

FISHING FOR WORKABLE SOLUTIONS IN THE PALK BAY

Relevant for: International Relations | Topic: India - Sri Lanka

'The whole problem has to be looked at from humanitarian and livelihood angles' | Photo Credit: L. Balachandar

After a gap of 15 months, the India-Sri Lanka Joint Working Group (JWG) on fisheries held its much-awaited deliberations (in virtual format) on March 25. But between the two meetings of the JWG, a number of events — some of them unfortunate — have occurred in the Palk Bay region that encompasses India's Tamil Nadu and Sri Lanka's Northern Province. For instance, seven fishermen — five from Tamil Nadu and two from Sri Lanka — have died in "mid-sea clashes". Just as sections of fishermen from the Palk Bay bordering districts of Tamil Nadu continue to transgress the International Maritime Boundary Line (IMBL), cases of many of them getting arrested and their boats being impounded by the Sri Lankan authorities continue. What has precipitated matters is that in early February, the impounded boats, around 140 in number, were auctioned despite a bilateral understanding on the matter.

Apart from poaching in the territorial waters of Sri Lanka, the use of mechanised bottom trawlers is another issue that has become a bone of contention between the fishermen of the two countries; the dispute is not just between the two states. This method of fishing, which was once promoted by the authorities in India, is now seen as being extremely adverse to the marine ecology, and has been acknowledged so by India. The actions of the Tamil Nadu fishermen adversely affect their counterparts in the Northern Province who are also struggling to come to terms with life after the civil war. The ongoing economic crisis in the island nation has only worsened their plight.

At the same time, the fishermen of Tamil Nadu experience a genuine problem — the lack of fishing areas consequent to the demarcation of the IMBL in June 1974. If they confine themselves to Indian waters, they find the area available for fishing full of rocks and coral reefs besides being shallow. The distance between Dhanushkodi (Tamil Nadu) and the IMBL is nine nautical miles (NM) while the maximum distance — Devipattinam and the IMBL — is 34 NM. Under the Tamil Nadu Marine Fishing Regulation Act 1983, mechanised fishing boats can fish only beyond 3 NM from the coast. This explains the trend of the fishermen having to cross the IMBL frequently. Another factor is that the people of the two countries in general and fisherfolk in particular have common threads of language, culture and religion, all of which can be used purposefully to resolve any dispute.

It is because of this factor as well as the plight of the fishermen of the Northern Province that the two governments have been repeatedly saying that the whole problem has to be looked at from humanitarian and livelihood angles.

With the problem having been discussed by the JWG, and earlier during the visit of India's External Affairs Minister S. Jaishankar to Sri Lanka, in March as well, it is time steps are taken to take the process forward. The present situation, which is otherwise very stressful for Sri Lanka in view of the economic crisis, can be utilised to bring the fishermen of the two countries to the negotiating table. This is because the Indian government's two-month ban on fishing on the east coast of the country began on April 15. It is up to Sri Lanka now to ensure that the talks take place as the Indian side is keen on resuming fisherfolk-level deliberations. As several substantive issues were discussed threadbare in the previous rounds of such meetings — the

last one was in New Delhi in November 2016 — only some fine-tuning of the respective positions had to be done.

While Indian fishermen can present a road map for their transition to deep sea fishing or alternative methods of fishing, the Sri Lankan side has to take a pragmatic view that the transition cannot happen abruptly. To elicit a favourable response from the fishermen of the Northern Province, the Tamil Nadu fishermen have to commit themselves to a short and swift transition for which the governments in India (Central and State) have to come forward to perform the role of guarantors. Also, whenever there is a genuine complaint about Tamil Nadu fishermen having damaged the properties of the Northern Province's fishermen, the Indian government can compensate this through the proper channels of Sri Lanka.

In the meantime, India will have to modify its scheme on deep sea fishing to accommodate the concerns of its fishermen, especially those from Ramanathapuram district, so that they take to deep sea fishing without any reservation. The revised scheme has to absorb satisfactorily not only the unit cost of long liners but also the running cost. Also, there is a compelling need for the Central and State governments to implement in Tamil Nadu the Pradhan Mantri Matsya Sampada Yojana in a proactive manner. The scheme, which was flagged off two years ago, covers alternative livelihood measures too including seaweed cultivation, open sea cage cultivation, and sea/ocean ranching.

During Mr. Jaishankar's visit, India had signed a memorandum of understanding with Sri Lanka for the development of fisheries harbours. This can be modified to include a scheme for deep sea fishing to the fishermen of the North. It is a welcome development that the JWG has agreed to have joint research on fisheries, which should be commissioned at the earliest. Such a study should cover the extent of the adverse impact of bottom trawling in the Palk Bay region.

Simultaneously, the two countries should explore the possibility of establishing a permanent multi-stakeholder institutional mechanism to regulate fishing activity in the region. At the same time, Sri Lanka should take a lenient view of the situation and refrain from adopting a rigid and narrow legal view of matters concerning the release of 16 fishermen or impounded fishing boats (around 90 in number). Any delay in this will only increase the bitterness between the two countries at a time when the economic crisis of Sri Lanka is generating empathy in India. What everyone needs to remember is that the fisheries dispute is not an insurmountable problem. A number of options are available to make the Palk Bay not only free of troubles but also a model for collaborative endeavours in fishing.

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