



Comments on Draft National Framework for India's Blue Economy

National Platform for Small Scale Fish Workers (NPSSFW) represents small scale fish workers' organisations from 19 states and UTs of India including six maritime states and the Andaman and Nicobar Islands. NPSSFW submits its comments on the **Draft National Framework for India's Blue Economy** as representative of the small-scale fish workers, the largest primary stakeholders and natural custodians of our marine and coastal natural resources.

NPSSFW confines its comments on the draft policy framework mostly to an overall assessment of and the basic concepts underlying the draft, as it becomes largely futile to make comments by every section of a policy document when there are serious questions/disagreements on its precepts.

But before considering the draft policy NPSSFW wants to raise some points regarding the procedure of its preparation and publication for stakeholders' comments.

Procedural Issues:

National Platform for Small Scale Fish Workers (NPSSFW), at the very outset, highlights the highly exclusionary and non-participatory manner in which the Draft National Framework for Blue Economy has been prepared and placed in the public domain for comments. During the entire process, which began in May, 2018 and took until January, 2021 before a draft was placed in the public domain, the **Ministry of Earth Sciences undertook no effort to facilitate stakeholders' consultation on the draft policy**. We take this opportunity to remind the concerned officials that their responsibility does not end with publication of the draft and calling for submission of comments on the same. As the nodal ministry facilitating the process of finalising the policy, they have the responsibility to take their level best efforts to facilitate stakeholders' consultations on the new draft policy. **NPSSFW demands that the finalising process of the draft undertake a comprehensive consultative process with the small-scale fishers' unions, collectives and support organisations of small-scale fishing communities - the largest primary stakeholders of our marine and coastal natural resources.**

NPSSFW is also alarmed to note that the Ministry of Earth Sciences has placed the draft on its website at the end of January, 2021 and has given a deadline for comments for the 27th of February, 2021, **a mere period of a few weeks**. As the relevant authorities are aware, the main draft policy is accompanied by 7 annexures running into hundreds of pages. The timeframe for submission of public comments is highly inadequate to the scope of the policy and is tantamount to denial of the scope of review by the communities of small-scale fishers, fish farmers, fish vendors and allied workers, who constitute the great majority of primary stakeholders. **NPSSFW demands that the timeframe for the submission of public comments be extended to 15th May, 2021.**

NPSSFW further notes that the draft policy and the annexures thereto are **uploaded online only in English**. For a policy which is supposed to impact the lives of tens of millions of fish workers and other people along India's coast, it is highly irresponsible on behalf of the authorities not to provide translated versions of the documents in vernacular languages. **NPSSFW demands that the draft should be published in all regional languages of the country.**



Data Updation:

NPSSF also notes that there is outdated data and information provided with reference to 'Priority Area 3: Marine Fisheries, Aquaculture and Fish Processing'. The section makes references to a 'Draft Mariculture Policy' and likewise makes recommendations for addressing sustainability in the Marine Fisheries sector. However, these are not in sync with the more updated information being provided through the **Draft National Fisheries Policy 2020 (6th Draft)**. NPSSF demands a review of the key recommendations made by the 7 Working Groups with a view to harmonise the recommendations with national policies that have been either made or are in the making with respect to relevant sectors by concerned nodal ministries. NPSSF also demands that submissions of public comments made in regards to these areas, which would ultimately determine the final outcomes, must be reviewed by the Working Groups. Finally, the Draft Blue Economy Policy must not be finalised until policies for relevant sectors are finalised.

In line with the above NPSSF is forwarding its and affiliated organisations' observations and comments on the following policy documents as annexure to the instant submission on the Draft National Framework for Blue Economy so that the policy positions contained in those documents become readily accessible to the policy makers –

- i. [Comments on the Draft National Fisheries Policy 2020](#)
- ii. [Comments from the member union Dakshinbanga Matsyajibi Forum on the Draft National Policy on Marine Fisheries 2017](#)
- iii. [Comments on the Draft Mariculture Policy 2019](#)
- iv. [Comments from the member union Dakshinbanga Matsyajibi Forum on the Draft Marine Fisheries and Regulation Bill 2019](#)
- v. [Comments on the Draft NFDB Bill 2019](#)
- vi. [Comments on the Draft EIA Notification 2020](#)
- vii. [Submission on the Draft Social Security Code 2020](#)
- viii. [Statement the Draft Recycling of Ships Act 2019](#)

Overview and Basic Disagreements:

The main problem with the Draft National Framework for Blue Economy is that it **misses both the direction and the context of present policy requirement** and oscillates between mentions of 'sustainability', 'eco-system approach', 'no waste - no pollution' at one end and proposals for promotion of tourism, aquaculture, manufacturing and other industries, shipping and ports with port led developments (Sagarmala), Coastal and Deep-Sea Mining and Offshore Energy at another end.

To provide direction to the policy framework first and foremost it requires to be stated in unambiguous terms whether the sectors in their development with individual, mutual and cumulative impacts are subservient to the principles of **sustainable development, inter-generational equity, public trust doctrine and precautionary approach** which inter-alia constitute the main principles of natural resource and eco-system conservation.

To put the Draft National Framework in proper context NPSSF observes that the policy on Blue Economy is necessary:

- i. Not because the above sectors are absent on our coast but because they are largely present;
- ii. Not because all the above sectors are compliant to the marine and coastal resource base, but because there are serious impacts on the eco-system and environment due to them;



- iii. Not because the above sectors are moving ahead in mutually conducive manner, but because they have mutually encroaching and damaging aspects.

This necessitates a factual and in-depth assessment of the sectors of blue economy and their impacts. Coastal economic and industrial corridors; coal based and nuclear power plants; extensive tourism projects both on land and in the sea; installation of so many small, medium and large ports all around the coast with associated dredging and constructions in the sea; national waterways further damaging the fish resources and bio-diversity in the estuarine and river waters; oil and gas explorations and extractions in coastal land and water areas with proposed large scale sea-bed mining; wildly proliferating coastal intensive shrimp farming; destructive fishing by trawlers and mechanised fishing boats – all these agents are making a mockery of the promise of 'sustainable' growth flaunted so often by our governments. The policy framework is completely silent on this. **It thus robs the instant policy document of its relevance to the present problems.**

In connection with the above NPSSF submits that the natural-resource based marine capture fisheries sector is not comparable to other components of the Blue Economy as the natural fisheries resource is irreplaceable and has its own laws of existence and regeneration that cannot be engineered through external efforts. Fish and fisheries are indicators of the health of marine eco-system. As such, the components of the Blue Economy, other than fisheries, **should be amenable to the needs of natural-resource base of fisheries and to the livelihood interest of the community of small and traditional fishers** who are engaged in sustainable fishing practices and are an integral part of the marine ecosystem.

NPSSF also proposes that other components of the Blue Economy be treated as encroachments on the natural-resource base that entails infringements on the rights of the small-scale and traditional fishing communities. As such, there should be statutory safeguards with administrative initiatives to protect the fisheries sector with instruments like 'Coastal and Marine Fishing Communities Rights Act', which *inter alia* will protect the natural-resource base of fisheries, the livelihood of small and traditional fishing communities and provide permissible space to other components of the Blue Economy.

Furthermore, in the name of sustainable and inclusive growth, the rights, as enshrined in the Constitution of India, of the 4 million strong marine fisher community, in addition to millions of other coastal dwelling urban and rural communities, have been entirely neglected. There is no space for the small-scale fish workers in the governance of Blue Economy as per the proposed national framework.

NPSSF is alarmed to note that the draft policy has **no mention of climate change** and its associated manifestations of sea-level rise, increasing frequency and intensity of cyclones, coastal erosion, salinity ingress in rivers and associated wetlands and the resulting dangers facing coastal and marine livelihoods and infrastructure. There are multiple government and private studies on the severe short, medium and long-term impacts of climate change that should be utilised to provide guidance to the framing of the policy.



Some observations on sections:

Stakeholder Consultations by EAC-PM

No such consultation was ever held with the fishing communities or their organisations. The fishing communities or their organisations had no invitation to attend the “Plenary Group meeting” which is claimed to be organized with all the relevant stakeholders in May 2018.

Definition of Blue Economy

“India's Blue Economy can be defined as a subset of the national economy comprising of the entire system of ocean resources and man-made economic infrastructure in marine, maritime and the onshore coastal zones within India's legal jurisdiction, which aid in the production of goods and services and have clear linkages with economic growth, environmental sustainability and national security”.

This definition corroborates to the oscillation between ‘sustainability’ and extractive economic ventures evident in the draft. Not subservience but only ‘linkage’ to sustainability is a clear proposition to remove probable objections on the ground of violation of the principle of sustainable development.

National Accounting Framework for Blue Economy and Ocean Governance

The prescription for data collection falls miserably short of identifying and evaluating the existing eco-system services of the marine, coastal and related eco-systems to the economy in terms of employment with gender balance, goods and services, food security, poverty alleviation and nutritional status. There is no comprehensive data base. In addition, inter sectoral conflicts, sustainable development requirements and principles of resolution of conflicts are not mentioned.

Tourism and Development

It is obvious that not only ‘carrying capacity’, but also existing stress has to be assessed. Also, without proper guidelines for CMSP this may not ensure ecosystem conservation.

Impact Assessment of Tourism

Both the Ministry of Tourism and the Ministry of Environment, Forest and Climate Change have been utterly irresponsible in addressing and restricting ecologically destructive and damaging tourism. How can they be relied upon and recommended without mentioning their past records and attaching stringent terms of compliance?

Beach Benchmarking Standards

The blue flag certification does not ensure protection of natural resource dependent sustainable livelihood practices. This certification can actually be used against small scale fishers and fish workers as in reserve forest areas. Fishers are against this due to exclusion processes and have been protesting against this certification in Odisha and Goa.

Development of a Plastic Elimination and National Marine Litter Policy

Abject disinterest to implement existing rules and regulations and giving proposals for new statutory and administrative measures has become a favoured trait of Government administration. The instant draft framework is silent to the violation of existing rules and administrative orders on solid waste, plastic waste and waste water management and does not propose any fixing of responsibility. Instead, it proposes new measures.



Increasing Sustainable Marine Capture Fisheries

The policy has no mention of the need for sustainability in marine capture fisheries, as well as the recognition of the main matters related to the drivers of unsustainability. There is an urgent need to stop destructive fishing methods like trawling, purse-seining, use of LED light or fish finders, mosquito net fishing etc. as well as the need to promote sustainable and equitable fishing practices have not been mentioned. Small scale fish workers' right to participate in the management of fisheries has not been proposed.

Enhancing Mariculture Production

Mariculture involves the erection of cages and moorings sturdy enough to withstand extreme weather events and recurrence of severe cyclones around the Indian coastline. This would require intensive capital investments for establishment and running of mariculture enterprises. Thus, it is not at all suitable for the small and traditional fishers, nor can it accommodate the large number of fishing communities who are reeling under the combined impacts of over-fishing by the mechanised sector and pollution.

Leasing of marine waters is in violation of the public trust doctrine which holds that the water commons cannot be privatised.

Proliferation of mariculture, apart from obstructing access of small-scale fishing communities to fishing areas, will invariably increase the pollution load in and around the mariculture areas, further hampering the open-water fish stocks and the livelihoods of smallscale fishing communities.

In this background, the small and traditional fishing communities are in need of a '**Coastal and Marine Fishing Communities Rights Act**' that guarantees their habitat, access to fish resources and their right to protect those resources as well. The enactment of the aforesaid act would mitigate the conflicts between fishers and mariculture farmers arising from obstruction in access to fishing ground and encroachment of fishing areas

Monitoring, Assessment and Management of Ocean Health

This section fails to invoke precautionary principle and intergenerational equity. Protection of livelihood rights of small-scale fishers in protected areas also missed.

NPSSF reiterates the submission made with regards to the Draft NFP 2020 which must form an integral part of the regulatory mechanisms to manage Ocean health:

"The policy directive which will aim at strengthening regulatory mechanisms to control pollutants to ensure that the land and sea-based pollution is effectively controlled and the ecosystems monitored. In addition, destructive fishing methods like bottom trawling, purse seining and mosquito net or zero net fishing or fishing by electric charge, dynamite or poisons, as well as over fishing methods like fishing with LED lights and fish finders will be banned or controlled."

Marine Biotechnology and Bio Prospecting

The section fails to mention impermissibility of exotic species in mariculture. It also fails to mention needs for extreme caution and adequate safeguards against manipulation of species characteristics through bio-engineering. Precautionary principle must be invoked.



Legal and Regulatory Reforms

This section misses to mention the need for the proposed Central Legislation on marine fishing to:

- i. be coordinated and streamlined in relation to state acts;
- ii. ensure preferential access to Small Scale Fishers for sustainability, employment and equity;
- iii. provision livelihood protection of small-scale fishers in protected areas.

Harvest, Post-Harvest Processing

This section needs to mention the preferential user right of Small-Scale Fish workers to fisheries infrastructure for harvest, post-harvest and processing of fish. **Strengthening the value chain should not adversely affect the important sections of small-scale fish workers serving as human agents for value addition through their work on smoking, curing, pickling and drying fish by introducing external agents that may replace them.**

Capital Infusion

'Ease of doing business' has not been targeted for Small Scale Fish Workers. This will make the ventures unsustainable and edge out SSF.

Sagarmala & Maritime Clusters

The overwhelming experience of the port-led Sagarmala program from the perspective of the small-scale fishers has been one of **displacement and exclusion**. Fishers unions across all maritime states and UTs have been protesting against the development of large ports, most notably at the time of submitting this response, protests in Maharashtra against the Wadhvan Port, in Goa against the Marmugoa Port, in Kerala against the Vizhinjam Port, in Tamil Nadu against the Ennore terminal and many more against Minor ports.

Likewise, in a recently concluded public tribunal highlighting the experiences of the fishing communities within the port-led and maritime-cluster development frame, it was overwhelmingly articulated by members of the community that these projects lead to denial of their rights to life and livelihoods under Articles of the Indian Constitution.

Establishment of a Maritime Development Fund

Procurement of fund (PPP model) indicates massive sell out of marine and coastal resources to private investors. No terms or conditions have been attached to protect the interest of coastal communities.

Enhancing Logistics & Connectivity

The Draft Framework proposes to 'Coordinate and integrate the monitoring process of infrastructure projects under implementation, including Sagarmala, Industrial Corridors, Coastal Economic Zones, Dedicated Freight Corridors, Bharatmala etc. This will ensure complementarity in various projects so as to develop overall national maritime infrastructure capacity.' Without any safeguard for protection and promotion of the livelihood interests of small-scale fishing communities and the natural-resource base it would result in massive coordinated attack on those in which all these sectors/ventures would be complimentary to each other.

Coastal and Deep-Sea Mining and Energy

Mining is never sustainable. The resources mined are not regenerated. Coastal and Deep-sea mining will not only dig out the minerals but also will destroy rich habitats of marine life including that of fishes and crustaceans. The Draft Framework fails to propose any protective condition. Simply stating the need to protect is not at all enough. It also fails to provide any right



to the fishing communities to govern or control such activities. As such it is not acceptable to the fishing communities.

To this effect, NPSSFW would like to draw attention to the letter made by the 'Code Project' team at PEW Charitable Trusts, USA, dated the 18th of May, 2020 and addressed to Scientists at the Ministry of Earth Sciences which highlighted 'a series of critical gaps' in the Environmental Impact Statement (EIS) concerning the planned technical trials of a nodule collector pre-prototype. NPSSFW is alarmed to note the series of lapses highlighted in the submission made to the MoES and is further concerned because these lapses only relate at this point to trials. Given that the Draft National Framework for the Blue Economy intends to promote commercial deep-sea mining, as also evidenced by the allocations made in the Budget 2021, it is imperative that the MoES revisit the current institutional capacity, environmental protection framework and abide by the principles of inter-generational equity and precautionary principle before expanding on commercial mining in the oceans.

Mission Offshore Wind Energy

The approach to the installation of offshore wind energy fails to consider that the coastal and marine spaces of India are already spaces of residence and livelihood. As per the Fisheries Statistics Handbook, 2018, there are more than 3400 coastal villages along India's coastline, all of which are inhabited by fishers who operate shore-based, near-shore non-motorised and motorised fishing crafts. The Territorial Waters of India are, as a result, spaces that provide for rich fishing grounds and sources of food and nutrition.

The experience of on-land wind farms, and observations from marine wind energy farms in other countries, makes it clear that these installations create massive exclusion zones. They also affect marine and avian fauna on account of the impacts of the rotating blades on local micro-weather conditions, as well as on account of the noise created by the rotors. As such, without the inclusion of fishing communities, and placing their needs at the centre of the planning, offshore wind energy installations shall lead to further displacement and disruption of livelihoods.

Protecting Marine Biodiversity

The section makes references to international instruments and conventions that the country is a signatory to. This is welcomed, especially since marine species are transboundary and highly migratory and that regional and global cooperation are essential to the protection of these marine resources. However, national instruments such as regulations under the Coastal Regulations Zone notification, as well as various fisheries regulations are poorly implemented, while violations are often condoned.

From the perspective of small-scale fishing communities, the protection of marine biodiversity must also include the stringent implementation of national laws, in sync with obligations under international instruments.

International Cooperation

NPSSFW suggests that all IMBL areas be equipped with monitoring capacity so as to issue timely warning and dissuade the Indian fishers. In addition to this, consultations with the governments and fishing communities of bordering countries should be initiated for mutual resource access and sharing



The Way Forward - A Draft Policy Framework For India's Blue Economy

NPSSFW reiterates its position that the process undertaken to prepare the 'Draft Policy Framework For India's Blue Economy' has not seen any consultation with small-scale fishers and allied fish workers. Therefore, the first step for the way forward in finalising the policy is a national-level consultation with small-scale fishers and fish workers and their unions and collectives. In the absence of this process, NPSSFW states that the instant Draft policy shall lead to the large-scale displacement of millions of fishers.