



Seminar on permanent solution to Fisherworkers prisoners
8th Febuary 2002 at Karachi.

Pakistan Fisherfolk Forum (PFF) being a national organization of the fisherfolk communities engaged massive advocacy processes on the issues of coastal as well as inland fisheries communities organized a one- day seminar titled Permanente solution to Fishworkers prisoners at Sidco Centre Karachi Pakistan on Febuary 8, 2002. and fishing communities, representatives of NGOs and representaves of trade unions widely attended the seminar discussed and urged the both Pakistan and India that the arrest of fisherfolk in Pakistani as well as in Indian waters be stopped and they should not be treated as "prisoners of war." The seminar chaired by Mohammad Ali Shah and other speakers were Karamat Ali Director Pakistan Institute of labor education and Research, Haji Bhoota Manager Fishermen cooperative society, Saeed Baloch, Mubarak Ali, Shakeel Baloch and mother of Iqbal who remained in Indian jail. The speakers of seminar said that the act of exchange by the governments has not been undertaken as part of any clear policy. There is no bilateral agreement defining the maritime borders between the countries. Besides, this does not guarantee that arbitrary arrests and illegal detention will not happen again.

In the seminar demanded that India and Pakistan mark out the maritime boundary, so that buoys and other marking devices would be visible to fishermen while they are at sea. They informed to the participants of seminar that India has a long coastline of 7,417 km. Pakistan's coastline lies almost parallel to the 1050 km-long Gujrat coast in India. As for the Bay of Bengal, India shares the coastline and the marine resources with Bangladesh. Sri Lanka has its northern coastline along the Palk Straits.

However, there are no bilateral agreements on maritime boundaries between India and any of these South Asian countries. The provisions of the Maritime Zones of India Acts, 1976 and 1981, under which the fishermen are detained and punished do not correspond with those of the United Nations Convention of the Law of the Sea, of which India and Pakistan are a signatory. The Maritime Zone of Pakistan Act is almost identical to the Indian law. They also urged that these Acts be amended in such a way that they are in consonance with the UN Conventions. It has also requested that fishermen's organizations and trade unions be represented at and consulted on bilateral or regional negotiations on this issue. For fishermen, the concept of marine borders is difficult to comprehend.

They said whether Indian or Pakistani fishermen all the jailed fishermen are poor. The ocean has been their workplace and their families have been engaged in fishing for generation. The hardships faced by thousands of fisherfolk, who live

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and work on the borders of India and Pakistan, are terrible. They maintained that there are no signals on the sea that demarcate the border. Above all, there is no agreed boundary on the Arabian Sea between India and Pakistan. For their mutual convenience, the patrolling agencies have worked out an imaginary line in the Sir Creek region, off the Kutch Coast.

Introduction & Background of prisoners fishermen

Pakistan and India share the water and the resources of the Arabian Sea. Pakistan has its coastline of 1050 km while the India has a longer coastline of 7417 km. The United Nations Convention on the Laws of the Sea has a very clear guideline regarding protection and utilization of precious marine resources vis-à-vis the territorial integrity and sovereignty of the coastal states, the fishermen of Pakistan and India fishing in the Arabian Sea face a lot of problems at the hands of marine agencies of both the countries.

The fishermen in the traditional and small-mechanized boats are caught and jailed by the marine agencies of both the countries on the allegations of crossing the sea borders of the respective countries. These fishermen are being frequently apprehended at mid-sea, charged with violations of maritime boundary and EEZ, detained, and sent to jail. While the poor and helpless fishermen rot in jails for years, the story of their families back home is one of intense human tragedy and utter distress. They face starvation and acute economic problems in the absence of their bread earners.

There are no signs on the sea, which demarcate the sea border. Above all, there is no agreed boundary on the Arabian Sea between India and Pakistan. For their mutual convenience, the patrolling agencies have worked out an imaginary line along the Sir Creek region off the coast of Kutch. Fishing boats can unwillingly and unknowingly cross into other's territory because of tidal currents, wind force, cyclone and engine failures.

Besides, arrests of the fishermen engaged in employment in the sea are mostly arbitrary and in some cases, simply a 'tit for tat' or retaliatory action. There exists not established policy or legal provision to deal with the release of captured fishermen. According to the local fishermen the Indian forces usually capture the Pakistani fishing boats and take the fishermen into custody. When the news of the capture Pakistani fishermen is published in the newspapers, Pakistani forces become active and even cross the boundaries to catch Indian forces only to 'make score' equal.

Interestingly, after the arrest of the fishermen both the countries in place of implementing the UN Convention on Sea, treat the fishermen as 'prisoners of war'. They release the captive fishermen from time to time on an exchange basis. Despite the saga of fishermen on both the sides of the border, both the countries have never tried to formulate a concrete policy on this issue. According to the recent figures there were about 200 Pakistani prisoners were imprisoned in the jails of India, while about 100 Indian Fishermen also were in the jails of Pakistan.

Presently, as the tensions have once again grown between India and Pakistan, it is feared that more and more fishermen would be arrested by the agencies of both the countries, which would further aggravate the sorrows of the indigenous fishermen and their families.

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