

National Fishworkers' Forum

**Charter of
Demands 2008**

July 2008

NATIONAL FISHWORKERS' FORUM
20/4 Sil Lane, Kolkata - 700 015, INDIA



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NFF - Charter of Demands 2008

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Designed by
C.R Aravindan

July 2008



‘**W**e introduced deep-sea fishing, and here I must say that I, at least, was aware of the problem from the very first discussion on buying trawlers. I said, ‘Well, what are we going to do about the existing fishermen?’ The others assured me that they would be assimilated, they would be trained and so on, and that all the area close to the shore would be theirs. But it has not happened and they have suffered.’

- Indira Gandhi

(Interview to Anil Agarwal of *Nature Journal*,
published in London, 15 May 1980)

INDIRA GANDHI: PEOPLES and PROBLEMS
HODDER AND STOUGHTON with B.I.PUBLICATIONS, 1982. pp – 129



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Foreword

The fisheries sector in India contributes about Rs.30,000 crores per annum to the Gross Domestic Product (GDP). Export earnings are to the tune of Rs.7,000 crores. The sector supplies 6.3 mn tonnes of cheap protein for the masses and employs a huge work force of 3.6 million people.

Fishing is not merely an occupation for the fishing community. It is a way of life. Since Independence, however, the Indian State has focused primarily on increasing production and exports. Very little has been done to secure the livelihoods and improve the quality of life of the traditional fishing community of the country, or to conserve the resources that they depend on. Both the traditional fishing community and the fishery resources they depend on, have thus been exposed to pressures and stresses of all kinds.

The fisher people of the country, over the past decades, have taken up several struggles to cope with the changing scenario and to secure their traditional livelihoods. The National Fishworkers' Forum (NFF), as a trade union of fishworkers representing the rights and interests of the fishing community, dedicated itself to articulating the aspirations of the fishing community of India.

There have been numerous representations, appeals and protests in recent years. But unfortunately, the State has done very little to



address our plight. On the contrary many of our hard-earned achievements are being systematically sent into oblivion. The proponents of 'growth and development' have continued to push our rivers, coasts and seas towards devastation and drive us towards elimination.

At such a time, when pressures of privatization, commercialization and globalization are undermining the livelihoods of traditional communities and destroying our natural resources, NFF considered it urgent to focus on traditional livelihoods and rights of fishing communities, and to bring the grievances of fishing communities to the forefront.

Under severe duress, the NFF decided to launch a **National Campaign** to protect the coastal zone and marine resources, and to assert the rights of the fishing community, as outlined in the NFF Charter of Demands. The Campaign, named the **Machhimar Adhikar Rashtriya Abhiyan**, (National Campaign for Fisher People's Rights), had the slogan: **Save the Coast- Save the Fishers**.

The Campaign began on 1st May 2008 in Kutch, Gujarat and ended on 27th June 2008 in Kolkata, West Bengal. This 58-day long non-stop Campaign covered all the coastal districts in the 10 maritime states and Union Territories of mainland India. The core Campaign Team traversed more than 12,000 km and addressed 194 meetings at important fishing centres and fishing villages. It held 22 press meets and four state-level seminars, apart from many roadside receptions and briefings. The local/state level organizers held many group meetings, village meetings and worker meetings in each state concurrently. There was an overwhelming response from the fishing community everywhere.

The Charter of Demands that the NFF has put forward has been the result of extensive discussions with communities, groups and

organizations working towards the same cause. It has been fine-tuned with the inputs and feedback received during the Campaign. The fishing community of India stands firmly behind this Charter of Demands. This extraordinary **Kutch – Kanyakumari - Kolkata March** is the beginning of a new chapter in the history of Indian fisher people's struggle.

The NFF urges the government to immediately respond to the grievances and demands made by the fishing community. NFF calls upon MPs, MLAs and all other people's representatives, political parties, Trade Unions, intellectuals, students and the civil society at large to support the struggle of the fisher peoples and work towards realization of these demands.

Harekrishna Debnath
Chairperson, NFF

N.D.Koli
General Secretary, NFF

10.7.2008



DEMANDS AT A GLANCE

1. Recognize Inalienable Traditional and Customary Rights of Fisher People over Coastal Lands and Waters

The NFF demands that the inalienable customary rights of inland and marine fishing communities be protected, in policy and legislation, including:

- ☞ The right to housing in coastal areas/existing fishing villages, settlements or fishing hamlets, through the provision of title deeds;
- ☞ The right to use coastal lands for occupational purposes, such as landing and processing fish, and parking and maintenance of boats and net
- ☞ The right to access fisheries resources and traditional fishing grounds.

2. Implement CRZ Notification 1991 – Do not impose CMZ Notification

The NFF demands that the Government of India:

- ☞ Scrap the proposed CMZ Notification;
- ☞ Implement the original CRZ Notification 1991, and ensure its strict enforcement;
- ☞ Develop and implement coastal zone management plans (as required by the CRZ Notification), ensuring participation of the fishing community in the process, recognizing them as the legitimate right holders and custodians of coastal and fisheries resources.

3. Save the Coast

Our demands:

- ☞ No SEZs, No Nuclear Power Plants, No Ship Breaking Yards, No Polluting and Destructive Projects on our Coast;

- ☞ No Destruction of Mangroves and Other Coastal Environmental Features. No Intensive Aquaculture on our Coast;
- ☞ No Privatization of Common Aquatic Resources.

4. Enact National Legislation for Conservation of Coastal and Marine Biodiversity that *inter alia* protects Traditional Fisher Peoples' Preferential Access and Historic Use Rights to Coastal and Marine Resources

NFF demands that the Government of India:

- ☞ Adopt a comprehensive approach to conservation of coastal and marine biodiversity, particularly by harmonizing existing legislation and addressing loopholes that allow unsustainable use of coastal and marine resources;
- ☞ Enact a comprehensive national legislation for conservation of coastal and marine biodiversity;
- ☞ Ensure that the inalienable traditional and customary rights of fisher people over coastal lands and waters are legally recognized and protected.

5. Develop a comprehensive fisheries legislation for the EEZ waters

The NFF demands that:

- ☞ The Ministry of Agriculture starts the process of developing a comprehensive legislation for conservation, management and utilization of fisheries resources in the EEZ in consultation with fishworkers' organizations, at the earliest;
- ☞ Cancel LOPs and stop operation of LOP vessels until the above legislation comes into effect.

6. Reform Marine Fishing Regulation Acts (MFRAs) of States to improve fisheries management and develop co-ordination mechanism for peaceful inter-state fishing

NFF urges Government of India to:

- ☞ Draft a model fisheries legislation for littoral States and Union Territories, focusing on fisheries conservation and management, in particular the regulation of destructive gear;

- ☞ Establish coordination mechanisms to allow for peaceful inter-state fishing;
- ☞ Explore the possibility of bringing marine fisheries from the State and Union List respectively into the Concurrent List, to allow for more effective co-ordination in fisheries management.

7. Develop Regional Mechanism to Facilitate Reciprocal Access to Adjacent Maritime Waters of Neighbouring Countries

The NFF strongly advocates that the Government of India:

- ☞ Finalize agreements with neighbouring countries for humane treatment of fishermen crossing borders, and for the release and repatriation of arrested fishermen on a priority basis, in accordance with Article 73 of the United Nations Convention on the Law of the Sea (UNCLOS);
- ☞ Finalize agreements with Sri Lanka and Pakistan for reciprocal access, allowing small-scale vessels to fish in each other's waters, subject to safeguards for resource conservation and national security.

8. Recognize Rights of Women in Fisheries

The NFF demands that:

- ☞ Women's roles in inland and marine fisheries are recognized and upheld;
- ☞ Women's rights to social security, land for fish processing and marketing, basic amenities, childcare, credit and transport facilities are recognized.

9. Waive All Debts of Poor Fisher People along with the Farmers

The NFF demands:

- ☞ A review of the loan waiver guidelines for fisheries, taking into account the higher levels of indebtedness of the fishermen and women;

- ☞ Inclusion of wider range of purposes in the loan waiver scheme including loans taken by fisher folk for housing, health and education;
- ☞ Given the limited reach and failure of co-operatives, inclusion of micro finance organizations and indirect bank loans given to groups and individuals under the loan waiver scheme;
- ☞ The development of a scheme to free fisheries co-operatives from the clutches of the outsiders and to ensure that they are genuinely member managed businesses and not mere conduits for Government subsidies.

10. Provide Sufficient Cheaper Fuel for Sustainable Fishing

NFF urges the Government of India to:

- ☞ Ensure that all sections of the marine fisheries get a uniform treatment vis-à-vis fuel across the country, with access to fuel (diesel, petrol, kerosene) at reasonable rates and in ample quantity. Exempt road cess from the fuel used for fishing;
- ☞ Develop a long-term policy for the energy requirements of the fishing industry, with support for improving fuel efficiency, shift to alternate fuels like LPG, CNG, solar energy, etc;
- ☞ Ensure that fuel supplies for sustainable fishing are not affected by the Subsidies and Countervailing Measures (SCM) negotiated at the WTO.

11. Lift all Bans on Fishing by Traditional Small-scale Fishermen Using Sustainable Fishing Gears and Techniques

NFF demands:

- ☞ Lift all bans on fishing—including shark and sea cucumber fishing, seaweed and seashell collection—by small-scale/artisanal fishermen and women using sustainable fishing gears and techniques;
- ☞ MoEF stops its arbitrary interventions in fishing without consultation with fishermen and without undertaking proper studies;

- ☞ Ministry of Agriculture put in measures to manage the fisheries, not allowing others to usurp its legitimate role in fisheries management.

12. Stop Import of Fish That Threatens the Livelihood of Coastal Fisher People

The NFF demands that the Government of India take measures to:

- ☞ Ban the import of those fish and fish products that could affect the livelihood and food security of fishing communities;
- ☞ Ensure that products imported for processing and re-export do not enter the wet market;
- ☞ Ensure that decisions taken on import and export keep in mind the interests of the fishing communities, and are not taken under compulsion from obligations under WTO.

13. Stop Foreign Vessels from Fishing in Our Waters— Cancel LOPs

NFF demands that the Government of India:

- ☞ Cancel the LOP scheme and send the foreign vessels back home;
- ☞ Develop/choose proper technology and support systems for vessels below 20m to undertake deep sea fishing in a viable manner, enabling the transfer of capacity from the inshore to the deep sea;
- ☞ Put in place proper systems to monitor the development of the emerging tuna fishery, to ensure its long-term sustainability.

14. Rework and implement the Unorganized Workers' Social Security Bill

NFF demands that the Government of India:

- ☞ Enact and implement a comprehensive Unorganized Sector Workers' Social Security Bill;
- ☞ Ensure comprehensive social security coverage of all small-scale fishworkers in marine and inland fisheries, and other workers in the fisheries sector.

15. Enact National and State Legislation to Extend the Benefits of the ILO Work in Fishing Convention to all Fishworkers

The NFF demands that the Government of India:

- ☞ Enact national and state legislation to extend the benefits of the ILO Work in Fishing Convention to all fishers;
- ☞ Ensure that all categories of fishers, including shore-based fishers, are covered by provisions of occupational health and safety, and social security.

16. Protect Rights of Inland Fishermen to water bodies and protect inland fish resources

NFF demands that

- ☞ Govt. of India should bring out a model Inland Fisheries Regulation Act, for enactment by the States, ensuring:
 - ★ Rights of traditional fishing communities to pursue fisheries and related livelihood activities in common water bodies like rivers, lakes, reservoirs etc;
 - ★ Protection of habitats—rivers, inland water bodies, backwaters, lakes, etc. needed for inland fisheries resources to survive, from encroachment, reclamation, privatization, pollution and unplanned construction of dams;
 - ★ Protection of indigenous fish species, with strict restriction on introduction of alien species;
 - ★ Adequate regulation on culture fisheries in inland waters to protect and enhance fish resources and improve livelihood of traditional fishers.
- ☞ Ensure that inland fishworkers are properly enumerated and covered by welfare and social security schemes.

Charter of Demands 2008

1 Recognize Inalienable Traditional and Customary Rights of Fisher People over Coastal Lands and Waters.

Marine fishing communities, the traditional inhabitants of the coast, have fished for generations along the coast. For fishing communities the coastal area is as much a lived space as an occupational space, encompassing both the land and the sea on which they live and work. The beach has been the space used for landing fish, selling, salting, smoking, curing and drying of fish, parking and maintenance work of boats and implements etc., and has been as much a working space as the sea.

According to the recently-conducted Marine Fisheries Census, 2005, there are 3,202 marine fishing villages and 756,212 households—a total of 3.52 million people—along mainland India's coastline of 6002 km. Nearly half of this population (over 1.6 million people) is engaged in active fishing and fishery-related activities. The maximum number of marine fishing villages is in Orissa (641), followed by Tamil Nadu (581), Andhra Pradesh (498), Maharashtra (406) and West Bengal (346).

The inland and marine fisheries sector makes enormous contributions to employment, livelihoods, rural and national economy, and to food security, with comparatively little support from the government. This contribution, unfortunately, remains highly undervalued. Given the present context of the world food crisis, the role of the fisheries sector in providing food, essential animal protein to millions of people in India, particularly the poor, must be recognized and supported. To cut off the hand that feeds,

to make way for illusionary economic growth, would be nothing but foolhardy!

Yet, in our country today, fishing communities are under serious threat of being displaced from the coastal spaces they have occupied, to make way for tourism, ports, urban growth, industry, intensive aquaculture, greenfield airports, SEZ's, and even top-down coercive conservation projects. These developments disrupt their access to the sea and waterbodies and destroy their livelihoods. Traditional fishing communities are finding it difficult to survive, in a context where their rights to coastal lands and fishing grounds are not clearly recognized by the State.

• The Forest Rights Act 2006 recognizes and vests forest rights and occupation in forest land in forest dwelling tribes and other traditional forest dwellers who have been residing in such forests for generations, but whose rights could not be recorded. The rights of traditional fishing communities to coastal lands and fishing grounds must be similarly recognized and protected, through appropriate legislation.

The NFF demands that the inalienable customary rights of inland and marine fishing communities be protected, in policy and legislation, including:

- The right to housing in coastal areas/existing fishing villages, settlements or fishing hamlets, through the provision of title deeds;
- The right to use coastal lands for occupational purposes, such as landing and processing fish, and parking and maintenance of boats and nets;
- The right to access fisheries resources and traditional fishing grounds.

2 Implement CRZ Notification 1991 – Do not impose CMZ Notification

The Coastal Regulation Zone (CRZ) Notification of 1991 attempted to find a balance between protecting the coast, and making provision for the needs of coastal communities and for essential activities that required the coast.

Unfortunately, the CRZ regime has been undermined since its start by:

- Failure to set in place a proper system of enforcement, with State Coastal Zone Authorities lacking the machinery to monitor the coast or the powers to punish violations;
- Failure of the State Governments to draw the high tide line (HTL), making it difficult to identify the coastal zone;
- Failure of the State Governments to submit Integrated Coastal Zone Management Plans (ICZMP), despite Supreme Court directions;
- Dilution of the notification by the MoEF through a large number of amendments under pressure from various business and tourist lobbies.

During the last 17 years, encroachments and violations along the coast have been rampant, due to the poor implementation of the CRZ Notification. Unfortunately, the MoEF, instead of exploring ways to strengthen coastal protection, has been on the look out for ways to dilute it. The latest strategy is of using new terminology,

in the form of the “coastal management zone” (CMZ) to obfuscate its real intentions. The Swaminathan Committee and the MoEF have failed to engage in any dialogue with the fishing communities and to understand their points of view despite strong protests from them all in all coastal States.

The NFF strongly objects to the draft CMZ Notification in view of the following:

- It dilutes coastal protection, allowing a wide range of activities that do not need to be set up on the coast, allows ‘development’ even in ecologically sensitive areas and does not give any consideration for the overall carrying capacity of the coast;
- It is a discriminatory regime as it denies housing rights to fishing communities whose livelihood requires residence in the coastal zone, even as it allows a variety of new activities, including SEZs and greenfield airports, to come up on the coast;
- It will lead to the displacement of fishing communities through a combination of (i) loss of livelihood due to coastal degradation and (ii) displacement by new development projects on the coast and (iii) lack of housing.

The NFF demands that the Government of India:



- Scrap the proposed CMZ Notification;
- Implement the original CRZ Notification 1991, and ensure its strict enforcement;
- Develop and implement coastal zone management plans (as required by the CRZ Notification), ensuring participation of the fishing community in the process, recognizing them as the legitimate right holders and custodians of coastal and fisheries resources.

3 Save the Coast

India is among the 12 mega-diverse countries in the world. Our coastal and marine ecosystems are highly diverse and include estuaries, lagoons, creeks, backwaters, tidal/mudflats, coral reefs, mangroves, sandy beaches/bars/spits, rocky coasts and salt marshes. We have a large diversity of fish species that supports an extremely important fishery and a large fishing population.

Coastal ecosystems make vital contributions to providing protection to coastal communities from natural disaster, and in sustaining livelihood, particularly of fishing communities. The well-being and future of the fisheries sector is inextricably linked to the health of the coastal ecosystem. About 75 per cent of marine fish production in India is from coastal waters with 58 per cent of the fisheries resources potential within the 0-50 m depth.

Coastal ecosystems, however, are particularly susceptible, as they are at the 'receiving end' of both land- and sea-based activities. Pollution from major industries like fertilizer, petrochemicals and agrochemicals and from domestic sewage, fertilizers and pesticides used in agriculture, and other sources, are poisoning our coasts. Coastal habitats are being ruthlessly destroyed by dredging, destructive fishing, intensive aquaculture, construction of ports, urban and tourist growth, oil drilling, and sand and mineral mining. Coral and mangrove ecosystems, the spawning and nursery grounds for fish and other marine life, are being systematically wiped out. According to the Government of India (1987), India lost 40 percent of its mangrove area in the last century.



Special Economic Zones (SEZs) and large ports being built by corporate houses in coastal areas are ruthlessly destroying thousands of acres of mangroves, as in the Gulf of Kutch. Yet, environmental norms are being relaxed by government agencies to allow SEZ's, nuclear power plants, ship breaking yards, and chemical hubs in fragile coastal areas, even as fishing activities are being curtailed in the name of conservation. Fishing communities, the traditional habitants of the coast are being displaced and relocated to make way for such destructive development. The benefits from such 'development' are going to a few entrepreneurs and corporate houses, while the costs are being borne by our communities.

Coastal communities are fighting to protect the coasts against such 'development'. Destruction of our coastal habitats means destruction of our livelihoods.

Our demands:

- No SEZs, No Nuclear Power Plants, No Ship Breaking Yards, No Polluting and Destructive Projects on our Coast;
- No Destruction of Mangroves and Other Coastal Environmental Features. No Intensive Aquaculture on our Coast;
- No Privatization of Common Aquatic Resources.

4 Enact National Legislation for Conservation of Coastal and Marine Biodiversity that *inter alia* protects Traditional Fisher Peoples' Preferential Access and Historic Use Rights to Coastal and Marine Resources

Conservation and management of coastal and marine resources are clearly to the benefit of small-scale fishing communities, and the future of the fisheries sector is inextricably linked to the health of the coastal ecosystem. Over the years, fishing communities have taken several initiatives to protect the coasts, and their livelihoods. Way back in 1989, fishworkers, under the aegis of the National Fishworkers Forum (NFF) undertook the historic Kanyakumari March with the slogan: "Protect Water, Protect Life". Along many parts of the coast, fishing communities, building on their existing, well-evolved social and cultural institutions, are playing a role in regulating resource use, conserving resources, resolving conflicts, and ensuring equitable access to resources.

Coastal communities can be important allies in conservation of coastal and marine biodiversity. Yet, today, poorly conceived, top-down conservation initiatives that circumscribe mainly the activities of small-scale fishing communities, the victims of coastal degradation and destruction as it were, are only alienating communities, rather than working with them. This is the situation across all the marine and coastal protected areas along India's coast.

Ironically, even as such coercive conservation measures are applied inside protected areas, degradation and destruction of

coastal and marine ecosystems continues unchecked everywhere else. Fishing communities today are demanding a comprehensive approach to the conservation of *all* coastal and marine resources. We are asking for the harmonization of all the various legislation in place for managing coastal and marine biodiversity, including the Wild Life (Protection) Act 1972, as amended in 2002, and 2006, the Biological Diversity Act; the Indian Forest Act; the Forest (Conservation) Act; the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act (2006) and Rules (2008); and the Environment (Protection) Act (1986), under which the Coastal Regulation Zone notification is issued.

We are demanding that loopholes, that allow such large-scale unsustainable use of coastal and marine resources, are immediately addressed. We are further demanding that conservation and management of coastal and marine resources be undertaken with our full and effective participation, and that our inalienable traditional and customary rights over coastal lands and waters are recognized and protected.

NFF demands that the Government of India:

- Adopt a comprehensive approach to conservation of coastal and marine biodiversity, particularly by harmonizing existing legislation and addressing loopholes that allow unsustainable use of coastal and marine resources;
- Enact a comprehensive national legislation for conservation of coastal and marine biodiversity;
- Ensure that the inalienable traditional and customary rights of fisher people over coastal lands and waters are legally recognized and protected.

5 Develop a comprehensive fisheries legislation for the EEZ waters

The Government of India claimed its Exclusive Economic Zone (EEZ) in 1976, to facilitate the exploration, exploitation and utilization of marine resources. The Territorial Waters, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Act, 1976 of India recognizes the sovereign rights to conservation and management of living resources in the Indian EEZ, in addition to their exploration and exploitation. It gives power to the Central Government to make rules for conservation and management of the living resources of the EEZ and for the protection of the marine environment. The basic fisheries legislation that followed this Act, however, that is the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981 and the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Rules, 1982, do not make any mention of conservation and management.

The potential marine fishery resource in the EEZ is estimated at 3.93 million metric tonnes as per the latest update in 2000. It is considered that there is some scope to increase fish production from the EEZ. Putting in place legislation for conservation and management of fisheries in the EEZ cannot be put off any further due to following reasons:

- The resources within the territorial waters administered by State Governments are considered fully exploited and fleets are already moving beyond, into the EEZ, or to waters of other States. In northwestern States such as Gujarat and Maharashtra, because of the availability of shelf area beyond territorial waters trawlers, gill-netters and even bag netters

are fishing in the EEZ. In the south, the narrow continental shelf has prompted small-motorized beach landing craft to go well beyond territorial waters in search of offshore resources. The Thoothoor fishermen of Kanyakumari target oceanic sharks and tunas all across the west coast of India, including in the EEZ and even in the high seas, a fact little known or recognized;

- Each maritime state in India has ambitious plans to promote fisheries in the deep sea (and EEZ). Though there is some scope to increase fish production from the EEZ, fleet expansion in the EEZ needs to be carefully planned, to avoid overexploitation;
- Vessels fishing under LOPs have been known to come into competition for space and resources with the local mechanized fleet, particularly along the west coast, making the absence of a management regime in the EEZ a matter of concern;
- It is in India's interest to demonstrate that it has an effective management system in place, consistent with its obligations under UNCLOS and other international legal instruments, especially as issues of management and market access are increasingly being linked.

There is urgent need to put in place adequate management measures for fishery resources in the EEZ, before any further expansion of fishing capacity and increase in fishing pressure in the EEZ takes place.

The NFF demands that:

- The Ministry of Agriculture starts the process of developing a comprehensive legislation for conservation, management and utilization of fisheries resources in the EEZ in consultation with fishworker organizations, at the earliest;
- Cancel LOPs and stop operation of LOP vessels until the above legislation comes into effect.

6 Reform Marine Fishing Regulation Acts (MFRAs) of States to improve fisheries management and develop co-ordination mechanism for peaceful inter-state fishing

India's fish production increased from 0.5mn tonnes in 1950 to 2.92 mn tonnes in 2006. This rapid increase in production has come at a price. The Central Marine Fisheries Research Institute (CMFRI) has observed that the potential of the current fishing grounds in India has already been crossed (CMFRI 1995). According to the FAO Fisheries Country Profile of India (2000) India's marine fisheries production has reached a plateau.

The main emphasis of the State-level Marine Fishing Regulation Acts (MFRA), adopted more than two decades ago, is on regulating fishing vessels in the 12-mile territorial sea mainly to protect the interests of fishermen on board traditional fishing vessels. The Act, now clearly outdated, is based on a model piece of legislation prepared by the Ministry of Agriculture (MoA), mainly to maintain law and order at sea rather than for management.

State governments urgently need to put in place effective measures for conservation and management, for regulating the use of destructive gear, and for restructuring the existing fleet through mechanisms such as decommissioning and "buy-back" of vessels. They also need to take note of the inadequacies of the current centralized "command and control" management approach, and make provisions for co-managing fisheries resources.

Today coastal fishing vessels registered with respective maritime States, are increasingly moving into waters beyond the territorial sea as well as into waters of other States. Gujarat trawlers, for example, fish beyond the territorial sea and in the waters of Maharashtra. Trawlers from Andhra Pradesh, catch shrimp in Orissa and West Bengal. Not surprisingly, cases of conflict, such as burning of boats, confiscation of catch and even vessels, clashes between local fishermen and those from other States are on the rise.

Given the above context, it is high time then that the Ministry of Agriculture draft and circulate a model fisheries conservation and management bill amongst the littoral States and Union Territories, with specific mechanisms to allow inter-state fishing. The dynamism of Indian small-scale fisheries also clearly highlights the need for greater co-ordination between States and between States and the Union Government. Moving marine fisheries from the State and Union List respectively into the Concurrent List should be explored. This could facilitate the maritime States of India and the Union Government to work in a coordinated fashion towards conservation and management.

NFF urges Government of India to:

- Draft a model fisheries legislation for littoral States and Union Territories, focusing on fisheries conservation and management, in particular the regulation of destructive gear;
- Establish coordination mechanisms to allow for peaceful inter-state fishing;
- Explore the possibility of bringing marine fisheries from the State and Union List respectively into the Concurrent List, to allow for more effective co-ordination in fisheries management.

7 Develop Regional Mechanism to Facilitate Reciprocal Access to Adjacent Maritime Waters of Neighbouring Countries

Fishermen of South Asia living and fishing near borders are often victims of the geo-political tensions that prevail in the region. The fishermen of Gujarat and Sindh are the worst affected as they operate close to the disputed Indo-Pak maritime border and become pawns in the ongoing Indo-Pak dispute. Large numbers of fishermen are captured every year and languish in jails, sometimes for years. They are subsequently exchanged like prisoners of war by both countries amidst great publicity.

On the Indo-Sri Lankan border, there is a similar problem, even though the borders are settled and the two nations are on friendly terms. The extreme proximity of the border in the “historic waters” of the Palk Bay and parts of the Gulf of Mannar makes it impractical for fishermen to remain within their national boundaries while they are in “hot pursuit” of fishing shoals. In fact, the controversial “Katchativu agreement” of 1974 recognized the traditional and customary rights of fishermen. This right was subsequently given up, unexpectedly and unnecessarily, by India through an exchange of letters between the Foreign Secretaries. Even today, Sri Lankan fishermen on the other side of the Palk Bay do not object to Indian fishermen fishing in their waters, but only to the use of specific nets.

The Sri Lankan fishermen in the peaceful west and south have developed South Asia’s first deep sea fleet for tuna that is based

on a combination of appropriate technology and traditional skills, rather than imported technology and high investment. These fishermen often come to Indian waters in both the Bay of Bengal and the Arabian Sea to tap a resource that is still under-exploited by our own fleet. Since these are small boats pursuing a livelihood and using sustainable technologies, Indian fishermen have never objected to their fishing. However, these fishermen are regularly arrested and forced to spend long periods in jail¹.

It is high time South Asian countries stopped treating small-scale fishermen crossing borders as criminals and work together to provide a legal framework, including under the auspices of SAARC, that will accommodate the aspirations of the fishermen.

The NFF strongly advocates that the Government of India:

- Finalize agreements with neighbouring countries for humane treatment of fishermen crossing borders, and for the release and repatriation of arrested fishermen on a priority basis, in accordance with Article 73 of the United Nations Convention on the Law of the Sea (UNCLOS);
- Finalize agreements with Sri Lanka and Pakistan for reciprocal access, allowing small-scale vessels to fish in each others' waters, subject to safeguards for resource conservation and national security.

¹ It is only in recent times, due to the coordination between the Alliance for Release of Innocent Fishermen, the Indian High Commission in Colombo and the Sri Lankan Deputy High Commission in Chennai, that fishermen on both sides are getting released earlier than before.

8 Recognize Rights of Women in Fisheries

According to the Marine Fisheries Census 2005—the first of its kind to give gender disaggregated data—about 48.6 per cent of the marine fisherfolk population are women. It estimates that women constitute 48.3 per cent of those engaged in fishing-related activities, and that among women, the major fishing-related activities are marketing (41.8 per cent), labour (18.4 per cent) and curing/processing (18 per cent). *Further, as many as 73.6 per cent of those engaged in marketing are women, while 75.7 per cent of those in curing and processing are also women.* It is apparent that women dominate marketing and processing activities in marine fisheries. The data collected proves beyond doubt that women are an integral part of the marine fisheries sector in India and contribute in very critical ways to the well-being of their families and communities. The situation in inland fisheries is not likely to be different, though concrete data on women's roles is lacking.

It is, therefore, most unfortunate that women fishworkers continue to be ignored by our policy-makers. Women vendors lack even basic amenities like clean water, toilets and community crèches at their workplaces—the markets and fish landing centres. They face constant eviction from beaches used for processing and from markets, a denial of their vending rights. In the absence of credit facilities appropriate to their requirements, they continue to be dependent on moneylenders charging exorbitant interest rates. Transporting fish to markets continues to be a daily struggle, given the absence of appropriate transport facilities. Corporate invasion

into the fish retail market is further strangulating the livelihoods of traditional fish vending women and their access to fish. Basic labour and human rights of women workers in fish processing plants continue to be violated.

The Census, unfortunately, did not provide us gender-disaggregated data on those who fish, making it difficult to estimate the number of women engaged in actual marine fishing in India, and put in place appropriate policy measures. It is known, for example, that along some parts of the coast, women engage in shrimp and shrimp seed collection; beach-seining; crab, shellfish and seaweed collection; and so on. It is also known that they face problems of various kinds, including skin diseases due to constant exposure to polluted waters in coastal and inshore areas, exposure to various sorts of occupational health hazards, such as urinary tract infections, rheumatoid arthritis and backache, and exposure to natural hazards.

Women engaged in fishing and fishing-related activities must be entitled to social security. While States such as Kerala and Tamil Nadu have put in place some schemes to cover women fishworkers, these must be improved and their coverage enhanced. All other States must also adopt similar schemes to extend social security coverage to women fishworkers in both the marine and inland sectors.

The NFF demands that:

- Women's roles in inland and marine fisheries are recognized and upheld;
- Women's rights to social security, land for fish processing and marketing, basic amenities, childcare, credit and transport facilities are recognized.

9 Waive All Debts of Poor Fisher People along with the Farmers

Fishing is often the poor cousin of agriculture and gets ignored when benefits of various kinds are proposed for agriculture. The latest loan waiver scheme of the Government of India (GoI) is also termed a “farm loan waiver scheme” and hence was not really designed for the fishermen. However, following representations from the fishermen and State Governments, the GoI has now included the loans taken for fishing in the waiver scheme. We welcome this inclusion. However, the specific needs of the fishing community vis-à-vis debt redemption needs to be understood.

Fishing is an occupation requiring much higher levels of credit for investment and working capital than agriculture. While land, the most important factor of production in agriculture is a given, marine fishermen have to invest large amounts at regular intervals for fishing boats and gear. In contrast to farmers, the fishermen often have lakhs of rupees worth assets floating in water with very little assets on shore. Most of the assets at sea would have been financed by middlemen or moneylenders. The absence of collateral like land, the huge uncertainties in fishing, and the difficulties in dealing with fishermen, have made fishing very unattractive for formal financial institutions to support.

The only way credit schemes can be successful is when fishermen manage it themselves. Unfortunately, fishermen co-operatives have not been successful anywhere on the Indian coast, with the exception of parts of Maharashtra. The excessive control of

fisheries co-operatives by the government and the packing of co-operative Boards with non-fishermen, is the main reason for this. This means that all fishermen depend heavily on high-cost borrowings from the informal money market and are heavily indebted. Fisherwomen involved in processing and trade are equally indebted to moneylenders, and have little access to formal credit.

Recent years have seen a galloping of the capital costs and operating costs in fisheries. This has put an enormous debt burden on fishermen. The stagnation of fish catches in recent years and the decline of prices of export species like shrimp have also added to the economic burden of the fishermen. Hence fishermen and fisherwomen need special intervention to ensure that they are not pushed to the wall.

The NFF demands:

- A review of the loan waiver guidelines for fisheries, taking into account the higher levels of indebtedness of the fishermen and women;
- Inclusion of wider range of purposes in the loan waiver scheme including loans taken by fisherfolk for housing, health and education;
- Given the limited reach and failure of co-operatives, inclusion of microfinance organizations and indirect bank loans given to groups and individuals under the loan waiver scheme;
- The development of a scheme to free fisheries co-operatives from the clutches of the outsiders and to ensure that they are genuinely member managed businesses and not mere conduits for Government subsidies.

10 Provide Sufficient Cheaper Fuel for Sustainable Fishing

From a sector catching 0.5 mn tonnes of fish per annum in 1950, we have progressed to catching 2.92 mn tonnes in 2006. This increase is the result of many factors; one of the most important factors being the transformation of the sector, from only sailing and rowing boats, to a fleet of mainly mechanized and motorized boats. The 1960s and 1970s saw the emergence of a new harbour-based mechanized sector. Subsequently, the 1980s and 1990s saw the emergence of a beach landing fleet with Out Board Motors (OBMs) fitted on country craft and a new generation of small-scale beach landing boats. In addition to improving overall fish catches, this transformation has also helped a large section of the fishing community to improve its earnings and socio-economic status.

To enable the fishermen to go deeper and extend their range of operations, the Government of India has been, over the last many years, providing fuel at prices lower than what is charged for land-based transport. This has been achieved through excise duty concessions by the Central Government and sales tax concession by the State Governments. However, the implementation of the scheme is not uniform across the country and the coverage suffers from geographical and sub-sectoral biases. For instance, not all States are willing to forego their sales tax and this means that even the central excise concession cannot be availed.

Diesel is the fuel that receives maximum support, while the OBMs used by small-scale craft, running on kerosene, get very little or

no coverage. The kerosene quota for fishing in Kerala, for instance, is enough only for a few days per month and the fishermen have to buy kerosene for most of their requirements at exorbitant prices in the open market. The fishermen in other parts of India using kerosene OBMs do not even have this minimum support, and they have to buy their entire requirement in the open market. Similarly, small motorized boats in many parts of India running on diesel are not covered by the current schemes, as there are no systems in place to supply diesel to traditional fish landing centres. Kanyakumari fishermen going for deep sea fishing for shark and tuna all over the west coast of India, for example, do not get access to tax-exempted diesel when they operate from outside their home base, even though foreign vessels brought to fish under the Letter of Permit (LOP) scheme get access to diesel at international rates for fishing in the same waters! The fuel policy and supply system for marine fisheries thus creates enormous distortions and puts a large part of our fleet at risk of bankruptcy.

NFF urges the Government of India to:

- Ensure that all sections of the marine fisheries get a uniform treatment vis-à-vis fuel across the country, with access to fuel (diesel, petrol, kerosene) at reasonable rates and in ample quantity. Exempt road cess from the fuel used for fishing;
- Develop a long-term policy for the energy requirements of the fishing industry, with support for improving fuel efficiency, shift to alternate fuels like LPG, CNG, solar energy, etc;
- Ensure that fuel supplies for sustainable fishing are not affected by the Subsidies and Countervailing Measures (SCM) agreement negotiated at the WTO.

11 Lift all Bans on Fishing by Traditional Small-scale Fishermen Using Sustainable Fishing Gears and Techniques

The failure of the State Fisheries Departments and the Department of Fisheries in the Central Government to manage the exploitation of fish resources has led to other actors entering the arena and imposing ill-conceived controls on fishing. With both national and international environmental consciousness on the increase, there is pressure from environmental groups and concerned citizens for protecting fish resources. This, in turn, has led to interventions by the Ministry of Environment and Forests (MoEF). The Wild Life (Protection) Act and the Forest (Conservation) Act have been used increasingly to control and regulate fishing as the State Marine Fishing Regulation Acts have been weakly enforced and have proved ineffective, and as the Ministry of Agriculture (MoA) has failed to come up with a suitable legislation for fishing in the EEZ.

Unfortunately, these interventions by the MoEF have been ham-handed and without any consultation with fishermen or adequate study. Bans have been imposed on fishing for various species or in certain areas of the sea, designated as protected areas. This has brought misery to large number of fishermen across the coast. In many situations, artisanal fishermen who are not using destructive methods of fishing are becoming victims of such bans. Such interventions in the name of environmental protection are actually tantamount to punishment meted out to the victims of environmental degradation rather than those responsible for it. There are many such examples:

- Livelihoods of 10,000 fishworkers were terminated in the island of Jambudweep, in the Sunderbans, West Bengal, in the name of mangrove protection. Ironically, the government is now proposing to establish a chemical hub/PCPIR in the nearby island of Nayachar! And across the country mangroves are being destroyed to make way for ports (such as the Mundra Port), industries, tourism and even “Greenfield airports”;
- Thousands of small-scale fishermen are being affected by a fishing ban in Gahirmatha MPA imposed under a turtle conservation regime;
- In 2001 a ban was imposed on shark fishing without any scientific information on shark stocks. This was partially withdrawn after fishermen struggles;
- A ban on sea cucumber fishing and a variety of molluscs by small-scale fishermen of Ramnad district in Tamil Nadu has been imposed, even though the depletion is actually the result of uncontrolled trawling and other non-fishery causes;
- A 2002 ban on seaweed collection in the Gulf of Mannar National Park has affected the livelihood of five thousand women who were dependent on these resources.

NFF demands:

- Lift all bans on fishing—including shark and sea cucumber fishing, seaweed and seashell collection—by small-scale/artisanal fishermen and women using sustainable fishing gears and techniques;
- MoEF stops its arbitrary interventions in fishing without consultation with fishermen or undertaking proper studies;
- MoA wake up from its deep slumber and put in measures to manage the fisheries, not allowing others to usurp its legitimate role in fisheries management.

12 Stop Import of Fish That Threatens the Livelihood of Coastal Fisher People

According to data available from the Ministry of Commerce and Industry, there has been a constant increase in the value of fish and fish products imported into India in the last few years, from Rs 17 crore (1996-97) to Rs 109 crore (2006-07). While the value of imports of fish products is very small, compared to the export value of Rs 7000 crore (2006-07), it is essential that the government keep in mind that the import of fish products does not affect the livelihood security of our fishing communities.

While fish imports into India are mainly of high value products, low value fish products are also being imported. Important products being imported include fish meal, hilsa (frozen, fresh and chilled), shrimp and prawn (frozen) and other frozen fish. While imports are primarily from Bangladesh, Sri Lanka, Malaysia, Vietnam and Myanmar, products from United States, Norway, Canada, United Kingdom and Japan have also been imported in the last three years.

In 2007-08 tariffs rates for importing fresh, frozen and chilled fish and fish products were reduced to zero. It is, therefore, very likely that imports of fish and fish products will increase in the coming period. According to the Ministry of Commerce and Industry and the Seafood Exporters Association of India, the lowering of tariff rates is mainly to boost reprocessing and value addition for re-export (for better utilization of existing capacity in the processing sector), and for the hospitality industry.



India already has trade agreements, that list fish and fish products, with several countries, including Chile, Singapore, Thailand, Sri Lanka and with countries party to the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMST-EC). The ongoing trade and investment negotiations between European Union (EU) and Government of India, raised concerns among fishing communities.. It is only following agitations by fishing communities that eight categories, including sardine and mackerel, were listed under the 'sensitive list'.

In this era of free trade and zero tariffs, it is imperative that the Government protects the interests of fishing communities. We must learn form the experiences of other countries. In the Philippines, imports allowed by the government for processing and re-export, and for the hospitality industry, are entering the wet marketing, depressing market prices and the returns to producers.

The NFF demands that the Government of India take measures to:

- Ban the import of those fish and fish products that could affect the livelihood and food security of fishing communities;
- Ensure safeguard measures to ensure that products imported for processing and re-export do not enter the wet market;
- Ensure that decisions taken on import and export keep in mind the interests of fishing communities, and are not taken under compulsion from obligations under WTO.

13 Stop Foreign Vessels from Fishing in Our Waters — Cancel LOPs

In its anxiety to develop “deep sea” fishing in India, the Ministry of Agriculture (MoA) has, over the last four decades, come up with many initiatives that, apart from being unsuccessful, have been counterproductive.

- Large “Mexican” trawlers were introduced in Vishakapatnam in the 1970s to tap deep-sea resources. This saw the entry of companies and businessmen who took soft loans and did not repay them. Further, rather than resources in the deep sea, the use of trawling technology led only to exploitation of shelf resources. Finally, these boats became unviable with the development of the 40-foot “Sona boat” fleet in the 80s, putting them out of business.
- Indian companies were given permission to charter foreign vessels in the 1980s. However, operations were difficult to control and with fish being directly landed abroad, there was little benefit to the country. The scheme had to be scrapped.
- In the 1990s, under the Joint Venture policy, Indian companies were allowed to bring in foreign vessels. This led to huge protests by Indian fishermen and the entire Indian fishing industry. This policy was scrapped on the recommendations of the Murari committee.

The current “Letter of Permit” (LOP) scheme introduced in 2002-03 that allows bringing in of foreign vessels for “resource specific fishing” is nothing but old wine in new bottles. According to the MoA figures dated 3 June 2008, there are 72 LOPs that are

considered valid while 92 have been surrendered/ cancelled or not in operation. The fishermen of India, and the fishing industry in general, strongly object to this scheme in view of the following:

- There is no effective system to monitor the operations of LOP vessels, a situation that is leading to the loss of our fishing wealth without any real benefit to the nation. The LOP is being called “Letter of Poaching” by Indian fishing industry;
- Despite the notion that these vessels are fishing for resources that are under-exploited and hence are not in competition with our local vessels, there are instances of competition with local fleets for both space and resources;
- The Indian fleet, including the small-scale fleets, is poised for expansion into deeper waters. The development of multi-day fishing boats in Sri Lanka, the small mechanized boats of General Santos in the Philippines and India’s own shark fishermen of Thoothoor have shown that there is no need for large vessels or huge investments to undertake deep sea fishing operations.

NFF demands that the Government of India:

- Cancel the LOP scheme and send the foreign vessels back home;
- Develop/choose proper technology and support systems for vessels below 20m to undertake deep sea fishing in a viable manner, enabling the transfer of capacity from the inshore to the deep sea;
- Put in place proper systems to monitor the development of the emerging tuna fishery, to ensure its long-term sustainability.

14 Rework and implement the Unorganized Workers' Social Security Bill

Of the total 457.5 million workers in India, 422.6 million or 92.4 per cent are unorganized. Included among them are the majority of 1.65 million fishworkers—those engaged in active fishing in mechanized, motorized, or non-motorized crafts, aquaculture, trading, processing, vending etc. They work either as self-employed or own account workers, in a share system, as contract workers, or for an employer. Though they contribute in significant ways to the food security of India, they struggle on a daily basis for survival and are not covered by even the most basic social security provisions, except to a limited extent in States like Kerala and Tamil Nadu. Fishworkers are not enjoying any of the benefits that accrue from Indian labour laws, that define decent conditions of work and provide social security to workers by way of non-applicability or exclusions.

Social security is the collective effort by the state, employers and the workers to ensure that when contingencies in life occur, like maternity, employment injury, unemployment, invalidity, death, unexpected sickness and old age, workers are not driven into poverty and indebtedness. It is also understood that social security for unorganized workers become ineffective if their conditions of work are not regulated, which includes protection of livelihood systems.

Social security is a right of all workers and not charity by the State. The unorganized sector in India is estimated to contribute

over 60 per cent of the net domestic product at current price. However, even after sixty years of independence, no proper measure has been undertaken for the protection of the unorganized workers. The National Common Minimum Programme of the UPA government has promised that it is committed to ensure the welfare and well-being of the unorganized workers. Proposals to ensure protection of unorganized workers have been made by the Second National Commission on Labour in 2002, and more recently, by the National Commission for Enterprises in the Unorganized Sector (NCEUS) that submitted its reports in 2006 and 2007. Trade unions of unorganized workers have also proposed comprehensive draft bills. Yet, the 'Unorganized Sector Workers' Social Security Bill, 2007' introduced in Parliament in 2007 bears no resemblance to any of the preceding suggestions. In its present form, the Bill is nothing but a betrayal of the interests of unorganized sector workers.

It is essential to formulate legislation that provides comprehensive coverage to each worker in the unorganized sector, including in the inland and marine fisheries sector. Any such legislation should include regulation of conditions of work, protection of livelihood systems, guaranteed minimum wages, equal remuneration for men and women, and social security as a right, and should specify an effective implementation machinery.

NFF demands that the Government of India:

- Enact and implement a comprehensive Unorganized Sector Workers' Social Security Bill;
- Ensure comprehensive social security coverage of all small-scale fishworkers in marine and inland fisheries, and other workers in the fisheries sector.

15 Enact National and State Legislation to Extend the Benefits of the ILO Work in Fishing Convention to all Fishworkers

According to the Article 43 of the Directive Principles of the Indian Constitution: “The State shall endeavour to secure, by suitable legislation or economic organization or in any other way, to all workers, agricultural, industrial or otherwise, work, a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities”.

Across the world fishing is considered as one of the most dangerous occupations, with high incidence of work-related sickness, injury, or death. India is the world’s third largest fish producer. It has the second largest fisher population after China and the fourth largest marine fishing fleet. There is urgent need to address issues related to conditions of work in fishing, given the importance of the sector, and the hazardous nature of work involved.

The ILO’s Work in Fishing Convention, 2007 provides a framework to look at issues of working and living conditions in fishing. It calls for national laws ensuring comprehensive social security protection for fishers and also for guarantees that fishers are not discriminated against in their social security coverage as compared to other workers. The Convention recognizes the rights of fishers to receive appropriate medical care and the corresponding compensation in the event of injury due to occupational accident or disease and, more broadly, it calls for measures to ensure fishers’

protection in the case of work-related sickness, injury, or death. It thus provides the key elements of a labour standard in the fishing sector.

India should work to develop a national legislation to implement the Convention, after consultation with all significant categories of fishers, with the objective of improving living and working conditions of fishers, both in large- and small-scale fishing operations.

The legislation should cover all categories of fishers. In particular, it should cover those who glean, dive and shore-seine, in other words those who fish without a boat. Many of such shore-based fishers are women. They constitute an important part of the fishing population, who, at the same time, are amongst the most marginalized and vulnerable. In developing a national legislation, it is absolutely essential to ensure that provisions of occupational health and safety, and social security are extended to those engaged in shore-based fishing operations, and not confined only to those who fish on board a fishing vessel.

The NFF demands that the Government of India:

- Enact national and state legislation to extend the benefits of the ILO Work in Fishing Convention to all fishers;
- Ensure that all categories of fishers, including shore-based fishers, are covered by provisions of occupational health and safety, and social security.

16 **Protect Rights of Inland Fishermen to water bodies and protect inland fish resources**

India's inland fisheries resources are diverse and plentiful, comprising rivers, floodplains, estuaries, mangroves, estuarine impoundments, lagoons, upland lakes, reservoirs and ponds. The contribution of inland sector to the fish basket of the country has increased manifold, from 0.218 mn tonnes during 1950-51 to 3.52 mn tonnes in 2004-05. Inland fisheries make important contribution to employment and food security. Millions of people are known to engage in inland fisheries, even though no accurate estimates of employment exist. The important contribution of inland fisheries to animal protein intake, particularly of the poor, is also well known.

However, the plight of the traditional inland fishing communities of India is rapidly worsening. The rivers, lakes, backwaters, canals, reservoirs, estuaries, ponds, and other water bodies are being indiscriminately polluted. Encroachments and illegal reclamation is leading to a drastic reduction in the water available for fish to breed in these waters. The construction of dams are affecting river fisheries throughout the country, particularly species such as hilsa, eel and freshwater prawn that need to move between fresh water and sea water habitats as part of their life cycles.

Inland fishing communities live in dispersed settlements along lakes, rivers, ponds and other waterbodies across India. Given this, it is difficult for them to collectively assert their traditional rights to fish in common water bodies. In such a context, local

bodies and State Governments are auctioning off fishing rights to contractors and middlemen, displacing traditional fishing communities.

As there is no proper enumeration of the numbers of people dependent on inland fisheries, and as, in many cases, fishing is undertaken as a part-time occupation, welfare schemes and social security schemes meant for fishworkers often do not cover inland fishworkers or do not reach them. There is also no common framework to protect inland fisheries and inland fishworker rights on the lines of the Marine Fishing Regulation Acts. Even though the Ministry of Agriculture has, for long, been considering the development of a model act for inland fisheries to be circulated to the States, this has yet to take place.

NFF, therefore, demands that

- Govt. of India should bring out a model Inland Fisheries Regulation Act, for enactment by the States, ensuring:
 - o Rights of traditional fishing communities to pursue fisheries and related livelihood activities in common water bodies like rivers, lakes, reservoirs etc;
 - o Protection of habitats—rivers, inland water bodies, backwaters, lakes, etc—needed for inland fisheries resources to survive, from encroachment, reclamation, privatization, pollution and unplanned construction of dams;
 - o Protection of indigenous fish species, with strict restriction on introduction of alien species;
 - o Adequate regulation on culture fisheries in inland waters to protect and enhance fish resources and improve livelihood of traditional fishers.
- Ensure that inland fishworkers are properly enumerated and covered by welfare and social security schemes. ✱

Charter of Demands 2008

1. Recognize Inalienable Traditional and Customary Rights of Fisher People over Coastal Lands and Waters
2. Implement CRZ Notification 1991 – Do not impose CMZ Notification
3. Save the Coast
4. Enact National Legislation for Conservation of Coastal and Marine Biodiversity that *inter alia* protects Traditional Fisher Peoples' Preferential Access and Historic Use Rights to Coastal and Marine Resources
5. Develop a comprehensive fisheries legislation for the EEZ waters
6. Reform Marine Fishing Regulation Acts (MFRAs) of States to improve fisheries management and develop co-ordination mechanism for peaceful inter-state fishing
7. Develop Regional Mechanism to Facilitate Reciprocal Access to Adjacent Maritime Waters of Neighbouring Countries
8. Recognize Rights of Women in Fisheries
9. Waive All Debts of Poor Fisher People along with the Farmers
10. Provide Sufficient Cheaper Fuel for Sustainable Fishing
11. Lift all Bans on Fishing by Traditional Small-scale Fishermen Using Sustainable Fishing Gears and Techniques
12. Stop Import of Fish That Threatens the Livelihood of Coastal Fisher People
13. Stop Foreign Vessels from Fishing in Our Waters— Cancel LOPs
14. Rework and implement the Unorganized Workers' Social Security Bill
15. Enact National and State Legislation to Extend the Benefits of the ILO Work in Fishing Convention to all Fishworkers
16. Protect Rights of Inland Fishermen to water bodies and protect inland fish resources