Report

Transborder fishing

Historic goodwill

This is a report on a goodwill mission of Indian fishermen to Sri Lanka in May 2004

Since the start of the civil war in Sri Lanka in 1983, the Palk Bay has been a troubled location. (Palk Bay needs to be understood as also referring to Palk Straits and proximate areas in the Gulf of Mannar and Bay of Bengal.) As the bay is a shallow sea with a limited area between the Indian State of Tamil Nadu and the northern province of Sri Lanka, the civil war has had a deep impact on the fishing operations on both sides. Until 1983, the fishermen of both sides, who share a common language and a long history of contact, fished harmoniously in the Palk Bay, with only occasional problems being reported. Though an international border was demarcated at sea in 1974, fishing across the border was not uncommon and rarely an issue. However, the civil war led to major changes. The fishing operations of the Sri Lankan fishermen were drastically reduced due to severe restrictions placed on fishing on account of security requirements and the large-scale displacement of fishermen from their areas due to the war.

On the Indian side, fishermen faced great hardship as the Sri Lankan Navy shot at and imprisoned a large number of those who crossed over to Sri Lankan waters in the two decades of the civil war. However, as such incidents were only occasional ones, and the Indian fishermen were not generally prevented from fishing in the Sri Lankan waters by the Sri Lankan Navy, the Indian fleet, especially the trawlers, had free access to the fish resources of the Palk Bay, without competition from the Sri Lankan fishermen. This led to a significant expansion of the Indian fleet. Currently, 4,000 trawl boats operate on the Indian coast from Rameswaram in the south to Nagapattinam in the north, with all these boats depending, to varying degrees, on fishing in Sri Lankan waters. The 1,000 boats of Rameswaram are almost totally dependent on Sri Lankan resources, being very close to the Sri Lankan border. (The distances from the Indian coast to the Sri Lankan border at sea range from 7 km to 22 km.) Over the years the trawlers have been fishing right up to the shores of Sri Lanka, helped by Sri Lankan refugee fishermen in India who often went as crew on Indian boats. The Indian fleet fishing in Sri Lankan waters includes motorized canoes involved in gill-netting as well as, at times, sailing country craft.

The truce between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE) that came into effect in 2002 has altered the situation in the Palk Bay. For the first time in two decades, restrictions on fishing have been removed in many areas of the Northern Province and normal fishing operations have commenced. The return of displaced fishermen from the refugee camps has accelerated and there is considerable amount of re-investment in fishing equipment, both privately and by various donor-supported rehabilitation programmes. This has led to an eclipse of the virtual monopoly the Indian boats had in Sri Lankan waters, and the emergence of competition. The operations of the Indian fleet, especially the trawlers, have become a major threat to the rejuvenation of the livelihood of the Sri Lankan fishermen, who have started protesting.

Clashes at sea

Starting from February 2003, there have been a number of incidents of Indian boats being captured by Sri Lankan fishermen and handed over to the authorities for further action. In some instances, there have been clashes at sea; in early 2004, a Sri Lankan fisherman was killed in one such clash.

In late 1996, various trade unions, non-governmental organizations (NGOs) and fishermen's associations got together in India to take up the problem of Indian fishermen getting arrested on the Indo-Sri Lankan border. The Alliance for Release of Innocent Fishermen (ARIF) was formed with the secretariat hosted by the South Indian Federation of Fishermen Societies (SIFFS) in Trivandrum. ARIF took up cases of Indian fishermen arrested and detained in Sri Lanka and, with the help of a variety of civil society actors in Sri Lanka, managed to expedite the release of the fishermen. Similarly, ARIF also took up the issue of Sri Lankan fishermen detained by the Indian Coast Guard and provided them humanitarian and legal assistance. The Sri Lankan boats that fished in Indian waters were basically 'multi-day' fishing boats that fished in deeper waters with longlines and drift-nets. These boats came from the south and west of Sri Lanka, where normal fisheries development had taken place and there were no restrictions on fishing operations.

The idea for a dialogue between the Tamil Nadu fishermen and Sri Lankan fishermen of the Palk Bay was mooted in early 2003 by some Sri Lankan leaders when the first set of clashes took place between the two fishermen groups. Subsequently, ARIF worked on the idea with the Tamil Nadu fishermen, many of whom were sceptical about an entirely unofficial dialogue without government backing. By the end of 2003, the situation in the Palk Bay had deteriorated and the Tamil Nadu fishermen realized that they have to take the initiative for a dialogue if they wished to fish peacefully in the Palk Bay. ARIF then took a fresh initiative to organize the dialogue through a mission programme designed to include exposure trips to Mannar and Negombo, and culminating in Colombo with a two-day workshop where the Indian and Sri Lankan fishermen would be able to discuss the problem and work out solutions.

The general consensus among the Indian fishermen was to keep an open mind in responding to the proposals of the Sri Lankan fishermen, realizing that they could fish in Sri Lankan waters only with the co-operation and understanding of the Sri Lankan fishermen. Nonetheless, there was great optimism that the Sri Lankan fishermen would give a fair deal as the relationship between the two sides remains very good, despite the recent capture of boats and the violent clashes.

Warm welcome

The goodwill team arrived in Colombo on 23 May and reached Mannar by midnight. While there was a warm welcome for the mission and no shortage of love and affection, there was also a firm resolve against the Indian trawlers. Speaker after speaker stressed the havoc done by

trawling to local fish resources, fish habitats and livelihoods.

It became clear that between the Fisheries Department, the church and others, a local awareness-building campaign had been organized on the need to preserve fish resources. Various harmful fishing methods, including the dynamiting of fish by locals, had been targeted by the campaign and a consensus was built among the fishermen against such practices. A local consensus had also been built against monofilament nets that were felt to be harmful. The fishermen, who were perhaps more bothered about livelihood loss rather than resource depletion, were clearly made to see the link between the two and ensure community control over fishing activities. It was in this context that the objection to Indian trawlers was presented, rather than in purely emotional terms.

While the harm done by the Indian trawlers to the Sri Lankan fishermen's livelihoods was expected to be the main theme, trawling and its environmental impacts became the main theme of discussion, much to the discomfort of the mission members. The Indian team explained the constraints under which the boats of Tamil Nadu operated and agreed to give serious consideration to the issues raised by the Sri Lankan fishermen.

Field visits revealed that the local fishermen were quite bitter about the Indian trawlers and the loss they caused to their nets. The three days of the week that the Rameswaram trawlers fish are dreaded by the Sri Lankan fishermen, and many take evasive action and avoid getting in the way of the trawlers or even stop fishing. (Boats from Rameswaram and Pudukottai fish only on Tuesdays, Thursdays and Saturdays on account of an agreement with local traditional fishermen, who fish on the other four days with their drift-nets. This compromise formula was worked out after a long period of conflict in the Palk Bay.) The local fishing communities in the villages that the team visited appeared to be well-knit, with the local fishermen's co-operative societies providing a common forum.

The Indian fishermen leaders had clearly not expected such a strong attack on trawling as a method of fishing. They had also underestimated the depth of anger and resentment of the Sri Lankan fishermen in response to the operations of the Indian fishermen. The mission leader expressed his opinion that the situation had appeared a lot more manageable when he had visited the area in June 2003. Then, although similar views had been proferred, the fishermen themselves appeared to be ready for compromise. Now they appeared to be closing ranks, and the opinions of the fishermen have hardened, reflecting an overall consensus reached between the fishermen, the church, the district administration and political leaders. A number of incidents, including the death of a Sri Lankan fisherman in Vadamarachi, seem to have contributed to this state of affairs. If some of the restraint that the Indian fishermen were now ready to show had happened even a few months back, the situation might not have become so bad.

Although many fishermen were ready to accept that trawling caused environmental damage, some felt that this was exaggerated. It was argued that the total catch in Rameswaram had actually not come down and the current crisis is due to the increased fleet size as well as the unprofitable operations on account of increasing fuel costs and reduced price for shrimp. (In technical terms, this means that there is no 'biological overfishing', just 'economic overfishing'.) Some of the Rameswaram fishermen felt that the four types of trawl nets that were recently voluntarily banned (pair trawl, 'mixture' net, *chank* net and 'roller' net) did most of the damage, and the standard shrimp trawl was not such a danger. According to them, it is some of these nets that are operated very close to the shore that did most of the damage to the environment as well as the livelihoods of the Sri Lankan fishermen. The Nagapattinam fishermen were more ready to accept that the trawl net did damage the environment but they were unable to dismount the tiger they had chosen to ride.

Trawl crisis

The recent changes in the Nagapattinam fisheries were also discussed. There has been a crisis in the trawl sector on account

of uneconomic operations, and 40 to 50 trawlers had been sold off as scrap during the last season. In recent seasons, the boats have become larger in size so as to help reach the deep-sea prawn resources available at the depth of 500 m.

These deep-sea prawn resources were showing signs of decline too, as the Chennai trawlers competed for the same resource. However, an interesting development in Nagapattinam district was the diversification into hook-and-line operations for yellowfin tuna that the fishermen have discovered in deeper waters. Around 60 boats from Akkaraipettai are seasonally catching yellowfin tuna, using the deep-sea prawns as bait. Even more revolutionary was a group of Nagore fishermen who have completely given up trawling and shifted to yellowfin tuna fishing. They have even set up Philippines-style fish aggregating devices called *payao*s for aggregating tuna. For this group, the multi-day fishing boats of Sri Lanka are a threat as they have, on occasion, destroyed the *payao*s.

Whatever be the truth about the damage caused by trawling to the environment, there was a consensus that the trawl sector, from Rameswaram to Nagapatinam, was facing a major economic crisis and that the current fleet size is just not sustainable. The discussion then shifted to the possibility of fleet reduction. All agreed that fleet reduction was essential but had no clue how this could be effected. ARIF members suggested various methods by which the fleet could be reduced, either compulsorily or voluntarily. The possibility of approaching the government and, in turn, international donors for a buyback scheme was also suggested. The response to this idea was enthusiastic, as a large number of trawler owners were just looking for a way out and were prepared to jump at any offer that covered at least their debts. Obviously, any buyback scheme should be backed by a management regime that did not allow new trawlers to come in place of those that have left the sector.

Interestingly, some of the associations had sought a freezing of the fleet strength in Rameswaram, when the number of boats had swelled to 500. However, the Fisheries Department did not take this suggestion seriously and kept issuing licences until the current fleet strength of nearly 1,000 was reached. The attitude of the department to trawling was also discussed and it was felt that many of the officers were still in the old frame of mind that saw promotion of trawling as being synonymous with 'modernization' and 'progress'.

Working together

The divisions and lack of unity among the Rameswaram fishermen were also discussed. The fishermen were clear that

Details of trawlers engaged in transboundary fishing

District and trawl bases	No. of trawlers	No. of trawlers that cross over to Sri Lanka	Areas in Sri Lanka where fishing is done	Dependence on Sri Lankan resources
Ramnad dist. (Rameswaram, Mandapam)	1700	900	Arc between Thalai Mannar and Delft Island	Very High
Pudukottai (Kottaipatinam, Jagadapatinam)	1000	1000	Delft Island to Jaffna within the Bay	High
Nagapatinam (Kodikarai and further north on Bay of Bengal coast)	1200	600	Palk Straits and beyond; Jaffna, Vadamarachi area	Medium to low; mostly seasonal incursion into Sri Lankan waters
Total	3900	2500		

the time has come for working together and if ARIF facilitated a coming together, a coordination committee of the 13 associations could be set up to follow up the results of the mission and to work on long-term issues. They were ready to initiate a process of discussion on hard issues like fleet reduction and alternative employment, if ARIF also helped out.

The discussion reflected a significant departure from the normal position that trawl boat associations in India tend to take when criticized. The strong stand taken by the Sri Lankan fishermen, the atmosphere of camaraderie created by the mission and the consequent breaking down of mental barriers undoubtedly contributed to this change in stance.

On 25 May, the mission members met to decide on the stand to be taken at the workshop in Colombo, now that the Sri Lankan fishermen had revealed their thinking in Mannar. The meeting tried to understand the dimensions of transborder fishing by the Indian boats in the Palk Bay. It emerged that the Ramnad, Pudukottai and Nagapatinam fishermen had different areas of fishing in Sri Lanka, with perhaps some overlap. An attempt was made to quantify the size of the problem by looking at numbers of boats involved in each district in transborder fishing and the extent of dependence on Sri Lankan fish resources. The table summarizes the result of the discussion.

This exercise helped to clarify the kinds of concessions that the different groups could offer. The Rameswaram fishermen felt they could keep a distance of three nautical miles from the Sri Lankan shore, which should, to a large extent, take care of the problems faced by the Mannar fishermen. The Pudukottai fishermen also felt that they could remain three nautical miles from the Sri Lankan coast. The Nagapattinam fishermen, on the other hand, felt that they could stay as far as seven nautical miles on the Jaffna-Vadamarachi stretch where they normally operate and where the sea is also deeper near the shore. Though there already is an informal ban on the use of four types of trawl nets, a rigorous application and formalization of this ban was also suggested as an additional concession from the Indian side. Any violation of the agreement by Indian boats would be punished by not allowing such boats to fish any longer (that is, by getting the Fisheries Department to withdraw their licences or stop issuing tokens).

It was felt that if trawling became an issue, the Indian side could offer to reduce the fleet strength gradually to around half, over a period of three to five years, based on discussions with the government.

Maritime borders

The workshop in Colombo on 27 May featured a session of presentations on the problem at hand. V.Vivekanandan, leader of the Indian mission, outlined the historical evolution of the fishing conflict in the Palk Bay, starting from pre-independence days to the present time, with major changes taking place due to the 1974 and 1976 agreements on the maritime borders, the start of the civil war in 1983 and the recent post-2002 peace

process in Sri Lanka. He stressed the historical relationship between fishermen on both sides and the general harmony that has prevailed in the Palk Bay, despite the occasional hiccups that occurred when new technologies were introduced like nylon nets in the early 1960s and trawling in the late 1960s.

The 1974 Kachchativu agreement produced a political storm in Tamil Nadu but did not actually affect fishing operations in the Palk Bay, where movement of fishermen across borders continued unabated. The start of the civil war and the restrictions of fishing on the Sri Lankan side led to the Indian fleet expanding to make use of the unexploited resources on the Sri Lankan side. The restart of fishing operation on the Sri Lankan side has now led to a situation wherein the Indian fleet is in conflict with the Sri Lankan fishermen who are re-establising their claim over the Palk Bay resources.

Soosai Anandan, Reader in Geography, University of Jaffna, made a presentation of the problem from the perspective of the fishermen from the Northern Province. He stressed the importance of resource conservation and management for a small nation like Sri Lanka and the enormous importance of fish resources for the livelihoods of people in the northern province. He talked about the 1974 and 1976 agreements. He pointed out that the very productive Wadge Bank, south of Kanyakumari, went entirely to India. Even though India allowed fishing by Sri Lankan fishermen in the Wadge Bank for some years, the benefit was only for the Western Province; the Northern Province fishermen had no real chance to fish in the Wadge Bank. As far as the Pedro Bank on the northern side is concerned, two-thirds of it went to India after the boundary was demarcated. Thus the fishermen of the Northern Province have limited fishing areas and have to protect their resources.

Fish catches had peaked in Jaffna around 1983, when the civil war started. Subsequently, they declined drastically before making a small recovery in the early 1990s. Now, after the peace process began, there has been a new growth in fish landings, but catch levels still remain a far cry from the heydays of 1983. Resource depletion seems to be the main cause, as the fishing effort is now significant.

The problem of the 'high security zones' that cover large areas of Jaffna, where fishing is prohibited up to 5 km from the shore, was also discussed. It was also pointed out that the government was unwilling to give multi-day fishing boats to the Tamil fishermen in the north, citing security reasons.

Sharing session

The post-lunch session saw representatives from each district sharing

their problems and experiences. Devadoss from Rameswaram talked about the risks to life and limb that the fishermen faced during the two-decade civil war and the price they paid for pursuing their livelihood in a war-affected zone.

He also explained why Rameswaram trawlers ended up in Sri Lanka. It was not because of depletion of resources, as assumed by the Sri Lankan fishermen, but because the area close to Rameswaram was rocky and unsuitable for trawling. The trawling grounds start only after a few miles and any normal trawling operation will automatically take the trawler into Sri Lankan waters, since the boundary was just 7 km from Dhanushkodi.

Ravi from Pudukottai talked about a similar problem that made their trawlers end up in Sri Lankan waters. The 3-mile zone reserved for artisanal fishermen in Tamil Nadu force the trawlers to start operations after that distance from the shore, which only increases chances of crossing the border and ending up in Sri Lankan waters. Manoharan from Nagapattinam explained how the Nagapattinam fishermen come to Sri Lankan waters seasonally and concentrate on deep-sea fishing in the other months. He explained how some of their boats have diversified operations to go after yellowfin tuna and face competition from the multi-day fishing boats of Sri Lanka.

The Sri Lankan fishermen cited the long war period and the loss of fishing livelihoods, the large-scale displacement of fishermen and the loss of property as common problems. Though NGOs and the church were helping to some extent with revolving funds for equipment purchase through co-operatives, fishermen still had to raise a lot of resources themselves. It is in this context that the incursion of Indian trawlers was hampering the pursuit of their livelihoods. Based on the awareness-raising campaign conducted by the Fisheries Department, the church and concerned individuals, action has been taken against harmful methods of fishing.

The operations of around 200 trawlers in the Jaffna area have been curtailed by the Sri Lankan fishermen. The trawler owners have been given a deadline of December 2004 to stop trawling completely. The co-operatives, even though short of resources, have offered to help them shift to alternative fishing methods.

Unacceptable operations

The Vadamarachi fishermen also found the operation of Indian trawlers close to their shores unacceptable, especially as long stretches of their coast had been converted into high-security zones. They felt that the Indian fishermen have a large

area of their own to fish in and it made no sense for them to operate in the limited area that Sri Lankan fishermen of the north possessed.

The group discussions resulted in two points of view. The Sri Lankan fishermen wanted an end to trawling in their waters. They felt that the Indian trawlers could be given a few months to stop trawling. The Indian fishermen, on the other hand, wanted to keep a 3-mile distance from the shore and avoid certain trawl nets.

A working group was then formed to work out a compromise solution. In its report, it said that the Indian side had agreed in principle that trawling has to be stopped in Sri Lankan waters, given that Sri Lankans are banning their own trawlers. No agreement was, however, reached on the time frame for stopping trawling, as the Indian side wanted a much longer period than what the Sri Lankans found acceptable. A three-month period has been given for further dialogue on the issue and for a mutually acceptable time frame; a Sri Lankan delegation will visit India during this period to carry forward the dialogue.

As an interim measure, the Indian trawlers will keep a distance of three miles from the Sri Lankan coast in the Palk Bay and seven miles on the northern coast (the Jaffna-Vadamarachi stretch). The Indians will not use the four types of trawl nets earlier identified. Any violation of the above understanding by Indian boats will be reported to the Indian fishermen's organizations, which will take suitable action against the erring boats; the Sri Lankan fishermen will not take direct action. Both sides will work for the speedy release of fishermen and boats currently detained by both countries.

In an intervention, Vivekanandan explained the significance of the agreement reached by the two fishermen groups. He wanted the Sri Lankan fishermen to understand the implications of the agreement for Indian fishermen. He said that the agreement, in principle, to stop trawling was a revolutionary decision in the Indian context. Despite various conflicts over trawling in Indian waters, it had, over the years, become the most important fishing method. India caught around 2.8 million tonnes of fish each year and was among the leading marine fish producing countries in the world. It is important to recognize that trawling contributes to over half of this catch.

Though the dangers of trawling were acknowledged, and many restrictions put on trawling, including a seasonal ban, the vast shelf area that India possessed gave trawling greater scope than in Sri Lanka. Given the importance of trawling and the sheer size of the sector (which has approximately 50,000 trawlers), it was unthinkable of talking about stopping trawling in India. Even government agencies and fisheries departments would find it difficult to accept such an idea.

In the area between Rameswaram and Nagapattinam (the area relevant for the agreement with Sri Lankan fishermen), the total trawl fleet was 4,000, representing an investment of around 1.2 billion Indian rupees (approximately 2.5 billion Sri Lankan rupees). The total debt of trawl fishermen would be at least 600 million Indian rupees. The total number of fishermen manning this fleet was around 20,000. If shore-based workers and dependent families are also counted, the numbers would be in the range of 200,000-300,000 in this area alone. Given the size of the sector, stopping it overnight was impossible. Only the government can take up the task of rehabilitating such a large population and even this is a difficult and time-consuming task, according to Vivekanandan.

He, however, acknowledged that a great beginning had been made in the Colombo meeting, which had the potential to transform fishing in India. He felt that the Indian fishermen's representatives might not have made the trip had they had even a hint of the nature of the agreement they were to conclude.

Unexpected outcome

The fishermen back home would wonder whether it had been worth sending this team to Sri Lanka, if the outcome was to stop trawling. Therefore, it needed a lot of courage on the part of the Indian fishermen to accept this agreement. Sri Lanka may be a small country but the

concern shown by the Sri Lankan fishermen for resource protection is a lesson for Indian fishermen.

The mission team met on 29 May to take stock of the situation and decide on follow-up action. Though the members had boldly agreed to the decision to stop trawling in Sri Lankan waters, there were doubts about the implementation of the decision. There was also a feeling that some of the Sri Lankan fishermen had got the impression that the Indians had agreed to stop trawling in three months, rather than ask for three months' time to take a decision on the time frame for stopping trawling. It was felt that the reciprocal visit from the Sri Lankan side would help to clear up the ambiguity. Overall, it was felt that something had been accomplished by the mission, but success now depends on follow-up.

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Whose Waters Are These Anyway?

Transborder fishing by small-scale fishermen in the waters of other nations is a complex issue that calls for an equitable and humanitarian approach

At the recent Global Conference on Small-scale Fisheries, titled "Securing Sustainability in Small-scale Fisheries" (4SSF), organized by the Food and Agriculture Organization of the United Nations (FAO) and the Department of Fisheries, Thailand, and held in Bangkok in October 2008, an important talking point was the issue of transborder fishing by small-scale fishermen. For many participants at the plenary session group discussion reporting on the topic, it was revealing to learn that transborder fishing by small-scale fishermen is so widespread and complex a phenomenon that neither can it be ignored or just lumped together with the broader category of illegal, unreported and unregulated fishing, nor seen as merely an issue of enforcement of fisheries or maritime zones' legislation.

There is enough anecdotal evidence to suggest that transborder fishing is an issue in different parts of the world. It seems to be most intractable on the India-Pakistan border. The maritime border between the provinces of Gujarat in India and Sindh in Pakistan remains unsettled, and fishermen on both sides are often caught for fishing in each other's waters. They are then invariably imprisoned, and there are instances of fishermen having spent up to a decade in prison for being caught in foreign territorial waters.

The India-Sri Lanka border, especially in the narrow Palk Bay, is another hotspot. Historically, the fishermen on both sides of the Palk Bay are ethnically linked and have freely fished all over the Bay. The Indo-Sri Lankan maritime border agreement of 1974 created a boundary, which was largely ignored by the fishermen on both sides. However, with the start of the civil war in Sri Lanka in 1983, the borders became a matter of concern for the governments of both India and Sri Lanka. Since then, there have been hundreds of incidents of arrests and detention of Indian fishermen by Sri Lankan authorities. At times, fishermen caught in the crossfire have been killed. Sri Lankan fishermen fishing for tuna on multi-day vessels within the Indian exclusive economic zone (EEZ) also face the possibility of arrest and detention by Indian authorities.

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In the case of Bangladeshi fishermen, their crossings into India's territorial waters seem to be motivated more by the higher prices obtained in Indian markets than by the desire to poach on fish resources.

Turning to Southeast Asia—an intricate mosaic of countries with many borders within easy reach of small-scale fishermen—we find it is common for small-scale fishermen in the region to engage in transborder fishing. However, most governments of Southeast Asian

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The full version of the paper will be soon available on the ICSF site (www.icsf.net)

ANTONY BENCHILAS/SIFFS

Sri Lankan boats seized in India. Boats confiscated for transborder fishing are sometimes returned after months, often beyond salvage

countries seem to prefer to turn a blind eye to the presence of small-scale artisanal boats in national waters.

The artisanal fishing boats of Indonesia and Papua New Guinea, however, have a serious problem with Australia, while the small motorized boats of Aceh province of Indonesia regularly get into trouble in Indian waters. The Aceh coast is just a three-hour distance from India's Nicobar Islands, and fishermen from Aceh have been fishing in these waters long before India declared its EEZ.

As fish shoals move across borders, the natural tendency of fishermen who depend on these shoals and have specialized in catching them, is to follow them without regard for national boundaries.

The Eritrea-Yemen border on the Red Sea also witnesses transboundary crossings by fishermen. Yemeni fishermen have long followed the fish shoals, and camped in Eritrea for some time of the year as part of their fishing voyages. The civil war and the formation of the modern Eritrean State have, however, created conditions whereby Yemeni fishermen are no longer welcome and are often arrested and treated harshly. Yemen has since closed its border to Eritrean fishermen in retaliation for the harassment of their fishermen.

West Africa is another area where fishermen chasing rich shoals of pelagic fish have traditionally crossed borders regularly and routinely. Gabon, which does not have an indigenous fishing tradition, used to be hospitable to fishermen from neighbouring Ghana, but now the Ghanaian fishers' camps are being burnt and they are chased away from Gabon' s shores. Mauritania, which has fishing agreements with the European Union, can be very harsh with fishing vessels from neighbouring countries caught in its waters.

These examples give us some insight into why small-scale fishermen cross borders to fish in the waters of neighbouring States. Where borders are close by and small-scale fishing boats are not equipped with global positioning system (GPS) or other navigation equipment, it is but natural that the borders are crossed accidentally. It is also common for engines to fail and boats to drift into neighbouring waters. However, most coast guard vessels can distinguish between such accidental crossings and deliberate illegal fishing.

Much of today's transborder fishing continue practices set well before the 1982 United Nations Convention on the Law of the Sea (UNCLOS). As fish shoals move across borders, the natural tendency of fishermen who depend on these shoals and have specialized in catching them, is to follow them without regard for national boundaries. Such movement is likely to be seasonal and even predictable.

The introduction of powerful outboard motors for fishing vessels has dramatically increased the range of small boats. Small boats can nowadays be found covering considerable distances. The availability of hand-held GPS units and cheap communication devices like mobile phones also encourages such movement.

Multi-day fishing

The coming of 'multi-day' fishing boats has revolutionized fishing in many countries. Depending on a combination of modern technologies and the innate

skills of the traditional fishermen, these boats are difficult to contain within the marine spaces of countries. The enhanced capacity of the artisanal sector, as a result of these changes, is an important cause for transborder fishing.

In many countries, poor fisheries management—the failure to protect small-scale fisheries from larger vessels and the failure to manage capacity in the small-scale sector itself—has made fishing within national waters unprofitable. In some cases, fishermen cross borders to sell their catches for a better price or to acquire inputs (nets, fuel) of better quality or lower price.

Unfortunately, it is also true that, in some cases, fishermen get mixed up with nefarious activities like smuggling and trafficking of humans. Authorities are often harsher with fishermen who are suspected of involvement in such illegal activities. As a result, innocent fishermen also suffer for the misdeeds of a few.

The response of authorities to transborder fishing by small-scale artisanal boats varies. Where the local fishermen do not object, many a government is willing to ignore transborder fishing by fishermen from neighbouring countries. In many instances, the coast guard or navy just chases away the vessels that cross the borders and send them back home without attempting to arrest or detain them.

The next level of action is to put the arrested fishermen through the legal process. The periods of detention can vary considerably, depending on the commencement of legal action. If the fishermen are found guilty, they are fined. However, they are normally placed on remand until the court case is over, which can take months, if not years. The provision for bail is not very useful as fishermen caught in a foreign nation cannot be let loose.

Long spells in prison

Thus, legal action inevitably means long spells in prison, loss of livelihood, and great distress for the families involved. Many countries confiscate the boats, and the fishermen may lose their entire savings. Some of the boats that are returned after months are often beyond salvage. In countries like the Maldives, the fine for recovery of a boat can be so prohibitively high that the fishermen may just opt to leave the boat behind. Repatriation has its own problems associated with the issue of temporary passports and flight tickets.

While many of the actions taken against transborder fishermen may be justified in terms of protecting fish resources and national sovereignty, there are several human-rights issues involved. Many of the actions are in violation of the spirit of Article 73 of UNCLOS, which states that no fisherman may be punished with imprisonment for fishing in the EEZ of another country. Specifically, it notes:

1. The Coastal State may, in the exercise of its sovereign rights to explore, exploit, conserve and manage the living resources in the exclusive economic zone, take such measures, including boarding, inspection, arrest and

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PFF

Pakistani fishers released from an Indian jail arriving in Karachi. Fishermen on both sides of the Indo-Pak maritime border are often caught for fishing in each other's waters

judicial proceedings, as may be necessary to ensure compliance with the laws and regulations adopted by it in conformity with this Convention.

2. Arrested vessels and their crews shall be promptly released upon the posting of reasonable bond or other security.
3. Coastal State penalties for violation of fisheries laws and regulations in the exclusive economic zone may not include imprisonment in the absence of agreements to the contrary by the States concerned or any other form of corporal punishment.
4. In cases of arrest or detention of foreign vessels, the coastal State shall promptly notify the flag State through appropriate channels, of the action and of any penalties subsequently imposed.

Countries need to enter into bilateral agreements that address the root causes of transborder fishing...

Many a time, the families of the arrested fishermen do not get timely information on their whereabouts, and so undergo severe stress. Arrested fishermen have little local support, as a result of which very little accountability is demanded of enforcement agencies. To strengthen their case against the fishermen, law enforcement authorities often hoist on them a variety of other charges, in addition to the charge of illegal fishing, which is normally dealt with leniently by courts.

Ways and means should be found to protect fishermen from long periods of detention; there should also be a lenient approach to small-scale fishermen who are arrested in territorial waters rather than in the EEZ. National laws dealing with illegal fishing need to be reviewed to see if issues pertaining to small-scale fishermen are dealt with specifically and fairly. The United Nations (UN) needs to consider the possibility of some international supervision to establish the fairness of treatment of fishermen arrested for transborder fishing within the territorial waters as well as the EEZs of non-flag States.

Countries need to enter into bilateral agreements that address the root causes of transborder fishing, and resolve the issue with an emphasis on equity and humanitarian considerations, and taking into account the traditional fishing practices of small-scale and indigenous fishers from adjacent maritime States. Countries need to improve fisheries management within their own borders to reduce pressure on small boats to fish beyond borders.

Administratively, mechanisms should be set up for the timely provision of information to families of arrested families. Also needed are channels for direct communication at lower levels of administration across borders. Mechanisms to distinguish genuine, bona fide fishermen from others—like identity cards and boat registers—are needed, as is legal assistance for arrested fishermen. Fishermen should also be educated about the consequences of undertaking illegal fishing in the waters of other States.

Organizations like the UN and FAO ought to document transborder fishing by small-scale fishermen to flag the key issues and suggest context-specific solutions. Regional consultations and workshops involving key stakeholders can sensitize officials and fishermen about transborder small-scale fishing.

For more

arrest-fishers.icsf.net
Arrest and Detention of Fishers

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Trawl Brawl

Indian and Sri Lankan fishermen have evolved a formula for co-existence in the Palk Bay, which has long been the arena of conflicts over transborder fishing

Stop trawling within one year. This was the ultimatum that fishermen from the Northern Province of Sri Lanka gave their counterparts in the Indian State of Tamil Nadu, when representatives from both countries met in Chennai during 22 - 24 August 2010 to evolve a formula that would enable them to fish together peaceably in the Palk Bay and Palk Straits.

In an 'agreement', the Indian fishermen consented—albeit reluctantly—to this one-year deadline and also to the following restrictions until trawling is finally stopped in the Palk Bay: (i) reduction of fishing days to twice a week, with an overall cap of 70 days in a year; (ii) maintaining a distance of three nautical miles from the Sri Lankan shore to avoid destruction of small fishing nets and corals; (iii) reduction of fishing time in Sri Lankan waters to 12 hours per trip; and (iv) establishing a monitoring and enforcement system on the Indian side that will punish violations. The agreement will be reviewed and further steps taken when Indian fishermen go to Sri Lanka for a 'return' visit in a few weeks time.

Transborder fishing in the Palk Bay has been a major headache for Sri Lanka and India for nearly three decades.

Transborder fishing by Tamil Nadu fishermen in the Palk Bay has been a major headache for both countries for nearly three decades. Since the start of the civil war in Sri Lanka in 1983, Tamil Nadu fishermen from the four districts adjoining the Palk Bay and Palk Straits—Ramnad, Pudukottai, Tanjavur and Nagapattinam—have braved arrests, detention and even bullets to fish in Sri Lankan waters. Over a hundred have lost their lives, caught in the cross-fire between the Tamil Tigers and the Sri Lankan Navy, while a few thousand have been arrested and spent weeks and months in Sri Lankan jails and detention camps. Hundreds of boats have been damaged or seized, forcing many a boatowner into bankruptcy. Yet, transborder fishing by Tamil Nadu boats continues unabated.

The present reality is the existence of a large fleet, severely constrained by several factors like declining catches, reduced profitability and limited number of fishing days, going into a frenzy on the 70 to 100 days it gets a chance to fish. Given that fishing grounds are limited (and depleted) on the Indian side, this fleet goes right up to the Sri Lankan shore where the shallow waters are extremely rich in fish resources. They do in Sri Lankan waters what may be unacceptable in Indian waters. This is clearly a failure of fisheries management.

The ARIF network

It is in this context that a goodwill mission of Indian fishermen was organized in May 2004 by the Alliance for Release of Innocent Fishermen (ARIF), a network of Indian trade unions, fishermen's associations and non-governmental organizations

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(NGOs) that works to help fishermen of both countries who are arrested for crossing the maritime border. ARIF is supported by the South Indian Federation of Fishermen Societies (SIFFS). The mission also had the collaboration of NGOs in Sri Lanka, including the National Fisheries Solidarity Movement (NAFSO) and the Social and Economic Development Centre (SEDEC).

The May 2004 dialogue was significant in that it brought the trawl issue to the forefront and forced the Tamil Nadu trawlers to acknowledge that they have to think of a future in which trawling will be severely curbed or replaced with more ecofriendly fishing methods. It was also understood that the trawl fleet needed downsizing to survive in Indian waters. This led to the proposal of a 'buy-back' scheme, and many owners said they were willing to give up their trawlers for adequate compensation.

However, the follow-up of the May 2004 agreement was weak due to the Indian Ocean tsunami of December 2004 and the rehabilitation work in both countries. With the escalation of the civil war in Sri Lanka in 2006, many fishermen of the Northern Province became internally displaced persons (IDPs).

The end of the civil war in May 2009 signalled the start of a new phase—no longer could the transborder fishing issue be treated as a mere by-product of the war. As the fishermen of Sri Lanka's Northern Province gradually began reviving their fishing operations, conflicts with Indian trawlers surfaced once more. In mid-2010, two Indian trawlers were sunk by irate Sri Lankan fishermen off the Mannar coast.

Soon strong signals came from both sides that the 2004 dialogue should be resumed. This time, it would be the turn of the Sri Lankan fishermen to visit India. The Fisheries Minister of Sri Lanka himself strongly supported the idea of a dialogue and agreed to send observers along with the fishermen. The Tamil Nadu Fisheries Department also agreed to send observers for the meeting.

A 24-member Sri Lankan delegation of fishermen leaders from three districts (Jaffna, Killinochi and Mannar), NGO representatives, government observers and media persons arrived on 16 August 2010 at Trichy airport in Tamil Nadu. They visited Rameswaram, Jagadapattinam, Kottaipattinam and Nagapattinam over a four-day period, conducted a series of interactions with local fishermen's associations and visited major fish landing centres in the Palk Bay. The field visits created great enthusiasm among the fishing communities in Tamil Nadu and also generated unprecedented media coverage. The leader of the Sri Lankan delegation, Soorya Kumar, a fisherman from Wadamarachi in Jaffna, stressed the strong bonds that linked the fishermen of both countries, even as he pointed out the unacceptable nature of the operations of Indian trawlers.

These meetings highlighted the Sri Lankan fishermen's plight and countered the one-dimensional impression of Tamil Nadu fishermen being the only victims. The responses of the Indian fishermen were encouraging. The Rameswaram fishermen openly acknowledged the harm done to Sri Lankan fishermen by Indian trawlers. While acknowledging that it was their duty to find a fair solution, they also stressed the need for government support, compensation or alternative sources of livelihoods to compensate for abandoning trawling.

SURVEY DEPARTMENT, SRI LANKA

Sri Lanka - India maritime boundary and zones. Fishermen have braved arrests to fish in these waters

Workshop

Following the field visits, a three-day workshop entitled "Fishing Together in the Palk Bay" began at

the International Centre at St.Thomas Mount in Chennai on 20 August. Around 30 fishermen leaders from the four Palk Bay districts of Tamil Nadu attended the workshop.

The opening statements from representatives of both sides repeated some of the issues already highlighted at the field meetings, in some cases adding more nuances to the problem of transborder fishing. The second day was entirely devoted to evolving a formula for solving the problem. Both sides met separately to formulate their ideas. The Indian side was banking upon reviving the 2004 formula of continuing trawl operations in Sri Lankan waters under stringent restrictions while simultaneously working with the Government of India/Tamil Nadu to find a long-term solution to the trawl issue. The Indian fishermen were even prepared to reduce the number of fishing days a week from three to two. However, the Sri Lankan fishermen wanted trawling to be stopped completely in three months.

The Indian fishermen felt that the three-month deadline was an impossible one to meet. The Sri Lankans, on their part, maintained that in the absence of a reasonable deadline, there would be no pressure on Indian fishermen to approach their government for a solution. Indian fishermen had been asked to stop trawling as far back as May 2004 and six years have gone by without any change, it was pointed out. The Indian fishermen finally agreed to a one-year deadline, though without much clarity on how that would be met. More discussions would be held when the two groups meet next in Colombo. It was also hoped that the one-year grace period could be used to demonstrate that the Indian trawlers could operate in a responsible manner without harming the Sri Lankan fishermen.

The Indian fishermen finally agreed to a one-year deadline...

Once the deadline issue was settled, the details of the regulations on trawling for the one-year period were negotiated. This proved to be much tougher than anticipated. The first Sri Lankan offer was for Indian trawlers to continue fishing for three days a week but not beyond four nautical miles from the Indo-Sri Lankan maritime border. The Indian fishermen found this unacceptable as it would effectively shut them out from their usual fishing grounds closer to the Sri Lankan shore. They preferred an operational boundary of three nautical miles from the Sri Lankan shoreline, which would give them some catches and also ensure that the small fishing nets of the Sri Lankan fishermen were not damaged by trawl operations. In turn, they would reduce their fishing days.

After prolonged negotiations on the third day of the workshop, an 'agreement' was finalized and presented to the two groups in a plenary for signed approval. The chief guest for the final session was S.W. Pathirana, Sri Lanka's Director General of Fisheries. The Indian side was represented by K. Sellamuthu, Director of Fisheries of Tamil Nadu, who was present only as an 'observer'. Pathirana received the agreement on behalf of the Sri Lankan government and agreed to consider it within the framework of Sri Lankan law. The agreement itself was clear that the proposals "will be placed before the two governments for their consideration. The government decision will be final".

Careful package

Clearly, for the agreement to work, the support of the two governments is needed. The Sri Lankan Navy will need to be vigilant but should not interfere with the operations of Indian trawlers as long as they keep to their side of the bargain. The Indian and Tamil Nadu governments will have to help Indian fishermen with a carefully developed package to resolve the trawler issue. The non-trawl fisheries may also need to be properly

EPHREM/SIFFS

The Sri Lankan delegation of fishermen leaders called for the cessation of trawling within three months. An agreement was finally approved with the Indian fishermen agreeing to a one-year deadline at the Chennai dialogue

managed to ensure equitable distribution of the Palk Bay resources between the fishermen of both countries. Only if both Indian and Sri Lankan fishermen co-operate can proper management of fisheries in the Palk Bay be ensured.

For more

arrest-fishers.icsf.net
Arrest and Detention of Fishers

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Fishing for Solutions

Restoring Past Glory

The Regional Fisheries Livelihoods Programme (RFLP) promises a brighter future for fisheries in the Negombo lagoon in Sri Lanka

Sri Lanka's Negombo lagoon has been very much in the news recently, but for all the wrong reasons. Several reports have highlighted the severe environmental degradation in, and around, the lagoon and the concerns of lagoon fishing communities, residents, religious leaders and civil society representatives. However, things may be starting to look brighter following the development and implementation of a lagoon management plan that, for the first time, has involved all concerned stakeholders.

...RFLP has worked with the Ministry of Fisheries and Aquatic Resources to bring together a wide range of stakeholders, including government agencies and fishers to develop a fisheries management plan for the lagoon.

Since 2010, the Regional Fisheries Livelihoods Programme (RFLP), which is funded by Spain and executed by the Food and Agriculture Organization of the United Nations (FAO), has been working with the Ministry of Fisheries and Aquatic Resources to address some of the problems facing Negombo lagoon.

These challenges are considerable. The high population density of the fast-growing city of Negombo, and a concentration of industries, tourism and fishing and fishery-related activities have combined to make heavy demands on the 3,164 ha lagoon and its environment.

The major problems facing the lagoon include the discharge of sewage and the dumping of solid waste from homes and businesses. Thousands of homes have been built that encroach onto the lagoon water area, while hundreds of motorized fishing boats pollute it and endanger the once-rich lagoon fishery. As a result, fish caught in some areas of the estuary are reported to be tainted with kerosene and unfit for human consumption.

Lagoon banks are cluttered with temporary wooden jetties used for unloading fish, most built without any approval. These adversely impact water movement, accelerating sedimentation, a situation made worse by illegal land filling for encroachment.

Valuable habitats such as mangrove and seagrasses that provide critical nursery habitats for fishery resources, aquatic fauna and birds have also suffered. Indiscriminate land reclamation has led to significant reduction of mangrove cover, while the advent of shrimp farming in the area in the mid-1980s, the use of certain types of fishing gear, and digging for worms used as a feed in shrimp hatcheries have destroyed much of the seagrass.

Recognizing the scope of the problem, RFLP has worked with the Ministry of Fisheries and Aquatic Resources to bring together a wide range of stakeholders, including government agencies and fishers, to develop a fisheries management plan for the lagoon.

Illegal encroachment

"Fishers were frustrated by their inability to address a host of non-fishery-related issues such as illegal encroachment into the lagoon, destruction of mangroves, effluents

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and waste discharge, which adversely impacted fish and fisheries," said RFLP's Leslie Joseph. "The RFLP concept of wider stakeholder participation in fisheries management was, therefore, seen as an ideal opportunity for all stakeholders to share responsibility, to be accountable and to be actively involved in managing the fishery and conserving the lagoon environment."

To ensure more representative management of the lagoon, a Fisheries Management Co-ordinating Committee has been formed. As the Fisheries Act limited membership of fisheries committees to fishers only, changes had to be first made so that the legislation would allow the participation of other stakeholders. As a result, in addition to fishers, other institutions or administrations with legal mandate to control or manage activities that may adversely impact the lagoon ecosystem have become more actively involved.

The development of the lagoon fisheries management plan was a priority for the Fisheries Management Co-ordinating Committee. Taking part in discussions to formulate this plan were representatives of the Ministry of Fisheries and Aquatic Resources (MFAR), the Department of Fisheries and Aquatic Resources (DFAR), the District Secretariat, Divisional Secretariats, the Provincial Council, the Coastal Conservation Department (CCD), the National Aquatic Resources Research and Development Agency (NARA), the Central Environmental Authority, the Marine Environment Protection Authority, the Wildlife Department, the Forest Department, the Navy, and fisher representatives from the Negombo Lagoon Fisheries Management Authority.

The plan was agreed upon by all stakeholders at the last Fisheries Management Co-ordinating Committee meeting held on 31 July 2012. It contains measures to protect livelihoods of genuine lagoon fishers through a strictly enforced licensing system, and ensures sustainable utilization of resources through enhanced monitoring, control, and surveillance.

Lagoon fishers have agreed on fishing times and fishing areas for some of the major fishing gears and also to ban some environmentally harmful fishing methods. The plan also features a strong focus on conserving the lagoon environment and biodiversity. Relevant stakeholder agencies in the Fisheries Management Co-ordinating Committee are called upon to establish legalized lagoon boundaries as well as minimize pollution and the adverse impacts from fishing and aquaculture activities. In order to arrest the fast-dwindling mangrove resources that are important for the sustenance of fish resources and other ecosystem services, the plan also recognizes the need to prepare and implement a mangrove management plan for the lagoon, integrated with the fishery management plan.

Elements of the management plan are already being put into place. RFLP has provided the district fisheries office with a boat and an engine to strengthen its monitoring and enforcement capability. NARA has been entrusted with the task of introducing a fish-catch monitoring programme for the lagoon. Furthermore, arrangements are being made to seek approval from relevant stakeholder agencies in the

V VIVEKANANDAN

A boat anchored at the Negombo lagoon. The major problems facing the lagoon include the discharge of sewage and dumping of solid waste from homes and businesses

Fisheries in the Negombo lagoon

Negombo lagoon is a shallow basin estuary covering approximately 3,164 ha, situated about 20 km north of Colombo.

The number of finfish species identified from Negombo lagoon range from 82 to 133. More than half are marine species entering the lagoon from the sea. The composition varies seasonally with dominant finfish varieties including milkfish, catfish, half beaks and grey mullet. Key shrimp species include *Penaeus indicus, P. semisulcatus, Metapenaeus moyebi, M. dobsoni, and M. elegans.*

According to 2010 figures, 3,310 fishers fish in the lagoon. Of these 2,581, or 78 per cent, fish full-time, while 728, or 22 per cent, are part-time fishers who move into the lagoon only during the southwest monsoon period from May to October, when sea fishing is difficult because of strong currents and high waves.

In 2010, the fishing fleet of 1,358 was made up of 869 (64 per cent) outrigger canoes and 492 (36 per cent) log rafts.

Over 30 fishing gears and methods are reported in use. Traditional methods include the cast-net, stake-net, brush pile, angling, crab pots, scoop-net, fish krall, and dip-net. Other more modern methods include the hand trawl, drift gillnet, trammel net, and lagoon seine.

Fisheries Management Co-ordinating Committee on a draft mangrove management plan.

Among the key issues identified is the lack of clearly defined and legally identified lagoon boundaries. This is a critical factor responsible for illegal encroachment into the lagoon and destruction of valuable mangrove resources. In the absence of legally recognized boundaries, authorities have not been able to take violators to court.

Attempts to establish boundaries around Negombo lagoon have been made before. From 2002 to 2004, an Asian Development Bank project demarcated a 10-m land corridor from the high-water mark and installed 2,400 boundary posts fixed 10 m apart around the lagoon perimeter.

However, this land corridor was never acquired by the State and remains in the possession of individual owners. Encroachment has continued, while 686 boundary posts have simply disappeared.

Under the new management plan, efforts are again being made to establish legally defined boundaries for the lagoon. RFLP has signed an agreement with the District Secretary of the Gampaha District for this purpose, and has allocated close to SLR 4 mn for this task.

Work has already commenced and the first batch of boundary poles is being installed by the Negombo Lagoon Fisheries Management Authority, under the guidance of the District Fisheries Office, Negombo.

Once all boundary poles are in place, the Survey Department will conduct surveys using global positioning system (GPS), and prepare a Preliminary Plan. This will detail strategic reference or control points of the lagoon boundaries, and provide a legal basis upon which to identify any future encroachments and to carry out any enforcement measures.

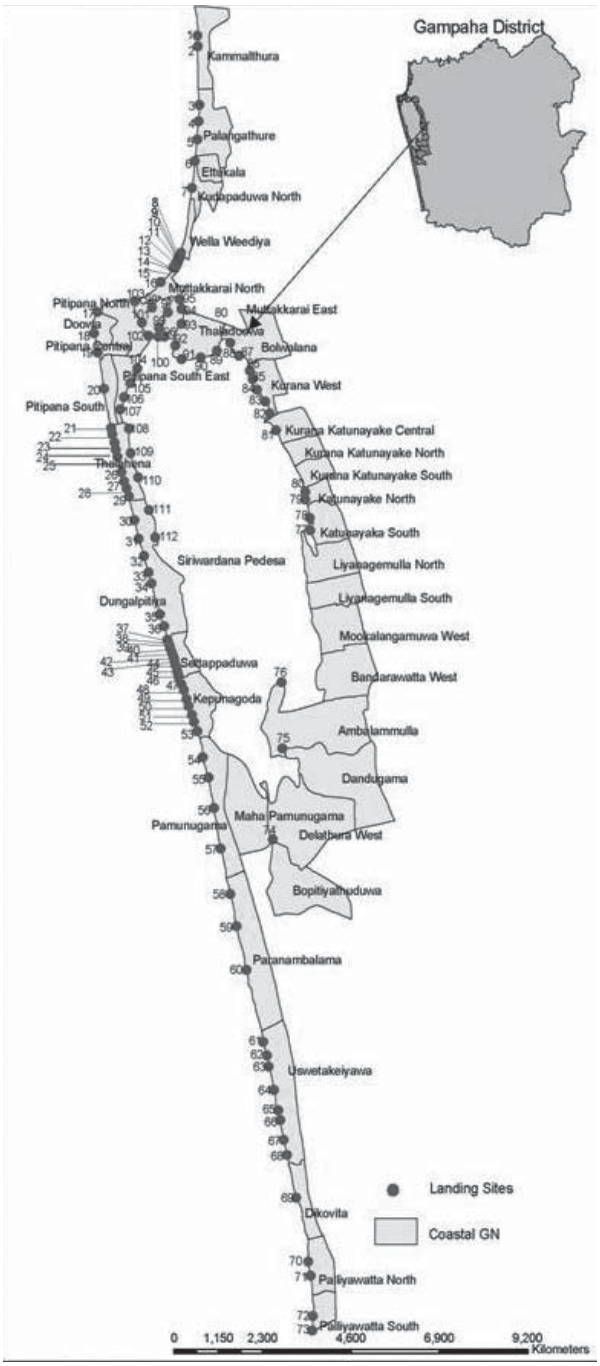
According to RFLP's Leslie Joseph, this will make a major contribution to the protection of the lagoon. "Lack of legally defined boundaries in the past was an impediment to prosecution. With the availability of a Preliminary Plan and legally defined boundaries, the authorities will be able to counter any illegal encroachment even if boundary poles disappear," he said.

Participatory approach

Taking an integrated and participatory approach to the management of Negombo lagoon involving all concerned stakeholders is, without doubt, a positive move. However, the challenges facing Negombo lagoon after decades of mismanagement

remain formidable. Concerted long-term effort, in terms of both financial commitment and stakeholder support, will be needed if these early steps are to be built upon and the lagoon restored to its past glory.

Landing Sites of Negombo Fisheries District



Source : Coastal Information, Department of Coast Conservation, Sri Lanka

For more

www.rflp.org/Negombo_fisheries_plan
Fisheries Management Plan for Sri Lanka's Negombo Lagoon takes Shape

www.fisheries.gov.lk/
Ministry of Fisheries and Aquatic Resource Development

S Thavaratnam 1940 - 2013

S Thavaratnam, who passed away on 2 July 2013, was a towering leader of fishermen in nothern Sri Lanka

AHILAN KADIRGAMAR

S Thavaratnam was an outstanding leader of the fishermen of northern Sri Lanka

For over four decades, S Thavaratnam, who passed away on 2 July 2013, provided outstanding leadership to the fishermen of the Northern Province of Sri Lanka, leading them through a turbulent period including a 26-year civil war and the Indian Ocean tsunami of December 2004.

Thavaratnam was born in 1940 in Mylitti, a fishing village in Jaffna District famous for its skilled fishermen and thriving fishery. Unlike most of his contemporaries, Thavaratnam did not enter fishing as a youngster. Encouraged by his father, an active fisherman, Thavaratnam completed his schooling with flying colours. However, after he got married, Thavaratnam found it difficult to make ends meet and soon gave up his government job to start a fish business in the early 1960s.

...provided outstanding leadership to the fishermen of the Northern Province of Sri Lanka, leading them through a turbulent period that included a 26-year civil war...

That was a period of growth in Sri Lankan fisheries, with major State investments in new technologies—fibre glass boats, nylon nets and outboard motors. The Northern Province, with the shallow Palk Bay on the west and the rich Pedro banks in the north, was the powerhouse of Sri Lankan fisheries, contributing over a third of the country's total fish production. Thavaratnam's business also prospered. Gurunagar, the village his wife came from, to which he had moved after marriage, had a strong fisheries co-operative established by some pioneers from the community in the 1950s. Thavaratnam began to engage in its activities. This was also when he developed close contact with Indian fishermen leaders and organizations across the Palk Bay. There were the odd conflicts with Indian fishermen but these were exceptions in a context of close cultural links and co-operation. Thavaratnam also got involved in organizing the exchange of nets lost by fishermen on both sides. Periodical exchanges of nets were organised in Katchativu, the island in the middle of the Palk Bay, where both groups met routinely as part of their fishing operations.

By the start of the civil war in 1983, Thavaratnam was one of the leading lights of the co-operative movement in the Northern Province, having risen through the ranks to become an office bearer at the level of the union and, subsequently, in the Northern Province Co-operative Federation. The protracted war saw the breakdown of communications between the districts of the Northern Province, making it difficult to sustain a single co-operative federation for the entire area. A separate federation was formed for Jaffna district and Thavaratnam was elected its chairman in 1995, a position he held till about a year before his death.

Co-operative

The war period saw the co-operatives having to play a sensitive balancing act between the government and the Liberation Tigers of Tamil Eelam (LTTE) in order to ensure that the fishermen could pursue their livelihoods against great odds, including fishing permits, fuel rationing, time-and-distance

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restrictions and high-security no fishing zones whenever active warfare was not directly taking place in their respective areas. The co-operatives also had to deal with the aid and relief agencies which came forward to help in rehabilitation, especially after the 2004 tsunami.

While fisheries co-operatives were established all over the Sri Lankan coast during the 1960s and became vehicles of State-sponsored fisheries, it was in the Tamil areas of the north and the east that co-operatives continued to thrive evenafter that growth phase. While the reasons for this phenomenon have not been properly researched or fully explained, there can be no doubt that leaders like Thavaratnam contributed to the co-operatives becoming more than mere economic collectives and functioning as representative bodies of the entire fishing community in their areas of operation, often cutting across religious divisions. The co-operatives play a crucial role in local fisheries governance and the social life of the village.

Thavaratnam's educational background helped him communicate effectively with different levels of governance and deal with all kinds of outsiders and represent fishing-community interests effectively. Soft-spoken and courteous to a fault, he was also tough and firm with his own fishermen. He did not believe in populism and always insisted on a principled approach to all matters and discipline in day-to-day functioning. His leadership in business was conservative—safety and prudence being the watchwords—but forward-looking. The Jaffna federation managed to develop its own funds and acquire property in the heart of the town, which gave it considerable financial autonomy and strength. Thavaratnam dealt with fisheries conflicts —whether they be between groups in Jaffna or between Indian and Sri Lankan fishermen—in a balanced and non-partisan manner.

Post-war, Thavaratnam was keen on re-uniting the fishermen of the Northern Province under one umbrella. He achieved some success through the Northern Province Fisher Alliance which brought together the co-operatives of three districts—Mannar, Jaffna and Killinochi. However, post-war political dynamics and State policies created internal differences within the co-operative's leadership, and Thavaratnam found it difficult to keep the entire flock together, given his unwillingness to make concessions and compromises. The small fleet of trawlers, a pre-war legacy, which was based in Gurunagar had been kept non-operational due to Thavaratnam's strong stand against trawling. He was always concerned about sustainability of fish resources and would not agree to the use of any gear that would affect that. While Thavaratnam was pre-occupied with larger issues, the local trawler owners of Gurunagar ganged up and managed to unseat him from the presidency of the Gurunagar co-operative, making his continuation as head of the Jaffna Co-operative Federation untenable, forcing him to step down. Not disheartened, Thavaratnam decided that this gave him the time and opportunity to strengthen the northern alliance. Unfortunately, ill health intervened and the last few months saw him in and out of hospitals. Yet when death came, it was sudden and unexpected.

Thavaratnam will always be remembered as an exceptional leader who stood by his people during difficult times and never compromised on his principles and integrity. Remarkably, despite the new trends in the last few years, he did manage to get the large co-oprative membership to live up to the standards he set for them, putting a premium on honesty, decency and decorum.

For more

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Sri Lanka's Most War Affected Community

Moving On

Promoting a rights-based approach to sustainable small-scale fisheries development through participatory and consultative processes was discussed at a workshop in Colombo

The *South Asia FAO–BOBLME Regional Consultation on the Implementation of the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)* was held in Colombo, Sri Lanka, during 23—26 November 2015. The event was organized by the Food and Agriculture Organization of the United Nations (FAO) and the Bay of Bengal Large Marine Ecosystem (BOBLME) Project. It was co-hosted by the Ministry of Fisheries and Aquatic Resources of Sri Lanka, and additional financial support was provided by the Government of Norway. About 42 participants from Bangladesh, India, Maldives and Sri Lanka attended the workshop, including representatives of governments, regional and international organizations, fisherfolk organizations, CSOs/NGOs, academia and other relevant actors.

The overall objective of the workshop was to raise awareness and support the implementation of the SSF Guidelines in the region. The workshop started with an introductory presentation by FAO, explaining how the process of preparing the Guidelines took place since 2008, with the enrolment of about 4,000 stakeholders who interacted with one another in a series of conferences, workshops and consultations held in a number of countries. The role of BOBLME in this initiative by contributing to institutional coordination, information, research, communication and capacity building was also explained.

The status of SSF in South Asia

An array of presentations by public, private and civil society actors explained the status of fisheries in their own countries. The country representatives stressed the importance of SSF in the region due to the large numbers of rural populations engaged in fishing, both marine and inland, and the greater share of SSF in the total fish landings. The major issues highlighted by all included the need to promote the sustainable use of fisheries resources, promote participatory decisionmaking and management, empower small-scale fishers, provide them with market access, strictly enforce laws, and protect the aquatic resources. Moreover, emphasis was laid on gender concerns, especially the need to empower women. Everybody stressed the need to identify and recognize the rights of fishers. Some of the important considerations that emerged during discussions included the importance of the ecosystem approach to fisheries management, engagement of fishing communities in decisionmaking, integration of research outputs into policy, and capacity development of all parties concerned in the implementation of the SSF Guidelines. Several voids in fisheries research were also identified, which included, among others, the need to find out the most appropriate interactive platforms, mechanisms of empowering fishing communities, guiding technological change and institutional change along a socially

The country representatives stressed strongly the importance of SSF in the region due to the large numbers of rural populations engaged in fishing, both marine and inland, and the large share of SSF in the total fish landings.

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optimal direction, and addressing issues of legal pluralism.

The country representatives also discussed issues specific to their countries. Both India and Bangladesh expressed serious concern about the process of marginalization of fishers, including women in the processing sector. Maldives pointed out that sea level rise (due to climate change) is a serious risk to SSF, while for Bangladesh, vulnerability was strongly related to 'ownership of fishing assets slipping out of the hands of the small-scale fishers'. Sri Lanka expressed increased concern on safety of fishers and the lack of alternative employment opportunities for fishing populations.

Participants also discussed the good practices adopted by their countries in dealing with some of the above issues. Sri Lanka boasted of a very strong legal framework and the functioning of a number of co-management platforms (especially in lagoon fisheries), rights of access to resources established through the construction/declaration of beach access roads, and recognition of beach seine *padu* and stake-net fisheries. Participants from India explained how self-help groups and cooperatives deal effectively with social and economic issues, while fishworker unions deal with the 'rights' of small-scale fishers. Representatives from Maldives and Bangladesh explained how small-scale fishers are granted access to land for fish processing. Maldives have also been able to set a floor price for tuna. With respect to transboundary issues, the shared management plan for the *Hilsa* fishery between Bangladesh and India was highlighted.

Concerns and suggestions

Through group discussions, the participants identified the key areas of concern and the actions proposed to deal with them.

i. Governance of tenure in SSF and resources management

The participants recognized the need to legalise customary tenure rights, both in fisheries resources and land, and proposed that efforts should be made by CSOs and academia/researchers to identify and document such rights and advocate their recognition by governments. The need to identify and document incidences of human rights violations and address them in collaboration with fisher community organizations and national human rights institutions was also highlighted. The absence of a 'fisher voice' in the process of decisionmaking was also a major concern.

Participants stressed the importance of effective and meaningful consultation of fishing communities. Co-management was recognized as an effective mechanism for incorporating fisher interests, including those of women and marginalized groups, into fisheries management. This needs capacity building and empowerment of fishing communities, who will engage in effective resources management both at the local and national levels. Establishment of multi-tier platforms to address regional management issues and transboundary fishing issues was also proposed. The participants added that governments should ensure that the United Nations Convention on the Law of the Sea (UNCLOS) and international human rights conventions, including the International Labour Organization (ILO) conventions, are applied to all fisheries activities.

ii. Social development, employment, decent work and gender equality

Development of human capacities in SSF was identified as one of the most urgent needs and a prerequisite to adopt holistic approaches to fisheries development. Training of fishers and fisherwomen to earn decent incomes and financial support to start up productive activities and improvement in the provision of information (for example, through information and communications technology ICT) were also recognized as important. The participants stressed the need to provide basic needs, such as housing, secure tenure rights, sanitation and drinking water. The need to develop/

strengthen and operationalize public health schemes, fisheries insurance schemes and subsidized loan schemes (in particular for women) was also brought to light. The participants expressed concern on the issue of empowerment of fishing communities. Not only the establishment of community organizations, but also the provision of capacity development and strengthening of the link between community organizations and the government, was emphasized. It was also observed that the small-scale fisheries sector often fails to provide equal opportunities and a safe and fair source of income, in particular for women and in inland fisheries. The poor bargaining power of fishing communities vis-à-vis the middlemen, had pushed down fishing incomes, which could be addressed by developing alternative means of support generally rendered by merchants. It was suggested that minimum wage schemes for small-scale fishworkers be examined, as also the development and/or implementation of policies in support of gender equality and gender mainstreaming. Strengthening and expansion of regional collaboration among CSOs to share experiences on the implementation of the SSF Guidelines and resolving transboundary and other common issues were also strongly recommended.

iii. Value chains, post-harvest and trade

The role of women in post-harvest activities received great attention. Organizing women into cooperatives, training on entrepreneurship, promoting micro-finance assistance, provision of low-interest credit, promotion of community saving and credit schemes, were all recognized as important steps in facilitating women's involvement in the fish value chain. Distribution of benefits from trade and returns from fish and fishery products were noted to be 'unfair'. The need for fisher organizations to involve in bargaining vis-à-vis buyers, collective purchasing by cooperatives, reducing cost of fishing inputs, effective dissemination of market information and the need to support post-harvest infrastructures were suggested as remedial measures. Another important concern of the participants was the issue of 'safety at sea'. It was suggested that safety of small-scale fishers be improved through the provision of safety equipment, training on safety at sea, designing effective insurance schemes, and improved communication and early warning systems.

The way forward

The following were identified as the steps to be taken by diverse stakeholder groups to actively promote the implementation of the SSF Guidelines at the national and regional levels:

Role of government actors and other participants

The government participants agreed to establish the SSF focal points in their fisheries administrations and other authorities, as appropriate. All participants agreed to organize formal and informal debriefing meetings to provide information about the outcomes of the workshop within their respective administrations and organizations and to disseminate the SSF Guidelines and the outcomes and recommendations of the workshop to relevant meetings. It was also suggested to advocate for the establishment of a regional oversight committee with at least one government and one CSO member per country (with due attention to gender balance) to follow up and monitor (for example, through email groups) the process, building potentially on existing initiatives (like the Asia Alliance on Small-scale Fisheries).

Role of CSOs, CBOs and NGOs

The CSOs agreed that they should develop additional language versions of the SSF Guidelines, with the help of the respective governments and the FAO. The NGOs and CBOs/CSOs are to prepare posters, simplified versions, short movies, and radio features, again with the support of their

governments, in order to raise awareness about the SSF Guidelines. CSOs also agreed to appoint national focal points for the implementation of the SSF Guidelines.

Role of international organizations, FAO and BOBLME

The participants thought that it is best for the FAO to provide guidance for the preparation of National Plans of Action to support the implementation of the SSF Guideline and support the monitoring of the implementation of the SSF Guidelines. It was also suggested that the BOBLME project should include support to follow up activities after the workshop and the implementation of the SSF Guidelines at regional and national levels during its proposed second phase.

Role of research institutes and universities

It was recommended that academia and researchers should contribute a chapter on the SSF Guidelines implementation to a planned publication of the research network Too Big To Ignore (TBTI). It was also proposed that the research institutes and universities need to look into new research areas relevant to the application of the SSF Guidelines, which might include socioeconomic data collection, design and implementation (including gender-disaggregated data), provision of information on the socioeconomic status of fishing communities and the aquatic habitats through participatory research, and making initiatives to integrate the SSF Guidelines in fisheries course curricula.

Finally, the participants noted the need to secure funding, which, among other things, include engagement with international and regional development partners through bilateral donors and embassies at the country level, and with new projects (including BOBLME phase 2). The need to explore opportunities of joining hands with NGOs operating outside fisheries and working with human rights and social development institutions was also brought to attention. Provisions to be made for the implementation of SSF guidelines and promoting interaction with relevant non-fisheries ministries and departments at all levels, and mainstreaming of SSF Guidelines in relevant policies, strategies, plans as well as public-private partnerships in support of the SSF Guidelines were also recognized.

A concluding remark

In summary, there was general agreement among the participants at the workshop that sustainable development of small-scale fisheries shall be based on proper governance and management of the natural resource base and the people who depend on it, through the establishment of effective interactive platforms, such as fisher community organizations and appropriate co-management platforms, which will adopt holistic and integrated approaches, while ensuring that the rights and responsibilities of the participating actors, including women and marginalized groups, are clearly laid down and respected, and that decisions are made through a process of consultation, collaboration and coordination of all actors concerned. Such a process shall encompass capacity building and empowerment of small-scale fishers, providing them with the required social protection, and meeting their well-being aspirations through proper social development interventions and adoption of appropriate legal instruments.

For more

igssf.icsf.net/en/page/1066-Interesting%20articles%20on%20SSF%20Guidelines.html
Small-scale Fisheries Guidelines

www.fao.org/srilanka/news/detail-events/en/c/356820/
FAO-BOBLME South Asia Regional Consultation on SSF Guidelines

Wellbeing Aspirations

Fisheries co-operatives in Sri Lanka need to be restructured into true co-management platforms to ensure the sustainable use of coastal zone resources

It is now recognized that fishing is not simply catching fish and earning an income, but a way of life which is especially true with small-scale fisheries, which comprise nearly 90 per cent of all fisheries in developing countries. All activities in fishing are firmly embedded in culture, values, customs and traditions of fishing communities, and thus the decisions concerning fishing are generally sociocultural constructs rather than those based on profit-maximizing rational choices. For natural scientists, fishing is an issue of ecosystem health; for social scientists it is a case of social welfare and wellbeing, while for governors and managers, it is policies, laws and management mechanisms for sustainable resource use. However, for fishers it is a particular way or life which meets their wellbeing aspirations – a much broader composite goal. The oft-noted complaint of fishers is that their diverse wellbeing aspirations are not properly understood by the state actors, who often manage fisheries from the top, with little contact with those at the bottom.

Co-operatives have won the faith of the fishers, and their membership has grown to include even the majority of the women fisherfolk.

In such a context, the fisheries co-operatives in Sri Lanka can be considered as true community institutions, catering to the varying needs of the fishers – from the provision of technical and financial services to meeting their diverse wellbeing aspirations. Co-operatives have won the faith of the fishers, and their membership has grown to include even the majority of the women fisherfolk. However, one of the serious weaknesses of the co-operatives has been their failure to play any significant role in resource management, especially in controlling entry into fisheries. On another front, it is to be noted that fishers form only one type of stakeholders using resources in the coastal zone. The others are farmers, industries, tourism stakeholders, etc., whose decisions concerning resource use are often in conflict, requiring cross-sectoral collaboration. Given the dominant position enjoyed by fisheries co-operatives in the coastal zone, restructuring of fisheries co-operatives in Sri Lanka is needed to organize them into true co-management platforms towards attaining the goal of sustainable use of coastal zone resources.

Fisheries co-operatives in Sri Lanka have a post-independence origin. They have been initiated by the government and are organized with the intervention of two government departments, the Department of Co-operative Development and the Department of Fisheries and Aquatic Resources, which make them a particular type of 'formal organizations'. This is often perceived as a crucial weakness, and even contrary to the essence of the co-operative movement. The Overseas Co-operative Development Council thus concludes flatly that: "government-controlled parastatals are not true co-operatives". Yet, these 'formal' types of organizations performed a number of functions during the Blue Revolution era (1950-1970), when the new fishing technology was channelled to the asset-poor fishers through the fisheries co-operatives

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with financial assistance in the form of subsidies including subsidized credit. What is important to note is the fact that membership in co-operatives is, in principle, voluntary, and that individual co-operatives enjoy great freedom in planning, organizing and implementing activities aimed at meeting the diverse needs of the community. As it will be shown in this article, Sri Lanka's fisheries co-operatives have a history of being true community organizations, performing an array of functions towards meeting the wellbeing aspirations of their membership: the fishers and their families.

Fisheries co-operatives in Sri Lanka can be traced to 1912, when the Rural Credit Societies were established. Then the Department of Co-operatives, which was established in 1930, took a new interest in the development of credit societies into co-operatives. The first fisheries co-operative was established in 1942, with the objective of providing credit facilities to fishers to acquire craft and gear, and to facilitate fish marketing. From 30 registered societies in 1945, the number grew to 292 by 1972. A complete re-organization of co-operatives was done in that year, when village-level co-operatives were amalgamated to form primary co-operative societies serving a larger area.

The activities of these co-operatives are guided by the Co-operative Societies Act No. 5 of 1972, and the Fisheries Co-operative Constitution. From 45 of such primary societies in 1973, they increased to 845 by the year 2016, with a membership of 95,891. However, only 596 co-operatives remained active, with around 70 per cent of them being concentrated in the north and the east of the country, which were heavily affected by the civil war during the 1983-2009 period. Many of the fisheries co-operatives in Sri Lanka can be characterized as multi-purpose, combining functions such as the provision of credit, technology and insurance; and occasionally, the organization of marketing. Their importance was strongly felt in early 1960s when the government introduced the new capital-intensive Blue Revolution technology: mechanized boats, nylon nets and outboard motors. These were channelled to asset-poor fishers through fisheries co-operatives with subsidies, including subsidized credit. Group guarantees by fellow members resolved the collateral problems and formation of crew groups under a caretaker owner who provided access to large mechanized craft with easy repayment schemes.

By investing in bridging and linking social capital, co-operatives have formed strong social networks horizontally and vertically, to do favours for their membership: training, capacity building, procuring funds for infrastructural development, community welfare, etc. Many a co-operative in Sri Lanka organizes all village cultural and religious events, provide tents, chairs and buffet sets for weddings and for funerals, operate pre-schools and children's parks, organize private tuition classes for school children, etc., thus facilitating the achievement of diverse wellbeing aspirations of their membership.

However, fisheries co-operation also had its drawbacks. From his studies in southern Sri Lanka, the author has shown that co-operatives were used in early days (1960s and 1970s) by politicians to provide favours to their political clientele by fraudulently channeling public goods. When governments changed, new office bearers having political links to the

OSCAR AMARASINGHE

Women from a fisheries co-operative cleaning the garden around the fisheries office near Kalametiya Landing Site, Hambantota, Sri Lanka. The co-operatives' membership has grown to include even the women fisherfolk

party in power were elected, who had easy access to public goods through the political clientele system of the ministers and their aides-de-camp. Thus there have been incidences of collapse of certain co-operatives, due to such political interference and corruption.

The fisheries co-operatives in Sri Lanka were subject to several threats in the past. The first threat was the withdrawal of state assistance and patronage to fisheries co-operatives in 1994 because of the prioritization of defence expenditure over others, which was huge during the 30 years of civil war in the country. This move made some co-operatives defunct or dormant. The second type of threat emanated when the Ministry of Fisheries and Aquatic Resources Development (MFARD) introduced a new type of community organization called the 'Landing Site Management Committees' (LSMCs) in 2004, with the aim of bringing in management functions into community-based organizations at the landing site level.

Some of the cooperatives in the south are completely run by women, leaving the men to concentrate on fishing.

About 1,000 such committees were established in the country, and some of the co-operatives were disassembled to join these LSMCs, which were pledged with an initial capital of LKR 1 mn (USD 6214). The LSMCs never functioned and no funds were allocated to them. The third threat came in 2010, when the Ministry of Fisheries established a multi-layered system of Rural Fisheries Organizations (RFOs), and announced that state assistance to small-scale fishers would only be channelled through RFOs. The RFOs functioned only under the MFARD, without any involvement by the Department of Co-operative Development. The MFARD thought that such a format would make things easier in channelling public goods to the 'needy' fishers, and also as a means of controlling community organizations to meet the short-term goals of the political party in power.

By 2017, there were 1,127 such RFOs (both marine and inland) with a membership of 98,748. Although, it has now taken almost eight years since their establishment, the RFOs still remain quite dormant, with no apparent role to perform. They have no clear vision and mission and, so far, have not performed a single function that fisheries co-operatives used to perform. Yet, they are the agents of the state, who grant approval for various requests made by the membership and recipients of any public goods channelled to fisheries. In fact, what has happened in many parts of the country was that, the existing co-operatives have assumed the name RFO, with the same membership and same office bearers. Thus, while co-operatives and RFOs are different by name, the membership remains the same in most areas.

Nevertheless, in the minds of many fishers, fisheries co-operatives still remain the most dominant type of community organization in coastal areas. Many continue to function in an environment of zero state assistance, but as strong social networks based on trust and reciprocity among people. Quite interestingly, the co-operatives, as against RFOs, have a strong involvement of women. Some of the co-operatives in the south are completely run by women, leaving the men to concentrate on fishing. By providing group guarantees, they have invested in plant nurseries, boutiques, organic farming, etc., earning supplementary incomes. In short, fisheries co-operatives still function as the only form of fisheries community organization that represent the interests of fishers and their families and work towards meeting their wellbeing aspirations.

While fisheries co-operatives have performed fairly well in meeting an array of wellbeing aspirations of the fisherfolk, they have failed tremendously in managing the fisheries resources, especially in controlling entry.

Bioeconomic modelling studies in the southern marine fisheries of Sri Lanka have shown that high rates of resource exploitation (higher levels of effort) occurred in fishing villages which had well-functioning co-operatives (Bata Atha South Fisheries Co-operative in the Hambantota District

is an example). In fact, in these villages, fishers have entered the fishery quite freely and have exploited the resources heavily. Co-operatives have contributed to this situation by providing fishers with the means to access natural resources and the required livelihood capitals to facilitate this access. This has to be related to the origins of the fisheries co-operative movement in the early 1940s, when co-operatives were expected to provide the membership with credit facilities to purchase craft and gear, which is a function tantamount to 'facilitating entry'. Thus, fisheries co-operatives became lending institutions with a diversity of credit schemes, lending money not only to acquire fishing equipment, but also to meet consumption needs and insurance needs (through instant loan schemes). The well-functioning co-operatives, in this respect, were even elevated to the status of Fisheries Banks ('Idiwara Banks').

The restructured primary fisheries co-operatives that were born in 1972 had assumed a large array of functions to improve welfare facilities for the fishing populations. They were totally welfare-centric, with hardly any concern for resource management. Note should also be made of two important principles of the peasants in rural Sri Lanka – the principle of equality and the right to subsistence. All who are born in the village have a right to live and, should enjoy equal rights of access to resources. The fisheries co-operatives, as true community organizations, are expected to abide by these principles of the peasantry. Thus, even when the current fishing pressure is high, they are forced to assist whoever wants to fish. Although this weakness is understood by co-operatives, they are not in a position to introduce entry controls, which will challenge the very basis of the establishment of fisheries co-operatives.

Given that fisheries co-operatives command a high degree of confidence and faith among the membership as their true representatives, the fisheries co-operative format could be made use of in introducing measures that will also ensure a healthy ecosystem, with appropriate restructuring to achieve these ends. But fisheries form only one component of the coastal ecosystem, and fishers are only one stakeholder group in the coastal zone, with farmers, tourism stakeholders, industries and others forming a group of multi-stakeholders exploiting the same bundle of coastal resources. Therefore, decisions regarding coastal zone management need cross-sectoral collaboration to avoid conflicts among stakeholders having different interests and different legal orders. Although they remain latent, conflicts among diverse stakeholders in the coastal zone exist. Yet, attempts at resolving conflicts through cross-sectoral collaboration, with the participation of all relevant stakeholders, are hard to find.

The recently developed Voluntary Guidelines for Securing Small-scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) provide a good starting point, with their emphasis on holistic, inclusive, participatory and integrated approaches to fisheries management.

Recent studies in south Sri Lanka provide evidence of the very strong position enjoyed by the fisheries cooperatives...

Recent studies in south Sri Lanka provide evidence of the very strong position enjoyed by the fisheries co-operatives in comparison to other community organizations in the coastal zone, with respect to the provision of livelihood capitals, transparency and accountability of operations, and willingness and capacity to adopt some of the key SSF Guidelines.

Leadership role

It is also interesting to note that all non-fisheries stakeholders in the coastal zone believe that fisheries co-operatives could take the leadership in making decisions concerning the management of resources in the coastal zone. Evidently, due to the diverse tasks and uncertainties inherent in fishing – seasonality, high incidence of damage to, and loss of, craft and gear and fishing days, need for supplementary income, etc. – fisheries co-operatives have risen

up to provide a host of services to the membership, including the provision of livelihood capital, which is not the case with other community institutions like the agricultural co-operatives or rural development societies.

Moreover, through the experience they have gained in managing fisheries co-operatives to provide the above services to the membership, the co-operative leaders have become very strong and powerful individuals in making decisions concerning coastal resource use. Yet, the latter necessitates that fisheries co-operatives function as true interactive management platforms, with the participation of all relevant stakeholders. Such a change requires the incorporation of concerns of resource management into the constitution of fisheries co-operatives, assuming the role of a cross-sectoral collaborative body to perform the required management functions.

Entry into coastal fisheries is now made fairly difficult by the recent state regulations banning the construction of small fibreglass boats, which are the mainstay of coastal fishing in Sri Lanka. Following this ban, some co-operatives, like the Godawaya Fisheries Co-operative in Hambantota district, have already taken steps to set limits on all types of coastal craft operating in its landing site. The co-operative is also controlling the entry of tourists into the Godawaya beach, fearing that tourism would have adverse influences on the youth, culture and traditions of the village.

...fisheries co-operatives have risen up to provide a host of services to the membership, including the provision of livelihood capital...

On the one hand, the Fisheries and Aquatic Resources Act of 1996, provides for the establishment of Fisheries Management Areas and Fisheries Committees within such areas, which are entrusted with management decisionmaking. In fact, the MFARD has started establishing co-management platforms for export-oriented fisheries, with the participation of all stakeholders in designated fisheries management areas in a number of districts. The process has been facilitated by funds provided by international donors. But these committees became defunct after some time for a number of reasons: withdrawal of foreign assistance; absence of a leader organization to work towards achieving the goals of co-management; and the apathy of the state authorities to continue with the process. In this whole process, the fisheries co-operatives have been relegated to the background because of the government's lack of interest in empowering them. On the other hand, the RFOs remained outside the mainstream of activities because they commanded no faith or trust among people, and did not enjoy a dominant status among diverse stakeholders in the coastal zone.

The focus group discussions held recently revealed that the whole process of integrated coastal zone management (ICZM) could be organized under the leadership of the fisheries co-operatives, which could function as co-management platforms with the participation of all coastal resource users, state actors, civil society organizations (CSOs) and other parties, including women and marginalized groups. The mere formation of such platforms itself will not resolve management issues, unless the management process is made integrated, inclusive, participatory and holistic. This requires, among other things, the government's will to recognize the important role played by fisheries co-operatives as a dominant actor in the coastal zone, the will to empower them and abolish the dormant RFOs. A change of this nature will not only put under way a strong process of ICZM, but also introduce a mechanism to resolve conflicts among coastal resource users.

For more

http://www.coop.gov.lk/web/images/acts/1972-5/1972_05_E.pdf
Co-operative Societies Law No. 5 of 1972

Aiming for Holistic Management

A workshop to strengthen small-scale fishery communities in the context of the SSF Guidelines was held on 28 September 2018 at the National Science Foundation in Colombo, Sri Lanka

A workshop was held in Colombo, Sri Lanka for the implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines). The workshop, held on 28th September, 2018 was attended by 45 participants from the Ministry of Fisheries and Aquatic Resources Development (MFARD), the Director General of the Department of Fisheries and Aquatic Resources Development (DFARD), National Aquaculture Development Authority (NAQDA) and Ceylon Fisheries Corporation (CFC), and 15 officers from Coast Conservation Department (CCD), Agriculture Department, Ministry of Tourism, Department of Wildlife, Coast Guard (Navy) and Marine Environmental Protection Agency (MEPA). The Food and Agriculture Organization of the United Nations (FAO) Representative in Sri Lanka, Nina Brandstrup, was the Chief Guest of the event.

It was noted that political commitment is necessary, as is community empowerment and capacity building...

Senior Professor Upali Amarasinghe, Joint Secretary of the Sri Lanka Forum for Small-Scale Fisheries (SLFSSF) presented the SSF Guidelines and dealt with issues of governance of tenure, including the need to identify and respect the rights of fishers to fish resources, land (beaches) and adjacent areas, and of gender equality and gender mainstreaming. Professor Oscar Amarasinghe, President of the SLFSSF, spoke about sustainable resource management, co-management, value chains and post-harvest practices including fish processing by women, social development and the need to empower fishing community organisations. The need for management to be integrated, inclusive, participatory and holistic was highlighted.

After the technical sessions, the participants were divided into four groups with each group being given two topics for discussion. The group discussions were conducted by Dr. Nilantha De Silva with the help of students from the University of Ruhuna.

The first group discussed the following topics:

(a) Responsible Governance of Tenure

Overlapping laws were identified as a key issue hindering the governance of tenure. Other issues such as the loss of beach access; the lack of appropriate regulations and enforcement; and conflicts between resource users were also discussed. For each issue, the various actors with a stake in coastal and marine tenure, including the government departments for Fisheries, Tourism, Wildlife, Forest, Environment, Irrigation, CCD, MEPA, fishing communities, the shipping and tourism industries, etc., were identified. Responsible nodal agencies for coordination and implementation were also identified. It was noted that political commitment is necessary, as is community empowerment and capacity building. The group recommended that a national committee for all aquatic environments (inland and marine) be established.

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(b) Sustainable Resource Management

The group discussed how the lack of knowledge about the ecosystem approach to fisheries (EAF) is a major lacuna, which points to the need for comprehensive studies by the National Aquatic Resources Research and Development Agency (NARA) and universities, with the support of funding organizations and the MFARD. Political support is also needed to conduct national level awareness and monitoring programmes for sustainable resource management. The group called for regulations, based on well-designed studies, to be formulated by the fisheries ministry and relevant policy makers, such as National Science & Technology Commission (NASTEC). Another problem is the failure to recognize research output and the lack of facilities to conduct scientific research. It was suggested that research be translated into policy and sufficient funds allocated for filling research gaps. The group also discussed the need for a national level monitoring, control and surveillance (MCS) system for small-scale fisheries.

(c) Establishing Co-Management Platforms

In the case of existing co-management platforms, provisions to declare fisheries management areas and fisheries management committees have been made in Act No. 35 of 2013. The deficiencies include the lack of funds for implementation of co-management practices; dysfunctional national advisory committees and inadequate community consultation. To improve these, it was suggested that there be separate budgetary allocations for co-management, and areas be identified where co-management can be implemented. Collaboration between the MFARD, Treasury, district secretaries and all stakeholders in the fisheries sector is critical.

(d) Community Organizations

Fisheries Co-operative Societies (FCS) are the existing community organizational structures and play an important role in co-management. Rural Fisheries Organizations (RFO) deal with inland fisheries co-management. The role of Fisheries Lagoon Management Committees (FLMC) (for lagoons) and Fisheries Management Coordination Committees (FMCC) (for marine fisheries) was also discussed. Several barriers restricting community organizations from fulfilling their roles were identified, one being that cooperatives are not under the control of the fisheries department. Others include the lack of state intervention, fisher participation and funding sources. The group recommended awareness building as a solution to these challenges.

The second group discussed the following topics:

(a) Social Development

Three major gaps were identified for the poor health, sanitation and social development among fishing communities: inadequate drinking water, poor awarenees and facilities for sanitation and insecure housing. Water purification plants, sanitation drives and housing development and loan schemes were suggested for each issue respectively. Nodal agencies were also identified to allocate responsibilities: the Water Board, the Department of Fisheries, Health, the National Housing Development Authority, local governments, etc.

(b) Employment and Decent Work

The group suggested several actions to ensure occupational health and safety in small-scale fisheries along with the identification of departmental responsibilities: search and rescue mechanism, technology and skill training (DFARD, NAQDA, Navy, Coast Guard); weather alerts and warnings (Department of Meteorology, DFARD); awareness raising on labour laws and rights (DFARD, NAQDA and Department of Labour); vessel safety and life-saving equipment (DFARD, NAQDA and CEYNOR); and health programmes (DFARD, Ministry of Health).

(c) Gender Issues

Several issues related to gender in fisheries were highlighted. A policy for 25 per cent representation of women in all decision making bodies was recommended. The importance of educational programmes as a solution to cultural barriers was discussed, along with issues of women's safety and security at the workplace. The responsibilities of the Ministry of Women and Child Affairs, Fisheries and Ministry of Policy Planning were identified. The group observed that unequal wages

between men and women needed to be rectified using better regulation by the Ministry of Labour.

The third group discussed the following topics:

a) Value Chains, Post-Harvest and Trade

The group discussed issues of post-harvest handling losses, destructive or illegal fishing practices (e.g. dynamite), the lack of infrastructure (ice storage, anchorage, etc.), the absence of standardized boat design and low supply of labour. Added to these, appropriate fish grading systems and auctions were not available to small scale fishers, which leads to exploitation by middlemen. Women are underrepresented at landing sites. The lack of awareness among fishermen is a problem, leading to inferior quality and prices (for example, bottom set gill nets were kept for too long in the sea causing a deterioration in fish quality). Promoting fishing activities as a family business (by engaging in diverse links in the value chain), adopting new technology and providing training were suggested by the group. Better access to credit facilities and strengthening of extension services were a few other solutions to iniquities in the value chain.

b) Disaster Risk and Climate Change

In the discussion on disaster risk reduction, the need to strengthen weather warning systems was highlighted. Fishing communities also need proper communication equipment and other technology. The role of the Meteorological Department, Disaster Management Centre, DFAR and community organizations was discussed. An appropriate insurance scheme for fisheries needs to be developed. The effects of climate change on fisheries have not been adequately studied, which requires more funds to be allocated to research agencies. The rights of fishers in instances of beach erosion have not been established and this needs a proper legal framework.

The final group discussed the following topics:

a) Policy Coherence, Institutional Coordination and Collaboration

A persistent issue for small-scale fishers is of government officers flouting regulations and overstepping their authority. Addressing this requires discussions with relevant institutes (for example, on fishing in wildlife reserves). One solution is to inform both officials and communities about rights and duties. Responsible agencies were identified such as departments of Fisheries, Wildlife, NAQDA, NARA, etc. Management plans for small-scale fisheries need to be developed that create common platforms for all stakeholders. Some laws need to be updated while others need implementation through increased coordination between stakeholders. (For example, an update in the Fisheries and Aquatic Resources Act, 1996 so that roles and responsibilities are clearly specified.)

b) Information, Research and Communication

Lack of robust information (including traditional knowledge) and data about small-scale fisheries was highlighted, with a suggestion to form a dedicated unit to collect and constantly update this information. (The MFARD could lead this initiative, with contributions from universities, technical institutes and NGOs.) The collection, storage and dissemination of information were discussed in detail. The group discussed legal barriers, exchange of information between institutes and the community, the scarcity of trained officers, etc. The group felt that demonstration farms for small-scale fisheries and aquaculture can help in dissemination of new knowledge and training. Communication and collaboration between institutes needs to improve and a mechanism should be developed in universities to identify research areas relevant to the socio-economic needs of small-scale fisheries. This will need funds to be allocated for research, a plea also made by the other groups.

For more

https://sites.google.com/site/smallscalefisheries/events/sri-lanka-1
Process of Building Voluntary Guidelines for Sustainable Small Scale Fisheries: Proposal from Sri Lankan Fisheries Communities, Negombo, Sri Lanka, 22 November 2011

https://www.icsf.net/en/yemaya/detail/EN/2192.html?
Sri Lanka : Widows' struggles in post-war Sri Lanka

Action Stations

Sri Lanka's National Fisheries Policy needs to be remodelled to incorporate the SSF Guidelines in order to attain the goal of securing sustainable small-scale fisheries

The Ministry of Fisheries and Aquatic Resources Development (MFARD) of Sri Lanka recently prepared a White Paper on National Fisheries Policy in 2018, which was approved by the Cabinet and is expected to be presented to the parliament. It fails to address a number of compelling needs of the small-scale fisheries sector. The Sri Lanka Forum for Small-Scale Fisheries (SLFSSF) responded to this need; it embarked on a process to implement the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (the SSF Guidelines) between July 2018 and May 2019, with assistance from the International Collective in Support of Fishworkers (ICSF), as part of efforts of the Food and Agriculture Organization of the United Nations (FAO) towards global implementation of the SSF Guidelines. Following the FAO Project Results Matrix, the SLFSSF took up a number of activities.

Plan of activities and methodology

The plan of activities included: sensitizing the state actors from diverse institutions in the coastal zone on the SSF Guidelines; development of communication tools for community stakeholders, as part of which the SSF Guidelines were translated and posters and factsheets prepared; stakeholder consultation workshops covering several parts of the country; assessment of the current fisheries policy; and re-modelling the policy by incorporating the relevant sections of the SSF Guidelines. Participatory Rural Appraisal (PRA) tools were used to extract information at stakeholder consultations and the results were analysed using non-parametric statistical tools.

The outcome: Missing links and new SSF policy

Stakeholder consultation workshops discussed diverse issues. The results of these discussions were analysed and their policy implications based on the relevant SSF Guidelines were noted. After re-visiting the current National Fisheries Policy by a group of policy experts and identifying the missing links, a new SSF policy paper was finally prepared.

Tenure rights

Focus Group Discussions (FGDs) at stakeholder consultation workshops revealed a number of incidences where the rights of fishers were violated, such as the acquisition of beach areas for tourism, leading to loss of anchorage sites, beach-seining sites, space available for craft and gear repair and fish processing. It also came up that large-scale mechanized craft and gear have taken away resources which were traditionally available to the small-scale and artisanal fishers. There were also concerns about rights that fishers want to possess and enjoy, including access to and use of mangrove forests and land adjoining beaches. In addressing these issues, the need for zonation of the coastal area was suggested.

There were also concerns about rights that fishers want to possess and enjoy, including access to and use of mangrove forest and land adjoining beaches.

Sustainable resource management

The absence of a proper monitoring, control and surveillance (MCS)

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mechanism to monitor coastal resource management was highlighted. The need to decentralize management decisions to the district level with the involvement of local government actors was also underlined. Attention was also focused on treating the coastal zone as one ecosystem and to ensure that all relevant stakeholders are involved in the process of management and decision making at all levels, including youth, women, the differently abled and other marginalized groups. It was agreed that management approaches will have to be holistic, integrated, inclusive, and participatory.

Value chains, post-harvest handling and trade

Post-harvest losses reaching a high level of 40 per cent was noted. One important missing link was the absence of provisions for spatial planning to allow for allocation of space for various fisheries-related activities on the coast; craft anchorage, equipment storage and fish drying, and shore facilities to engage in such activities. The need to introduce scientific fish handling was also emphasized. The importance of government intervention and promotion of the entry of community organizations into fish marketing to break middlemen oligopsonies was highlighted. It was suggested to regulate foreign trade to ensure that the nutrition and food security of the people is not threatened by international trade in fish and fish products.

Occupational health and safety

The lack of concern for safety at sea among fishers was noted. It was agreed that there is a need to build awareness among fishers on the importance of adopting sea-safety measures. Providing fishers with economic access to safety equipment was suggested as an important policy strategy. Apart from on-board safety equipment, concerns were expressed on the need to make landing sites and equipment safe for navigation. Ratification of the International Labour Organization (ILO) conventions on safety and work in the fishing sector was also proposed.

Social protection and fisheries insurance

Participants expressed displeasure at the functioning of the Fishermen's Pension Scheme. Fisheries insurance, too, has always been a failure due to information asymmetries between insurers and insurees, leading to non-payment or delays in paying indemnities. It was proposed that a fisheries insurance scheme be operated through the fisher community to reduce these asymmetries. Another related problem was ill-health and injuries caused by bad weather and climate-related hazards. Hence the need to promote fisheries insurance schemes that cover both fishing and climate-related risks was underlined.

Disaster risk and climate change

Despite the fact that Sri Lanka possesses a fairly good weather information system, the participants thought that an 'early-warning' mechanism is still lacking. The possibility of using mobile phones to communicate weather data to fishers was also discussed. In improving ex-ante management of disasters, it was proposed to maintain a registry of fishers, craft and fishing equipment with regular update of information. Moreover, involvement of community organizations and the need for cross-sectoral collaboration and institutional co-ordination to deal with disasters and climate change impacts in the coastal zone were also emphasized.

Gender equality

Discussions revealed that in predominantly Buddhist coastal communities, a woman's employment was still considered a reflection of the man's inability to feed the family. It was proposed that awareness be raised in these communities to show the importance of women's employment in improving family well-being. Moreover, employment is a right of women. The important role played by women in fisheries cooperative societies was also noted and a minimum of 25 per cent representation of women in the committees of cooperatives was recommended. It was a proposed that the government should take steps to remove gender-based discrepancies in wage rates.

Social development

It was agreed that no measures taken towards sustainable resource management would succeed if measures towards social development were not adopted at the same time. Several measures were proposed to guarantee people's access to basic social services: Affordable access to basic education, health, housing and household amenities; according priority to children of fisher communities to fisheries higher education; provision of financial assistance for children of fisher families to continue education during the off-season; development of credit and micro-credit schemes to encourage investment in fisheries; and to enable the poor and vulnerable to access credit.

Capacity development

It was proposed to make fishing communities aware of new fishing techniques and be trained in them, especially in deep-sea fishing technology, post-harvest processing and alternative income-generation activities. While there is so much interest today in sustainable use of resources, conservation and management, it was disclosed that fishing communities are hardly made aware of the diverse measures needed to be adopted to achieve the goals of sustainability. Thus, it was proposed to build capacities of members of fishing communities in new fishing techniques, deep-sea fishing technology, post-harvest processing, alternative livelihoods, resource conservation and co-management. The need to provide training to women and school dropouts in post-harvest processing and other ancillary activities was also recognized.

Empowering community organizations

As a means of building capacities of fishing communities in undertaking management functions, it was proposed to provide training facilities to officials of fisheries co-operatives in resource conservation and management, financial management and principles of cooperation. Statements concerning the dissemination of policy documents, laws, rules and regulations in a manner fisheries communities understand easily, and the need to consult fisheries co-operatives in the design, planning and implementation of fisheries and other development projects were also proposed to be incorporated into the National Fisheries Policy.

The way forward

The process of the SSF Guidelines implementation led to the formulation of a SSF policy paper, which included a number of policy strategies that were absent in the National Fisheries Policy, 2018. All consultations and policy workshops were carried out with the participation of State actors, academics, researchers, civil society and community organizations. The Secretary of the Ministry of Fisheries attended the final policy workshop as the keynote speaker.

It is now necessary to get the government approval for the revised policy document, incorporating the new policy paper. As it became evident from country-wide consultations, the full benefits of the policy process can only be reaped if

(i) the management process is made participatory, inclusive, integrated and holistic;

(ii) co-management platforms are established at the local level, rising up to the national level;

(iii) capacities of State actors and communities are built to participate effectively in management decision making;

(iv) community organizations are empowered and their active involvement in development and management decision making is ensured; and

(v) actions are taken to invest in social development, including gender equity, working conditions, social protection and insurance. These actions will ensure that the revised fisheries policy meets the goal of securing sustainable small-scale fisheries.

For more

https://www.icsf.net/en/samudra/article/EN/79-4352-Wellbeing-Aspir.html
Wellbeing Aspirations

https://www.icsf.net/en/samudra/article/EN/80-4368-Aiming-for-Holi.html
Aiming for Holistic Management

https://igssf.icsf.net/en/page/1088-Sri%20Lanka.html
Implementing the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication in Sri Lanka, SLFSSF and ICSF

Path to a Policy Upgrade

Incorporating the SSF Guidelines into the national fisheries policy requires several rounds of engagement with state and community stakeholders

The onset of the new millennium saw the process of fisheries development taking a new path globally. It's one with a strong emphasis on offshore and deep-sea fishing, fish exports and the increased use of oceans for tourism and other development activities, indicating a rising dependence on blue economic growth. These processes remain weakly regulated or unregulated; they marginalize the artisanal and small-scale fisheries (SSF) sector rooted in vulnerable communities severely hit by poverty and displacement.

The active participation of fisheries officials at the stakeholder consultation workshops was a key feature of the island-wide consultations.

The Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines), adopted in 2014 at the meeting of the Committee on Fisheries of the Food and Agriculture Organization of the United Nations (FAO), came as a panacea for the protection of the rights of small-scale fishers. In an effort to implement the SSF Guidelines, the Sri Lanka Forum for Small-Scale Fisheries (SLFSSF) embarked on an island-wide consultation process in 2018-2019, leading to the formation of a small-scale fisheries policy that has incorporated a number of policy strategies to protect the rights of small-scale fishers. Now it is up to the government of Sri Lanka to adopt them, to see that the small-scale fisheries sector is protected and would continue to perform its age-old functions of providing employment, nutrition and food security to coastal populations.

The implementation process

Between July 2018 and August 2019, SLFSSF embarked on a process to implement the SSF Guidelines, with assistance from the International Collective in Support of Fishworkers (ICSF), as part of FAO efforts towards the global implementation of the SSF Guidelines. The plan of activities included sensitizing the state actors (from diverse institutions in the coastal zone) to the nuances of the guidelines; developing communication tools for community stakeholders; conducting stakeholder consultation workshops covering several parts of the country; assessing current policy; and re-modelling it by incorporating the relevant parts of the guidelines.

Community representatives

The participants at these workshops included fisher community representatives (including women fisherfolk), state actors representing diverse government departments operating in the coastal zone, and policy experts. The active participation of fisheries officials at the stakeholder consultation workshops was a key feature of the island-wide consultations. This resulted in a group of policy experts creating an SSF policy document (SSF Policy 2019), taking into account a number of thematic areas that formed the missing links in the fisheries policy as it existed in 2018. This was discussed and finalized at a policy workshop held in June 2019, attended by the Secretary of the Ministry of Fisheries, who made the keynote address. It was expected that the current national fisheries policy would be remodelled taking into account the new policy guidelines.

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SLFSSF

The state actor sensitizing workshop held in Colombo 28th September 2018. The major outcome was the Ministry of Fisheries agreeing to initiate discussions in incorporating the SSF Policy 2019 into the national fisheries policy of 2018

Addressing existing voids

A number of missing links in the National Fisheries Policy of 2018 were noticed in thematic areas, such as tenure rights, sustainable resource management, post-harvest and trade, occupational health and safety, social protection and insurance, gender equality, disaster risk and climate change, social development, capacity development and empowering community organizations. The SSF Guidelines implementation process addressed all these missing links, and policy strategies were prepared based on the island-wide consultations carried out in 12 of the 15 coastal districts.

In the SSF Policy 2019, the emphasis laid on the need to look at the coastal ecosystem as a whole in management decision making was an important step forward. This was associated with the need for cross-sectoral collaboration and institutional coordination and the need to establish co-management platforms at the local level, rising up to the national level. Emphasis was laid on the incorporation of four important features into co-management platforms to make them integrated, inclusive, participatory and holistic. The need for capacity building of both state and community stakeholders for effective participation in such platforms was also underlined. A related proposition was the need to empower community organizations, consulting them at all stages of development activities and obtaining their active participation in management decisions. Several policy statements were also incorporated to protect the legitimate tenure rights of fishers to land, water and fish resources, as well as their rights to the demarcation of boundaries in the coastal zone.

The SSF Policy 2019 also laid down a number of strategies on social protection, work conditions and fisheries insurance. The need to revise and improve the fishermen's pension scheme, adopting the relevant ILO conventions on work in the fishing sector, reducing discrepancy in the wages paid for men and women, and establishing a fisheries insurance scheme jointly with fisheries cooperatives to minimize informational asymmetries, are important

improvements over the current policy. Gender is another area that got increased attention in the new policy; it was also proposed, among other things, that women's representation in the committees of community organizations should be a minimum of 25 per cent. Appreciably, the need for government intervention in marketing and trade, to cope with unfair producer prices, unfair trade and nutrition issues, was also highlighted.

Negotiations with the government

Political turmoil in late 2019, and the period through the first round of COVID-19 (from March until the parliamentary elections in July) saw a long period of 'governance failure', wherein the administrative system remained very weak and 'regressive'.

As a maiden effort in preparing socially optimal action plans, the new SSF Policy 2019 could accompany an action plan...

The fisheries sector was no exception and the only function of the Ministry of Fisheries was to ensure that fishing, fish landing and distribution continued uninterrupted.

Now that the country has established an effective governance system, the SLFSSF is initiating a process of negotiating with the government with the aim of incorporating the SSF Policy 2019 into the national fisheries policy of 2018. The SLFSSF is strongly supported in this by the National Science Foundation (NSF) of Sri Lanka, which has requested the Ministry of Fisheries to consider the SSF Policy 2019 for improving the national policy. The government's response has been positive and a change in the current national policy seems possible in the near future; it will go a long way in securing a sustainable small-scale fisheries sub-sector. Unfortunately, the second wave of COVID-19 devastated Sri Lanka, delaying the proposed discussions; they are expected to commence once the pandemic subsides.

Pre-conditions for 'take-off'

Successful implementation of the proposed SSF Guidelines depends on certain important pre-conditions. These will ensure the policy is properly translated into community deliverables. They are:

Awareness building: In general, the governors see fishing as 'catching fish to earn an income'. They have poor knowledge of fishing communities, the issues confronted by them in their day-to-day life, social-development needs, social security protection, levels of poverty and threats posed to them by other coastal resource users and climate change, among other things. No efforts or investments have gone into studying fishing communities since the last census of fisheries was carried out in 1972. Which is why a national seminar is in the works, aimed at 'understanding fisheries and fishing communities'; this could be an 'awareness-building' workshop, especially aimed at state officers and parties interested in, and working towards, securing sustainable SSF. This timely and apt move could be held in 2022, the year devoted to artisanal and small-scale fisheries.

Assist the government to prepare an action plan: Past experience shows that action plans are often prepared without being guided by policy. In fact, in the absence of any national policy, past actions plans were prepared in an ad hoc manner. This age-old practice cannot continue in the presence of a national policy. As a maiden effort in preparing socially optimal action plans, the new SSF Policy 2019 could accompany an action plan based on information obtained from extensive stakeholder consultations, including an array of activities proposed by the fishing communities and state actors, scrutinized and improved with the participation of experienced policy and planning experts, academics, researchers and civil society organizations.

Integrated and collaborative platforms: The coastal zone resources are also used by other stakeholders like those in tourism, industries, agriculture, wildlife, forests, and so on. Unfortunately, mandates of various institutions differ and there are huge mismatches among them. This often

leads to friction among parties who operate in the same arena. The new Coastal Zone and Coastal Resource Management Plan of 2018 intends to manage the coastal zone through a Special Area Management (SAM) process, a model that has produced fruitful results in certain areas in the past, for example, in Rekawa. SAM is a typical example of integrated, participatory and holistic management. Thus, it is necessary now to ensure that fisheries interests are well represented in SAM. This necessitates the establishment of Fisheries Management Areas, as laid down in Article 31 (1) of the Fisheries and Aquatic Resources Act of 1996, and Fisheries Committees, under Article 31 (2) of the same. The representatives of Fisheries Committees could participate in Integrated Coastal Resource Management (ICRM) platforms, such as SAM. This demands a strong commitment by the Department of Fisheries and Aquatic Resources.

Sectoral integration and institutional coordination: The need for cross-sectoral collaboration and institutional coordination in managing the coastal zone resource use is also an important concern. Co-management efforts will not succeed unless discrepancies among the mandates of different institutions are minimized. Therefore, it is proposed that the state intervenes to minimize overlapping policies and mandates among institutions responsible for coastal resources development, conservation and management. Even the planned SAM process will not achieve the desired results if such institutional coordination does not take place and conflicts among mandates are not resolved. A related issue would be the promotion of demarcating the boundaries of ecosystems in the coastal zone, when boundaries of diverse subsystems—such as lagoons, mangroves, reserves and forests—are not clear and difficulties are encountered in managing coastal resources.

Training and capacity building: The effective implementation of a number of policy strategies needs building up the capacities of state officers as well as communities in a number of disciplines. While there is much interest today in the sustainable use of resources, conservation and management, the fishing communities are hardly made aware of the diverse measures to be adopted to achieve the goals of sustainability. A sizeable void exists in the area of fisheries management, especially in the idea of co-management. Neither the state officers nor the communities fully understand what co-management means and how it leads to integrated, inclusive, participatory and holistic resource management in the coastal zone. Thus, all stakeholders in the coastal zone should be trained to actively participate in co-management platforms.

Empowering cooperatives: When it comes to performing the functions expected of a strong community organization, the fisheries cooperatives suffer from two problems at present: one, their weak role in resource management and, two, the presence of a parallel community structure, the Rural Fisheries Organizations (RFOs).

A sizeable void exists in the area of fisheries management, especially in the idea of co-management.

Even though they have performed fairly well in meeting an array of the well-being aspirations of the fisherfolk, the cooperatives have failed tremendously in managing the fisheries resources, especially in controlling entry. On the other hand, the RFOs remained outside the mainstream of activities because they commanded no faith or trust among the people and did not enjoy a dominant status among fishers. This was the opposite case with the fisheries co-operatives that had won the faith of communities with, for example, transparency in financial matters, auditing of accounts, open membership for all (including women), provision of livelihood capital, equal treatment to all, organization of collective activities, high social cohesion and protecting the rights of fishing communities.

Therefore, fisheries cooperatives need to be empowered, to represent fisher interests at Integrated Coastal Zone Management (ICZM) platforms and also to take the leading role in ICZM as the representative of the dominant stakeholder group.

Social security protection: A serious drawback in the government involvement in social security and social welfare in Sri Lanka's fisheries sector has been its inability to offer an effective pension scheme to fishers, the only 'safety net' that aimed at providing protection to SSF. Apart from the structural inefficiencies, the basic problem was the non-viability of the scheme, which depended heavily on government funds. The Ministry of Fisheries has to revisit the scheme, identify the reasons for its failure and attempt to revitalize it with the required institutional co-ordination, in consultation with social security experts. Fisheries insurance has always remained ineffective due to the inherent—and colossal—informational issues. One of the effective means of minimizing information asymmetries is to link insurance schemes with fisheries co-operatives that posess near-perfect knowledge of what happens at sea. This necessitates a close dialogue among the Department of Fisheries, insurance companies and fisheries cooperatives.

Conclusion

The process of implementation of the SSF Guidelines in Sri Lanka has been quite successful in making significant progress on the policy front. The major output of the process was the preparation of a small-scale fisheries policy that has incorporated several guidelines missed out in the current policy, while the major outcome was the Ministry of Fisheries agreeing to initiate discussions in incorporating the SSF Policy 2019 into the national fisheries policy of 2018. The success of the process could be attributed to the active participation of the government actors throughout, the successful conduct of island-wide stakeholder consultations and the ability of the project staff to explain the SSF Guidelines to the diverse stakeholders in their own language in very simple terms.

The expected benefits of this exercise, however, depend not only on the successful incorporation of the relevant guidelines into the national policy but also on ensuring that the process will finally benefit the small-scale fishers. This requires several rounds of engagement in preparing the people and the environment. The essentials and the deliverables remain constant: training and awareness and capacity building of state and community stakeholders; sectoral integration and institutional coordination; empowerment of community organizations; and assistance from the government to prepare action plans, based on policy guidelines.

For more

FAO - ICSF's Project: National Fisheries and Aquaculture Policy and legislation integrates key elements of the SSF Guidelines
https://igssf.icsf.net/en/page/1088-Sri%20Lanka.html

Sri Lanka: Aiming for Holistic Management
https://www.icsf.net/en/samudra/article/EN/80-4368-Aiming-for-Holi.html

SSF Guidelines: Action Stations
https://www.icsf.net/en/samudra/article/EN/82-4407-Action-Stations.html

Co-operatives: Wellbeing Aspirations
https://www.icsf.net/en/samudra/article/EN/79-4352-Wellbeing-Aspir.html

The national fisheries and aquaculture policy: Changes proposed to the current fisheries policy, 'to incorporate relevant FAO Voluntary Guidelines for securing sustainable small scale fisheries in the context of food security and poverty eradication'
https://igssf.icsf.net/images/ICSF_FAO%20PROJECT1/SL%20010_Changes%20proposed%20to%20the%20National%20Fisheries%20Policy.pdf

A Beacon of Trust

As the COVID-19 pandemic ravaged the fisher economy of Sri Lanka, leaving households indebted and distressed, co-operatives emerged as a beacon for the small-scale fishing sector's well-being

Close to 350,000 kg of fish is brought everyday to the Peliyagoda Central Fish market, on the outskirts of Colombo, the capital of Sri Lanka Three thousand sellers sit, jostle and haggle in close proximity at the central hub for retailers to collect and disperse their produce to various parts of the country. This hub of market activity was hit with the worst crisis in its history when 19 cases of COVID-19 were discovered in its premises in October last year. The authorities shut down the market at once.

However, even before the industry had barely recovered from its first hit, Sri Lanka's second wave of the pandemic began. The second wave started with the emergence of a COVID cluster at a garment factory, followed by the Peliyagoda fish market cluster. The latter had the most calamitous impact on fisheries. Several major fishing harbours and a number of other fish markets and retail stalls in the country were subject to temporary closure.

Immediately, the rumours began to spread hard and fast: "The fish carried the coronavirus!" Fish consumption plummeted. Prices of fish stock followed suit and small-scale fishers were hit two-fold: negotiating between the risks to their health, and coping with desperation to sustain their livelihood.

In an attempt to control the damage of misinformation, Sri Lanka's health ministry almost immediately put out statements reaffirming that fish and related products were safe for consumption, provided that they were cooked in a hygienic manner. In what became a viral publicity stunt, Dilip Wedaarachchi, former fisheries minister, brought a raw fish to a press conference, to prove a point. "I am making an appeal to the people of this country to eat this fish. Don't be afraid. You will not get infected by the coronavirus," he said, before taking a bite out of the whole fish.

It wasn't just domestic consumption that suffered. In the first two months following the second wave, exports dropped from their 2019 levels by Sri Lankan Rupees (SLRs) 2,589 mn. Since the coronavirus landed in the island country, right up till the end of the first wave—that is, during March, April and May—the loss of foreign exchange was close to SLR7,279 mn.

To mitigate the losses due to lockdowns during the first wave of the pandemic, which caused a drop in fish production, the government was forced to import fish, mostly in the form of canned fish products. The second wave saw fish imports drop significantly, perhaps due to a realization that the only way to combat the virus was by adhering to health regulations. It was an opportunity for the industry to pick itself up, even as drastically shrinking incomes would take longer to get back to normal.

As food security dwindled, people resorted to their options included mortgage of jewellery, and borrowings from money lenders and co-operatives.

Knock-on effects

Close to 570,000 people find direct or indirect employment in Sri Lanka's fishing industry. The country's total fisheries-dependent population has been estimated at 2.7 mn. During the first wave of the pandemic, all links in the fish value chain were practically dismantled. Demand and supply suffered significantly in myriad ways. One of the early outcomes of the first round of curfews was the closure of retail outlets, because distribution came to a standstill. The flourishing e-commerce world showed little interest in fish, a perishable product;

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OSCAR AMARASINGHE

Deserted landing site, Gandarawella, Sri Lanka. To mitigate the losses due to lockdowns, the government was forced to import fish, mostly in the form of canned fish products

online sales did not come to the rescue. Tourism is an integral part of the fish-consumption economy; its shuttering caused a roll-on impact, further diminishing the demand for fish.

About 1.9 mn Sri Lankans are self-employed daily wagers. Curfews destroyed their means of living. The effect was felt at landing sites where fishers complained of a lack of buyer interest due to restrictions on travel, and strict control on providing passes to merchants.

Low demand, in turn, meant fish prices dropped rapidly through the crises. Prices of products like crab dropped from SLR1,200 per kg to SLR500; those of seer fish went from SLR1,250 per kg to SLR400. Unsold catch could not be channelled to drying and preservation operations; the curfews led to the dry fish centres remaining closed. The Ceylon Fisheries Corporation (CFC), a government-owned marketing agency, had no capacity to deal with the unsold fish. The losses just kept piling up.

Fish production suffered, too, even though the authorities did not actually restrict fishing during the pandemic. Complex rules for obtaining passes, restrictions on beach seining, and fear of the virus hitting landing sites meant inland fishers largely kept away from their work. Fishers in the south of the country in places like Galle, Matara and Hambantota often migrated farther south, targeting lobster resources. The imposition of curfews and the need for social distancing meant fishers started avoiding migration and participating in beach-seine activities.

The human impact was direct: incomes dropped and people found it tough to make ends meet. In April, May and June of 2020, during the first wave of the pandemic, many small-scale fishing households accumulated sizeable debts. Most fishing households indicated they paid instalments on bank loans, house constructions loans, and loans taken from co-operatives, among others, in addition to monthly water and electricity bills.

On an average, our research identified 15 types of monthly loan repayments amounting to approximately SLR20,000; the amount includes interest payments and sometimes part of the principal. The official 'poverty line' in Sri Lanka was defined as a monthly income of SLR4,440 per month in 2018. During the first wave, incomes of poor fishers who do not own fishing craft were touching the official poverty line. It is

obvious that fishers were in no position to pay back their loans on time.

Accumulated debts

For the pandemic's first three months, each household accumulated an average debt of about SLR60,000. To address the situation, the government requested several institutions—lenders and the electricity and water utilities, for example—to provide borrowers a grace period of at least three months to pay back loan instalments and settle their bills. By the time the situation improved in June, households were under pressure to pay back accumulated debts, putting the fishing industry under heavy pressure. And just as things were getting back to normal, Peliyagoda happened, pushing down prices and incomes into a spiral.

Support from all quarters

Food security for low-income groups faced severe threats in the early days of the curfews and lockdowns. When compared to other self-employed and daily wage workers, however, the direct impact on fishers was limited, as they were able to go to sea and bring back some fish, at least sufficient for the household's daily curry. As food security dwindled, people resorted to a number of ways to meet their basic food needs; common options included mortgage of jewellery, and borrowings from money lenders and co-operatives. In turn, many accumulated severe debts, even as some of the earlier debts remained unsettled.

Political campaigning for the parliamentary elections provided relief to those in the hot zone, with candidates actively providing dry rations to boost their support base. In the months of April and May, the government made arrangements to import a large consignment of canned fish to be sold at a subsidized price of SLR100, nearly half the usual price for a can of fish. Legumes like red lentils, bought from India, were also imported in large quantities. Along with canned fish, they formed the two most preferred food items in the country, especially among low-income groups.

With markets and retail outlets remaining closed during the first wave, a new group of vegetable and fish sellers emerged. They sold their wares while commuting in vans and lorries, an appreciable feat, the only drawback being that their services remained limited to populous areas with motorable roads.

A presidential task force ensured island-wide distribution of fish, facilitating movement of vegetables and other essential foods, while also providing free food baskets to low-income families. District secretaries were allocated SLR 2 mn to buy and distribute fish, especially in remote areas. This method of marketing, however, did not work well with the fast-perishing fishing products; they need to be iced and sold in a short time to prevent decomposition.

Future proof

The aftermath of the pandemic—and the havoc it wreaked—revealed some valuable lessons for Sri Lanka. One was the industry's need and dependence on fishing co-operatives for survival. As the principal lenders in small-scale fishing communities, co-operatives refrained from charging interest on loans and principal payments from members/borrowers who were suffering from lowered (or no) income from fishing. Trust among co-operatives is at an all-time high. For policymakers and planners, this is a beacon.

Simple tweaks to an already existing community system will go a long way in protecting Sri Lanka's fishing industry from future shocks.

These co-operatives could, in the days ahead, play a major role in marketing, ensuring a fair price and income to fishers. However, to do so, they need assistance to build the necessary infrastructure and to break middlemen oligopsonies. One of the greatest shortcomings of Sri Lanka's fisheries co-operatives is their poor contribution towards resource management. For this to improve, the constitution of fisheries co-operatives requires the incorporation of resource-management concerns. Simple tweaks to an already existing community system will go a long way in protecting Sri Lanka's fishing industry from future shocks. It will also eradicate the need for comic stunts requiring the eating of raw fish at news conferences.

For more

Path to a Policy Upgrade
https://www.icsf.net/images/samudra/pdf/english/issue_84/4497_art_Sam_84_art16_Sri%20Lanka_Oscar%20Amarasinghe.pdf

Action Stations
https://www.icsf.net/images/samudra/pdf/english/issue_82/4407_art_Sam_82_art03_Sri%20Lanka_Oscar_Amarasinghe.pdf

The Rage of a Perfect Storm

Months after a container ship carrying toxic chemicals caught fire off the west coast of Sri Lanka, fisherfolk still suffer from the dreadful aftereffects of the country's worst marine ecological disaster

A 186-m-long container ship called X-Press Pearl, registered in Singapore, arrived in Colombo, Sri Lanka, on the night of 19 May 2021, carrying 1,486 containers. The next day, it was reported that the ship caught fire. At that time, it was located 9.5 nautical miles northwest of the Colombo port. Five days later, a large explosion occurred inside the vessel; by late afternoon, containers were dropping off the vessel into the sea. On 2 June, the ship finally sank.

The incident was deemed the worst marine ecological disaster in Sri Lankan history. The ship's cargo included, among others, 12,085 metric tonnes (MT) of plastics and polymers, 8,252 MT of chemicals and 3,081 MT of metals. After the ship caught fire, its debris, burnt goods and plastic pellets washed ashore in large quantities. Dead fish, turtles, whales and dolphins were found along the western coast. Fish appeared with plastic pellets trapped in their gills. Initially noticed along the coast of Negombo, ship debris, and dead fish and turtles, washed up in other locations hundreds of kilometres to the north and south, indicating the widespread nature of the damage.

Blindsided

A day after the ship caught fire, the Department of Fisheries banned fishing in the coastal strip between Kalutara district and Negombo district. The disaster affected 12,731 fishers engaged on 4,612 coastal craft—both skippers and crew. Apart from those directly involved in fishing, this event also afflicted large numbers of stakeholders in the fisheries value chain, including those in ancillary services. Overall, 63,563 people have been affected by the accident, based on calculations by civil society organizations.

The enforcement on 21 May of the fishing ban resulted, overnight, in a series of shocks to the fishing community. Families lost their main source of income; the supplementary income from women workers was also curtailed; and demand for fish consumption dropped suddenly in response to fears of contamination. Since the ban put the entire local economy into a collective shock, traditional sources of insurance disappeared at once, leaving fishing families with no community assistance. Fishers lost assets like fishing gear. The combined effect was a dramatic loss of well-being.

The devil in the details

The fishing community's immediate response was to tighten the belt, reducing consumption. Such measures put additional pressure on women, traditionally accustomed to shoulder the burden of household-consumption shortfalls. Nevertheless, food insecurity leads to nutritional insecurity, which has a tumble-down effect on children's nutrition. It is difficult to imagine how the affected households managed to pay regular bills—house rent, electricity, water and goods taken on instalment, among other things—that amount to a monthly average of about Sri Lankan Rupees (SLR) 20,000 (US$ 100).

Parental care has suffered, too. In Sri Lankan society, parents usually live with their children in their old age. Expenses related to such care-giving can be excessively high. In a time of distress, entire families get cut off from leisure

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HEMANTHA WITHANAGE

The ship's cargo included over 20,000 metric tonnes of plastics and polymers, chemicals and metals. The debris, dead fish and wildlife washed up along hundreds of kilometres of the west coast of Sri Lanka

activities, films, pleasure trips, and social and religious obligations. This snowballs into increased psychological stress on all members of the family. All of this cannot be quantified in value terms.

In the absence of insurance markets for fishing-related risks, people resort to credit. In fishing societies, exchange of small loans is very common. However, the ship disaster hit everyone equally; the fishing community lost its insurance function. In such conditions, people tend to mortgage jewellery, liquidate assets or borrow from moneylenders who charge exorbitant rates of interest, as high as 180 per cent per year.

Since the ban put the entire local economy into a collective shock, traditional sources of insurance disappeared at once, leaving fishing families with no community assistance

Since the day the fishing ban was imposed, the debt of fishing households began accumulating. Defaults on instalments for repayment added to the pressure on households, exacerbating suffering and misery.

COVID-19 and bluewashing

A ship disaster of this scale is a calamity at any time for vulnerable fishing communities. The timing of this particular one in Sri Lanka, however, could not have been worse. The fishing community on the western coast had already been reeling under the broad-spectrum destruction of COVID-19. The pandemic's first wave jolted all the links in the fish value chain, dismantling almost all of them. Curfews to prevent new infections, lowered demand for fish, falling prices and disruption in the markets had all hit fishing activities seriously. Operations got downsized by 45-65 per cent.

The second wave of the pandemic hit the country in October 2020. A

garment factory and the fish market of the western town of Peliyagoda became the eye of the storm, reporting a large number of COVID-19 cases. Rumours began to circulate that fish was a carrier of the new coronavirus; consumers stopped eating fish. Just as the affected population began to recover, the third wave of COVID-19 arrived in late-April 2021. While the weakening economy and stagnant incomes hit everybody, the poorer groups were struck particularly badly. Fishing restrictions and poor demand for fish meant poor income for fishers, leaving their livelihoods hanging by a thread. Particularly hit were the small-scale fishers catering to local markets.

It was in this situation that the Xpress Pearl ship disaster occurred. The new-fangled attempt to marry economic growth with a narrow environmental agenda in the 'Blue Economy' paradigm excludes artisanal and small-scale fishers from development decisions that affect them and their future directly.

The absence of any public consultation in the implementation of development projects, coastal land grabs by tourism and other interests, and the marginalization of fishing communities—these are among the complaints most often heard from around the country. Many fishers have lost their beach-seining, craft anchorage and fish-drying sites. These new injustices emerge from the unregulated and undemocratic growth of the Blue Economy.

Fishing households face untold suffering. Food and nutritional insecurity are on the rise; lowered consumption and expenditure on fish are causing misery, families are struggling to care for their old and their young, and debts are accumulating. The fishing ban will continue until the debris is cleared from the seabed by the responsible party. The agony and misery will continue to grow. Besides giving compensation for lost wages, those held accountable for the disaster must be made to pay a premium to cover the numerous economic and social costs suffered by the affected communities.

CHAMILA KARUNARATHNE / EPA-EFE

Fish killed by plastic pellets from the X-Press Pearl. The timing of the disaster could not have been worse for fishing communities affected by successive waves of the COVID-19 pandemic

Importantly, development strategies should be designed to improve the resilience of fishers to external shocks. This requires, among other things, the strengthening of community sources of insurance through, for example, co-operatives; promoting self-insurance strategies like savings, alternative livelihoods and more employment for women; and addressing the social injustices caused by the Blue Economy agenda.

For more

A Beacon of Trust
https://www.icsf.net/samudra/sri-lanka-covid-19-a-beacon-of-trust/

Oil, acid, plastic
https://www.unep.org/news-and-stories/story/oil-acid-plastic-inside-shipping-disaster-gripping-sri-lanka

X-Press Pearl sinking shines a light on seafood safety
https://www.icsf.net/newss/sri-lanka-x-press-pearl-sinking-shines-a-light-on-seafood-safety/

BIODIVERSITY

Bangladesh balances energy needs with climate, conservation

Fish, rice, mangrove trees and the lush delta wetlands where the massive Ganges, Brahmaputra, and Meghna rivers drain into the Bay of Bengal.

It's not luxury. But for the farmers and fishermen who live by the world's largest mangrove forest, it's more than enough. Now, the environment is at risk.

A power plant will start burning coal near the Sundarbans this year as part of Bangladesh's plan to meet its energy needs and improve living standards, officials say. Home to 168 million people, Bangladesh is among the most densely populated countries in the world.

https://www.bbc.com/news/science-environment-63559426

CLIMATE CHANGE

Twin Crises

Experts and activists were hoping UN climate talks would end last week with a prominent mention of biodiversity in the final text. They walked away disappointed.

Some say delegates at the COP27 summit missed a key opportunity to acknowledge the connection between the twin climate and nature crises, which many believe have been treated separately for too long.

Failing to address both could mean not only further decimating Earth's life support systems, but also missing the key climate target of limiting warming to under 1.5 degrees Celsius, they warn.

"We're doomed if we don't solve climate, and we're doomed if we don't solve biodiversity," Basile van Havre, co-chair of the UN biodiversity negotiations, told AFP.

At the COP15 UN biodiversity talks next month, dozens of countries will meet to hammer out a new framework to protect animals and plants from destruction by humans. The meeting comes as scientists warn that climate change and biodiversity damage could cause the world's sixth mass extinction event. Such destruction of nature also risks worsening climate change. The oceans have absorbed most of the excess heat created by humanity's greenhouse gas emissions and, along with forests, are important carbon sinks.

https://www.barrons.com/news/twin-crises-experts-say-nature-and-climate-can-t-be-siloed-01669345207

ORGANIZATIONAL PROFILE

Jaffna District Federation of Fisheries Co-operative Unions

The Jaffna District Federation of Fisheries Cooperative Unions brings together ten cooperative fisheries unions in the northern Sri Lankan district of Jaffna. In turn, those unions represent 118 fisheries cooperative societies in coastal villages dependant on fishing. Most of the fisher families engage in nearshore fishing, using traditional methods.

The federation's mandate is to address the problems of the fisherfolk; mediate in rifts among fishing communities; facilitate the marketing of the catch; and oppose illegal fishing methods. Annalingam Annarasa, a fisher leader from the coastal village of Thambaati in the islands off Jaffna, is the federation's president.

The northern fishers have a serious problem in the form of trawlers from Tamil Nadu, India; they encroach into Sri Lankan waters. Over the past few years, the federation has organized protests to draw the State's attention to this encroachment, to find a solution to the conflict. For the past two decades, federation representatives have held several rounds of talks with the governments of Sri Lanka and India, and with the fishers from Tamil Nadu.

The many resolutions adopted at these meetings have not been implemented. Both governments had agreed that trawling has devastating impacts on natural resources, that such fishing methods need to be stopped. However, steps to control such practices have been inadequate.

Annarasa claims that several species, including the milk shark (Rhizoprionodon acutus) and the trevally (locally called parai), are hardly caught by the local fishers because most of these stocks have been overfished by bottom-trawling fishing methods. They also destroy fish banks and coral reefs, setting off cascading damage to fish production.

The three-decade-long Sri Lankan civil war seriously damaged the fishers' lives and livelihoods. After the violent conflict abated, the northern fisherfolk began to reel under devastating poaching. The fishing communities are also concerned about State-sponsored aquaculture projects; they believe these will spread diseases, impacting coastal fish stocks and further undermining nearshore small-scale fisheries.

Over the past three years, the COVID-19 pandemic was followed by a severe economic crisis in Sri Lanka; both have severely affected Jaffna fisheries. Most small-scale fisherfolk here rely on subsidized kerosene for their fibreglass boats with outboard engines. The ongoing economic crisis has led to serious fuel shortages. Even when the fuel is available, its price has quadrupled, hitting the income of the fishing households, pushing many into destitution.

According to Annarasa, most families now face starvation; many families can afford just one meal a day. In these difficult times, the federation is continuing its struggle against trawlers and illegal fishing practices in the region. It wants to take steps to protect their natural resources and to make fishing a sustainable livelihood for their communities.

by Yathursha Ulakentheran (ulayathu@gmail.com), an independent researcher based in Jaffna, Sri Lanka and Ahilan Kadirgamar (ahilan.kadirgamar@gmail.com), senior lecturer at the University of Jaffna.

IYAFA 2022

The United Nations designates specific days, weeks, years and decades as occasions to mark events or highlight topics to promote, through awareness and action, its developmental objectives.25 In 2018, the United Nations General Assembly declared 2022 the International Year of Artisanal Fisheries and Aquaculture (IYAFA 2022) and nominated FAO as the lead agency for celebrating the year in collaboration with other relevant organizations and bodies of the United Nations (United Nations, 2018). The world faces many complex challenges, including hunger, malnutrition and diet-related diseases, an ever-growing global population that needs sufficient and healthy food and must reduce food loss and waste, and over-exploitation of natural resources, in addition to the effects of climate change and other major issues such as the COVID-19 pandemic. IYAFA 2022 highlights the importance of small-scale artisanal fisheries and aquaculture for food systems, livelihoods, culture and the environment. Given that artisanal fishers, fish farmers and fishworkers produce a significant portion of aquatic food, 24 they can be key agents of transformative change for sustainable use and conservation of living aquatic resources – with positive ripple effects on food systems and nutrition security.

The objectives of IYAFA 2022 are to:

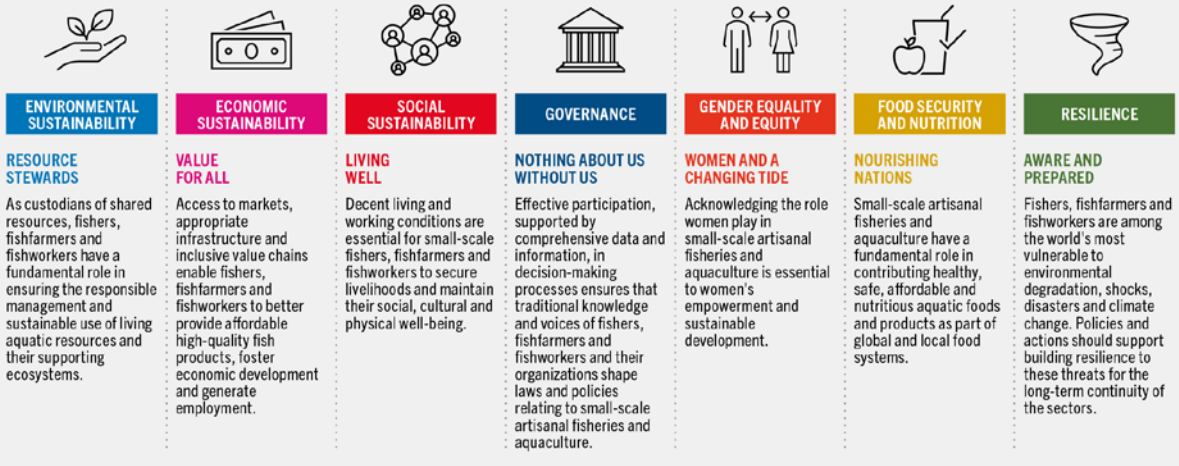
- enhance global awareness and understanding of small-scale artisanal fisheries and aquaculture, and foster action to support its contribution to sustainable development, specifically in relation to food security and nutrition, poverty eradication and the use of natural resources; and
- promote dialogue and collaboration between and among small-scale artisanal fishers, fish farmers, fishworkers, governments and other key partners along the value chain, as well as further strengthen their capacity to enhance sustainability in fisheries and aquaculture and improve their social development and well-being

By elevating awareness of the role of small-scale fisheries and aquaculture, IYAFA 2022 aims to strengthen science–policy interactions, empowering stakeholders to take action including building and strengthening partnerships. It showcases the potential and diversity of small-scale artisanal fisheries and aquaculture and highlights the benefits of facilitating partnerships and cooperation with fishers, fish farmers and fishworkers to achieve sustainable development of living aquatic resources. By sensitizing public opinion and governments and fostering the adoption of specific public policies and programmes, these subsectors and their communities can secure their rights and acquire best practices to operate in a sustainable manner.

Sources: The State of World Fisheries and Aquaculture 2022: Towards Blue Transformation

https://www.fao.org/3/cc0461en/cc0461en.pdf

FIGURE 58 KEY MESSAGES OF IYAFA 2022



SOURCE: FAO. 2021. *International Year of Artisanal Fisheries and Aquaculture 2022 Global Action Plan*. Rome. www.fao.org/3/cb4875en/cb4875en.pdf

INFOLOG: NEW RESOURCES AT ICSF

Publications and Infographics

Making Small-scale Artisanal Fishing Zones Work!: An ICSF Campaign by Vishakha Gupta, 2022
https://www.icsf.net/resources/icsf-campaign-andhra-pradesh-tenure-rights/

Research study on the tenure rights of the most vulnerable and marginalized fishers in Srikakulam, Visakhapatnam and East Godavari districts of Andhra Pradesh.

Report on Asia Workshop – IYAFA 2022: Celebrating Sustainable and Equitable Small-scale Fisheries, 4 – 8 May, 2022, The Berkeley Hotel, Bangkok, Thailand, 2022
https://www.icsf.net/resources/asia-iyafa-2022/

The Asia workshop was the first of the series of four regional workshops planned by ICSF in connection with the proclamation of 2022 as the International Year of Artisanal Fisheries and Aquaculture (IYAFA) by the United Nations.

Report on National Workshop on SSF Guidelines and Women in Fisheries, India, 8 -10 April, 2022, Asha Nivas Social Service Centre, Chennai, India, 2022
https://www.icsf.net/resources/wif-india-2022/

The national workshop facilitated in building a platform of women in fisheries to promote gender equality and equity, to recognize livelihood space and to improve the participation of women in decision making processes through various discussions that were held during the three days.

A Case for a Human Rights-based Approach to Indian Aquaculture Systems: A Literature Review by Neena Elizabeth Koshy, 2021
https://www.icsf.net/resources/a-case-for-a-human-rights-based-approach-to-indian-aquaculture-systems-a-literature-review/

This study is an effort to bring focus on this void and the facets that need to be examined if aquaculture is to become sustainable and is able to contribute towards various sustainable development goals as envisaged

Film: Unseen Faces Unheard Voices: Women and Aquaculture (Purba Medinipur, West Bengal, India), 2021
https://www.icsf.net/resources/unseen-faces-unheard-voices-women-and-aquaculture-purba-medinipur-west-bengal/

The documentary film Unseen Faces, Unheard Voices showcase the impacts of the boom in aquaculture on women in the floodplain regions of the Indian coastal state of West Bengal.

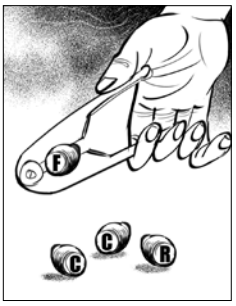
Socio-economic Analysis of Small-scale Fishers in Antigua and Barbuda in the Context of Social Development, Employment and Decent Work According to the SSF Guidelines by Ian S. Horsford
https://www.icsf.net/resources/icsf-social-development-study-antigua-and-barbuda/

This report hopes to provide a status report on the nature and extent of social development in the fisheries sector and within the context of the SSF Guidelines.

FLASHBACK

Cracking the Code for Small-scale Fisheries

There is need for both an international instrument and a global programme to address the specific needs of the world's small-scale and artisanal fisheries Should the Code of Conduct for Responsible Fisheries (CCRF) of the Food and Agriculture Organization of the United Nations (FAO) be "opened up" to include a special Chapter on small-scale artisanal fisheries? This was called for by the civil society organizations at the FAO's Global Conference on Small-scale Fisheries (4SSF) in October 2008. The call was reiterated by civil society at the 28th Session of the FAO Committee on Fisheries (COFI 28).



The CCRF, while making several references to small-scale fisheries and fishworkers, does not provide specific guidance on how the small-scale artisanal subsector, which employs about 90 per cent of those engaged in fishing and fisheries-related activities, should be supported and promoted. The CCRF also lacks a gender perspective—especially to address the specific forms of discrimination faced by millions of women who are part of the fisheries worldwide, or to acknowledge the vital role they play at all levels. For civil society, these are areas that need urgent attention.

However, several delegations to COFI 28 opposed opening up the CCRF, which, it was argued, could prove to be a "Pandora's Box". If opened up for small-scale artisanal fisheries, then why not for other interests? While there was consensus on the need to support small-scale artisanal fisheries, there was no consensus on the best way to do so. Many Members expressed the need for an international instrument on small-scale fisheries, which could comprise a new article in the Code, an international plan of action (IPOA) and/or the development of guidelines that would guide national and international efforts to secure sustainable small scale fisheries and create a framework for monitoring and reporting. In addition, many Members called for the establishment of a new COFI Sub-Committee on small-scale fisheries. In the end, COFI 28 directed the FAO Secretariat to examine various options to carry these suggestions forward.

To follow up on the mandate given by COFI, the FAO organized three regional workshops in Asia, Africa and Latin America, in October 2010. This enabled a large number of both governmental and civil society participants to provide their views on how small-scale artisanal fisheries can be best supported and enabled to fulfil their potential. All the three workshops recommended developing a new instrument, complementing the CCRF, to address small-scale and artisanal fisheries issues.

ICSF feels that there is a need for both an international instrument and a global programme. With the world gripped by concerns about overfishing, excess capacity, declining biodiversity and climate change, as well as the challenges of food insecurity and poverty, it is increasingly evident that sustainable small-scale artisanal fisheries within a human-rights framework offers the most viable solution. There is recognition today that the small-scale artisanal fisheries subsector is relatively more sustainable, energy-efficient and less destructive, even as it supports millions of livelihoods across the world, and supplies diverse populations, and particularly rural and remote populations in food-insecure regions, with a rich source of nutrition.

– from SAMUDRA Report, No. 57, November 2010

ANNOUNCEMENTS

MEETINGS

Africa Workshop: IYAFA 2022-Celebrating Sustainable and Equitable Small-scale Fisheries, 15-18 February 2023
https://www.icsf.net/resources/africa-workshop-iyafa-2023/

Main SSF issues to address: Access rights (to resources, fishing areas and markets); social development, employment and decent work; implementation of the SSF Guidelines; women and gender in fisheries; food security and poverty; climate change.

UN 2023 Water Conference, 22 - 24 Mar 2023, New York
https://sdgs.un.org/conferences/water2023

On 20 December 2018, the General Assembly adopted the resolution on the "Midterm comprehensive review of the implementation of the International Decade for Action, 'Water for Sustainable Development', 2018-2028" (A/RES/73/226).

WEBSITES

Asia Workshop: IYAFA 2022-Celebrating Sustainable and Equitable Small-scale Fisheries
https://www.icsf.net/resources/asia-workshop-iyafa-2022-celebrating-sustainable-and-equitable-small-scale-fisheries/

Latin America and the Caribbean Workshop: IYAFA 2022-Celebrating Sustainable and Equitable Small-scale Fisheries
https://www.icsf.net/resources/latin-america-workshop-iyafa-2022/

National Training of Trainers (ToT) Workshop on the SSF
https://www.icsf.net/resources/tot-ssf-guidelines-india-2022/

Harvest strategies
https://harveststrategies.org/
harveststrategies.org serves as a resource for fisheries scientists, managers, and other stakeholders, compiling information about how harvest strategies work and how implementing this pioneering management approach can lead to sustainable, profitable fisheries and successful recovery programs for many species around the world.

Winning the First Battle

Sri Lanka has incorporated the SSF Guidelines into its remodelled fisheries policy. Now, it needs to put it into action

Sri Lanka recently amended the National Fisheries Policy, incorporating all relevant SSF Guidelines. A number of institutions supported and facilitated this welcome change. They include the Sri Lanka Forum for Small-Scale Fisheries (SLFSSF); the National Fisheries Solidarity (NAFSO); an array of renowned scientists; and two important international organizations, namely, the International Collective in Support of Fishworkers (ICSF) and the Food and Agriculture Organization of the United Nations.

By August 2019, the Small-Scale Fisheries Policy was prepared. Its prescriptions were based on the results of stakeholder consultations that discussed and analyzed the parts of the SSF Guidelines relevant to Sri Lanka's fisheries...

The policy will soon be submitted to the cabinet of ministers. Its adoption by the national parliament is expected soon. This is a great victory for not only the fishing communities but for all the people of the country, as also for all those who have contributed towards implementing the SSF Guidelines across the world. Still, it is worth remembering that this is only the first part of the campaign; it does not guarantee the implementation of the guidelines. The next phase of this effort is to ensure the policy is translated into action.

Sri Lanka first created a national fisheries policy in 2018. Technical and financial assistance for this came from the Norwegian government. It went through comprehensive stakeholder consultations. Yet it remained a white paper submitted to the cabinet, not approved by parliament. Several parties, including SLFSSF, were critical of certain policy prescriptions, especially because some critical issues had received inadequate attention. The criticism was driven by concerns that emerged from a unique international initiative to improve the management of small-scale fisheries (SSF).

They emerged from a global consultation FAO had conducted, covering 120 countries in a bottom-up, participatory process. It involved about 4,000 representatives of governments, small-scale fishers, academia and researchers, civil society organizations and community organizations, among others. Consequently, in Rome in 2014, FAO member states accepted the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (the SSF Guidelines).

It is the first international instrument dedicated entirely to the SSF sector that is immensely important, although often neglected. The FAO, the World Bank and other international development agencies strongly recommended the incorporation of the SSF Guidelines into the national fisheries policies of the countries in which the SSF sub-sectors play an important role in food and nutritional security, employment generation and poverty alleviation.

FAO initiated a process in 2018 of implementing the SSF Guidelines. Among the eight countries selected for a pilot project was Sri Lanka. SLFSSF implemented the project with ICSF's assistance and funds from FAO. It drew from island-wide consultations carried out in 12 out of 15 fisheries districts. It included fishers, women fisherfolk and all State institutions working alongside the Department of Fisheries. By August 2019, the Small-Scale Fisheries Policy was prepared. Its prescriptions were based on the results of stakeholder consultations that discussed and analyzed the parts of the SSF Guidelines relevant to Sri Lanka's fisheries.

It was felt that these recommendations fell short of addressing some major issues related to inland fisheries. Subsequently, a

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OSCAR AMARASINGHE

Hauling a beach-seine net in the eastern province of Sri Lanka. Beach-seine fishers are losing their seine-laying coastal space for powerful tourism stakeholders in many parts of the country

separate consultation process was conducted by the National Fisheries Solidarity and the SLFSSF in areas where inland fisheries were widespread. This produced another policy document: the Inland Fisheries Policy of 2021.

SLFSSF combined the two to prepare a comprehensive policy paper. In this the new policy prescriptions were compared with the policy recommendations of the existing National Fisheries Policy of 2018, under various thematic areas. The aim was to improve the 2018 policy by taking into account the recommendations of this comprehensive policy document. This proposed 'remodelled' policy document was sent to the ministry in February 2021. The SLFSSF president made a presentation to the ministry officials, explaining the process and the need to incorporate relevant SSF Guidelines into the National Fisheries Policy 2018. The ministry accepted this in principle, deciding to remodel the National Fisheries Policy of 2018.

Policy remodelled

The COVID-19 pandemic delayed the work that was revitalized in 2022. The ministry prepared a remodelled policy and appointed a panel of experts. It included SLFSSF and other fisheries experts to ensure that all relevant SSF Guidelines are incorporated. This move on the part of the fisheries authorities was commendable. This work happened in the last two months of 2022. By mid-January 2023, the final remodelled policy document was completed. After several rounds of talks among fisheries officials, the ministry brass, along with the panel of experts, unanimously approved the policy with some minor rewording. It will now go for translating into the two languages used in the country, Sinhala and Tamil. Then, it will be submitted to the cabinet.

Although endorsed in 2014, the SSF Guidelines remained unknown in Sri Lanka, until the efforts in 2018 for their implementation. From SLFSSF and ICSF to FAO, all parties involved played a vital role in bringing attention to the guidelines. It impressed the government's fisheries authorities about this instrument addressing most of the issues affecting fishery communities—a group that is highly vulnerable to diverse threats and poverty.

The positive interventions included initiatives to turn information into knowledge. The drive to remodel policy not only collected information but

also analyzed, studied and moulded that information into knowledge. The participatory experience turned into a model of how innovative ideas can mobilize all stakeholders.

Another achievement was how SLFSSF's leadership displayed 'unity in diversity'. Its membership includes State actors, academics, researchers, civil society organizations and agents of change in the community, among others. This wide range of actors contributed to all policy prescriptions. The involvement of State agencies helped engender trust among various actors.

While the remodelled policy has a strong people-oriented focus, two more hurdles must be overcome: approval by the cabinet and by parliament. Any drastic changes are unlikely because the remodelled policy has emerged from a comprehensive and interactive process. The ministry's approach in all discussions was conscientious and supportive, both respecting knowledge and inviting constructive criticism. This deserves a special note of appreciation.

A sound national fisheries policy, based on the SSF Guidelines, does not guarantee by itself the security and sustainability of the SSF sector

A sound national fisheries policy, based on the SSF Guidelines, does not guarantee by itself the security and sustainability of the SSF sector. For that, the policy must translate into action. As aptly described by Jentoft and Chuenpagdee (2022, in Jentoft el al (eds), *Blue Justice)*, there are three governance orders. The first is the meta-order at the top that deals with rights and principles. Broad guidelines like policy prescriptions fall into this.

The second order is the institutions of governance that are critical to translating policy into action. This decides the 'rules of the game'. It is important that the institutions are set up with the right values and with far-sightedness. For this we must follow an interactive process, with the participation of all relevant stakeholders. This will bring scientific knowledge to decision-making, ensuring effective 'knowledge translation', as against the usual process of scientific knowledge ending up in libraries.

Finally, the third order: interaction among stakeholders on the ground in a participatory atmosphere. In this regard, mechanisms like co-management have now become quite popular. Yet this concept is misunderstood. Many see it as a platform for State actors to sit together with community representatives to make decisions. In fact, such platforms often do not ensure effective participation of fishing communities. Co-management platforms, it is critical, must be truly integrated, inclusive, participatory and holistic.

Gaps in language seriously limit effective participation by fisher stakeholders. In general, ordinary people can hardly understand the language used by government agencies. Officials tend to use words that emphasize their view, insisting that people to see things from their perspective. Resolving this problem requires training and capacity building of people at the bottom—only this can ensure their effective participation in decision-making. An example of this was how the SSF Guidelines were presented to fishing communities in their own language—in simplified terms and reworded guidelines, posters and factsheets—during the policy development process.

All the effort made already by multiple parties so in Sri Lanka will prove futile if their resulting policy is not translated into action. The government has an important role. It must establish enabling institutions, preparing action plans and regulating patterns of interactions among diverse stakeholders. It must stay with the interactive processes that ensured effective participation of all in decision making.

For more

The Rage of a Perfect Storm

https://www.icsf.net/wp-content/uploads/2022/04/Sam_87_art03_SRI-LANKA_Oscar_Amarasinghe.pdf

A Beacon of Trust

https://www.icsf.net/wp-content/uploads/2021/10/4517_art_Sam_85_art12_Sri-Lanka_OscarAmarasinghe.pdf

Facing the Tides

Only when the small-scale fishers of Sri Lanka willingly adopt social security mechanisms can their sector be protected and assured of a sustainable future

Fisheries play a pivotal role in Sri Lanka's socio-economic development, providing 50 per cent of the animal protein for the population, contributing to 2.6 per cent of the exports, and securing livelihood opportunities for 6.5 per cent of the country's employed population. Sri Lankan fisheries can be categorized into marine and inland (freshwater) fisheries. The marine sector can be divided into three sub-categories: offshore, operated by multi-day boats beyond the continental shelf; coastal waters on the relatively narrow, continental shelf in which traditional craft and boats with outboard and inboard engines operate; and lagoon and brackish water fisheries.

Despite the limited number of multi-day vessels, the majority of the Sri Lankan fishing fleet comprises small-scale operators accounting for about 90 per cent of the total fishing fleet of the country and 64 per cent of the total fish production (both marine and inland). The small-scale fishing fleet mainly contains inboard single-day boats (IDAYs), outboard engine fibreglass reinforced boats (OFRPs), motorized traditional boats (MTRBs), non-motorized traditional boats (NTRBs), beach-seine craft and inland fishing craft. The small-scale fishers utilize low technology and little capital, target local markets, remain segregated from other communities, and most often are organized according to caste and ethnicity.

Previous studies conducted on the small-scale fisheries (SSF) in the country reveal that the sub-sector is associated with complex contexts and socio-economic and environmental vulnerabilities, including declining incomes, rising cost of inputs, poor market linkages, climate change and exploitation of natural resources. Moreover, fisheries statistics illustrate that the total small-scale marine fish production and the total small-scale fishing fleet have been declining over the past few years.

Compounding the existing vulnerabilities in the sector, the COVID-19 pandemic, the *X Press Pearl* container ship disaster, and the economic downturn have made life extremely difficult for Sri Lanka's small-scale fishers over the last three to four years. COVID-19 had a severe impact on the industry, causing marketing chains to collapse as a result of lockdown regulations. Fisheries livelihoods were further impacted by the ongoing economic crisis—the worst economic downturn after independence—hyper-inflation, a foreign exchange crisis, and high levels of government debt, causing scarcity of fuel and other essential items, frequent power cuts and many other socio-economic repercussions. All commodities, including kerosene and fishing gear, were affected by the skyrocketing inflation of 2022, and small-scale fishing operations were hindered by the lack of kerosene.

Sri Lanka has no social security scheme for fishers across all sectors, including both marine and inland

Many small-scale fishers are still struggling to recover. They do not have substantial reserves from prior profits; they survive on daily income. For them, handling a crisis becomes extremely difficult. Moreover, the multiple crises have been an eye-opener for the sector,

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Beach-Seine Net laying *Padu* on the west coast of Sri Lanka. Fishers understand the importance of having a social security system and are interested in being part of a contributory pension scheme that provides adequate benefits for them and their dependants

with emphasis shifting to the attention that needs to be paid on strengthening decent work conditions, including robust social security systems, occupational safety, improved living conditions and training.

This article intends to illustrate the current conditions of decent work standards, social security systems, income support systems and training needs within the small-scale fisheries sector. These findings were derived from field research conducted in 2022-2023, including both commercial and small-scale marine fishers in all fisheries districts in the island.

Sri Lanka has no social security scheme for fishers across all sectors, including both marine and inland. Historically, the country had enacted the Fisher's Pension and Social Security Scheme Act to provide periodic pensions to fishers in their old age, insurance against physical disability, or a gratuity in case of the fisher's death, through the Agricultural Insurance Board. However, the scheme is currently dysfunctional. No new registrations for pensions are being accepted. Moreover, only a very small proportion of fishers have been enrolled in this scheme, and those who are enrolled complain that the pension they receive per month is woefully inadequate to cover their medical expenses, requiring monthly visits to collect a small amount of money. Faced with such a reality, many elderly fishers who should be retired by now continue fishing, using non-mechanized craft to meet their daily expenses.

The government is currently making efforts to introduce a new contributory social security pension scheme for all fishers, which is more comprehensive and flexible than the old system. Fishers understand the importance of having a social security system and are interested in being part of a contributory pension scheme that provides adequate benefits for them and their dependants. The main concern of the fishers was that a contributory scheme should be designed with a convenient payment system that does not require them spending time travelling or lining up in queues.

However, these pension schemes are solely focused on fishers; others are not covered, whose livelihood depends

Source- Fisheries Statistics,2022-Ministry of Fisheries and Aquatic Resources

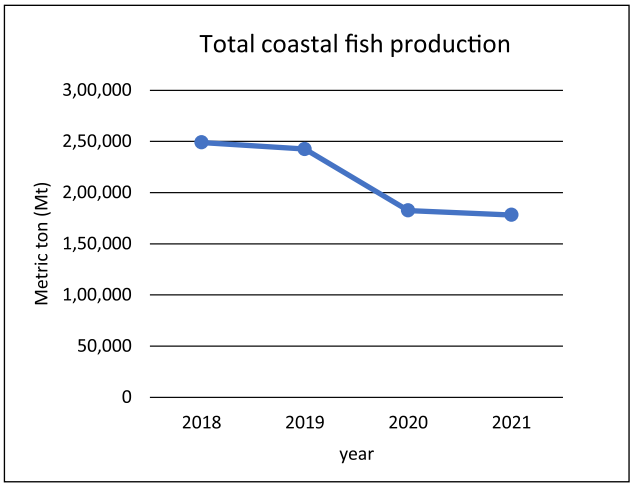

Figure 1 : Total coastal fish production from 2018-2021

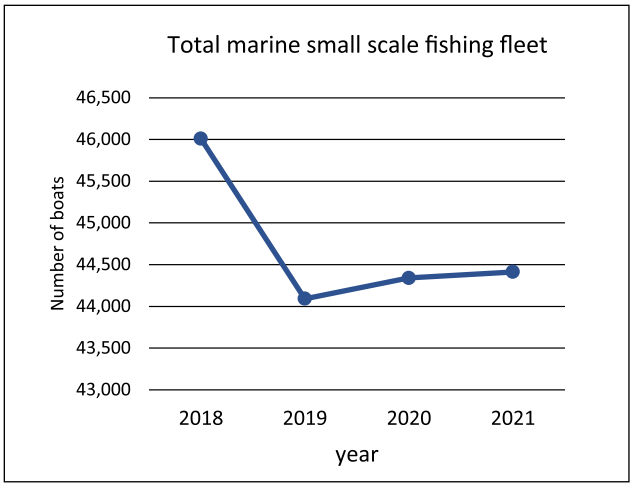

Figure 2 : Total marine small scale fishing fleet 2018-2021

on fisheries, like onshore workers and fish processors, for example. Fisheries co-operatives and rural fisheries societies have been operating welfare schemes for their members within their own geographical areas for a while now. These schemes include facilitation of financial access for small-scale fishers by providing very low-interest loans, maintaining a fund for disaster relief programmes, distributing stationery to children, and distributing dry rations during the COVID-19 pandemic. Nonetheless, the fisheries societies are not actively operating in all fisheries districts and, therefore, island-wide coverage cannot be expected.

Despite the high risks in the fisheries industry, which is a hazardous source of employment, the majority of fishers are reluctant to engage with an insurance scheme. However, for multi-day fishers, regulations have been imposed whereby they cannot deploy on trips without insurance. But for small-scale fishers, there are no such regulations. Though they accept that their lives are endangered at sea, they are reluctant to obtain life insurance. Lack of trust towards insurance providers, inability to stake claims for injuries, and the long waiting period for receiving claims can be identified as the reasons behind this general reluctance. Given this lack of interest, most small-scale fishers believe that insurance is not essential as they operate within the coastal range. The existing insurance only provides coverage for fishers under the age of 65, while those above 65 are still engaged in small-scale fishing as they are not physically fit enough for multi-day trips.

Even though fishing is a high risk sector of employment all over the world, occupational safety mechanisms to address the risks involved in the sector are largely lacking. Field research revealed that Sri Lankan fishers operating OFRP boats carry life jackets on board but do not wear them, as they find them disruptive to fishing operations. Many small-scale fishers who operate non-traditional craft do not practise using life jackets at all. As for first aid, while fishers mentioned that they carry first aid boxes with some basic items, most lack knowledge of first aid or the basic actions needed to be taken in a medical emergency. In case of a distress situation, mobile phones are used to communicate with land to ask for help.

Existing practice

Despite small-scale fishers playing a vital role in fulfilling the protein requirements of the nation, policies on developing human resources in small-scale fishing are not adequate. The existing practice is that all fishing techniques are learned on the job. However, the Department of Fisheries conducts training programmes for multi-day boat skippers prior to obtaining their skipper licences. Small-scale fishers revealed during field interviews that they would like

to update their knowledge on new technologies in the sector, especially on fishing gear. It was further revealed during discussions that the younger generation is reluctant to enter the sector, preferring off-sea jobs; they do not see fisheries as a profitable business. They prefer work as crew members on multi-day boats, which generates more income than small-scale fishing operations. They also regard the vessel owner as an employer, who is assumed to provide a safety net, especially in a financial emergency.

Proper awareness of savings mechanisms for fisher families, especially for the women, will help them start saving small amounts from their daily incomes

During our discussions, it was mentioned that small-scale fishers do require proper training and awareness on first aid procedures. Though knowledge of first aid is essential for fishers irrespective of the scale of operation, currently only the skippers of the multi-day boats receive first aid training, even though small-scale fishers have been requesting for such training programmes. They would also like to be trained on multi-day fishing operations so as to help them find employment on multi-day boats.

Some fisherwomen say they have received training on post-harvest production from community-based organizations and non-profit organizations. However, most of these programmes were not sustainable, with only a few women succeeding in starting their own small enterprises. They have realized the importance of building up savings and knowledge about offshore employment to maintain a stable income during the off season when fishing is not possible. Their concern was that many fishermen spend their small, daily income on alcohol, leaving no room for savings. Proper awareness of savings mechanisms for fisher families, especially for the women, will help them start saving small amounts from their daily incomes.

The various challenges that small-scale fishers have faced—and continue to face—have made them a vulnerable group, threatening the long-term sustainability of the sector. The issues currently prevalent in the sector motivate the fishers to move out of fisheries and engage in labour in other sectors. Recent fisheries statistics provide evidence of the sector's declining performance over time. Given that the sector has been operating for decades, fulfilling the nation's protein requirements, providing a proper social security system, occupational safety mechanisms, access to financial services, and training to enhance their knowledge are the vital steps needed to protect the SSF sector and ensure its sustainability.

There is also an imperative need to create robust awareness among fishers about the importance of contributing to the social security system, participating in insurance schemes, and adhering to occupational safety regulations. Only then will the small-scale fishers of Sri Lanka willingly adopt these social security mechanisms, guided by a better understanding.

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Fishing in a Fuzzy Era

The past 75 years in Sri Lanka have seen a shift in tenure rights in small-scale fisheries, heralding a new era

Tenure rights have a strong influence on access, use, management and conservation of aquatic resources. The Food and Agriculture Organization of the United Nations (FAO) defines tenure rights in fishing as "how marine and inland capture fisheries are accessed, used, and managed using various types of rights-based approaches." Under the Village Communities Ordinance, passed in 1889 by the colonial government, management decisions were made at the local level, respecting the traditional norm of equal access to resources and equal income earning opportunities to all. Artisanal and small-scale fishers, both marine and inland, continued to enjoy their customary rights to fish resources and the beach; the violation of such rights were rare. In a context of low population pressure and relatively 'abundant' resources, there was no need either for access rules or conservation rules.

The most popular fishing technique in the period before and after the world wars was beach-seining; it contributed 90 per cent to the total production of 25,000 tonnes in 1950. Nets were laid in smooth-bottomed near-shore waters called *padu*. Fisheries were managed by the involvement of Patabandiarachchi, which was usually a person from a respectable family in the village with a knowledge of fisheries. People also had free access to inland fisheries resources, such as perennial and seasonal tanks, reservoirs, lakes and rivers. However, inland fishers did not clearly enjoy any right of access to land adjoining the shoreline, such as *waw-thavalla* and *gasgommana* or *ihaththawa* (area beyond the tank bund and tree girdles around a tank), but they have been using these lands quite freely.

After the country's independence in 1948, and especially from the 1950s to the 1970s, emerged a new era in fisheries. It began with the expansion and development of fish marketing, first by the Fish Sales Unions and then by the establishment of the Department of Fisheries in 1948. Since then a number of changes have taken place in fishers' right of access to coastal and inland waters and to the beach and adjoining land.

New economic opportunities emerged outside the sphere of fisheries in the country, along with population growth, market expansion, national integration, technological change and government intervention. People no longer believed that their futures were tied to the natural resources around their villages. As customary rights and obligations were not fungible in a perfect market, people were compelled to neglect or overexploit the resources. Traditional community norms and laws could no longer successfully address the newly emerging fishing problems. The government had to intervene to protect the common property fisheries from further degradation. Fisheries inspectors (FIs) were stationed at marine landing centres. Although tenure rights are not specifically tackled in the law called the Fisheries and Aquatic Resources Act (FARA) No. 2 of 1996 and its subsequent amendments, the rights of access to fish resources and the beach are implicit in certain provisions of the

Traditional community norms and laws could no longer successfully address the newly emerging fishing problems

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1996 law. With the establishment of the National Aquaculture Development Authority (NAQDA) in 1997, all inland fisheries and aquaculture came under its purview.

Technological developments during the early 1960s were characterized by the introduction of nylon nets, outboard motors (OBMs), offshore craft with inboard engine, and new fishing techniques such as nylon gill-netting. This was the onset of Sri Lanka's 'Blue Revolution'. The new technology did not have serious impacts on the customary rights of small-scale fishers. There was a clear spatial separation of fishing technology: artisanal craft operated up to about five km from the coast; small mechanized craft plied up to the edge of the contiguous zone of 24 nautical miles; and the offshore craft with inboard engine (and, after 1990, the multi-day boats) fished beyond the continental shelf (away from the contiguous zone) up to the exclusive economic zone (EEZ) and further away in international waters. No conflicts among different technological categories emerged and fishers continued to enjoy their customary rights to the sea and fish resources.

The need to regulate

A new regulation, prohibiting the operation of purse-seines within seven km from the shoreline, was brought in, leading finally to the demarcation of an arbitrary 'artisanal fishing zone'. Small-scale fishers on motorized boats with OBMs operated beyond this point, up to the edge of the contiguous zone. Licences for fishing operations were issued by the Department of Fisheries, which curbed unwarranted expansion of fishing effort, while contributing significantly towards sustainable management of fisheries resources.

A recent development in respect of lagoon fisheries is the establishment of Fisheries Management Areas (FMAs), 18 in number, and Fisheries Committees (FCs, one or more per FMA), under FARA's provisions in sections 31 and 32. This has provided the FCs with power to control access and to adopt measures to sustainably manage lagoon resources, undertaking even resource stewardship responsibilities.

Generally, the coast comes under the Department of Coast Conservation and Coastal Resources Management (DCCCRM). While the coastal zone was defined during the pre-tsunami era as a distance of two km to the sea and 300 metres landward (except in the case of water courses, where it extends to two km), the landward limit was extended to two km after the tsunami of December 2004. No construction within this zone was allowed without permission from the DCCCRM, which prevented tourism stakeholders from building structures illegally along the coast, thereby protecting, to a fair extent, fishers' right to the beach. Another development was the enforcement of Madel Fishing (Beach-Seine) Regulations, No. 6 of 1984. This led to the demarcation of beach-seine *padu*, giving the seine fishers the legal rights to use *padu* for seine fishing.

A major change in inland fisheries was the enactment of the Agrarian Services Act No. 46 of 2000. Section 81 (1) of this Act stated that "every tank, dam, canal, water course, embankment reservation or other irrigation work, within the area of authority of any Farmers' Organization, shall be subject to the supervision of that Farmers' Organization." The fisher organizations are required to obtain permission from the relevant farmer organization to engage in any activity related to fishing. While this was the case for minor irrigation systems, fishers were invited to irrigation committee meetings by the Department of Irrigation in respect of major irrigation systems with an extent exceeding 800 hectares). This facilitated joint decision-making concerning water management. Recent amendments in the Agrarian Services Act introduced provisions to consider fisheries organizations as sub-committees of farm organizations, and required that membership in such organizations remain constant, preventing further entry.

Increasing coastal pollution meant that access to coastal waters did not guarantee the small-scale fishers access to good fishing incomes. Many emerging industries were located close to the coast for ease of releasing effluent into the sea, which has led to

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Figure 1. Spatial Separation of Technological Categories (under Blue Revolution). No conflicts among different technological categories emerged and fishers continued to enjoy their customary rights to the sea and fish resources

depletion of fish resources due to water pollution. Some fishers must have left the fisheries because their access rights to murky waters did not guarantee them even their subsistence.

Competing interests with power

Of immense significance is the adverse impacts on fishers from the expanding tourism sector, which accounts for 12 per cent of the country's gross domestic product (GDP). In recent years, the Blue Economy has received top priority; coastal tourism is one sub-sector that is rapidly growing now. Due to this dominance and the power wielded by hoteliers and other service providers near the coast, some small-scale fishers have been displaced, dispossessed and marginalized due to land grab. Although this 'grievance' argument is being strongly voiced today, the other side of the coin is that children of those aggrieved fishers have now joined hands with the new coastal stakeholders like hoteliers to chase away their 'own' ilk, in search of a better life. The small-scale fishing communities complain that their customary rights to the beach have been violated, when those from the same communities are involved in chasing them out. In effect, they "run with the hare, and hunt with the hounds."

The customary practice of fish processing by women has been gradually taken over by small business ventures. Women fish processors have thus been pushed to the margins, and they now work as labourers in dry-fish enterprises. Women also complain that they are paid less than men for the

same tasks. There are no significant changes in fish marketing, where men and women continue to sell their fish through traditional channels, which are in the hands of middlemen.

Due to low fishing incomes and poverty, there is a tendency for fishers to rent out their access rights to tourism stakeholders or other actors so as to generate higher income. Stilt fishers along the southern coast hire out their stilts to tourists while fishers in Negombo hire their sail boats to tourists rather than engage in shrimp trawling themselves. These examples show that rights of access should go hand-in-hand with sustainable resource management. When income is not sufficient to meet family subsistence needs, people sell or lease their rights to enjoy a decent living elsewhere, which fishing cannot guarantee.

Generally, climate change impacts are strongly felt in coastal areas. The major threats to tenure rights and, subsequently, on the livelihoods of fishers, has been the large-scale erosion of the coastal areas, many of which have been narrowed down to thin strips of beaches. Fishers complain that they have lost their craft landing sites, beach-seine *padu*, and fish drying sites, among other losses.

To cope with heavy coastal erosion, the DCCCRM had erected stone barriers to protect coastal structures, roads, houses and schools. These barriers are commonly found in the southern, western and northwestern coastal belt. Such protective structures have adverse consequences on beach-craft and seine operations, and many *padu* have disappeared. For example, beach erosion in Mannar in the Northwestern Province has caused a drastic reduction in beach-seines—from about 100 seines operating a few decades ago to a mere 20 today.

Both marine and inland fishers in Sri Lanka still enjoy customary rights to access coastal and inland waters. However, Malthusian pressures, market expansion, tourism development and climate change have strongly affected fishers' rights to the beach and adjoining land. State law has protected fishers' access rights to the resources, which is especially true with artisanal and small-scale fishers. Even in inland fisheries, regulations permitting fisher organizations to be part of a sub-committee of farm organizations also provide for more effective participation of fishers in water management.

Since access rights to fish resources does not yield benefits if there are no fish to catch, it is evident that access rights need to go hand-in-hand with human rights, such as Article 25 of the Universal Declaration of Human Rights, which states that everyone has the right to an adequate standard of living. It is also necessary to estimate the total allowable catch (TAC) in coastal fisheries, based on which the number of coastal fishing vessels to be permitted and the number of operating licences to be issued can be determined, protecting the resources from further degradation.

To bring open-access fisheries under some form of management, sections 31 and 32 of FARA could be utilized to declare coastal fisheries as FMAs by extending coastal boundaries to the edge of the contiguous zone. Fisheries Committees established in FMAs will need to ensure the fishers' right of access to coastal fish resources, while taking up management responsibilities. The DCCCRM also needs to consider establishing co-management platforms in the coastal zone, which need to be well-integrated, inclusive, participatory and holistic, ensuring economically, ecologically and socially sound resource use, while promoting marine and coastal spatial planning and the demarcation of coastal areas for different users.

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