

■ LIVELIHOOD ISSUES

Deep-rooted trouble

A way out of the conflict involving Indian and Sri Lankan fishermen is to regulate the flow of capital into marine fishing and reinvent sustainable fisheries.



A fishermen's colony at Thalwilawella, in Puttalam district of Sri Lanka.

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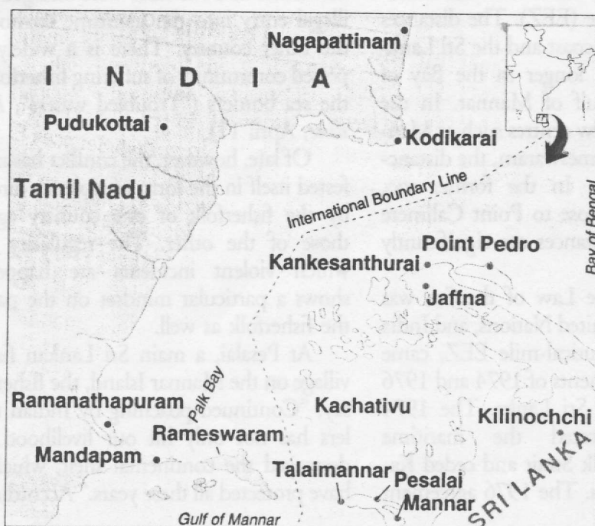
THE International Boundary Line (IBL), the maritime boundary between India and Sri Lanka, is caught in a conflict that has been taking newer and newer forms. Fishermen on both sides are increasingly sensitive to the territorial limitation. The 'securitisation' of coastal issues, ethnic conflicts and terrorism have given the various players reasons to justify the drastic and unaccountable actions against fishermen. Adoption of new technology and the big capital involved in maritime activities have made peaceful coexistence of fishermen a difficult proposition. The governments have ensured that the fisherfolk are imbued with a sense of territorial rights. The political and social atmosphere that has been induced is such that each side looks upon its fisherfolk as fighters and those across the border as aggressors.

Indian fishermen have been a regular target of attack by the Liberation Tigers of Tamil Eelam (LTTE) ever since the ceasefire

declared in February 2002 between the Sri Lankan government and the Tigers. In November, the LTTE abducted 32 fishermen from Ramanathapuram in Tamil Nadu and released them only on the intervention of the Norwegian peace facilitators. Some years ago, a number of Indian fishermen were injured when the LTTE attacked a Sri Lankan naval camp in northern Talaimannar, using Indian fishing vessels as cover. The militants virtually dragged the fishing

vessels along with them. Muruganandan, president of the Ramanathapuram District Fishermen's Association, says: "LTTE men regularly take away our fishing boats and send the crew back. People belonging to Rameswaram lost at least 40 boats recently."

The issue of national security along the coastal borders necessitates the constant presence of the military in the region. The military justifies its action in the name of anti-terrorism. There is thus a state of continuous low-intensity warfare on the sea border, with a cumulative impact on the fisherfolk. At Kankesanthurai (in Jaffna, in northern Sri Lanka), J.H.U. Ranaweera, Commanding Officer (North) of the Sri Lanka Navy, sees trespassing Indian fishermen as "one of the biggest security problems". "Several times in a week, up to 200 Indian boats can be spotted in high-security waters around the islands off Jaffna peninsula, like Delft, Nainathivu, Karainagar and Kovilan Point. We are on high alert all the time for LTTE boats. When we see such a large number of Indian fishing boats, it is impossible for us to tell whether they are really



fishermen or the Sea Tigers," he said. He cited instances of how Navy crafts were badly damaged when they went up-close to inspect what looked like Indian fishing boats, but in reality were boats that had the Sea Tigers' suicide squads on board.

India and Sri Lanka share a maritime border of more than 400 kilometres, which cuts through three different seas – the Bay

demarcated the boundary in the Gulf of Mannar and the Bay of Bengal and barred either country's fishermen from fishing in the other's waters.

As recently as December 4, 2003, the Sri Lanka Navy arrested 77 Indian fishermen. Another group of 11 fishermen was arrested on December 8 at the islet of Kayts off Jaffna. Such arrests have been an ongo-

official figures, Mannar has 4,175 families that depend on fishing for a livelihood. A total of 4,593 people, spread across 34 villages, are engaged in this occupation and have 1,673 boats. Only 75 mechanised boats operate from Pesalai village. The ethnic conflicts in Sri Lanka had resulted in the seas being closed to them, while their counterparts from India could poach in these

waters. All the four northern districts of Sri Lanka – Jaffna, Mannar, Kilinochchi and Mullaithivu – contributed of an average annual marine production of 6,300 tonnes between 1994 and 2000 to the national average of 2.30 lakh tonnes. With the peace process under way in Sri Lanka, these areas have once again been opened to the Sri Lankan fishermen, who perceive the Indian fishermen encroaching on their waters as their main enemies. S. Madhuvalan, an unemployed graduate who has fallen back on his family occupation, says, "We can see the Indian fishermen with our own eyes from the shore. This

encroachment is what hits us badly."

"The Indians come close to the coast in their mechanised boats and cut and destroy our nets. Our fishermen suffer great financial loss owing to this," says Nataraja Kadiravpillai, president of the Citizens' Committee of Nainathivu, a small island off Jaffna peninsula. He says the poaching usually begins after dark, with poachers coming in large numbers. "From here it looks as if the entire village is about to descend on the tiny island. They sometimes come as close as up to 300 metres of the coastline." An official comments: "It is a situation of despair. It is turning out to be a battle between the fishermen of two countries, who depend on the sea for their livelihood."

These writers witnessed hundreds of fishermen in the northern districts of Sri Lanka taking out protest marches against what they described as the Sri Lankan government's lack of action to stop the encroachment by Indian fishermen. Angry marchers raised slogans and carried aloft banners urging the government to protect Mannar's marine wealth. "Save our resources" read one banner. "Sri Lanka is our land, its seas are our home" said another. "The Sri Lankan Navy must protect our waters from Indian fishermen. Already we live and work under so many restrictions.

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PICTURES: MUKUL SHARMA



Vercode village in Rameswaram, Tamil Nadu.

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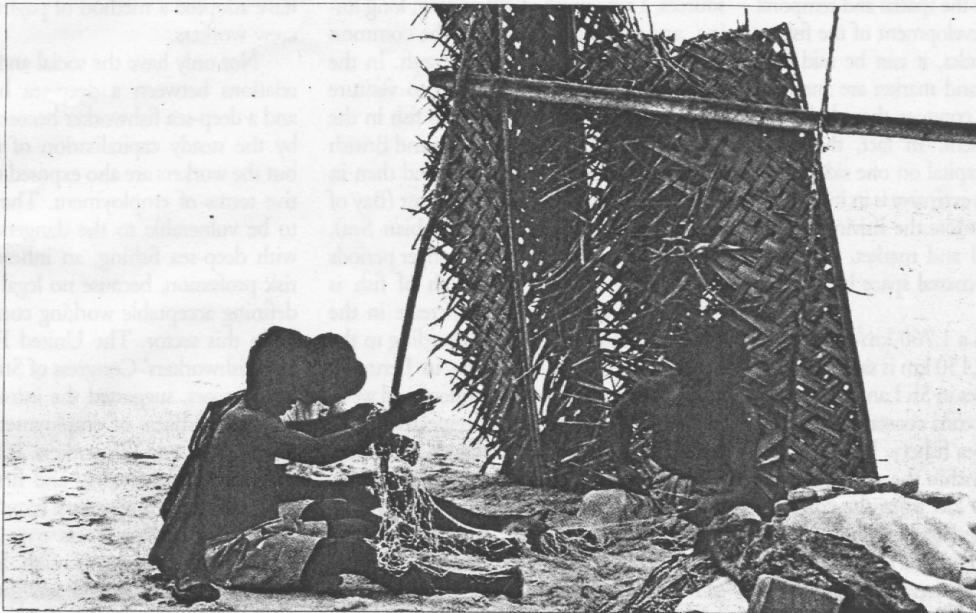
of Bengal in the north, the Palk Bay in the centre, and the Gulf of Mannar (which opens to the Indian Ocean) in the south. The geographical aspect is worth mentioning here. The IBL is close to the shores of both countries in the Palk Bay region, where the maximum distance separating them is around 45 km and the minimum 16 km (between Dhanushkodi on the Indian coast and Talaimannar on the Sri Lankan coast). Crossing the IBL would mean entering into the territorial waters (12 nautical miles or 22 km) rather than the Exclusive Economic Zone (EEZ). The distances between the Indian coast and the Sri Lankan coast are much longer in the Bay of Bengal and the Gulf of Mannar. In the latter, except for a few centres such as Mandapam, south of Rameswaram, the distances are considerable. In the former too, except for centres close to Point Calimere (Kodikarai), the distances are significantly large.

Even before the Law of the Sea was negotiated at the United Nations, and India declared its 200-nautical-mile EEZ, came the maritime agreements of 1974 and 1976 between India and Sri Lanka. The 1974 agreement demarcated the maritime boundary in the Palk Strait and ceded Katchiv to Sri Lanka. The 1976 agreement

ing phenomenon. Pathinathan, S. P. Royappan, Susha Raj, John, Sebastian, M. Sahayam and Pandi, among thousands of other men who fished in the sea border in the Palk Bay off Tamil Nadu were arrested, harassed and even killed in the sea. Their boats were drowned or captured. K.S. Nicholas, W. Wilbert, K.S. Joseph Washington, Sirinimal Fernando, Wijendra Waduge Chandra and many more fishermen of Sri Lanka met with the same fate in the hands of the Indian Navy and Coast Guard. The fishermen in both cases were charged with illegal entry into the maritime territory of the other country. There is a widely dispersed community of suffering fisherfolk on the sea borders ("Troubled waters", *Frontline*, April 11).

Of late, however, the conflict has manifested itself in the form of violence directed by the fisherfolk of one country against those of the other. The regularity with which violent incidents are happening shows a particular mindset on the part of the fisherfolk as well.

At Pesalai, a main Sri Lankan fishing village on the Mannar Island, the fishermen say, "Continued poaching by Indian trawlers has not only hit our livelihood, but destroyed the continental shelf, which we have protected all these years." According to



Sri Lankan fishermen working on their nets on the west coast.

The Indian fishermen have only been adding to our problems," said S. Vimalanandan, a fisherman from Delft.

Attacks on Indian fishermen, particularly those who poach in Sri Lankan waters more frequently, have become a regular feature. On March 3 and 5, 2003, Sri Lankan Tamil fishermen from Pesalai and Neduntheevu attacked 154 fishermen from Rameswaram and Mandapam and seized 21 boats, because they were fishing beyond Kachativu. Two fishermen from Rameswaram, Arul (26) and Rajan (35), suffered fractures in their hands. Sri Lankan fishermen attacked six fishermen from Karaikal, who had gone to fish near Kodikarai, on March 11, 2002. Further, 103 Rameswaram fishermen were detained along with their 25 mechanised boats by the fishermen of Pesalai in Sri Lanka on September 19, 2002.

According to fishermen in Rameswaram, on March 3, at dawn, when 112 fishermen from Rameswaram in 21 mechanised boats were trawling their double nets off Kachativu for tiger prawn, they were surrounded by a few hundred fishermen from Pesalai in Mannar and Neduntheevu in the Jaffna peninsula. One Sri Lankan fisherman shouted, "Why do you come into our sea and churn it up?" They then boarded the mechanised trawlers, damaged them, and assaulted the fishermen, the Indian fisherman said. Two days later, 42 fishermen from Mandapam, who sailed into the seas in nine mechanised trawlers, were 'abducted' by fishermen from Mannar. Emotions ran high at Rameswaram, Pamban, Thankachi Madam and Mandapam in Ramanathapuram district.

About 1,200 mechanised trawlers and around one lakh fishermen and other workers struck work. N. Devadass, secretary, Rameswaram Port Mechanised Boat Owners' Association, demanded the right to fish in the waters around Kachativu.

Arguments came from the other side of the fence too. J.A. Santhiogu Cross, the president of a cooperative society of Pesalai fishermen, argued: "If someone comes to our house and takes our property, what do we do?" On the plan for a districtwide protest by Pesalai fishermen after they attacked Indian fishermen, Cross said: "When the Tamil Nadu fishermen announced that they were going to stage a protest, those held in custody here were released. We can also show our strength."

ONE of the features that could form a basis for understanding the conflict relates to the impact of capital and technology on the marine sector. The gradual expansion of capital in this sector has created a profitable market for big capital and its owners, subjugating all other modes of production. In the course of this development, the capital strives simultaneously for more and more expansion and for increasing annihilation of ecological and social spaces. In the coastal borders, capital and technology have created a new community in the past two decades and caused the universal appropriation of nature as well as of the community and social bond by the fisherfolk themselves.

An overview of the marine sector and fisherfolk in and around Rameswaram, which is the most affected place in India, shows how the expansion of capital and

technology has the capacity to transform the whole sector. According to A.J. Vijayan, Editor of *Waves*, a fortnightly on fishermen published from Thiruvananthapuram, there are 1,000-odd trawling boats and 1,500 canoes – large-mechanised, small-mechanised and small non-mechanised – and small non-motorised catamarans operating from the island. Most of the mechanised boats are engaged in all forms of trawling, that is bottom, mid-water, pelagic and pair trawling, during different seasons with different types of nets. A mechanised trawling boat with many gears will require a capital investment

of Rs.1 million. Members of the traditional fishing community do not own more than half of the trawling boats operating from Rameswaram, even these are not in active use any more. Many merchant capitalists from non-fishing castes and other social backgrounds have entered this sector and own a good number of boats.

Rameswaram accounts for a high growth rate in the fishing sector, compared to the rest of Tamil Nadu. This district alone contributed 23.57 per cent of the total fishing in the State during the 1990s. While the growth of marine fish landings in the State is almost stagnant, it shows wide fluctuation in the district, with an upward trend. Tamil Nadu has a coastline of 1,000 km and it has four specific coasts: Coromandel (350 km), Palk Bay (270 km), Gulf of Mannar (320 km) and the West Coast-Arabian sea (60 km). The Palk Bay has made a relatively large contribution in marine fish production during the past two decades. This high growth, amid the general decline or stagnation in other coasts, seems to be highly unnatural. This is because of what V. Vivekanandan, convener of the Alliance for the Release of Innocent Fishermen (ARIF), based in Colombo, calls "fisheries compulsions", as every alternate day, around 500 Rameswaram trawlers routinely cross the IBL and conduct fishing operations. They have to do this because there is limited trawling ground available on the Indian side, but the trawlers are unlimited. Also, the growth of the trawler fleet in Rameswaram has reached such a level that it has depleted the Indian grounds, so much so that its survival depends on fishing in the Sri Lankan waters.

The capital is further striving to expand itself and go beyond the spatial and temporal limits. Seeing the development of the fisheries sector in Sri Lanka, it can be said that capital, technology and market are attempting to expand and conquer the whole surrounding environment. In fact, the more overwhelming the capital on one side of the sea border, the more extensive is its impact on the other side. The more the striving for the expansion of capital and market, the more the annihilation of coastal space by time.

SRI LANKA has a 1,760-km-long coastline, of which 1,150 km is sand beaches. The marine resources in Sri Lanka are divided into two sub-sectors: coastal fishery and offshore and deep-sea fishery. Fishing activities concentrated within the area of the sea extending up to 40 km from the coast are considered coastal fishery. On the basis of resource studies carried out in the past, annual sustainable yields have been estimated at 2,50,000 tonnes, consisting of 1,70,000 tonnes of pelagic species and 80,000 tonnes of demersal species. The actual coastal fishery production in 2000 was 1,83,280 tonnes. Offshore fishery consists of fishing activities concentrated between 40 km and 96 km from the coast, while deep-sea fishery is in the area beyond 96 km from the coast. The magnitude of these resources is not known clearly, but the Sri Lankan Ministry of Fisheries and Aquatic Resources Development has estimated the potential exploitable limit at around 90,000 tonnes. The actual catch in 2000 amounted to 84,400 tonnes. Studies by the National Aquatic Resource Research and Development Agency (NARA) recommended the discontinuance of subsidies for the construction of offshore gill-net vessels because this had already achieved the maximum economic profit. There are 1,050 fishing villages in the marine sector and about 87,808 households live in them. The marine sector accounts for 85 per cent of employment in the fisheries sector. About 98,444 people are directly engaged in fishing and thousands more are employed in marketing and other ancillary services. The Ministry has estimated the total fishery-associated population to be around one million.

Deep-sea fishery is of fairly recent origin in Sri Lanka. In fact, exploitation of deep-sea resources commenced in the late 1980s. Multi-day boats, 45-50 feet in length and powered by 50 hp engines, are now engaged

mainly in the exploitation of deep-sea resources. Large-meshed gill netting, long lining, and trolling are some of the common techniques employed by these craft. In the early 1990s, these boats began to venture outside Sri Lanka's EEZ, first to fish in the neighbouring Indian, Maldivian and British Indian Ocean territorial waters and then in international waters to the northeast (Bay of Bengal) and the northwest (Arabian Sea). The pressure to stay at sea for longer periods and to travel further in search of fish is reflected in the continuing increase in the length of multi-day boats. According to the skippers of the 40-foot boats in Beruwala and Dondra villages, the southern and western provinces of Sri Lanka respectively, the territorial waters of the Andaman and Nicobar Islands, Lakshadweep Islands (both India), the Maldives, and, occasionally, Bangladesh, Thailand, Madagascar and Australian islands are the areas of operation of most of their craft during October-April, when the sea is calm.

Oscar Amarasinghe of the University of Ruhuna, Sri Lanka, in his study on the 'Economic and Social Implications of Multi-Day Fishing in Sri Lanka' brings out the fact that about 75 per cent of the owners of multi-day fishing craft today are non-fishing people, of whom a sizable number represent

large multi-day boats for deep-sea fishing have adopted a method of paying wages to crew workers.

Not only have the social and economic relations between a deep-sea boat owner and a deep-sea fishworker become polarised by the steady capitalisation of this sector, but the workers are also exposed to exploitative terms of employment. They continue to be vulnerable to the dangers associated with deep-sea fishing, an inherently high-risk profession, because no legal provisions defining acceptable working conditions exist in this sector. The United Fishermen's and Fishworkers' Congress of Sri Lanka has in its report, suggested the introduction of written contracts of employment between boat owners and fishworkers. It has recommended onboard safety and first-aid facilities, as well as a statutory requirement for all deep-sea fishing boats over a specified length to be equipped with Single Side Band Radios and satellite navigation equipment.

While analysing the processes of globalisation and Sri Lanka's fisheries, Oscar Amarasinghe and Herman Kumara, in their research paper 'The process of globalisation and Sri Lanka's fisheries', draw many conclusions. The process of globalisation that took off after 1977 has led to a considerable expansion of Sri Lanka's modern mechanised fishing fleet. There has been a sixfold increase in the volume (from 3240.60 tonnes to 19,566.80 tonnes) and 22-fold increase in the value (Rs.453.11 million to Rs.10,328 million) of fishery export during the 1985-2000 period. "The introduction of mechanised craft and the construction of fishery harbours brought craft owners from various villages to one anchorage location: the harbour. The new arrangements threatened the functioning of the local rules 'entry', because the 'outsiders' had no obligation to

abide by the local community's customary laws.... Due to the capital-bias nature of the new mechanised fishing technology, fishermen needed credit to have access to new technology. Of all categories of craft owners, those engaged in traditional fishing activities have the least access to credit facilities extended by state-owned banks. In general, formal lending schemes appear to have a high bias towards asset-rich individuals probably due to the latter's ability to provide the required collateral at ease on the one hand and their ability to use political influence on the other.... About 75 per cent of



M. Sahayam, G. Madialagan and Vijay Kumar, fishermen of Vercode village in Rameshwaram, who have been captured and jailed several times.

a class of businessmen who have no history of fishing. The shift of craft owners from the traditional to the modern sector appears to be quite low. With the entry of 'outsiders' into the fishing sector to undertake multi-day fishing, the traditional pattern of labour recruitment, employer-employee relations and work conditions have undergone tremendous changes. A labour market has emerged in which anonymous relations tend to prevail, forces of supply and demand are at work, and labour mobility is no more hindered by customary practices of personal attachment. Quite recently, some

the owners of multi-day craft today are non-fishing owners, of whom a sizable number represent a class of businessmen who have no history of fishing," they write.

STEVE CREECH, a persistent researcher on Sri Lankan fisheries, poses the question of arrests and killings of Sri Lankan fisherfolk more pointedly in an interview: "Sri Lanka is the only South Asian nation, thanks to international development agencies and huge government subsidies, to have developed a multi-day deep-sea fishery, which currently boasts a fleet of around 1,800 vessels, the most modern of which are up to 60 ft long and are equipped with satellite navigation equipment. The entire fleet uses non-discriminating gill nets to catch tuna and shark. In 1996 it was estimated that the fishing fleet used 11,130,00 gill net pieces, each piece 83m long, equivalent to a total 9,24,000 km of net, set to catch fish. On an average, each boat employs four or five crew members. This is by no means small-scale, as many people would perceive it. In contrast to Maldivian and Indian day boats, which land their catch fresh on the beach every day, Sri Lankan multi-day fishing boats return to port after spending 30 to 45 days at sea, with fish at least 10 to 15 days old in their un-refrigerated, ice-packed holds.... Sri Lanka is now exporting its overcapacity, exactly like the European Union does, to Africa and South America.... One of the key problems perpetuating the arrests of Sri Lankan fisherfolk is that people engaged in the debate are refusing to face up to a number of simple though unpalatable truths. Really addressing the issue would require tackling Sri Lanka's overcapacity and developed dependency on gill nets. It would require the withdrawal of government subsidies for more multi-day boats and fixing terms and conditions for employment of fisherfolk in the multi-day fishing sector, therefore reducing owner's profits."

The actual arrest, firing and killing can differ from one local event to another and give each or some of them a particular colour. However, what is common to them all is the manner in which the conflict has been wrapped in the regular working and living space of the whole region. V. Vivekanandan observes: "It is the growth of the multi-day fishing fleet that is behind the problem of Sri Lankan fishermen getting caught by the Indian Coast Guard. Except for the rare FRP boat that drifts accidentally towards the Indian coast in the Gulf of Mannar, the Sri Lankan vessels captured are all multi-day boats, which are found operating in the Arabian Sea and the Bay of Bengal. A number of them are caught near the Andamans and

the Lakshadweep Islands. It is worth mentioning that the Sri Lankan boats are caught even in the Maldives and Seychelles."

A. J. Vijayan, in his overview of the marine fisheries and fisherfolk in and around Rameswaram, points to the fact that the fishing community in the region is depending more and more on fishing in Sri Lankan waters. And if they strictly follow the rules and do not cross the boundary, then the crew will also be thrown out of job, as they will not be able to bring any catch. "It is the Indian fishermen who intrude into the Sri Lankan waters because the fish are there. All the shootings happen there. The fishermen who claim that they were shot in Indian waters might not be telling the whole truth," feels Coast Guard Director-General Vice-Admiral R.N. Ganesh. "A fisherman can get compensation only if he files an FIR. He can file an FIR only if the event happens in Indian territory," he observes.

According to a fisherman of Moon-dramchatram near Rameswaram, "politicians only make noises about Sri Lankan Navy personnel attacking Indian fishermen. But, more often than not, the truth is that we are forced to go into their territorial waters by our employers. They insist that we go well past Kachativu and close to Talaimannar, since that is where the big catch is found aplenty. If we refuse and return without a good catch from within India's waters, we are not paid our full wages.... With little chance of being gainfully employed otherwise in the island, we cannot afford to stay away from the sea for long. Only a few lucky ones have escaped this slavery. When some of us get killed, our employers pay our kin between Rs.2,000 and Rs.5,000 each as compensation. This is the value of human life here." So why do they not take it up with the administration? "Who will believe us? Every time we stray close to Talaimannar and there is a shooting incident, our employers forbid us from speaking the truth, in order to avoid being hauled up themselves," he says.

Oscar Amarasinghe draws similar conclusions: "Fishing inside the EEZs of other countries is purposive and is also common. It appears that crew workers aiming at high average incomes from multi-day fishing willingly agree to bear the risks of arrest, illness and even death."

The circle of conflict reasoning is so much ingrained that even organisations such as the ARIF, which is an alliance of trade unions and non-governmental organisations, see the situation going nowhere. "Sri Lanka does not normally arrest Indian fishermen for poaching. If it starts doing so, the numbers will be in hundreds, not scores,

which is the case with Sri Lankan fishermen caught by our Coast Guard.... While Sri Lankan fishermen are normally caught in the Gulf of Mannar and the Arabian Sea in the EEZ, the Indian fishermen in the Palk Bay are clearly violating the territorial waters (area within 12 nautical miles) of Sri Lanka.... Sri Lanka may or may not choose to retaliate. But we have to question the wisdom of punishing Sri Lankan fishermen for an offence that Indian fishermen have been so far getting away with rather lightly."

Between India and Sri Lanka, there are sea border cults like Kachativu, created and nurtured by the states as a matter of national commitment. Thus, we could see how the Sri Lanka Navy opened fire on fishing boats from Tamil Nadu a number of times in 1993 and 1994 and many Rameswaram fishermen were killed. That prompted Tamil Nadu Chief Minister Jayalalitha, during her first tenure in office, to write a series of letters in September/October 1993 and February 1994 to Prime Minister P.V. Narasimha Rao and demand that India must issue "a notice of retaliation" to Colombo. Even before that incident, in August 1991, Jayalalitha had announced that she was prepared to "fight" the Centre to get back Kachativu.

After the March incidents, the Chief Minister and the leaders of the All India Anna Dravida Munnetra Kazhagam, the Dravida Munnetra Kazhagam and the Tamil Maanila Congress urged the Union government to intervene and deal firmly with the issue. They even went to the extent of suggesting that a permanent solution to the problems faced by Tamil Nadu's fishermen can be achieved only if the Centre took steps to get back Kachativu.

The recent comments and attacks by fisherfolk on both sides of the border reveal that they too have been influenced by the dominant state-centric and nationalist ideologies. They too regard the "other", the "outsider", belonging to a different nation as impinging on their national rights over the seas, and taking away catch that is "legitimately" theirs. At the same time, behind this rhetoric and language lies a deep ecological malaise and a declining fish catch.

The issues herein are complex and resistant to easy solutions. However, what can broadly be said is that the need of the times is to transcend the unfettered processes of capital accumulation, as the development metaphor and to "reinvent" sustainable fisheries. ■

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