



## National Platform for Small Scale Fish Workers (NPSSF) National Conference 2022 Resolution on the Draft Indian Marine Fisheries Bill 2021

The Department of Fisheries in the Ministry of Fisheries, Animal Husbandry and Dairying of the Government of India had brought out the Draft Indian Marine Fisheries Bill 2021 just before the monsoon session of the parliament in 2021.

The Bill has not been placed in the parliament till date, but it is still on the website of the Department of Fisheries, GoI. The state governments of Tamil Nadu and Kerala have opposed the Bill.

NPSSF observes that the initiative taken by the Department of Fisheries, Government of India to enact legislation for fishing in the Indian Exclusive Economic Zone beyond the territorial waters has been long due. This has been a long-standing demand of the country's marine fishing communities, especially the small scale fishers and their organisations. Their main concern has been to check the loot of marine resources by the mechanised fishing fleet and establishment of preferential access of small scale fishers to marine fish resources.

But, NPSSF has been unhappy with the lack of opportunity for stakeholders' consultation on the present IMFB 2021. Though the Draft Bill has been translated in different regional languages under strong demand of NPSSF and other organisations, the Department of Fisheries of the Government of India has failed to take any initiative to hold stakeholder consultations on the Draft Bill with the fishing communities in the coastal regions of the country.

NPSSF further observes that the Draft Bill was hastened because of the WTO mandate against **Illegal, Unregulated and Unreported** fishing in the face of ensuing negotiations on fisheries subsidies, which would stop subsidies to the mechanised fleet in a major way.

NPSSF has also been extremely unhappy with the contents of the Bill. The main objections of NPSSF regarding the text of present IMFB 2021 have been:

1. **Failure to reiterate** the overarching principles like **sustainable development, socio-economic upliftment of fishers, principle of subsidiarity, partnership, inter-generational equity, gender justice and precautionary approach** enshrined in the National Policy on Marine Fisheries 2017 to be followed by the present bill.
2. **Wrong definition of 'Small Scale Fisheries'**. All kinds of fishing boats including non-motorised, motorised and mechanised are included in the small-scale fisheries in the present bill. This is going to preclude the right of actual small-scale fishers to preferential access to fish resources and other entitlements regarding finance, infrastructure and welfare.
3. **Lack of the right of participation of the small-scale fishers** in the framing of rules and constitution of bodies to be made for the execution of the proposed act which include - MCS, measures for promotion of livelihoods and socio-economic well-being of traditional and small-scale fishers, Marine Fisheries Development and Management Plans, Marine Fisheries Policy, 'Consultative Committee' for policy guidance and adjudication of violations.

4. **Lack of guidelines** for consideration of available resource and capacity of fishing with application of **scale subsidiarity in licensing** of fishing boats and providing **preferential access** to marine fish resources.
5. **Criminalisation of fishing communities** by commissioning an unjust procedure that penalises fishers accused for violating the statutory norms by detention of vessel and gears indefinitely and refuses to pay any compensation for the loss of livelihood and damages to vessel and gears incurred due to the procedure even if the accused are proved innocent.
6. **Lack of statutory guidelines** for migrant and vessel crew fish workers who are at work on larger vessels and fishing efforts.

The Draft IMFB 2021 has been an instrument for further disempowering the small scale fishing communities and exposing them to the exploitation by the mechanised fishing sector connected with the big business and corporate.

NPSSFW together with organisations affiliated with it and other organisations reject the current draft IMF Bill and have launched a national campaign against the IMFB 2021. All the state governments of coastal areas as well as all the members of parliament have been moved to oppose the Draft Bill.

It is of great relief that the Draft Bill is yet to be placed in the parliament. But the fishing communities and the concerned citizens at large should be on their guard as the government proposes to table the Draft Bill in any future session of the parliament.

**NPSSFW calls upon the small scale fishing communities all around our coast to heighten their initiatives to oppose the Draft IMFB 2021 and continue to develop a mighty campaign against the same.**

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***Dt. November 9, 2022***