



National Platform for Small Scale Fish Workers (NPSSF) National Conference 2022

Resolution on Fishing Communities' Right to Land

Fishers and fish farmers fish or farm fish in the water, but they have to venture into the water from land and also have to bring the fish caught or farmed by them to land for processing and disposal. Pre and post harvesting and/or farming activities are land based. Besides fish workers' habitats require land. The requirement or use of land by the fishing communities are varied and depend on the location and the nature of activities taken up by the communities in fishing.

Thus pre and post harvest activities like boat and net preparation and keeping, access to water bodies for fishing and fish farming, landing of catch or produce, sorting and processing of fish with storage, fish drying, fish auctioning, connecting to markets etc. all need land. Added to it are the habitat requirements of land that includes homestead land and depends on the location and nature of activities in fishing.

A large part of land used by the coastal fishing communities is under community use and is managed by community organisations. Some lands by the rivers, reservoirs, lakes and wetlands are also under community use. Besides that there is individual use of land for both pre and post harvest activities in both marine and inland fishing or fish farming sectors. On top of this fish workers have community and individual requirement and use of habitat land for additional livelihood as well.

Further to the use of lands for work or livelihood of fishing communities, the land is vital for the sustenance of water bodies because of two reasons. First, land based ecology is inseparably linked with the ecology of water. Sand dunes, mud flats, mangroves, flood plains, and catchment and drainage areas - all are vital for the physical and ecological health and integration of water bodies. Second, land based activities affect water bodies. Agricultural run offs, industrial effluents, municipal waste waters, encroachments and destructions of sand dunes, mangroves, mudflats, floodplains, catchment and drainage areas impact water bodies and fish resources.

The fish worker communities – fishers, fish farmers, fish vendors, fish dryers and sorters, net and boat makers or repairers, more often than not, do not hold any legal title of their habitat land. Almost without exception, the lands under community use do not legally belong to the community. There is no legally recognised usufructuary right of the community on the lands they have been using for generations.

In the prevailing and ever increasing demand for land near the coast and /or other water bodies fuelled by the government policy on 'development' that promotes tourism, ports, power plants, roads in large scale entailing further massive increase in real estate and infrastructure the fishing communities are under constant threat of eviction everywhere.

In view of the above NPSSFW resolves to demand –

1. Immediate recognition of usufructuary right of fishing communities on the lands used for the work in fishing, fish farming, fish processing or allied activities including approach and access to water bodies and conferring legal title for the same either to the community or to the individual depending on the nature of use;
2. Immediate conferring of legal title of habitat land including homestead land to the fish workers;
3. Right of fishing communities to protect water bodies and fish resources from harmful activities and processes undertaken on land;
4. Embargo on transfer of land under community and/or individual use of fish workers to non-fish workers for pre and post harvest activities as well as for habitation.

Dt. November 9, 2022