



## **NATIONAL FEDERATION OF SMALL-SCALE FISHWORKERS**

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### **PRESS STATEMENT**

May 29, 2025

#### **NFSF and SMTF Raise Concerns on Cargo Ship Capsize Resulting in Oil and Hazardous Chemical Spill**

#### ***Demand***

#### **Strict Precautionary Regime, Prompt Containing and Cleaning Measures, Habitat Restoration with Compensation for Resource and Livelihood Loss**

The National Federation of Small-Scale Fishworkers (NFSF) and its Kerala affiliate Swatantra Matsya Thozhilali Federation (SMTF) express grave concern about the ecological disaster and eventual livelihood loss caused by the sinking of the Liberian-flagged container ship MSC ELSA 3 in the early hours of May 25, approximately 38 nautical miles from Kochi, Kerala.

It is reported that the ship was transporting 84.44 metric tonnes of diesel, 367.1 metric tonnes of furnace oil, and 640 containers – 13 of which contained hazardous goods and one contained calcium carbide. Calcium carbide, if comes in contact with water, can severely disrupt ecosystem.

Fisheries in general and small-scale fisheries in particular, are the largest and worst victims of pollution, chemical contamination, oil spill and submerged wrecks caused by capsized ships. The coastal waters of Kerala provide livelihood to thousands of small-scale fishers and allied workers.

There are several international conventions that provide directions regarding prevention of such events, their liability and measures to be taken on their occurrence.

- The current HNS (Hazardous and Noxious Substance) Convention adopted in 2010 ensures that those who have suffered damage have access to a comprehensive and international liability and compensation regime.
- The International Convention on Civil Liability for Bunker Oil Pollution Damage (The BUNKER Convention). The Convention, adopted in 2001, applies to damage caused on the territory, including the territorial sea, and in exclusive economic zones of State Parties.
- The Nairobi International Convention on the Removal of Wrecks, adopted in 2007, provides the legal basis for States to remove, or have removed, shipwrecks that may have the potential to affect adversely the safety of lives, goods and property at sea, as well as the marine environment.



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We are given to understand that the State Pollution Control Board is yet to adopt an Oil Spill Contingency Plan, neither does it have a Standard Operating Procedure (SOP) in the matter. It is well known to the concerned Government authorities that due to its proximity to an international oil transportation route the entire coast of Kerala is at risk of oil spill disasters. The delay in adoption of the Oil Spill Contingency Plan amounts to criminal negligence.

We also resent the exclusion of the small-scale fishing communities and their organisations from consultations on adoption and implementation of the contingency plan. Shutting off the participation of the largest and likely to be most affected stakeholder community betrays bureaucratic highhandedness and fails to utilise the potential strength of the people in disaster management.

In view of the above, NFSF and SMTF demands –

- Immediate assessment of the loss of fish resources and damage to the livelihood of small-scale fishing communities of the spill affected areas and provide compensation for the same;
- Comprehensive warning and strictest possible surveillance to prevent spills and contain spills as quickly as possible;
- Immediate adoption of an Oil and Hazardous Substance Spill Contingency Plan to be prepared and implemented with the participation of stakeholder communities, especially the small-scale fish workers;
- The Government should guarantee payment of compensation or restoration cost by companies / countries owning or flagging the ship for damages done to the ecosystem, bio-diversity, fish resources and livelihood of fishing communities.

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