

# Fishing for a Favour, Netting a Lesson



Report of the Goodwill Mission of Indian Fishermen  
to Sri Lanka : May 21-30, 2004



V.VIVEKANANDAN

South Indian Federation of Fishermen Societies  
Karamana, Trivandrum

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# Contents

Acknowledgements

Preface

Background of the Mission	1
Mission Objective	5
Organising the Mission	6
The Mission gets going	8
The Colombo Workshop	22
Concluding the Mission	35
Mission Findings and Recommendations	38
Recommendations	40
Concluding Remarks	42

## Appendixes

1. Members of the Goodwill Mission	44
2. Itinerary of Goodwill Mission	45
3. About ARIF	46
4. Press release at Trichy before departure of Goodwill Mission for Sri Lanka	51
5. Press release given on 30-5-2004 on Mission's return to India	54
6. Circular sent to all fishermen associations from Rameswaram to Nagapattinam	57

## Map

1. Tamilnadu and Sri Lanka	iv
2. Palk Bay and Palk Strait	3

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- Finally, Dr.Subbaiah, Fisheries Secretary, Govt. of Kerala, whose timely intervention in getting immigration clearance for the mission members, ensured that the mission was able to leave as planned.

## Preface

The visit of a Goodwill Mission of Indian fishermen to Sri Lanka to discuss the problems related to trans-border fishing by Indian boats in the Palk Bay and Palk Straits, was a memorable event for all those who were involved. That such a mission was being organised entirely outside the Government system created doubts about its feasibility in the minds of the fishermen as well as the organisers. When a series of events conspired to delay the mission, not once but twice, there was anxiety that a good idea was not going to be really tested. However, once the mission was finally ready for departure, the fortunes changed. Providence seemed to step in to help us every time we faced a problem. Instead of the usual “If anything can go wrong, it will”, it became a case of “If everything can go wrong, it won’t”. The mission almost did not take off on the 30<sup>th</sup> May when the fishermen leaders had assembled trustingly at Trichy, unaware that a drama was being staged in Trivandrum, where immigration clearance was being denied due to lack of sufficient documentation. However, the Fisheries Secretary of Kerala, whose connection with this mission was remote, took it on himself to see that we got the necessary clearance and could leave as scheduled. Subsequently, we faced many pitfalls, but providence once again helped us negotiate them safely.

As the mission progressed, all of us felt that we were part of a unique process that might even make history. Of course, the historical value of the mission will depend on the follow up and the subsequent developments. In fact, the mission has raised expectations among fishermen on both sides that may perhaps be difficult to meet. Come what may, the mission was a great learning experience for all concerned. It also

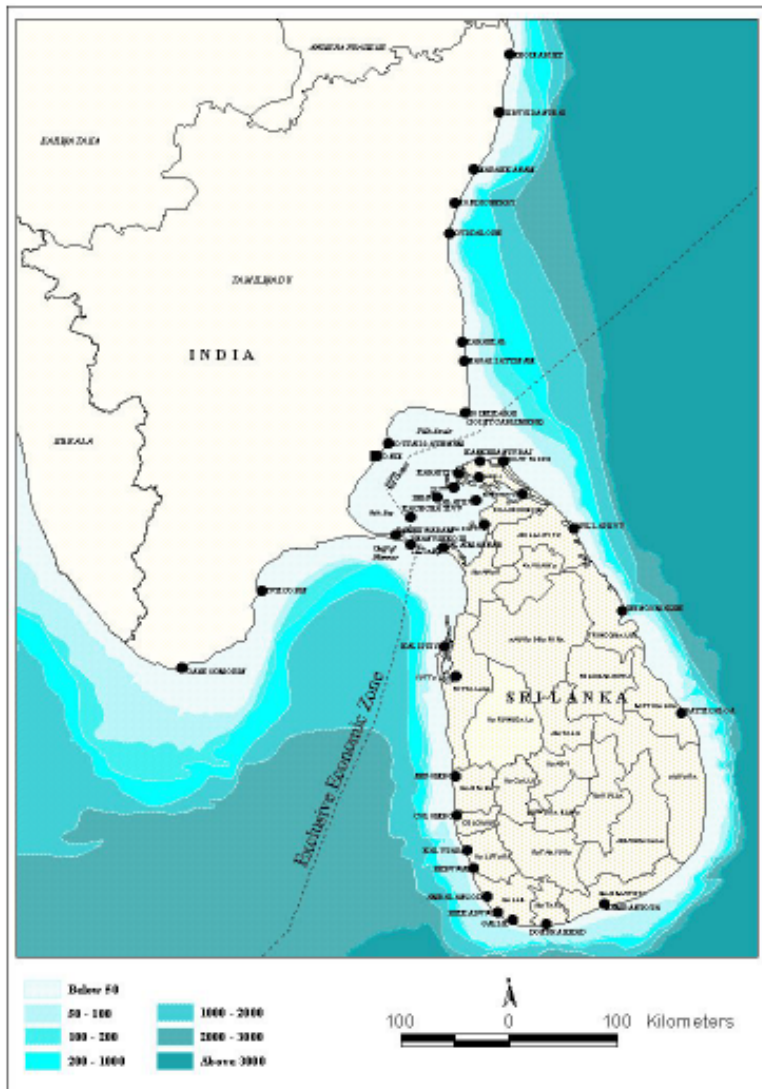
demonstrated the potential for people-to-people dialogue as a way to solve certain knotty problems in resource sharing and management.

As to what the mission tried to accomplish and what transpired, I can only say that the Indian fishermen went to Sri Lanka seeking a favour from their counterparts on the basis of close affinities, and came back with a lesson on resource management and sustainable development. This is the basis for the title of this report. This, I think, is adequate as a preface. Please, read on.

**V.Vivekanandan**



Map :1 Tamilnadu and Srilanka



# **Report of the Goodwill Mission of Indian Fishermen to Sri Lanka**

23 – 30 May 2004

*Prepared by*

**V.Vivekanandan<sup>1</sup>**

## **Background to the Mission**

### ***Fishing in the Palk Bay and the civil war***

Since the start of the civil war in Sri Lanka in 1983, the Palk Bay has been a troubled location. With the Palk Bay being a shallow sea with 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. Till 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. 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 put 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, the Indian fishermen faced many hardships as the Sri Lankan Navy shot at and imprisoned a large number of fishermen who crossed over to Sri Lankan waters in the two decades

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<sup>1</sup> Convener of ARIF and Chief Executive of SIFFS, who lead the Goodwill mission.

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 a free use of the fish resources of the Palk bay without competition from the Sri Lankan fishermen. This led to a significant fleet expansion on the Indian side. 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 on fishing in Sri Lankan waters to varying degrees. The 1,000 boats of Rameswaram are almost totally dependent on Sri Lankan resources in view of the closeness to the Sri Lankan border (just 7 km away)<sup>2</sup>. The trawlers have over the years been fishing right up to the shores of Sri Lanka and in this they have been helped by the Sri Lankan refugee fishermen in India who often went as crew on Indian boats. It is worth noting that the Indian fleet fishing in Sri Lankan waters include motorised canoes involved in gill netting and at times even sailing country craft.

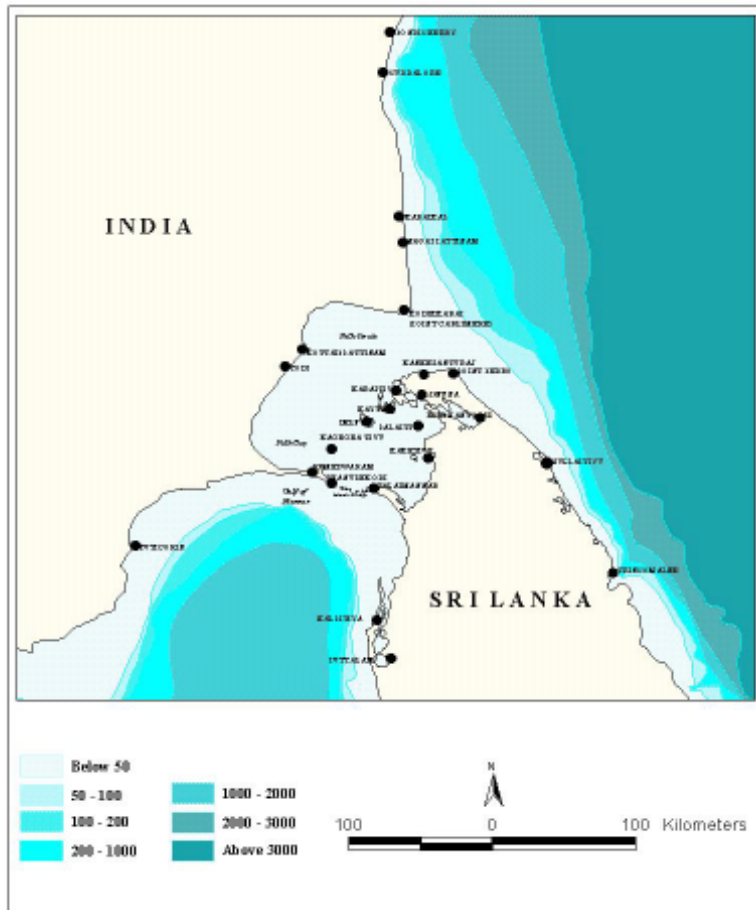
### ***The peace process and the changed reality***

The truce between the Sri Lankan Government and the 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

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<sup>2</sup> It is worth noting that the distances from the Indian coast to the Sri Lankan border at sea range from 7 km to 22 km.

Map : 2 Palk Bay and Palk Strait



Sri Lankan waters and the emergence of competition. The operations of the Indian fleet, especially the trawlers, have become a major threat to the re-flourishing of the livelihood of the Sri Lankan fishermen and they have started protesting. Finding the Sri Lankan Navy reluctant in enforcing the boundaries on account of the practical difficulties involved (there are just too many Indian boats!) and geo-political considerations (good relationship with India), the Sri Lankan fishermen have started taking law into their own hands. 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 between the two sides and in early 2004, a Sri Lankan fisherman was killed in one such clash.

### ***ARIF and its work***

In late 1996, various trade unions, 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 long lines and driftnets. These boats came from the South and West of Sri Lanka where normal fisheries development took place and no restrictions were placed on fishing operations.

## **Organising a Goodwill Mission**

### ***The Goodwill mission idea***

The idea of a dialogue between the Tamil Nadu fishermen and the 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 realised 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 organise the dialogue.

### **Mission Objectives**

The mission objectives were formulated and a concept note prepared. The following was proposed as the main objective and sub-objectives.

#### ***Main Objective:***

To foster a dialogue between the Tamil Nadu and Sri Lankan fishermen on the issue of co-existence in the Palk Bay<sup>3</sup> and to work out a solution to the conflict between the two groups for the sharing of space and resources in the Palk Bay.

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<sup>3</sup> Palk Bay needs to be understood as also referring to Palk Straits and proximate areas in the Gulf of Mannar and Bay of Bengal.

### ***Sub-objectives:***

- To sensitise both sides to the plight of fishermen on the other side and the compulsions they face.
- To facilitate a dialogue between both sides that will lead to mutually acceptable rules governing fishing operations in the Palk Bay.
- To develop proposals to the respective Governments that will ensure coherence between Government policies/laws and fishermen proposals.
- To establish a mechanism for furthering the dialogue and to enforce at community level the rules mutually agreed upon.

An additional objective of taking up the issue of the multi-day boat fishermen of Sri Lanka was proposed but dropped as it was a separate problem and needed a separate initiative.

The mission programme was accordingly designed to include exposure trips to Mannar and Negombo and to culminate in Colombo with a two-day workshop to provide the Indian and Sri Lankan fishermen the opportunity to discuss the problem and work out solutions.

### ***Organising the Mission***

ARIF's contacts and partners in Sri Lanka were approached to help organise the dialogue. The National Fisheries Solidarity (NAFSO), National Union of Fishermen (NUF), Fisheries Development Solidarity Centre (FDSC), United Fishermen and Fishworkers Congress (UFFC) and Social Education and

Development Centre (SEDEC) agreed to collaborate in organising the dialogue from the Sri Lankan side. In this SEDEC's role was crucial in getting a proper representation of Sri Lankan fishermen from the Northern province, especially Jaffna. As the apex service organisation of the Catholic Church in Sri Lanka, SEDEC has a strong local presence in the Northern Province through Valvuthayam and HUDEC which are its local counterparts. SEDEC sought time for organising local consultations in the north and to select a delegation. Hence the mission originally planned for March 2004 was postponed to May 2004.

In India, meetings were organised with fishermen's associations in Ramanathapuram, Pudukottai and Nagapattinam districts and a representative group to visit Sri Lanka was selected. All the members of the mission were asked to get passports and be ready for the trip. Finally a team of 21 members was ready for the mission including 16 fishermen association representatives<sup>4</sup> and 5 ARIF representatives<sup>5</sup>. While most of the fishermen were trawl sector representatives, a few were representatives of the artisanal fishermen to lend some balance to the team.

Funding the mission proved tricky. Finally a package was put together. The fishermen's associations agreed to fund a major part of the air fare for their representatives, and SIFFS agreed to fund the airfares of the ARIF representatives and to take care of all the travel and stay expenses of the mission in Sri Lanka. SEDEC agreed to provide the conference facilities for the dialogue and NAFSO

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<sup>4</sup> Full list of mission members given in appendix

<sup>5</sup> B.Antony and U.Arulanandam were the main organisers of the mission. Subramanian of SIFFS joined to take care of documentation. P.Rajan represented Dhan foundation and also helped with the documentation.



came forward to pay for the travel expenses of the Sri Lankan fishermen and also to host the Indian team when it visited Negombo.

Information was provided about the mission's objectives and programme to the Tamil Nadu Fisheries Department, Sri Lanka Fisheries Department, Fisheries Development Commissioner of the Government of India, Indian High Commission in Colombo and the Dy.High Commission of Sri Lanka in Madras. An observer was invited for the mission from the Tamil Nadu fisheries department but was ruled out by the department, at least in part due to the difficult process involved in getting administrative approval for a foreign trip. However, the Indian High Commission and the Sri Lankan Fisheries Department were agreeable to sending observers for the meeting at Colombo.

## **The Mission Gets Going**

### ***Assembling at Trichy***

All the members of the mission assembled at Trichy on the 22<sup>nd</sup> May evening and had a brief consultation. The Rameswaram group had already held a meeting in the morning to formulate their ideas for the mission. The general consensus at Trichy was that we have to keep an open mind and respond to the proposals of the Sri Lankan fishermen. The fishermen were keen to know whether there were any proposals already from the Sri Lankan side or whether anything was known about their thoughts on the matter. ARIF representatives said that they have no specific information on this but mentioned some of the ideas that have been in the air for the last many months. These include the banning of certain harmful nets, keeping a certain distance from the Sri Lankan coast, fishing on alternate days by the respective fleets, etc. The Indian fishermen

felt that they are not in any position to make specific demands and will have to take whatever offer the Sri Lankan side made. We can fish in Sri Lanka only with the cooperation and understanding of the Sri Lankan fishermen seemed to be the general opinion. However, there was great optimism that the Sri Lankan fishermen would give a fair deal as the relationship between the two sides is very good despite the boat capturing incidents and the few violent clashes that took place recently.

### ***Landing in Colombo***

The team took the one o'clock flight from Trichy to Colombo on the 23<sup>rd</sup> May. It was the first international travel for the vast majority of the mission members and also the first air travel opportunity. The team landed at Colombo at 2.30 pm Sri Lanka time and was received by representatives of NAFSO, FDSC and NUF. A vehicle had been arranged by NAFSO and two NAFSO staff members Jesudasan and Santhakumar were to accompany the team on the exposure trip to Mannar and Negombo.

### ***Meeting at Mannar***

The team reached Mannar by midnight and stayed at the training centre of the OMI fathers. On 24<sup>th</sup> morning the team left for Valvudhayam office where a meeting had been arranged for the mission. The mission had only proposed a field visit to villages, but Valvudhayam had taken the initiative and organised a large reception for the Indian delegation. The meeting was attended by the "who's who" of Mannar it appeared. The speakers included Mr. Visuwalingam, the Government Agent (equivalent of District Collector in India), Rt.Rev.Rayappu Joseph, Bishop of Jaffna, Fr.Devarjah, former Director of SEDEC, M/s Adaikalanathan,

Kishore, Vino and Sivasakthi Anandan, Members of Parliament from Wannai, Fr. Yesuraja, Director of Valudhayam, Mr. Tayab, Asst. Director of Fisheries, Mr. P.M. Cruz, President of Mannar NGO network, Mr. Justin, President Mannar District Fishermen's Coop Union, Lt. Kaluhetti from the Sri Lankan Navy, Inspectors Suryaperuma and Cyril from the Police Department. The local media (including the local correspondent for BBC) was present in full strength.

The mission members were somewhat dazed by the importance given by such prominent persons to the visit and also surprised at the time they gave for the programme (all stayed for the entire meeting and left only after lunch). Very clearly all the local institutions gave the highest importance to the fishermen's issue. This might perhaps be attributed to the fact that fishing appeared to be the main occupation on Mannar Island. It also showed the clout that the Catholic Church enjoys.

The meeting was extremely important in that it gave the mission members a taste of things to come. 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, Church and others a local awareness building campaign had been organised 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 had been built among the fishermen against such practices. A local consensus was also built up against monofilament nets that were felt to be harmful. It appeared that the Bishop himself

had used his clout with the predominantly Catholic fishermen and asked for the discontinuation of certain fishing practices. 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 livelihood 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.

Despite the impression that some of the local participants seemed to have that the Indian mission would start a dialogue then and there, the Indian mission representatives were clear that a structured dialogue would take place as planned later on in Colombo. Therefore, they responded cautiously without getting into a debate over the issues presented. While the team leader V.Vivekanandan explained the purpose of the mission initially, Devadason and Naryanaswamy Nattar responded to the Sri Lankan views. They explained the constraints under which the boats of Tamil Nadu operated (token system, high diesel prices, limited supply of diesel, checking of boats before departure, six week ban on trawling, etc.) and agreed to give serious consideration to the issues raised by the Sri Lankan fishermen. The meeting came to an end with a lunch arranged by Valvudhayam.

### ***Field Visit***

On the afternoon of the 24<sup>th</sup>, the mission members visited Thalai Mannar to see for themselves the field situation. The Thalai Mannar fishermen cooperative society played host and exposed the mission

to its activities including credit and marketing. A visit to the beach saw the ubiquitous 18 foot FRP boat of Sri Lanka very much in evidence powered by Suzuki OBMs and operated with small gillnets. A number of boats came in with small catches of mullets and it was interesting to watch the boats land on the beach without putting off the OBM and just crash land on the beach.

Mission members split up into groups and informally chatted with the local fishermen about their problems. Discussion topics included fishing techniques, fish prices, diesel prices, prices of fishing equipment, rehabilitation efforts, etc. The Indian fishermen were immediately struck by the fact that fuel prices are much cheaper in Sri Lanka. If diesel is only 2/3<sup>rd</sup> the price in India, kerosene seemed to be just around 60% of the Indian price. Obviously a much higher level of duties and taxes are levied in India on fuel<sup>6</sup>.

A number of fishermen we met had returned from the refugee camp in Rameswaram and they reported that there were quite a few fishermen still remaining in Rameswaram. Some Thalai Mannar fishermen had even married Indian wives while in the camps.

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6 In a later informal discussion with some of the mission members, the mission leader explained some of the issues in pricing of fuel. Making fuel cheaper will lead to increased consumption and greater outflow of foreign exchange and lead to balance of payments crisis. That Sri Lanka is currently negotiating a IMF loan indicates that it has a balance of payments problem. There is also the problem of pollution that will be aggravated by a cheaper fuel policy. Special prices for fishing could be a solution, but a system of differential pricing for different sectors is difficult to implement. Moreover special concessions to fishing boats will come under the definition of subsidies in WTO. Already the US fishermen have filed a case against India for “dumping” of shrimp claiming that subsidies are being used to reduce the cost of production. So what is gained by reduced operating would be lost by a diminished market for the product.

Returning to Sri Lanka seemed to be a complicated affair and for some reasons that were not entirely clear, some fishermen seemed to be secretly sneaking back to Sri Lanka paying money to Indian fishing boats to bring them back illegally. Three Tuticorin fishermen who were apprehended for such an action were still in jail in Sri Lanka at the time of visit of the mission.

The local fishermen were quite bitter about the Indian trawlers and the nets they had lost due to the trawlers running over their nets. As the Rameswaram trawlers fish only three days of the week<sup>7</sup>, these days are dreaded and many take evasive action and avoid getting in the way of the trawlers or even stop fishing. If the Indian fishermen expected the Sri Lankan fishermen to condone their various acts at sea on account of the goodwill they had earned by helping when they were refugees, they were mistaken. The goodwill remains, as well as an acceptance that the Sri Lankan fishermen of the Northern Province may once again be forced to depend on Indian hospitality if the peace process is derailed and there is war once again. Still this did not appear to justify the actions of Indian trawlers who are making it difficult for the Sri Lankan fishermen to re-establish their livelihoods and lives.

Some of the mission members visited the families of the three Mannar fishermen currently in Madurai jail after being captured by the Indian Coast Guard for crossing over to Indian waters. This is a rare exception to the trend that only the Indian boats do the border

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<sup>7</sup> Rameswaram and Pudukottai (Jagadapattinam and Kottaipattinam) boats 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 driftnets. This compromise arose out of a long period of gear conflict in the Palk Bay on the Indian side.

crossing. The current status of the cases against the fishermen and the steps being taken by ARIF to obtain the release of the fishermen was explained.

The mission briefly stopped at another village, Vangalapadu, near Pesalai as some members wished to see an Indian boat that had been captured and brought to that area by local fishermen. The boat had sunk and only the mast or some other portion was visible above water close to the shore. The visit to the village immediately provoked a reaction and a number of fishermen and women came forward to meet the Indian team. The brief interaction once again reinforced the impression that the locals are extremely angry with the Indian trawlers for the “rape of the sea”. Apparently Pesalai used to be centre that attracted over 20 lorries a day during the season for procuring fish prior to 1983. Today it struggles to even provide catch for 2-3 lorries a day. This decline is being attributed to the Indian trawlers.

What was surprising to the Indian fishermen was the news that the local fishermen had not gone fishing that day as they had been misinformed that the Rameswaram trawlers start their fishing that day after the six-week ban period<sup>8</sup>. Actually the ban was to end only on the 30<sup>th</sup> of May. The mission members assured the local fishermen that there was no need to fear the Indian trawlers, at least for some more time, as the first few weeks after the ban period the fishing operations will not be so close to the Sri Lankan shore. It was also explained that one of the outcomes of the mission will

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<sup>8</sup> Tamil Nadu has a six-week ban on trawling starting from the 15<sup>th</sup> of April every year. This is part of an all-India consensus that trawling should be banned during certain seasons. The ban period is different for the east coast and west coast.

definitely be that the Indian trawlers will not come near the shore and hamper the small net operations that predominate in the area.

### ***Discussion with Mr. Adaikalanathan M.P***

After the field visit, the team returned to Mannar town and met Mr. Adaikalanathan M.P. in the TELO office. This was to discuss about the release of the 27 Indian fishermen and 83 boats still in Sri Lankan custody. Mr. Adaikalanathan had been one of the first to suggest the dialogue between Indian and Sri Lankan fishermen and he can take credit for triggering off a process that led to this Goodwill mission. While keen to protect the Sri Lankan fishermen's interest, he and the Sri Lankan leaders have been doing their best to ensure that the Indian fishermen who are arrested do not suffer. He agreed during the discussions to help in the early release of fishermen and boats.

### ***Impressions of the local community***

The local fishing community appeared to be well knit with the local fishermen cooperative societies providing the local forum for all to get together and relate to the outside world. The strong duality that exists between the local fishermen associations and the official cooperative societies along most of the Indian coast was absent. The strong coherence between the local systems of decision making and the official system was also in evidence<sup>9</sup>. This impression was reinforced after meeting the Jaffna fishermen in Colombo.

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<sup>9</sup> This had been first observed by the Mission leader when he had visited Mannar in June 2003 and subsequently in March 2004, when the SIFFS Board members had visited the Mannar Fishermen Cooperative Union for an exchange programme. The appreciation of the cooperatives in the Northern Province thus precedes this mission.



## *Discussions en-route to Negombo*

The mission set off on a night journey by bus to reach Negombo in the small hours of the morning. There ensued a lively discussion on the outcome of the field visit and the meeting at Mannar. The 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 to the operations of the Indian fishermen. The mission leader felt that the situation had appeared a lot more manageable when he had visited the area in June 2003. Though at the level of outside leaders (church, administration and political), the views were similar to what was being talked now, the fishermen themselves appeared to be ready for compromise. Now there appears to be a closing of ranks and the opinions of the fishermen have hardened reflecting an overall consensus reached between the fishermen, Church, District Administration and Political leaders. The number of incidents, including the death of a Sri Lankan fisherman in Vadamarachi, seems to have contributed to this. If some of the restraint the Indian fishermen were ready to exercise today had been in place even a few months back, the situation might not have become so bad.

The discussion inevitably turned to the issue of trawling. Though many were ready to accept that environmental damage was caused by trawling, 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 unprofitable operations on account of increasing fuel costs and reduced price for shrimp<sup>10</sup>. Some of the Rameswaram fishermen

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<sup>10</sup> In technical terms this means that there is no “biological overfishing”, just “economic overfishing”.

felt that the four types of trawl nets (pair trawl, “mixture” net, “chank” net and “roller” net) that they had voluntarily banned recently<sup>11</sup> were the most damaging and the standard shrimp trawl was not such a danger. According to them, it was some of those nets that had been operated very close to the shore that had done most of the damage to the environment as well as to the livelihood 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!

The recent changes in the Nagapattinam fisheries were also discussed. There was 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. The boats have, in recent seasons, become larger to help reach the deep sea prawn resources available at a depth of 500m. Even the deep sea prawn resources are showing a decline with the Madras trawlers also competing for the same resource. However, an interesting development in Nagapattinam District is the diversification into hook and line operations for yellow-fin tuna that the fishermen have discovered in deeper waters. Around 60 boats from Akkaraipettai are seasonally targeting yellow fin tuna

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<sup>11</sup> Arulanandam of ARIF and some of the local leaders had taken the initiative for this a few months prior to the mission visit as they knew some of the problems faced by the Sri Lankan fishermen. Also many were convinced that use of such nets was suicidal for the local trawlers themselves. A campaign was undertaken and all the 13 boat associations in Rameswaram finally agreed to the ban with great difficulty. The fisheries department’s cooperation was sought to implement the ban. Basically the department was asked not to provide tokens for diesel for those boats that do not follow the ban. This has been successful even though at times the Department seems to be somewhat lenient. This incident shows how self regulation backed by the sanctioning power of the Fisheries Department is possible even in Rameswaram where the boat owners are highly fragmented and divided.

using deep sea prawn as bait. Even more revolutionary is a group of Nagore fishermen who have completely given up trawling and have shifted to yellow-fin tuna fishing. They have even set up Philippines style *payaos* for aggregating tuna. For this group the multi-day fishing boats of Sri Lanka are a threat as they have, on occasion, destroyed the *payaos*.

Whatever may be the argument regarding 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 the current fleet size is just not sustainable<sup>12</sup>. 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 Government and, in turn, to international donors for a buy-back 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 would jump at any offer that covered at least their debts. Obviously any buy back scheme should be backed by a management regime that did not allow new trawlers to come in the place of those which left the sector.

An interesting piece of information was that some of the associations had sought to freeze the fleet strength in Rameswaram when the number of boats had swelled to 500. However, the department did not take this suggestion seriously and kept issuing licenses till the

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<sup>12</sup> The mission leader felt that this was true for the Tuticorin trawlers as well as the Madras trawlers, but there was no unanimity on this.

current fleet strength of 900-1000 was reached. The attitude of the fisheries 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 “modernisation” and “progress”.

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

The above discussion is given in some detail as it reflects a significant departure from the normal position that trawl boat associations tend to take when faced with criticism of trawling back home in India. 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.

### ***Mission meeting in Negombo***

After a rest till late in the morning on 25<sup>th</sup>, the mission members met at noon for a formal strategy discussion. It was a meeting 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 started off with an attempt to understand the dimensions of trans-border fishing by the Indian boats in the Palk Bay and Palk Straits.

What emerged was a picture suggesting 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 trans-border fishing and the extent of dependence on Sri Lankan fish resources. The table below summarises the result of the discussion.

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)	1,700	900	Arc between Thalai Mannar and Delft Island	Very High
Pudukottai (Kottaipatinam, Jagadapatinam)	1,000	1,000	Delft Island to Jaffna within the Bay	High
Nagapatinam (Kodikarai and further north on Bay of Bengal coast)	1,300	600	Palk Straits and beyond; Jaffna, Vadamarachi area	Medium to low; mostly seasonal incursion into Sri Lankan waters
<b>Total</b>	<b>4,000</b>	<b>2,500</b>		

This exercise helped to look at the kind of offer that the different groups could make as there were some differences in terms of what can be offered by each group. After a detailed discussion it was decided that the following could be the offered by the Indian side as a solution to the problem.

1. Rameswaram fishermen will keep a distance of three nautical miles from the Sri Lankan shore and this should, to a large extent, take care of the problems faced by the Mannar fishermen.
2. The Pudukottai fishermen also felt that they could keep a distance of three nautical miles from the Sri Lankan coast.

3. The Nagapattinam fishermen, on the other hand, felt that they could keep a distance of 7 nautical miles on the Jaffna-Vadamarachi stretch where they normally operate. The sea is also deeper near the shore on this stretch.
4. Though there was already an informal ban on use of four types of trawl nets, a rigorous application of this ban and a formalisation of it could also be offered as an additional concession from the Indian side
5. Violation of the agreement by Indian boats would be punished by the Indian side by not allowing such boats to fish any longer (i.e, getting the Fisheries Department to withdraw the licence or to stop issuing tokens).

There was also a detailed discussion on the stand to be taken on the issue of trawling itself. It was felt that if stopping of 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.

### ***Meeting with Negombo fishermen***

NAFSO had organised a meeting with local fishermen near the Pittipana landing centre. A number of multi-day fishermen and their wives participated. There was an exchange of views on the problems faced by both fishermen groups. An important point that emerged in the discussion was the problem of court cases in both countries. It was felt that fishermen should not be made to go through the torturous court cases that are time consuming and lead to great hardship. If both countries could agree to handle the trans-border problem through executive decisions rather than through prosecution in a court of law, a lot of time could be saved and it would be easier to take decisions on release. It was agreed that

ARIF and its Sri Lankan partners should lobby for this with the Government of India and Sri Lanka.

Lucas Fernando of the National Union of Fishermen had organised a separate meeting in Duwa which the mission members attended. The mission members thanked him for the efforts taken over the last couple of years for securing the release of Indian fishermen from Mannar and Jaffna. Other discussions were general in nature and there was an exchange on matters pertaining to the culture of fisherfolk. Some members visited the local Duwa church that has historical contacts with Kerala.

## **The Colombo Workshop**

### ***Workshop preparations***

On 26<sup>th</sup>, the mission moved to SEDEC's campus in Colombo where the workshop was to take place. While the younger fishermen keen on travel went on a sight seeing trip to Dambulla, Sigiriya and Kandy, the other fishermen preferred to rest in Colombo and explore a bit of the city at leisure. The ARIF members used the day to make intensive preparations for the workshop.

A workshop steering committee met in the morning and was attended by Newton Fernando and Meril of SEDEC, Herman Kumara of NAFSO, Sirimal Pinto from FDSC, Lucas Fernando from NUF, Saranapala and Linus from UFFC and the ARIF team composed of Vivekanandan, Antony and Arulanandam. The committee worked out the detailed workshop programme based on the outline prepared earlier by ARIF. Various logistics and arrangements were also finalised.

ARIF members worked the rest of the day in getting the programme translated into Tamil, collecting materials like maps and preparing presentations at the workshop.

The Sri Lankan fishermen's delegations from Mannar and Jaffna reached in the evening and there was a briefing for the leaders of the two teams on the programme planned. They endorsed what was planned by the organisers.

### ***Workshop: Inaugural session***

The workshop started with registration of participants at 9 am on 27<sup>th</sup> morning. It was held at the SEDEC Conference Hall which had excellent facilities including the equipment for simultaneous translations. Though the workshop was to use Tamil as its language, translation from Tamil to Sinhala was required for some of the organisers and supporters. In a few cases where some of the organisers and guests made speeches in Sinhala the rest required translation to Tamil.

The inaugural session started at 9.45 am with Fr.Jayakumar of HUDEC as the Workshop Chairman. Fr.Jayakumar was one of the key persons who took the responsibility to get a fishermen's delegation from the north. The welcome address was made by Newton Fernando of SEDEC. This was followed by an introduction to the workshop by V.Vivekanandan, leader of the Indian delegation. He explained the objectives of the Goodwill mission as well as the organisations behind the whole programme, including ARIF and SIFFS. This was followed by the inaugural ceremony during which the ceremonial lamp was lit by Fr.Jayakumar, fishermen leaders from both India and Sri Lanka and some select guests.



Fr.Jayakumar then addressed the workshop and stressed the historic nature of the meeting and mentioned how extraordinary it was that fishermen groups across borders are meeting to solve their problems themselves.

Dr.Piyasena, Director General Fisheries of Sri Lanka had been expected to speak in the inaugural session but unfortunately could not participate due to the work pressures that came with a new Government in place in Sri Lanka. However, his representative, Mr.Tayab, Assistant Director of Fisheries, spoke on the occasion. Other speakers in the inaugural session included Fr.Xystus Kurukulasuriya, the head of Paul VI Centre and President of the Shore Seine Fishermen's Association of Sri Lanka, who gave his felicitations for the workshop. Fr.Oswald Firth, former Director of SEDEC also gave his greetings and best wishes for the workshop. Both Fr.Kurukulasuriya and Fr.Firth had been part of the organising committee for the Goodwill mission visit.

The inaugural session came to an end with a Vote of Thanks proposed by Herman Kumara of NAFSO.

### ***Presentations on the problem at hand***

After tea, the workshop reconvened at 11.30 am for a session of presentations on the problem at hand. V.Vivekanandan, leader of the Indian mission, made a power point presentation outlining the historical evolution of the fishing conflict in the Palk Bay starting from pre-independence days to the present, 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 peace process in Sri Lanka from 2002. He stressed the historical relationship between fishermen on both sides and the general

harmony that has prevailed in the Palk Bay despite the occasional hiccup in the relationship that occurred when new technologies were introduced, like nylon nets in the early 60s and trawling in the late 60s. The 1974 Katchivu agreement created 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 on fishing on the Sri Lankan side led to the expansion of the Indian fleet to make use of the unexploited resources on the Sri Lankan side. The restart of fishing operations 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-establishing their claim over the Palk Bay resources.

Vivekanandan also presented the evolution of the problem of Sri Lankan multi-day fishing boats that operate in Indian waters. This problem is the result of the growth of a deep sea fleet that cannot survive in its own waters and tends to move to island territories like Andamans and Lakshdweep where tuna aggregations are present. This problem was presented mainly as background information as the workshop deliberations were going to concentrate on the problem in the Palk bay only.

Dr. 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 in the 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 and fishermen from the Northern province 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 only limited fishing areas and have no option but to protect their resources.

The havoc that the Indian trawlers were wreaking in the Northern Province was vividly described by him. He showed statistics of the fishermen and fish catches of Jaffna over the years. It was clear that fish catches had reached a peak around 1983 when the civil war started. Subsequently it declined drastically before making a small recovery in the early 90s. Now after the start of the peace process, there is a new growth in fish landings but the catch still remains a far cry from the heydays of 1983. There is a fear that this is due to resource depletion as the fishing effort is now significantly higher.

The problem of the “high security zones” that cover large areas of Jaffna and where fishing is prohibited up to 5 km from the shore was also discussed by him. He was extremely critical of the Sri Lankan Government and Navy for not taking interest in the problems faced by the Tamil fishermen of Sri Lanka and their unwillingness to take action on the Indian trawlers. He also pointed out that the Government was unwilling to give multi-day fishing boats to the Tamil fishermen in the north citing security reasons. This meant that the fishermen of the Northern Province got step motherly treatment when it came to fisheries development.

After a brief question-answer session, the workshop adjourned for lunch.

### ***Sharing of problems by fishermen representatives***

The afternoon started with a sharing session when representatives from each district were given an opportunity to share their problems and experiences. Devadoss from Rameswaram (Ramnad dist.), Ravi from Pudukottai and Manoharan from Nagapattinam spoke on behalf of the Indian fishermen. Devadoss 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 the reason for the Rameswaram trawlers ending up in Sri Lanka. The reason was not the depletion of resources as assumed by the Sri Lankan fishermen. The area close to Rameswaram was rocky and unsuitable for trawling. The trawling grounds start only after a few miles and even one normal trawling operation will automatically take the Rameswaram trawlers into Sri Lankan waters since the boundary is just 7 km from Dhanushkodi.

Ravi from Pudukottai talked about a similar problem that made their trawlers end up in Sri Lankan waters. The three mile zone reserved for artisanal fishermen in Tamil Nadu meant that the trawlers start operations after that distance from the shore and there is every chance of crossing the border and ending up in Sri Lankan waters. Manoharan explained how the Nagapattinam fishermen come to Sri Lankan waters only seasonally, while concentrating on deep sea fishing in the other months. He explained that some of their boats have recently diversified operations to go after yellow-fin tuna and, in this, face competition from the multi-day fishing boats of Sri Lanka.

The Sri Lankan fishermen were represented by Justin from Mannar, Thavarathinam from Jaffna and Suryakumar from Vadamarachi. The long war period and the loss of fishing livelihoods, the large scale displacement of fishermen and the loss of property were common problems cited by them. The cruel treatment meted out by the Sri Lankan army as well as the IPKF was mentioned. The situation was still not normal and fishermen were reinvesting in their livelihood with great difficulty. Though NGOs and the Church were helping to some extent with revolving funds for equipment purchase through the cooperatives, fishermen still had to raise a lot of resources themselves. It is in this context that the incursion of Indian trawlers was creating great difficulty in pursuing their livelihood. Locally, in all the areas, they were taking action against harmful methods of fishing based on the awareness campaign that had been conducted by the fisheries department, Church and concerned individuals like Dr. Soosai Ananadan.

They said that in the Jaffna area where around 200 trawlers were present and the operations of these were objected to by the other fishermen and this has resulted in restrictions on their fishing. Further a dialogue had been undertaken with the trawler owners and they have been persuaded to give up trawling. Trawlers have been given time till December 2004 to stop trawling completely. They have been offered help to shift to alternative fishing methods by the cooperatives even though they are short of resources. In this context it was even more difficult to accept trawling by Indian fishermen in the same waters.

The Vadamarachi fishermen stressed that the operation of the Indian trawlers close to their shores when they had long stretches of the coast converted into high security zones, was quite unacceptable.

The Indian fishermen have a large area of their own to fish and it made no sense for them to operate in the limited area that Sri Lankan fishermen of the north possessed. The death of one of their fishermen in a clash with Indian fishermen was mentioned. In this context a clarification was made about the role of the LTTE. It is being said in India that the LTTE was instigating the local fishermen to take action against Indian boats. However, when the death occurred and the local fishermen were getting ready to retaliate, it was the local LTTE leadership that advised the fishermen to maintain their cool and not to get into a conflict with the Indian fishermen.

### ***Mixed group discussions to suggest solutions***

After a tea break, the fishermen were divided into two groups for discussions. In one, the Rameswaram and Mannar fishermen were put together, as they are the ones that face each other at sea. In the other group, the Pudukottai and Nagapatinam fishermen were put together with the Jaffna and Vadamarachi fishermen as their fishing areas overlap. The two groups were asked to discuss solutions to the problem and come up with a consensus if possible.

After an hour of discussion, the groups returned and made presentations. Though both groups had appointed one rapporteur, finally two reports emerged, one from an Indian point of view and another from a Sri Lankan point of view. The Sri Lankan position in both groups was finally the same. The Sri Lankan fishermen wanted an end to trawling in their waters and said that it was not possible for them to accept trawling by Indian boats after their own trawlers stopped fishing. The Sri Lankans felt that the Indian trawlers could be given a few months to stop trawling. The period mentioned was three months with a hint that it could be extended a little longer if needed. The Indian fishermen, on the other hand, talked about

keeping three miles distance from the shore and of banning the use of certain trawl nets. Very clearly the talks were deadlocked.

### ***Working group for a compromise solution***

Fr. Jayakumar suggested the formation of a working group made up of three representatives from each side that would sit in the evening and work out a compromise proposal and present it in the morning the following day. This proposal was accepted with the amendment that it should contain five representatives from each side. Fr. Jayakumar and Vivekanandan briefed the working group about their task. They were asked to come up with areas of agreement as well as areas of disagreement. In the case of disagreements they were asked to propose steps for continuing the dialogue.

However, the working group meeting did not take place in the evening as proposed. The Sri Lankan side wished to have an internal consultation before the working group meeting. The Indian team used the opportunity to have its own consultation, which turned out to be quite a long one. The turn of events was clearly disturbing to the Indians and they were somewhat at a loss to decide on the issue. Finally a consensus emerged that a complete halt to trawling operations in Sri Lankan waters would be accepted in principle. However, the actual stoppage could be effected only over a reasonable period of time like three to five years. Even this needed a discussion with the Government as it was beyond the capacity of the Indian delegation to implement such a measure. It was suggested that the Indians be given three months to make their consultations and come up with a date for stopping trawling. Within this period the Sri Lankan fishermen should come for a reciprocal visit and study the situation in India for themselves.

The 10-member working group met on the 28<sup>th</sup> from 9.00 to 10.30 am. Arulanandam led the Indian group while Dr. Soosai Anandan led the Sri Lankan side. The other workshop participants met in the conference hall and were exposed to a slide show by Vivekanandan on fisheries in different parts of India. He also showed slides taken during his earlier visit to Mannar and showed how the situation in Thalai Mannar has improved with most of the land mines removed in the last one year or so making it a safer place.

### ***Outcome of the working group discussion***

The working group presented its report to the plenary after a period of palpable tension when the discussions appeared to be deadlocked. The working group members looked a relaxed lot when they finally appeared before the plenary. Mr. Suryakumar from Vadamarachi presented the report. The following is the gist of his report.

- It has been agreed in principle by the Indian side that trawling has to be stopped in Sri Lankan waters given that the Sri Lankans are banning their own trawlers;
- No agreement has however been reached on the time frame for stopping trawling as the Indian side is asking for a much longer period than what the Sri Lankan side has in mind;
- A three month period is given for further dialogue on the issue and to come up with 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 3 miles from the Sri Lankan coast in the Palk Bay and 7 miles on the northern coast (Jaffna-Vadamarachi stretch);
- The Indians will not use the following four types of trawl nets: pair trawl, “mixture” net, “chank” net and “roller” net;
- Any violation of the above understanding by Indian boats will be reported to the Indian fishermen’s organisations 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.

Arulanandam spoke on behalf of the Indian fishermen expressing his satisfaction at the progress made in the discussions.

### ***Intervention by Jaffna M.Ps***

Two M.Ps from Jaffna joined the proceedings at this stage: Mr.Shivajilingam and Mr.Suresh Premachandran. Both of them addressed the workshop and gave their support to the dialogue process. Mr.Shivajilingam stressed the need for a compromise based on give and take. He also assured the Indian fishermen that he and the other Tamil M.Ps in the Sri Lankan parliament would work for the early release of the Indian fishermen currently in jail. He said that if there was no progress in this they would approach the President of Sri Lanka with a request to use her powers and issue a pardon. Mr.Premachandran also stressed the need for mutual understanding and harmony between the Indian and Sri Lankan fishermen.

### ***Implications of the agreement for Indian fishermen***

Vivekanandan then made an intervention to explain 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 the Indian waters, it had, over the years, become the most important fishing method. India caught around 28 lakh tonnes of fish each year and was among the leading marine fish producing countries in the world. It is important to recognise that trawling contributes to over 50% 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 (50,000 trawlers approximately), it was unthinkable of talking about stopping trawling in India. Even the Government agencies and the Fisheries Department would find it difficult to accept such an idea.

In the area between Rameswaram and Nagapatinam (the area relevant for the agreement with Sri Lankan fishermen), the total trawl fleet was 4,000 boats with an investment of around 120 crore Indian rupees (approx. 250 crore Sri Lankan rupees). Of this the total debt that trawl fishermen have would be at least 60 crore Indian rupees. The total number of fishermen manning this fleet would be around 20,000. When those who engage in shore-based work as well as the families of all those dependent on the trawl sector are included, the numbers would be in the range of 2- 3

lakhs 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 will be a difficult and time consuming task. So time was a major factor according to Vivekanandan.

He however said that a great beginning has been made in this meeting and this had the potential to transform fishing in India. He felt that the Indian fishermen representatives might not have made this trip if they even had a hint that this is the nature of the agreement they will have to conclude. The fishermen back home would be wondering whether it was worth sending this team if it meant that they would have 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.

### ***Winding up the workshop***

A general session allowing all those interested to make remarks and give feedback followed. A number of individuals, including fishermen leaders and organisers, spoke in this session. Lucas Fernando raised the issue of the Negombo shore seine fishermen being denied fishing opportunities in Mannar and the need to sort out such matters also. Fr.Jayakumar and Herman Kumara also spoke expressing their satisfaction at the process. Fr.Jayakumar called the meeting a historic one.

It must be noted that Mr.Kumar from the Indian High Commission was present on both days of the workshop as an observer and took

careful note of the proceedings. His presence was a morale booster for the Indian delegation. Informally he expressed his appreciation for the workshop and the efforts of the Goodwill mission.

The meeting was wound up ahead of schedule at lunch time. The Tamil Nadu fishermen then used the opportunity to honour all the key persons in the gathering in the traditional manner with *ponnadai*<sup>13</sup>. Many yards of cloth were used to honour all the organisers and leaders present! A number of group photos were taken after this. The meeting dispersed amidst great bonhomie and optimism for the future.

## **Concluding the Mission**

### ***Steering Committee meeting***

In the afternoon the Indian delegation was taken by Mr. Shivajilingam to visit the Sri Lankan Parliament. The Indian delegation subsequently visited the Indian High Commission office at the invitation of Mr. Kumar to discuss about the release of Indian fishermen still in Sri Lankan jails.

The steering committee met to take stock of the situation and discuss about the follow up. Fr. Jeyakumar, Newton Fernando, Meril, Herman Kumara, Lucas Fernando, Sirimal Pinto, Saranapala, Vivekanandan and Antony were present. It was felt that despite many shortcomings, the mission's programme and the workshop went off well. However some issues needed to be sorted out. The communication between

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<sup>13</sup> Putting a shawl around the shoulders as a mark of respect.

the organisations involved had not been adequate before the programme. Some organisations did not get proper and timely information. It was felt that no one was specifically selected to coordinate the programme from the Sri Lankan side and this had led to the lack of proper communication. It was, therefore, proposed that all the organisations present should form a coordinating committee for the future follow up. Herman Kumara was elected convener of the committee and made responsible for communication and coordination.

It was felt that SEDEC should play a larger role than its current one, but this needed a policy direction from its Board of Directors. Newton Fernando agreed to take up the matter at the next Board meeting of SEDEC in June.

The funding for the Sri Lankan fishermen's delegation visit to India was discussed. It was decided that if the Sri Lankan side could cover the cost of air tickets for the Sri Lankan delegation, the entire costs in India would be borne by SIFFS.

### ***Final Mission Meeting***

The Goodwill mission team members met in the morning of the 29<sup>th</sup> 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 were talking as if the Indians had agreed to stop trawling in 3 months rather than having asked for three months time to take a decision on the time frame for stopping trawling. While this might be true of some of the fishermen, leaders

like Thavarathinam and Justin understood the problem well, it was felt. The reciprocal visit from the Sri Lankan side would help to clear up the ambiguity.

The information to be released to the press and to local fishermen in the Rameswaram-Nagapatinam belt was discussed. It was felt that unless the fishermen were taken into confidence and made to understand the decision to stop trawling, publicising that decision was not advisable. It was decided to only release the decisions relating to the 3-mile and 7-mile limits and the ban on the four types of trawl nets immediately on arrival in India. Later, in June, a meeting would be organised for all boat owners in Rameswaram to explain the decision and to seek their endorsement. If needed, similar meetings will be held for the Pudukottai and Nagapatinam fishermen. Subsequently the matter can be publicised. Then the whole process of deciding how to stop trawling and the possibility of rehabilitating trawl owners and workers would need to be worked out in consultation with fishermen and Government.

Overall the feeling was that something had been accomplished by the mission but the success now depends on the follow-up activity. While most mission members went around Colombo shopping for gifts to be taken home, the mission organisers spent the day drafting a press release and translating it into Tamil for the Indian media.

### ***Back Home***

The mission returned to Indian on Sunday the 30<sup>th</sup> May arriving at Trivandrum airport. After spending a couple of hours in Trivandrum for preparing the press release and information handout for fishermen's associations, the mission dispersed. The fishermen leaders from Tamil Nadu left home by a specially arranged bus.

## **Mission Findings and Recommendations**

### **Findings**

#### ***The Sri Lankan situation***

1. The Sri Lankan fishermen of the Northern Province (Mannar, Jaffna and Vadamarachi districts) have been badly affected by the two-decade civil war in Sri Lanka and are striving to re-establish their livelihood as a result of the ongoing peace process.
2. As a result of the destruction of agriculture, industry and all shore based livelihoods due to the war, fishing appears to be the major livelihood in many parts of the Northern Province, especially Mannar Island which the mission visited.
3. The operations of the Indian trawlers hailing from Rameswaram to Nagapattinam on the Indian coast are extremely harmful to the livelihood of the Sri Lankan fishermen.
4. As a result of an awareness campaign conducted in recent months among the fishing communities in the Northern province, there is a great deal of concern for resource conservation and management among the ordinary fishermen; fishermen say that the fish resource is the only asset they have and preservation of this asset for the sake of the future generations is their responsibility
5. Many management measures are being implemented to manage the fish resources including a ban on certain fishing methods and nets; a major initiative has been launched to persuade the small local fleet of trawlers in Mannar, Jaffna

and Vadamarachi to completely stop trawling operations; December 2004 is the deadline set to stop the operations of Sri Lankan trawlers.

6. The fishermen of the Northern Province are, in view of the above, determined to stop the trawling operations by Indian boats in Sri Lankan waters.
7. Offers of staying three nautical miles away from the Sri Lankan shore and avoidance of the more harmful nets like the pair trawl, “mixture” net, “roller” net and “chank” net by Indian trawlers have been accepted only as an interim measure and the Sri Lankans are firm in their demand that trawling should completely stop in Sri Lankan waters.

### ***The Indian Situation***

1. The Indian fishermen from Rameswaram to Nagapattinam have during the two-decade civil war in Sri Lanka expanded their fleet and operations to make use of the fishing resources that were not being tapped by the Sri Lankan fishermen.
2. The trawl sector in particular has expanded to levels that make it essential to fish deep in Sri Lankan territory and use every type of net.
3. The sharp increase in diesel prices as well as the decline in prices of shrimp in recent years have put enormous pressure on the economics of trawl operations. There is huge level of indebtedness in the trawl sector and the image of a prosperous trawl owner is based on the good profits earned in earlier years rather than the current situation when owners are trying to make both ends meet.
4. A decline of the trawl sector has already set in with nearly 100 boats being scrapped by owners between Rameswaram



and Nagapattinam. Unless proper measures are taken, this can lead to considerable distress among the fisherfolk.

5. However, there is evidence that the small motorised boats (FRP boat with diesel longtails) using a variety of nets are doing well in many parts, especially the Nagapattinam coast.

### ***A common problem for both fishermen***

Fisherfolk on both sides are extremely agitated by arrest of fishermen and confiscation of fishing boats. At the time of the mission's visit there were 27 Indian fishermen and 83 boats under detention in Sri Lanka. There were also 3 fishermen from Mannar and two of their boats in detention in India. Further, there are a large number of multi-day fishing boats from Sri Lanka confiscated over the years in India and many are not useable anymore. *It is somewhat contradictory the each country is seeking return of their fishermen and boats and at the same time prosecuting the fishermen from the other country and also confiscating their boats.*

### **Recommendations**

1. The Indian fishermen operating trawl boats from Rameswaram to Nagapattinam will have to prepare themselves for a situation wherein they will be unable to operate in Sri Lankan waters.
2. However given that there are around 4,000 trawlers employing 20,000 fishermen and having a population of 3 lakhs dependent on the trawl sector in this belt, a withdrawal of trawlers from Sri Lankan fishing grounds will imply a catastrophe for the fishing community, unless alternatives are provided.
3. A time-bound programme is urgently required to retire at least half of the trawl fleet from Rameswaram to

Nagapattinam; a “buy back” scheme on the lines of internationally accepted practices is needed to achieve this.

4. The “buy back” scheme will have to be carefully designed to ensure that it is fair to both those who leave the trawl sector and those who remain in it.
5. A part of the remaining trawl fleet needs to be diversified for deep sea operation using long lines and gillnets for catching Tuna on the lines of Sri Lanka’s multi-day fishing boats. This will require support and encouragement for adoption of appropriate technology for navigation, communications and safety.
6. Since the Nagapattinam fishermen are on the Bay of Bengal Coast and have easy access to the EEZ, there is great scope for deep sea fishing, especially for Tunas. Since some of the boats have already taken the first step towards yellow fin tuna fishing, upgrading and diverting a part of the fleet for deep sea fishing, rather than fleet reduction is preferred by the Nagapattinam fishermen.
7. A major scheme is required for the rehabilitation of the labour affected by the buy-back scheme in the trawl sector; a large proportion can easily be accommodated in the motorised boat sector which will grow automatically if the trawl fleet is reduced; however, alternate non fishery based employment may have to be considered in specific instances.
8. The Departments of Fisheries of Tamil Nadu and Pondicherry will have to stop registering new trawl boats in the coastal region comprising of the districts of Nagapattinam, Tanjore, Pudukottai and Ramnad of Tamil Nadu and the Karaikkal part of Pondicherry; new boats should not be allowed to come in the place of the boats that

are retired as part of the “buy back” scheme or those that leave the fishery of their own accord.

9. It is important that the above measures are not seen as a one-time fisheries management effort. Fisheries management requires regular monitoring and actions to ensure that no part of the fishing fleet becomes over capitalised or is indulging in fishing activities that harm the stocks or negatively affect other parts of the fleet. Measures may be required quite soon to regulate the nets used by the motorised boats, especially the monofilament nets whose increase is already causing concern.
10. While we are considering methods to downsize our local trawler fleet it is a matter of great concern that foreign trawlers licensed by the Govt. of India are continuing to operate in our continental shelf to the detriment of our own fleet. The Government of India should cancel the licenses at the earliest for the foreign trawlers.
11. It is of utmost importance that the Government of India stop prosecuting Sri Lankan fishermen and the confiscation of their boats and ensure that the Indian fishermen have a similar treatment from Sri Lanka. Both countries need to immediately repatriate all fishermen in detention and return all confiscated boats.

### **Concluding Remarks**

1. Loss of employment on account of the reduction of the trawl fleet need not haunt the policy makers as a capital intensive trawl fleet will be replaced by a more labour intensive motorised fleet using eco friendly methods of fishing.
2. The proposed scheme will not only help the trawl fishermen get out of the current level of unsustainable operations but

also give a fresh lease of life to the small fishermen operating with sailing and motorised vessels.

3. The success of this scheme will substantially strengthen resource conservation and fisheries management in Tamil Nadu and become a model for the rest of the Tamil Nadu coast as well as the rest of the country.
4. A major benefit of the scheme will be to reduce tension between Indian and Sri Lankan fishermen and further improve Indo-Sri Lanka relations

### Appendix 1: Members of the Goodwill Mission

S.No	Name	Village, District	Organisation
1	V.Vivekanandan	Trivandrum	ARIF/SIFFS
2	B.Antony	Trivandrum	ARIF/SIFFS
3	U.Arulanandam	Pamban, Ramnad	ARIF/Singaravelar Meenavar Peravai
4	P.Rajan	Ramnad	ARIF/Dhan Foundation
5	Dr.Subramanian	Madras	SIFFS
6	M.S.Arul	Thankachi Madam, Ramnad	President Ramnad District Mech Boats Association
7	V.K.Jayaseelan	Thankachi Madam	President All country boat fishermen Union
8	N.Devadoss	Rameswaram, Ramnad	Secretary, Port Mechanised boat fishermen association
9	A.Kasilingam	Thirupalakudi, Ramnad	Vice President, Ramnad District Fishworker's Union
10	John Hector	Pamban, Ramnad	Secretary, Verkod fishermen Association
11	S.Emerick	Thankachi madam, Ramnad	President, Fishermen Fishermen's Union
12	F.Vincent Machado	Thankachi madam, Ramnad	Fishermen leader, Mechanised boat owner
13	A.Jesu Raj	Thankachi madam, Ramnad	Young Fishermen's Forum
14	Ravi	Jagadapatnam, Pudukottai	Mechanised Boat fishermen's Association, Jagadapatnam
15	Kalaimani	Jagadapatnam, Pudukottai	Treasurer, Mechanised Boat Fishermen's association, Jagadapatnam
16	Nagappan	Kottaipatnam	President, Jagadapatnam Mechanised Boat fishermen's Association
17	Narayanaswamy Nattar	Keechankuppan, Nagapatnam	Village Headman, Keechankuppam
18	Manoharan	Akkarai pettai, Nagapatnam	Representative, Fishermen Village Panchayat, Akkaraipettai
19	Moorthy	Nambiar Nagar, Nagapatnam	Representative, Fishermen Village Panchayat, Nambiar Nagar
20	Kaliyaperumal	Nagore, Nagapatnam	Representative, fishermen Village Panchayat, Nagore
21	Sethupathy Nattar	Arcot thurai, Nagapatnam	Headman, Arcot thurai

## **Appendix 2**

### **Itinerary of Goodwill Mission**

#### **23 May 2004**

1.00 pm : Departure to Sri Lanka from Trichy airport  
2.30 pm : Arrival at Katunayake Airport, Colombo  
3.00 pm : Leave for Mannar by road  
11.00 pm : Arrival at Mannar and stay at OMI fathers centre

#### **24 May 2004**

10.00 am : Reception to Goodwill mission and meeting at  
Valvudhayam, Mannar  
2.00-5.00 pm: Field visit to Thalai Mannar and Vangalapadu  
6.00 pm : Meeting with Mr.Adaikalanathan, M.P., Mannar  
7.00 pm : Departure to Negombo

#### **25 May 2004**

2.00 am : Arrival at Negombo  
11.00 am: Mission internal meeting  
3.00-5.00 pm: Visit to Pitipana for meeting with Negombo fishermen and  
exposure to multi-day boats  
6.00 pm : Meeting at residence of Mr.Lucas Fernando, National  
Union of Fishermen

#### **26 May 2004**

10.00 am : Arrival at SEDEC, Colombo  
11.00 am: Workshop Steering Committee meeting  
6.00 pm onwards: Arrival of Sri Lankan fishermen delegations from Mannar and Jaffna

#### **27 May 2004**

9.30 am : Two day workshop at SEDEC starts  
5.00 pm : Workshop closes for the day, discussions continue

#### **28 May 2004**

10.00 am : Workshop continues  
2.00 pm : Workshop concludes  
5.00 pm : Small group briefs Dr.Piyasena, Director General Fisheries,  
Sri Lanka

#### **29 May 2004**

11.00 am : Mission internal meeting

#### **30 May 2004**

8.00 am : Departure to Trivandrum from Colombo airport  
8.30 am : Arrival in Trivandrum

## **Appendix 3 : About ARIF**

### **1. Origin**

The Alliance for the Release of Innocent Fishermen (ARIF) is the result of a meeting organised by the South Indian Federation of Fishermen Societies (SIFFS) at the suggestion of the National Fishworkers Forum (NFF), in Nagercoil, Tamil Nadu in December 1996. The inspiration for the meeting was the successful release of a large number of Indian and Pakistani fishermen at the initiative of Central Trade Unions and NFF under the aegis of the South Asia Labour Forum (SALF) anchored by the Centre for Education and Communication (CEC), Delhi. Representatives from many central trade unions, NGOs and fishermen associations came together in at Nagercoil to discuss the issue of fishermen getting shot at and detained on the Indo-Sri Lankan maritime border. ARIF came into existence in the follow up meeting held in Madras in January 1997.

### **2. Objectives of ARIF**

- ☞ To study and understand the various dimensions of the problem that leads to the arrest of innocent fishermen
- ☞ To work for the early release of innocent Indian fishermen who are in Sri Lankan jails
- ☞ To work for the release of innocent Sri Lankan fishermen in Indian jails
- ☞ To work for the creation of a permanent mechanism to ensure prompt repatriation of Indian and Sri Lankan fishermen who cross borders.

- ☞ To work for a broader policy at SAARC level which will ensure that fishermen crossing borders are treated humanely and are not unnecessarily imprisoned for long stretches.

### **3. Members of ARIF**

#### ***Central Trade Unions:***

AICCTU, AITUC, CITU, HMKP,  
HMS, INTUC, National Fish workers Forum

#### ***State level Trade Unions:***

MLF, Fishermen wings of DMK and AIADMK.

#### ***NGOs :***

South Indian Federation of Fishermen Societies (SIFFS),  
Trivandrum  
Tamil Nadu Rural Reconstruction Movement(TRRM),  
Ramnad  
SNEHA, Nagapattinam,  
People's Watch, Madurai  
Human Rights Foundation(HRF), Madras  
Christian Workers Movement, Madras  
Centre for Education and Communication(CEC), Delhi  
Dhan Foundation, Madurai

#### ***Fishermen Associations:***

Tamil Nadu Meenavar Peravai (Madras)  
Tamil Nadu Fishworkers Forum(Nagercoil)  
Singaravelar Meenavar Peravai (Pamban)



#### **4. The ARIF set up**

ARIF is an unregistered entity. It has a Convener, who is responsible for the day to day activities of ARIF. The secretariat of ARIF is based at the South Indian Federation of Fishermen Societies, Trivandrum. A SIFFS staff member assists the Convener as the network coordinator and an ARIF member based in Rameswaram operates as ARIF representative in Tamil Nadu. Another volunteer in Cochin helps whenever there are cases in Cochin. A separate Kerala chapter was also constituted in 2002.

#### **5. Our Sri Lankan partners**

Over the years a number of organisations and individuals have been associated with us in Sri Lanka and have partnered us in working for release of Indian fishermen in Sri Lankan jails as well as to provide us with information on Sri Lankan fishermen detained in India and to contact their families. These include the following:

Forum for Human Dignity, Socio-Economic Development Centre (SEDEC), National Fisheries Solidarity (NAFSO), Fisheries Development and Solidarity Centre (FDSC), United Fishermen and Fishworkers Congress (UFFC), National Union of Fishermen (NUF). Dr. Steve Creech helped us in an individual capacity for many years. A number of political leaders including Douglas Devananda and Selvam Adaikalanathan have also been of immense help over the years.

#### **6. ARIF Activities so far**

Since January 1997, ARIF has been accomplished the following:

### ***Work for Sri Lankan fishermen***

- ☞ Humanitarian assistance to the hundreds of Sri Lankan fishermen who were in Indian jails for varying periods.
- ☞ Legal assistance for those who had to face cases.
- ☞ Follow up of cases of arrested fishermen at Government level to get cases withdrawn.
- ☞ Liaison with the Sri Lankan Deputy High Commission at Madras for early repatriation of arrested fishermen.
- ☞ Kerala and Tamil Nadu Police normally hand over the fishermen to ARIF once they are released from jail till they are either sent back by sea or handed over then to the Sri Lankan Deputy High Commission.
- ☞ Payment of fines on behalf of indigent fishermen once their cases are over and they are sentenced.
- ☞ Help to repair boats of fishermen when they are released with their boats.

### ***Work for Indian fishermen***

- ☞ Liaison with Sri Lankan partners and Indian High Commission in Sri Lanka for release of Indian fishermen in Sri Lankan custody.
- ☞ Arrangements for legal assistance with the help of Sri Lankan partners.

- ☞ Payment of fines and legal expenses in the case of indigent fishermen.
- ☞ Financial assistance for return by air in some cases.

### ***Policy advocacy***

- ☞ ARIF organised a “fact finding mission” from South Asia Labour Forum (SALF) with representatives from central trade unions of India in 1998.
- ☞ ARIF has been systematically studying and documenting the issue of arrests and the underlying causes.
- ☞ ARIF has been taking up the issue at various national and international fora and has raised awareness levels on the issue among policy makers and concerned departments.
- ☞ A detailed paper on trans-border fishing on the Indo-Sri Lankan maritime boundaries has been prepared and circulated widely.

In addition to the above ARIF has been involved in the occasional cases of Indian fishermen arrested by Maldives.

**Appendix 4**  
**Press Release at Trichy before departure of Goodwill**  
**mission for Sri Lanka**

**PRESS RELEASE-1**

A Goodwill Mission of Tamil Nadu fishermen is leaving for Sri Lanka from Trichy on Saturday the 23rd May. The Goodwill Mission is organized by the Alliance for Release of Innocent Fishermen (ARIF), a network of trade unions and non governmental organizations. The Trivandrum based South Indian Federation of Fishermen Societies (SIFFS) coordinates the activities of ARIF. ARIF has been for the last 6 years involved in providing legal and humanitarian assistance to Indian fishermen arrested by Sri Lanka and Sri Lankan fishermen arrested by India.

The Goodwill Mission composed of 15 fishermen leaders and 6 ARIF members is basically concerned with the problem of Tamil Nadu fishermen, especially from the Palk Bay and Straits, who cross over to Sri Lankan waters for their fishing operations on a regular basis. This problem has been intractable and hundreds of fishermen from Tamil Nadu have been arrested and detained over the years by the Sri Lankan authorities. Till 2000 there were a number of incidents of shooting and consequent loss of fishermen lives. Despite these problems, the Tamil Nadu fishermen have been regularly fishing in Sri Lankan waters and it is only occasionally that the Sri Lankan Navy apprehended the Tamil Nadu boats. These occasional incidents of course had tragic consequences.

Since the declaration of truce between the LTTE and the Sri Lanka Government, the fishermen of the Northern and Eastern Provinces

of Sri Lanka have been given the opportunity to fish normally for the first time in two decades. This has qualitatively changed the situation in the Palk Bay where the fishermen of Tamil Nadu had a virtual monopoly over the resources till now. The fishermen of Jaffna and Mannar districts are increasingly competing for the resources and they are pressurising their Government to take action against the Indian boats. Not satisfied with the response of their Government, the Sri Lankan fishermen have started capturing Indian boats and have been handing them over to the authorities. This has, at times, led to clashes at sea. Recently, one Sri Lankan fisherman died in such a clash.

The Goodwill mission is basically an attempt by the Tamil Nadu fishermen to understand the view point of the Sri Lankan fishermen and in turn to explain to the situation and compulsions they face. It is also intended to explore possible ways of avoiding conflicts and the best ways to share and manage the common resources of the Palk Bay. It is intended to build goodwill for each other and to pave the way for an eventual solution of the problem. The fact that fishermen on both sides of the Palk Bay share the same language and culture and have long standing historical contacts is the basis of some optimism for the mission.

The fishermen leaders in the mission are basically drawn from Nagapattinam, Pudukottai, and Ramnad districts which face this problem. Even though the majority are from the mechanised boat sector, a few representatives of the traditional boats are also present. The mission starts on the 24<sup>th</sup> with an exposure trip to Mannar, one of the areas where local fishermen are affected by the operations of

Indian boats. This will be followed by a visit to Negombo where the local Sri Lankan fishermen have been victims of arrest by the Indian Coast Guard. On the 27<sup>th</sup> and 28<sup>th</sup> May, a workshop has been organised at Colombo where the Tamil Nadu fishermen have an opportunity to have a dialogue with the fishermen of the Northern Province of Sri Lanka. We have information that a team of 22 fishermen representing the Jaffna and Mannar districts is getting ready to attend the workshop. There is already a good coverage of this event in the Sri Lankan media.

The Goodwill Mission is being supported on the Sri Lankan side by a large number of non governmental organisations, trade unions and the Catholic Church. The workshop in Colombo, will be inaugurated by Dr.Piyasena, Director General of Fisheries in Sri Lanka. The Departments of Fisheries of Tamil Nadu and the Government of India have been appraised of this mission and have expressed interest in its outcome. The mission is quite clear that this civil society initiative will bear fruit only if the Governments on both sides follow it up with appropriate steps.

The mission is being lead by V.Vivekanandan, Chief Executive of the South Indian Federation of Fishermen Societies and Convener of ARIF. The other ARIF members in the mission include representatives of Singaravelar Meenavar Peravai, SNEHA, DHAN foundation and TRRM. The mission is expected to return to India on the 30<sup>th</sup> May.

**Appendix 5**  
**Press Release Given on 30-5-2004 on Mission's**  
**return to India**

**PRESS RELEASE-2**

A 21 member Goodwill mission of Indian Fishermen returned after a week's visit to Sri Lanka on the 30<sup>th</sup> May 2004. The Mission, which had been organised by the Alliance for Release of Innocent Fishermen (ARIF), had the basic objective of discussing the problems relating to the fishing operations of Indian fishermen in Sri Lankan waters that had led to clashes between the two sides in recent months. The mission was intended for both sides to understand each other's problems and points of view and to work out a mutually acceptable formula for fishing in the Palk Bay and Palk Straits. The mission included 16 fishermen leaders from Ramnad, Pudukottai and Nagapattinam districts and 5 ARIF representatives that included representatives of South Indian Federation of Fishermen Societies (SIFFS) and Dhan Foundation.

The two sides were able to reach an understanding on a number of issues. These include certain restrictions on the operations of Indian boats in Sri Lankan waters and the setting up of a mechanism to take action on violations. A key restriction agreed to was that the Indian boats will fish beyond 3 nautical miles from the Sri Lankan shore within the Palk Bay. However, this limit will be beyond 7 nautical miles on the Vadamarachi coast where a 3 mile "high security" zone exists. The other restriction is on certain types of trawl nets, *viz*, pair trawl, "roller net", "mixture net" and "chank net". It was also accepted that the resources of the Palk Bay needed to be preserved and that it was the responsibility of the fishermen

on both sides to ensure that the resources are utilised in a judicious manner and that the livelihood opportunities of the next generation is not affected.

An understanding was also reached on the need to work for the early release of fishermen and boats detained on both sides. The two Jaffna M.Ps present in the workshop Mr.Shivajilingam and Mr.Suresh Premachandran, promised to approach the President of Sri Lanka for a special order if an early release could not be obtained.

The Sri Lankan fishermen have also accepted an invitation to visit India within the next two months to continue the dialogue, especially to consider certain resource conservation measures that need more time and home work before a decision could be taken. The visit of the Sri Lankan delegation will further strengthen the goodwill created by the visit of the Indian delegation.

The Mission had reached Colombo on the 23<sup>rd</sup> afternoon and immediately proceeded to Mannar where an exposure programme had been organised for the Indian delegation on the 24<sup>th</sup>. Valvudhayam, the local service organisation of the Catholic Church had organised a reception for the Indian delegation which was well attended. Those who attended the reception and spoke on the occasion included the Government Agent (equivalent of our District Collector) Mr.Visuvalingam, Bishop R.Joseph, Members of Parliament Mr.Selvam Adaikalanathan, Mr.Kishore, Mr.Vinodalingam and Mr.Sivasakthi Anton. The Assistant Director of Fisheries of Mannar Mr.Tayab, Fr.Yesuraja of Valvudhayam and the Mr.Justin, President of the Mannar District Fishermen Cooperative Union also spoke on the occasion.



On the 25<sup>th</sup> May, the Mission visited Negombo and met local fishermen working on Sri Lankan multi day fishing boats which are regularly detained by the Indian authorities for fishing in Indian waters, and listened to their problems. It was proposed to lobby for an agreement between the two Governments that will ensure swift executive action in cases of border crossing rather than current tedious route of prosecution in a court of law.

The Workshop at Colombo wherein the Indian and Sri Lankan fishermen reached an understanding was held at the Social and Economic Development Centre (SEDEC) of the Catholic Church and was attended by a wide range of individuals and organisations interested in the issue. Representatives of the Fisheries Department of Sri Lanka and the Indian High Commission were present as observers. National Fisheries Solidarity (NAFSO), National Union for Fishermen (NUF), United Fishermen and Fishworkers Congress (UFFC), SEDEC, Human Development Centre (HUDEC) and Valvudhayam were represented in the workshop. Fr.Jeyakumar of HUDEC chaired the workshop sessions. Prof.Soosai Anandan from the Jaffna University and V.Vivekanandan, head of the Indian delegation, made detailed presentations on the problem before the discussions started between the fishermen delegations. The Sri Lankan fishermen were led by Mr.Thavarathinam from Jaffna, Mr.Justin from Mannar and Mr.Suryakumar from Vadamarachi.

The Mission Leader V.Vivekanandan, Chief Executive of the Trivandrum based South Indian Federation of Fishermen Societies, expressed great satisfaction at the results of the Mission and was hopeful that another round or two of discussions will lead to a permanent settlement to the fishing issues between the fishermen of Tamil Nadu and Sri Lanka. The mission will take steps to appraise the Governments of Tamil Nadu and India of the outcome of the Sri Lanka trip.

**Appendix 6**  
**Circular sent to all fishermen associations from**  
**Rameswaram to Nagapattinam**

**Details of Understanding Reached between Indian and Sri Lankan Fishermen on Fishing in the Palk Bay and Palk Straits**

At a workshop held at Colombo on the 27<sup>th</sup> and 28<sup>th</sup> May 2004, an Indian delegation consisting of 21 members and including 16 fishermen leaders from Ramanathapuram, Pudukottai and Nagapattinam districts and a Sri Lankan delegation consisting of 18 fishermen from Mannar, Jaffna and Vadamarachi districts reached the following understanding:

1. The Sri Lankan fishermen of the Mannar, Jaffna and Vadamarachi districts have suffered for a long period from the civil war in Sri Lanka and they are now using the truce to start normal fishing operations. In this context, the unrestricted fishing by Indian boats close to the Sri Lankan shore has created a threat to the livelihood and resource base of the Sri Lankan fishermen. Hence restrictions are necessary on the fishing of Indian boats in Sri Lankan waters.
2. The Indian fishermen will keep a distance of not less than 3 nautical miles from the Sri Lankan shores in the Palk Bay and Palk Straits. However, on the Vadamarachi coast this limit will be 7 nautical miles.
3. The Indian trawlers will not use the following nets in Sri Lankan waters: Pair trawl, “roller net”, “mixture net” and “chank net”.

4. If any Indian boat violates the above understanding, the Sri Lankan fishermen organisations will not take any direct action but report the violation to the Indian fishermen associations, who will then take strict action on the erring fishermen.
5. For further regulations that need to be taken in order to preserve the fish resources of the Palk Bay, another round of discussions will be held to work out details. This will take place in India within 2 to 3 months when a Sri Lankan delegation will come for a reciprocal visit.
6. Both sides shall work for the early release of the fishermen and boats currently in the custody of the Indian and Sri Lankan authorities. The fishermen leaders from both countries hereby appeal to both Governments to drop all cases against fishermen and to repatriate them with their boats without delay.

The above decisions were taken at the workshop after the Indian delegation visited Mannar and had consultations with the local fishermen leaders, Government Agent (equivalent of District Collector), Catholic Bishop and four Members of Parliament from Wannai. The workshop in Colombo was attended by representatives of the Sri Lanka Fisheries Department and the Indian High Commission. Two MPs from Jaffna also participated in the workshop. A number of civil society representatives and academics from Sri Lanka were also present. The Indian delegation included 5 representatives of ARIF.



**SIFFS** is a leading non-governmental organisation in fisheries. It functions as the apex body of over 100 primary fish marketing societies of artisanal fishermen in Tamil Nadu, Kerala and Pondicherry, which are in turn affiliated to District federations that are the members of SIFFS. The village level primary societies take care of the local fish marketing, credit and saving needs of over 6000 fishing units which benefit 25,000 fishermen. The total fish sales of this network was around Rs.360 million in 2003-2004. The district federations provide various support services to the societies including monitoring, input supply, credit services and welfare measures. SIFFS as the overall apex, has a wide range of activities, both commercial and developmental. These include running a network of boat yards making marine plywood boats for artisanal fishing, supply of out board motors, a network of motor service centres, ice plants, a large micro-finance programme, domestic and export marketing of fish, R&D in fishing technology, promotion of societies in new areas, policy research and advocacy. Some of the SIFFS services are available in Karnataka and Andhra Pradesh also.

**ARIF** or the Alliance for Release of Innocent Fishermen is a network of Trade Unions, NGOs and Fishermen Associations. It was formed in 1997 in response to the problem of Indian and Sri Lankan fishermen who are arrested for crossing the Indo-Sri Lankan border at Sea in pursuit of fish and languish for long periods in jails. ARIF has been providing humanitarian and legal assistance to these fishermen. ARIF has also been working on finding a long-term solution to this problem. The ARIF secretariat is based in SIFFS. The Goodwill Mission of Indian fishermen to Sri Lanka in May 2004 was organised by ARIF.