social, economic and cultural well being of the small scale fishing communities.

In view of the competing demands for ocean space by various investors and entrepreneurs utmost importance and priority is to be given for protection of small scale fishing communities' right to water, i.e., their right to protect and sustainably access the fisheries resources. Mandatory informed consent of the fishing communities have to be taken while providing coastal or marine water space for non-fishing purposes and the fishing communities should be given inalienable right to have their say on the management of such spaces.

Small and Traditional Fishing Communities' Rights Act:

It has become increasingly apparent from both the aggression of encroachments on and pollution in the habitats and fishing areas of the small fishing communities and the loot of the marine fisheries resources by over and destructive fishing that there should be a **Small and Traditional Fishing Communities Rights Act** to empower the small fishing communities with right to access and protect fish resources, their habitat and use of coastal land and to have infrastructure, finance, market and social security facilities. **The National Policy on Fisheries should make a strong reference on this.**

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