India-Sri Lanka Fisherman Issue

Why in news?

The ongoing arrests of fishermen from Tamil Nadu and Puducherry by the Sri Lankan Navy in the Palk Bay, along with attacks on them at sea by armed civilians despite diplomatic efforts, are a serious cause for concern.

What is the issue?

- **Fishing ground**- The issue revolves around the fishing activities of both Indian and Sri Lankan fishermen in the Palk Bay area, which lies between the two countries.
- **Maritime boundary agreements**-It was signed in 1974 and 1976 between India and Sri Lanka, they were intended to define the international maritime boundary between the two countries.



- **1974 Agreement** - Each country shall have sovereignty and exclusive jurisdiction and control over the waters, the islands, the continental shelf and the subsoil, falling on its own side of the aforesaid boundary.
- Only navigational rights of the vessels of both Sri Lanka and India over each other's waters have been preserved.

Allowed activities for Indian fisherman in the island	Prohibited activities for Indian fisherman in the island
Resting and net drying Visit the annual St.Anthony's festival without the need of visa	The fishing vessels and fishermen of India shall not engage in fishing in the historic waters, the territorial sea and the Exclusive Economic Zone of Sri Lanka

- **1976 Agreement -** Each Party shall respect rights of navigation through its territorial sea and exclusive economic zone in accordance with its laws and regulations and the rules of international law.
- It marked the international maritime boundary of India and Sri Lanka without consulting the Tamil Nadu State Assembly.

Katchatheevu island was given by India to Sri Lanka as part of a bilateral gesture in 1974 which delineated the maritime boundary line in the Sethusamudram littoral region between the two neighboring countries.

- **Sri Lankan civil war,1983**- The island became the crownless battleground for combats between Indian Tamil fishers and a Sinhala-dominated Lankan navy, leading

to the loss of livelihoods, properties, and lives of Indians owing to accidental crossings of the International Maritime Boundary Line (IMBL).

- **Bottom trawling**- A large number of Indian fishermen rely on trawling, it involves dragging a large fishing net along the seabed, which can cause significant damage to the marine ecosystem.
- **Tamil Nadu Marine Fishing Regulation, 1983-** The mechanised fishing boats can fish only beyond 3 nautical miles from the coast pushing the fishermen to cross the IMBL frequently.
- **Inefficient Joint Working Group (JWG)**- It was started in 2016 that would meet every months to discuss about fishery related issues but it has just held 5 meetings.

Function of JWG

- It has been constituted between India and Sri Lanka to deal with the issues related to fisheries.
- To examine the possibility of not arresting straying fishermen within five nautical miles of the IMBL on either side,
- Consider releasing the small fishing boats along with the fishermen on humanitarian grounds and
- Enhance coordination between the two Navies to curb illegal activities

How the issue strains the relation between India and Sri Lanka?

Concern	India	Sri Lanka
Poaching	• To increase productivity and gains, the Indian government sought to technologically advance fishing practices and promoted mechanised trawlers. • This resulted in the Indian side of the Palk Bay being largely depleted of fish, causing them to venture further into Sri Lankan waters to poach.	• Fishing accounts for a large portion of economic production in the Northern Province of Sri Lanka, which contributes to more than a third of the country's catch. • Indian poaching in Sri Lanka waters results in estimated loss of 40 million dollars for Sri Lanka annually adversely affecting the livelihood of people in coastal towns.
Environmental concern	• Indian fishing trawlers and their exploitative fishing practices of bottom trawling severely harm the ecosystem, marine life and fish stocks in the Palk Bay over the long term. • Tamil Nadu Marine Fisheries Regulation Act of 1983 promotes deep-sea fishing but proved ineffective.	• In 2017, Sri Lanka banned all bottom trawling. • This ban was in response to concerns raised by Sri Lankan fishermen whose livelihoods were threatened by encroaching Indian bottom trawlers which depleted marine resources on the Sri Lankan side.
Coastal security	• The detained trawlers and Indian fisherman by Sri Lanka are often released to maintain bilateral relations with India	• The Sri Lankan navy has increasingly detained numerous Indian fishermen and trawlers encroaching on national territory since the end of the civil war in 2009.

Cultural factor	• Local fishermen in both Sri Lanka and India are Tamil speakers and have shared culture and festivals, owing to centuries of contact and connection through religion, literature, frequent migrations and intermarriages. • It has now been detrimentally affected in recent years by the issues of coastal insecurity and overfishing.

What can be done?

- **Holistic approach**- The first step for arriving at an amicable solution is to recognize that in addition to India and Sri Lanka, there are other stakeholders to engage, including the governments of the Northern Province and Tamil Nadu and the fishing communities in both countries.
- **Fisher-level talks**- The people of the two countries in general have common threads of language, culture and religion, all of which can be used purposefully to resolve any dispute.
- **Get on lease**- India could potentially secure a lease for the island of Kachchatheevu, allowing Indian fishermen to operate in the vicinity without Sri Lanka losing its ownership of the island.

  It can be modelled in lines with the Tin Bigha case where 1974 India Bangladesh boundary agreement gave India sovereignty over Tin Bigha, but a lease in perpetuity later enabled the Bangladeshis to use it for civilian purposes.

- **Permit licensed fisherman**- Licensed Indian fisherman can be permitted to fish within a designated area of Sri Lankan waters and vice versa.
- This would persuade Sri Lanka to permit licensed Indian fishermen to fish in Sri Lankan waters for five nautical miles from the IMBL.
- **Wadge Bank example**- In 1976 boundary agreement allowed licensed Sri Lankan fishermen to fish in the Wadge Bank which is a fertile fishing ground located near Kanyakumari for a period of three years.
- **Create Palk Bay authority**- For appropriate and informed decision making, it should comprise fisheries experts, marine ecologists, fishermen's representatives, strategic specialists, and government officials.
- **Role of Palk Bay authority**- It could determine the ideal sustainable catch, type of fishing equipment that can be used, and the number of fishing dates for Indian and Sri Lankan fishermen.
- **Diplomatic engagement-** This would help signal the priorities and commitment of the Indian government towards maintaining strong relations with Sri Lanka and advancing sustainable fishing practices.
- **Protect ecology**- The focus should be on the enrichment of marine resources and a qualitative improvement in the lives of coastal people.
- **Bilateral cooperation**- The Tamils on the both side can cooperate on solutions like introduction of multiday boats for deep sea fishing.
- **Effective mechanism**- The Joint Working Group (JWG) which was established to address fisheries related issues should meet every 3 months as mentioned to improve efficiency and enforcement.

- **Focus on research**- The JWG has agreed to have joint research on fisheries, which should be commissioned at the earliest.
- **Regulate fishing activities**- India can regulate fishing activity in the Palk Bay to reduce overfishing and ban the extremely harmful practice of bottom trawling to preserve and restore the ecosystem of the Indian side of the Palk Bay.
- **Buy-back scheme**- The buy-back cost of trawlers could be divided between the Tamil Nadu government and the central government in India to fund the buy-back scheme and can be implemented within 2 years.
- These mechanised trawlers can later be bought by other state governments for use in waters where they do not harm the ecosystem and coastal environments.
- **Alternate livelihood opportunities**- There is a need for the Central and State government to implement the Pradhan Mantri Matsya Sampada Yojana proactively to cover alternative livelihood measures including seaweed cultivation, open sea cage cultivation, and sea ranching.

What lies ahead?

- The success of diplomacy consists of converting a crisis into an opportunity, Tamil Nadu fishermen must be encouraged to take to deep-sea fishing.
- The Palk Bay is increasingly becoming a conduit for drug traffic and there could be joint naval cooperation for tackling this menace.
- Thus the Palk Bay could be transformed from a contested territory to a common heritage, which it was for several centuries

References

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