

Report of the ICSF-BOBLME India (East Coast) Workshop

Implementing the FAO Voluntary Guidelines for Securing
Sustainable Small-scale Fisheries in the Context of Food
Security and Poverty Eradication (SSF Guidelines)



6 – 7 March 2015

Hotel Ambassador Pallava, Chennai, Tamil Nadu, India

Report prepared by Seema Shenoy



International Collective in Support of Fishworkers
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Vishnu Narendran: Traditional fishermen fishing at Gosaba river, Rajat Jublee village, Sundarbans, West Bengal, India

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International Collective in Support of Fishworkers (ICSF)



ICSF is an international NGO working on issues that concern fishworkers the world over. It is in status with the Economic and Social Council of the UN and is on ILO's Special List of Non-Governmental International Organizations. It also has Liaison Status with FAO. As a global network of community organizers, teachers, technicians, researchers and scientists, ICSF's activities encompass monitoring and research, exchange and training, campaigns and actions, as well as communities.

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Bangladesh, India, Indonesia, Malaysia, Maldives, Myanmar, Sri Lanka, and Thailand are collaborating through the Bay of Bengal Large Marine Ecosystem (BOBLME) Project to better the lives of their coastal populations by improving regional management of the Bay of Bengal environment and its fisheries.

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List of Abbreviations

ADSGAF	Association for Deep-Sea Going Artisanal Fishermen
BEDROC	Building and Enabling Disaster Resilience of Coastal Communities
BOBLME	Bay of Bengal Large Marine Ecosystem Project
BOBP-IGO	Bay of Bengal Programme-Inter Governmental Organization
CBD	Convention on Biological Diversity
CCRF	Code of Conduct for Responsible Fisheries(of FAO)
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women, 1979
CIFRI	Central Inland Fisheries Research Institute
CIFT	Central Institute of Fisheries Technology
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora, 1975
CMFRI	Central Marine Fisheries Research Institute
COFI	Committee on Fisheries
CSO(s)	civil society organization(s)
DADF	Department of Animal Husbandry, Dairying and Fisheries, Ministry of Agriculture
EAF	Ecosystem Approach to Fisheries
EAFM	Ecosystem Approach to Fisheries Management
EEZ	exclusive economic zone
EIA	environmental impact assessment
FAO	Food and Agriculture Organization of the United Nations
FWO(s)	fishworker organization(s)
GAP	Global Assistance Programme of FAO
GEF	Global Environmental Facility
GoI	Government of India
HRLN	Human Rights Law Network, India
ICAR	Indian Council for Agricultural Research
ICCPR	International Covenant on Civil and Political Rights, 1966
ICESCR	International Covenant on Economic, Social and Cultural Rights, 1966
ICSF	International Collective in Support of Fishworkers
IGO(s)	inter-governmental organization(s)
ILO	International Labour Organization
IPC	International Planning Committee on Food Sovereignty
MFRA	Marine Fishing Regulation Act
mn	million
MPA	marine protected area

NFF	National Fishworkers' Forum
NGO(s)	non-governmental organization(s)
NHRC	National Human Rights Commission
NITI-Aayog	National Institution for Transforming India-Aayog
PPP(s)	public-private partnerships
SAP	Strategic Action Programme
SIFFS	South Indian Federation of Fishermen Societies
SNEHA	Social Need Education and Human Awareness
SSF Guidelines	FAO Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication
SSF	small-scale fisheries
TRIPS	The Agreement on Trade-Related Aspects of Intellectual Property Rights, 1994
UDHR	Universal Declaration of Human Rights, 1948
UNCLOS	United Nations Convention on the Law of the Sea, 1982
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples, 2007
UT	Union Territory
VGSSF	Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)
WFF	World Forum of Fish Workers & Fish Harvesters
WFFP	World Forum of Fisher Peoples

Preface

The International Collective in Support of Fishworkers (ICSF), in collaboration with the Bay of Bengal Large Marine Ecosystem Project (BOBLME), organized a workshop entitled *ICSF-BOBLME India (East Coast) Workshop: Implementing the FAO Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)*, in Chennai, India on 6 and 7 March, 2015.

This workshop was the third in a series of workshops held in 2015 across the globe to promote ownership of the FAO Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (hereafter, SSF Guidelines) among different stakeholders (see Annex 3). It coincided with the first anniversary of the disappearance of Malaysian Airlines flight MH370 with Chandrika Sharma, Executive Secretary, ICSF, on board.

Preparatory consultative meetings: In the run-up to the workshop, ICSF, with support from BOBLME, conducted six consultation meetings with fishworkers and fishworker organizations (FWOs) along the east coast of India in January and February 2015. These meetings took place in Kakinada (Andhra Pradesh) on 23-24 January; in Bhubaneswar (Odisha) on 26-27 January; in Kultuli (West Bengal) on 30-31 January; in Kolkata (West Bengal) on 1-2 February; in Chennai (Tamil Nadu) on 5 February; and in Ramnad (Tamil Nadu) on 7 February.

In keeping with logistical constraints, the discussions were restricted to marine capture fisheries, except in West Bengal, where inland fisheries and subsistence aquaculture were also included¹. The objectives of these consultations were to

1. introduce the SSF Guidelines to fishers, fishworkers and relevant government and CSO actors;
2. identify key categories of SSF actors in each state, with special focus on vulnerable and marginalized groups;
3. to contextualise the SSF Guidelines in each state from the participants' perspective in the context of livelihood and food security, poverty and human/social development;
4. to discuss existing policy and institutional issues related to the implementation of the SSF Guidelines; and
5. to discuss and identify options for effective implementation of the SSF Guidelines.

The discussions and the feedback from the deliberations helped to shape the agenda for the Chennai consultation and guide its discussions. A session on the first day of the Chennai meeting had representatives from each of the states summarising the outcomes of each meeting, together with a synoptic overview provided by Venkatesh Salagrama, who moderated the state consultations and the session.

Participants at the workshop came from a range of backgrounds, and included government officials from the central and state level, FWO leaders and representatives, community leaders (men and women), researchers from various disciplines, and representatives of CSOs, NGOs and IGOs (see Annex 3). To facilitate communication between the different language groups, the

¹ Salagrama, V. 2015. *Implementing the FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines): Perspectives of the fishers and fishworkers on the east coast of India*. A PDF version of this report is available at <http://igssf.icsf.net>. This report served as a background paper to the Chennai meeting, and, in the long term, will be used to develop appropriate and effective strategies for the implementation of the SSF Guidelines.

workshop offered simultaneous interpretation in five languages: Bengali, Odiya, Telugu, Tamil and English.

The Subnational Workshop was organized to examine the roles of the government, scientists, academe, and local fisheries organizations in the implementation of the SSF Guidelines. The specific objectives were to:

- disseminate information about the SSF Guidelines and examine their relevance in varying local contexts;
- assess serious issues facing marine and inland small-scale fishing communities along the eastern seaboard of India;
- examine how implementing the SSF Guidelines can contribute to improving life and livelihoods, especially of the vulnerable and marginalized groups and women in small-scale fishing communities; and
- explore the need for a multi-stakeholder mechanism to facilitate a co-ordinated, inter-sectoral approach to the implementation of the SSF Guidelines.

Over the two days, participants deliberated upon the ways in which the SSF Guidelines could be meaningfully adapted, interpreted and integrated in the local context of fisheries along the eastern seaboard of India. A half-day panel was dedicated to the theme, “Contextualising the Guidelines”. The other key theme that was discussed at length concerned the need for governance reforms, as called on for by the SSF Guidelines themselves, in creating an enabling socioeconomic, legal and policy environment for small-scale fisheries. These discussions called for the recognition of the roles of existing traditional and customary institutions in addressing issues brought forth by the SSF Guidelines. The workshop also recognized the need for a multi-sectoral approach in implementation, with the active, engaged and wilful participation of the different departments and ministries of government, CSOs, researchers from various disciplines and FWOs. This would require the negotiation of new partnerships between sectors, and the development of a common understanding of the small-scale fisheries sector. Importantly, the workshop reiterated the need for the implementation process to reflect the bottom-up process in the development of the SSF Guidelines, and root action and decisionmaking within the communities that were to benefit from their implementation.

A crucial aspect of the SSF Guidelines, which marks a significant departure from other instruments, is the recognition of the interdependence and interlinking of human rights and social development, particularly in the context of small-scale fisheries. Although this would prove to be a challenge in the Indian context, the deliberations at the workshop shed light on new opportunities and avenues to incorporate this broader agenda within the implementation framework. The identified vulnerable and marginalized groups, especially women, were the focal points of discussion concerning how the benefits of social development prescribed by the SSF Guidelines could reach them. Capacity building and information dissemination were recognized as key steps in ensuring participation, both of the communities and of local and state-level actors and policymakers. The importance of an ecosystem approach to fisheries (EAF) was underscored as a principle towards sustainable management of fisheries. Food security and adequate nutrition, access to markets, and equitable access to resources were other important themes that emerged.

Group discussions and presentations from representatives across the eastern states highlighted the many commonalities and issues faced by the sector, at the same time showcasing its diversity and specificity across varying local contexts.

The workshop concluded with the drawing up of a blueprint for a “road map for improving governance, human development and sustainable use of fishery resources”. It is hoped that these deliberations will be taken back to the local communities at the level where the change is intended to take place, as well as inform the planning of the upcoming workshops and consultations across the subcontinent.

Opening Session

Remembering Chandrika

The SSF Guidelines are dedicated “*In honour of Chandrika Sharma, who worked tirelessly for the betterment of the lives of fishworkers all over the world and who contributed invaluable to the formulation of these Guidelines*”. Making the opening address, John Kurien, Member, ICSF, reminded the gathering of Chandrika’s invaluable contributions to the drafting of the SSF Guidelines. He urged that we carry forward the implementation with the same principles that Chandrika espoused of “commitment, correctness, and consciousness of the great cycle of Life”—the qualities that Pierre Gillet, former Secretary of ICSF, had attributed to her.

Introduction to the Workshop

Introducing the workshop and its objectives, Sebastian Mathew, Executive Secretary, ICSF, provided a brief history of the development of the SSF Guidelines and laid out the agenda that would set the tone for the discussions that followed. The SSF Guidelines, he said, were the first FAO instrument to be developed through a ground-up participatory and consultative process, and were hence of tremendous value to small-scale fishing communities worldwide. The SSF Guidelines sought to assist governments to provide policy space to small-scale fisheries in accordance with, and in recognition of, their contribution to food security and poverty elimination. Listing out the potential challenges, particularly with respect to governance reforms to deliver a human-rights-based approach to development in fisheries, he highlighted the need for multi-stakeholder co-ordination and an inter-sectoral approach. A human-rights-based approach, together with effective governance, would empower small-scale fishing communities—both men and women—to participate in decision-making processes and assume responsibilities for sustainable use of fishery resources. It would also empower them to realize the objectives of the SSF Guidelines and complement an ecosystem approach to fisheries. Further, reforming legislation and developing programmes in accordance with the SSF Guidelines would go a long way in protecting the interests of vulnerable and marginalized communities, in endorsing human development and good practices in fisheries, in resolving inter- and intra-sectoral conflicts, in granting and protecting tenure rights, in securing social protection and in improving the life and livelihoods of fishers and fishworkers. He called upon the Fisheries Departments of the various states to champion the cause of sustainable small-scale fisheries, and prompted the participants to deliberate upon developing a roadmap for the implementation process that lay ahead.

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ICSF-BOBLME India Workshop paid tribute to the memory of Chandrika Sharma of ICSF and acknowledged her invaluable contributions to the drafting of the SSF Guidelines

Opening Address

Santha Sheela Nair, Vice-Chairperson of the Tamil Nadu State Planning Commission, made the opening address. While acknowledging the importance of the SSF Guidelines, she urged that more active participation be sought from the government, particularly from elected representatives at various levels. She offered the platform of the State Planning Commission to bring together various actors for dialogue and debate, an initiative that was appreciated and acknowledged by the stakeholders present. She also listed a number of schemes that were overseen by the State Planning Commission, and suggested that the gathering explore opportunities under the Backward Regions Grant Fund and the India Inclusive Innovation Fund that would be applicable to coastal communities. Elaborating upon good governance, she cautioned that despite the merits of the SSF Guidelines, we could only benefit from them gainfully through the voluntary and wilful participation of all actors involved in implementation. Another aspect that she highlighted, and would emerge as a recurrent theme through the deliberations, was the need to accord responsibilities with rights to fishing communities to ensure sustainable and equitable use of resources.

Opening Remarks

The FAO India Representative, Kevin Gallagher, cited the SSF Guidelines (and the process by which they were drafted) as serving as a model for other small-scale sectors, particularly in their inclusion of a human-rights-based approach. Throughout the development of the SSF Guidelines, he said, the spirit of partnership was cemented in the process, a principle that has rolled over to other areas as well. The human-rights-based approach enshrined in the SSF Guidelines, he pointed out, would enable rights holders to hold accountable those entrusted with safeguarding those rights. States that had endorsed the SSF Guidelines would be under moral obligation to go beyond endorsement and work towards implementation, he hoped. He also reinforced the FAO's commitment in playing a catalytic role in the implementation process. He added that having now obtained a global endorsement of a document with a global mandate, the time had come to implement the SSF Guidelines locally.

THE ROLE OF STATE AND NON-STATE ACTORS IN IMPLEMENTATION

Nicole Franz, the Fishery Planning Analyst at the FAO, then elaborated upon the potential roles of State and non-State actors, highlighting the vast range of players that needed to arrive at a common understanding of the small-scale fisheries subsector. She called attention to the guiding principles outlined in the SSF Guidelines, which were imperative to guide the implementation process as well.

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Santha Sheela Nair, Vice-Chairperson, Tamil Nadu State Planning Commission; Ramya Rajagopalan, Executive Trustee, ICSF Trust; C M Muralidharan, Project Manager, BOBLME, Nicole Franz, Fishery Planning Analyst, FAO; John Kurien, Member, ICSF, Kevin Gallagher, FAO India representative; Nalini Nayak, Member, ICSF; Sebastian Mathew, Executive Secretary, ICSF at the opening session of the ICSF-BOBLME Workshop on SSF Guidelines

While discussing the role of the State, she said that policy coherence to address small-scale fisheries subsector issues at all levels was imperative, as was the strong and committed political will of government agencies—from the national to the local level. She called for a review and revision of the existing legal frameworks and institutional arrangements to identify gaps and scope for improvement. As equal partners in the process, FWOs and CSOs had an important role in ensuring that the process remained participatory, that active lobbying with the State actors would continue and the importance of the small-scale fisheries subsector be brought into focus. Scientific and research institutions could inform the work of the State actors and FWOs through technical co-operation, financial assistance, the delivery of capacity development, knowledge sharing, assistance in developing national small-scale fisheries subsector policies, and transfer of technology. Reiterating the importance of understanding the situation of the sector and the status of the resource, she called for the collection and collation of data on the sector, the appropriate analysis of which could then inform policy and decision-making processes. At the same time, she said, it was imperative to gather and give due credit to the traditional knowledge that resided within small-scale fisheries communities. This knowledge should serve to inform policy and management decisions.

The functions of the various actors taken together will enable the mainstreaming of the SSF Guidelines in various policies, strategies and plans, and help expand the scope beyond the sector: small-scale fisheries can only be sustainable, she added, if we take an integrated approach that considers not only the sector itself but the wider context in which it operates.

Drawing from lessons learned in the implementation of other voluntary instruments, she recommended the setting up of an implementation and monitoring platform at the national level, as also called for by the SSF Guidelines. At all levels of institutional arrangements, she reiterated, the true representation of small-scale fishers and fishworkers was indispensable.

STRATEGIC ACTION PROGRAMME OF BOBLME AND IMPLEMENTATION OF SSF GUIDELINES

Representing an important regional partner, the BOBLME project, C M Muralidharan, Project Manager, introduced the Strategic Action Programme (SAP) of BOBLME, noting that its objectives and targets in addressing transboundary and management issues incorporated many components outlined by the SSF Guidelines themselves. In particular, he listed the Ecosystem Quality Objectives, which promoted an ecosystem-based approach to fisheries management, and also included specific social and economic considerations: reduction of vulnerability to natural hazards and climate change; improved living and working conditions of communities along the coastline; and empowered coastal communities to participate in, and benefit from, sustainable development practices. He also emphasized the importance of disseminating information about, and implementation of, the SSF Guidelines, which were included in the target outcomes of the SAP.

PROMOTING SOCIAL DEVELOPMENT AND SUSTAINABLE FISHERIES: THE ROLE OF THE SSF GUIDELINES

Examining the specific role of the SSF Guidelines in addressing social development and sustainable fisheries, Nalini Nayak, Member, ICSF, brought to focus the social dimensions of the SSF Guidelines. The SSF Guidelines, she said, could “be a turning point in social development history if implemented in the right spirit with conviction and imagination,” given how their development was made necessary by the vulnerability of and marginalization faced by these communities—the “outliers” of development, and, at the same time, recognizing that small-scale fisheries had the ability to eradicate poverty and provide food security, while ensuring

long-term sustainable use of resources. That the SSF Guidelines encompassed the multi-disciplinary approach required to sustain life and livelihood, implied that the implementation process also adopt an inter- or even trans-disciplinary outlook and process, she added.

PERSPECTIVES FROM SMALL-SCALE FISHING COMMUNITIES

The opening session was followed by the presentation of reports from the six preparatory consultative meetings that were held in West Bengal, Odisha, Andhra Pradesh and Tamil Nadu during January - February 2015. The specific applications of the SSF Guidelines varied across a sector such as small-scale fisheries, which is characterized by its high degree of diversity and specificity. However, as pointed out by Venkatesh Salagrama, Member, ICSF, who moderated the session and had led the consultative meetings, the issues that were deemed pertinent had common elements across the states, as did the identification of marginalized groups (women – especially single women; those affected by MPAs; the elderly; etc.). A consensus for defining the small-scale fisheries subsector had proved difficult to reach, which was perhaps an apt reflection on the very varied nature of work and actors associated with the sector.

Some of the major issues that were flagged for consideration included: the lack of recognition of tenure and use rights, which led to alienation from fishing grounds, landing centres, etc., the erosion of traditional practices and customary institutions; displacement of communities by large-scale development projects; issues faced by migrant workers (such as lack of institutional support to migrants—identity cards, access to basic facilities like healthcare, schooling and housing, and denial of rights to a hygienic and safe work environment); and disaster preparedness.

It was also pointed out that formal fisheries management systems often lacked adequate resources, and followed management plans that were not cohesive. Further, they operated under the purview of the state MFRAs which were unable to cope with rising challenges such as competition from mechanized boats, tourism and industry, lack of capacity to monitor and enforce MFRA regulations, conflict with MPA regulations, and limited livelihood options.

Representatives from the different states presented a summary of their deliberations on the following themes: categories of small-scale fisheries; vulnerable and marginalized groups;



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Participants at the ICSF-BOBLME India (East Coast) Workshop



Pradip Chatterjee, Dakshinabanga Matsyajibi Forum, West Bengal; G Joseph, Secretary, Ramnad District Fishworkers Trade Union, Tamil Nadu; Venkatesh Salagrama, Member, ICSF; B L Narasimha Raju, United Fishermen Association, Andhra Pradesh and Mangaraj Panda, Secretary, United Artists' Association, Odisha at the session on reports from sub-national workshops by fisher representatives

customary tenure and use rights; responsible fisheries management; social development; value chains, post-harvest and trade issues; gender equality; natural disasters and climate change; and policy and institutional issues.

Pradip Chatterjee of Dakshinabanga Matsyajibi Forum, West Bengal, brought attention to the specific issues facing small-scale fishers in and around the Sunderbans area, and hence to the larger issue of small-scale fisheries and MPAs. In addition to these communities being vulnerable on account of natural disasters, coastal erosion, pollution, and so on, they were being further marginalized from the mainstream and from access to social protection measures by increasing inaccessibility to the resource, and physical and political isolation through nature preservationist agendas.

Mangaraj Panda, Secretary, United Artists' Association, Odisha, discussed the situation of small-scale fisheries in Odisha, pointing out how the diverse origins (and hence, practices) of marine fisheries implied social, cultural and socioeconomic differences between different zones in the state. He underscored, therefore, the need for ensuring the adoption of the provisions of the SSF Guidelines to the local context.

B L Narasimha Raju of the United Fishermen Association, Andhra Pradesh, also pointed out the increasing focus and investment on large development projects along the coast that were threatening already marginalized communities there. As was discussed in the cases of other states as well, he mentioned some areas in social development where there has been considerable improvement, but added that there were still many gaps that remained to be filled.

G Joseph, Secretary, Ramnad District Fishworkers Trade Union, Tamil Nadu and Puducherry, presented the status of small-scale fisheries in Tamil Nadu, drawing attention to the lack of recognition of traditional institutions and customary governance. As pointed out by other representatives as well, he elaborated upon the important role of women in fisheries, especially in the post-harvest sector, and the factors that negatively impacted their livelihood security and underestimated their significance as equal partners in the sector.

Across the states, it was seen, in cases where fisheries enforcement was strict, it was, ironically, the women involved in fish-processing activities who were the ones most adversely affected—implementation of formal fisheries-management measures often overlooked the role of women as workers, compounding their access to benefits and rights. Also, enforcement of regulations

intended to tackle threats to the marine ecosystem very often did not have the capacity to address larger destructive activities such as bottom-trawling, and their effectiveness stopped at undue curtailing of small-scale and women's allied activities.

While addressing policy and institutional issues, the representatives felt that categorizing policy frameworks and institutional arrangements, including traditional management systems, into: (i) those that existed and could address small-scale fisheries needs; (ii) those that existed but needed improvement, and; (iii) those that needed to be instituted, would help identify the actors to be targeted, the time frames for such action (short vs. long-term) and the resources required for implementation.

Responses from State Governments

The session invited responses from state government representatives, specifically from the Fisheries Departments of Tamil Nadu, the Union Territory of Puducherry, Andhra Pradesh, Odisha and West Bengal. A majority of the responses of state government officials reiterated the various thematic schemes that addressed these issues. They highlighted the ways in which the functioning of their respective departments would attempt to bring into focus the small-scale fisheries subsector, and increase co-ordination and collaboration with other departments, such as Forest and Wildlife. The participants hoped that these representatives of government would take back the message for strong and meaningful collaboration across sectors and actors.

In his response to the issues highlighted under tenurial rights, Sandip Kumar Mondal, Deputy Director of Fisheries, Department of Fisheries, West Bengal, said that although the government has taken the initiative to transfer land to the fishing communities for land-based fishery-related activities, the complex arrangements between different departments had rendered the process time-consuming. The process of transfer of land first to the Fisheries Department had to go through various legal hurdles, especially when the transfer was effected from the Forest Department. He called for more focus on the various issues brought up at the level of policymaking and hoped for better synchronization between central and state-sponsored schemes. The thrust areas of his department, he said, were safety of fishers, infrastructure development, housing and promoting sustainable fisheries. Awareness generation about sustainable practices and alternative livelihoods were the areas that should receive more focus, he concluded.

Pratap Ranjan Rout, Joint Director, Department of Fisheries, Odisha, reiterated that the conflict of objectives between conservation and development, especially around protected areas, exacerbated the problems of small-scale fisheries. He also listed the various schemes that were introduced by the Government of Odisha that could potentially complement the objectives of the SSF Guidelines.

P Rammohan Rao, Assistant Director, Department of Fisheries, Andhra Pradesh, said that the newly-formed Government of Andhra Pradesh had recognized the fisheries sector as a 'growth engine' and had introduced a slew of programmes and schemes. Given the infrastructure facilities that were already in place, he said, the scope to introduce small-scale fisheries-oriented programmes was high.

P Reena Selvi, Inspector, Department of Fisheries, Tamil Nadu, also listed the various schemes that were available to fishers and assured that the co-ordination between the Department of Fisheries and the Forest Department was an ongoing endeavour.

Specifically responding to the housing issues that were brought up, Mary Chinna Rani, Director, Department of Fisheries and Fishermen Welfare, Puducherry, described the post-tsunami housing policy under which housing was provided for fishing communities, in addition to other

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Sandip Kumar Mondal, Deputy Director of Fisheries, Department of Fisheries, West Bengal; P Reena Selvi, Inspector, Department of Fisheries, Tamil Nadu; P Rammohan Rao, Assistant Director, Department of Fisheries, Andhra Pradesh; Pratap Ranjan Rout, Joint Director, Department of Fisheries, Odisha; Venkatesh Salagrama, Member, ICSF and Mary Chinna Rani, Director, Department of Fisheries and Fishermen Welfare, Puducherry at the workshop session on perspectives from small-scale fishing communities

welfare and social-security schemes. Co-ordination with other departments and government agencies, such as the Coast Guard and Coastal Police, was also taking place through collaborative programmes, she concluded.

IMPLEMENTING THE SSF GUIDELINES: CREATING AN ENABLING SOCIOECONOMIC, LEGAL AND POLICY ENVIRONMENT FOR SMALL-SCALE FISHERIES

As was pointed out in the introductory session to the workshop, legislative and policy reform in accordance with the SSF Guidelines would go a long way in protecting the interests of the vulnerable and marginalized (including, importantly, women) in endorsing human development and good practices in fisheries; in resolving inter- and intra-sectoral conflicts; in granting and protecting tenure rights, especially to land for housing needs; in securing social protection; and in improving life and livelihoods of fishers and fishworkers. The post-lunch panel discussion addressed the need for governance reforms, while examining how an enabling socioeconomic, legal and policy environment for the small-scale fisheries subsector could be created. The following presentations, made at the session, reflected the diversity of expertise of the panel:

What governance reforms are needed across coastal states in the short and long run to secure sustainable and responsible fisheries management and equitable development of fishing communities?

Yugraj Singh Yadava, Director, BOBP-IGO, emphasized that the SSF Guidelines should be read in conjunction with other international instruments such as the FAO Tenure Guidelines, the Code of Conduct for Responsible Fisheries (CCRF), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), etc., to strengthen their application at all levels. Drawing attention to the implementation problems that arose with the CCRF, he recommended that the SSF Guidelines –which were global in scope–be first adapted to the Indian context. He called for the need to bring together the line departments, and for others to take on roles that might be beyond the scope of the Fisheries Departments alone.

Notwithstanding the SSF Guidelines, he added, reforms in governance in the fisheries sector had been long overdue: the areas where reforms were necessary included the broad categories of community empowerment and mobilization; revamping of the existing fisheries legislation and

filling legislative voids (for example, legislation to regulate fisheries in the Indian EEZ); bringing greater discipline into the sector; fisheries management; strengthening fisheries institutions; and long-term policies that were community-driven and community-centred.

Issues and challenges for sustainable small-scale fisheries in the inland fisheries sector of India

Ganesh Chandra, Senior Scientist, Central Inland Fisheries Research Institute (CIFRI), provided an important perspective on the often-overlooked sector of inland fisheries, highlighting issues that were unique and those that overlapped with the marine sector, particularly with regard to tenure and access rights. Across India, state laws dictated access to inland waters, he said. The inland sector was dominated by small-scale fisheries, which were characterized by highly diverse operations, seasonally and geographically. In his discussion of the various laws governing fisheries in India, and with particular emphasis on the inland sector, he pointed out an often overlooked provision under the Constitution of India: Article 262 that assigns to the Parliament any inter-state water-sharing disputes. He claimed the scope of such disputes also extended to fish resources in the rivers.

He presented the findings of case studies carried out across numerous Indian states, and discussed the similarities and disparities in fisheries management models (revenue- and welfare-based) and socioeconomic and socioecological conditions. These differences had important implications for the manner and stage at which interventions that were in accordance with the SSF Guidelines could be introduced. For example, while Assam defined a “fisherman”², Bihar had recognized “traditional fishermen”³ in state legislation. The issues confronting the sector included tenure rights to resource access, weak organization in the sector, threats to the resource (and thereby to livelihood) from outside the sector (pollution, development projects, etc.) and the lack of alternative livelihood options.

His suggestions for improvement, in the context of policy and governance reforms, included the strengthening of credit systems, encouraging responsible management practices, enhancing income, providing opportunities for alternative livelihoods, increasing consultation and participation in decisionmaking, and empowering women to take on leadership and decision-making roles. While discussing state fisheries regulations, he highlighted the case of the Madhya Pradesh Inland Fisheries Act, 2008, a proactive piece of legislation of the recent past that emphasized the role of small-scale fisheries and the rights of access of small-scale fishers to water bodies—a fact that could be credited to the efforts of the bottom-up fisher movement that originated in the Bundelkhand area.

Traditional Governance Systems and Fisheries Management

Speaking on behalf of T Raja, a traditional *panchayat* representative from Nagapattinam district in Tamil Nadu, V Vivekanandan, Member, ICSF, presented a cogent case for the consideration and understanding of traditional governance systems in fishing communities. Such systems, he said,

2 The term ‘fisherman’ is defined in the Assam Fisheries Act (1953), based along caste/community lines, and includes: persons who undertake fishing by themselves in a fishing group; persons directly undertaking fish trade such as marketing of fresh fishes, preserved fishes, other preserved fishes, fishing implements etc.; members of the fishermen cooperative societies undertaking fishing or fish trade etc. (Chandra, G. 2011. Management Regimes and Institutional Arrangement in Floodplain Wetlands Fisheries of Assam: An Evaluation. *Indian Journal of Extension Education*. 47 (1&2): 27-33).

3 The 2006 Bihar Fisheries Jalkar Act recognizes “traditional fishers”, although a specific definition is not provided. These fishers have been given access to fishing in rivers, *mauns* and *chours* through Fishermen Cooperative Societies and Self Help Groups (including women fishers) (*ibid*).



Ganesh Chandra, Senior Scientist, Central Inland Fisheries Research Institute (CIFRI); Manash Choudhury, Deputy Adviser, National Institution for Transforming India (NITI-Aayog), New Delhi; V Vivekanandan, Member, ICSF and Albertina Almeida, a legal expert and gender trainer, Goa at the Panel Discussion on Implementing the FAO-SSF Guidelines: Is there need for governance reforms?

in which a community entrusts decisionmaking that directly impacts it, played a valuable role in enforcing what the guidelines endorse, and mostly operated in the spirit of participation and consensus. They also played a pivotal role in disaster management, he said, citing the example of the tremendous efforts of the traditional *panchayat* of Nagapattinam district in managing relief and rehabilitation in the aftermath of the 2004 tsunami. Often, however, they were not given due recognition, and were not looked upon as partners in development. Instead, extraneous structures were imposed upon them (such as co-operative societies), which undermined their authority and functioning.

While it was true that there were factors that could be considered flaws (such as the absence of women in positions of leadership), it would be wrong, he added, to dismiss these systems entirely. They were dynamic institutions and could be capable of change: two fitting examples that demonstrated this ability for adaptation included the promotion of women to the post of vice-chairpersons in the parish councils in the southern coast of Tamil Nadu, and the reconstitution of the traditional *panchayat* system of the Hindu fishing community in northern Tamil Nadu that overhauled the traditional chieftain system and instituted a democratic choice of leadership. Given their wider reach to the local populace, and the faith that was entrusted in them by the community, there must be a sincere effort, he concluded, to integrate these systems into higher-level decisionmaking and to give such plurality of institutions their due credit.

Government, Governance and the Small-scale Fisheries Subsector

In response to previous comments and concerns regarding the government's ability to meaningfully incorporate the spirit of the SSF Guidelines in its functioning, Manash Choudhury, Deputy Adviser, National Institution for Transforming India (NITI-Aayog), New Delhi, commended governmental efforts in developing fisheries throughout the country. He cited the exponential growth in the export in fisheries as evidence of the central government's commitment to the fisheries sector. However, he said, effective implementation could only occur when government agencies were sincere in the discharge of their duties and when the relationship between communities and the government was amicable. It was not the dearth of schemes, he said, but their poor dissemination that was a limiting factor. He called for a paradigm shift in fisheries management, with an increased focus on empowerment of stakeholders. A robust investment plan in fisheries for the long term was needed in every state. He also advocated for public-private partnerships (PPPs)

which could help enhance production, and suggested strongly that aquaculture be considered on par with agriculture and be given the same level of importance in policy. He concluded by calling for setting up a national fishermen's legal services board, a national institute of fisheries, and a national fisheries insurance corporation. The institutionalisation of these bodies in future at the national level, he said, would help address the huge range of issues as well as national and state laws concerning fisheries on a single platform.

Using International/National Legal Instruments to Secure Women's Rights in Fisheries

The final panellist of the session, Albertina Almeida, a legal expert and gender trainer, elaborated upon how international and national legal instruments could be tapped into to support and strengthen the provisions of the SSF Guidelines, with a specific focus on securing women's rights in small-scale fisheries. Given the substantial role that women played in small-scale fisheries, particularly in pre- and post-harvest operations, and, to some extent, in the harvest operations, the SSF Guidelines promoted gender mainstreaming and provided a standalone point on gender equity.

The other provisions in the SSF Guidelines also made references to the implications for women. The list of line departments, and the ambit of laws, were more expansive when one considered the entire value chain, and all of the actors involved at every level, she pointed out. From the human-rights provisions covered under various international instruments to provisions under the Indian Street Vendors Act, 2014, she highlighted the opportunities to invoke these provisions to safeguard the rights of those working in the sector. While addressing the status of women, she emphasized that welfare schemes provided by the government were not equivalent to rights, and ownership conferred to women did not imply control. The recognition of these differences was important to address shortcomings in various social and development programmes that were aimed at improving the life and livelihoods of small-scale fisheries communities. Drawing attention to local and international markets and the direct impacts on small-scale fishers, especially women, she advocated for women to be involved in decisionmaking in international trade agreements.

Discussion

The questions and comments that followed the panel session broadly concerned critically examining the current model of development and exclusionary practices that further marginalized the small-scale fisheries subsector. It was acknowledged that the isolated functioning of different departments of government made it difficult for them to come together on a common platform and discuss relevant issues from the perspective of the small-scale fisheries subsector. And while coherence was sought at the level of policymaking, it was also suggested that work in different capacities in small-scale fisheries subsector and fisheries management also gain conceptual clarity on its various ecological, socioeconomic and political aspects: for example, how to address the situation of the scale issue intersecting with caste issues, which was unique to the Indian context.

Group Discussion

The concluding session of the first day included group discussions, guided by the following questions:

1. *How to secure tenure rights to coastal lands that respect the culture and livelihoods of small-scale fishing communities?*
2. *What are the government departments that need to be involved to enhance the social development of small-scale fishing communities? In what ways can they play a role and how can they collaborate with each other?*

3. *To achieve the above, what assistance would be required (technical support, capacity building, knowledge sharing, material development, etc., for fishworker organizations, civil society organizations, governments, research institutions) and what institutional arrangements are necessary?*

Participants were split up into language groups (Bengali, Odia, Tamil and Telugu) to facilitate easy communication, but also, and more importantly, to discuss specific issues in each of their local contexts and to deliberate upon possibilities for the provisions of the guidelines to be directly applicable and relevant to bringing about change on the ground. Ujjaini Halim, Treasurer, World Forum of Fish Harvesters & Fish Workers (WFF), moderated the session where the language groups reported back.

In response to the first question, the common recommendations of all groups concerned the recognition of traditional and customary institutions and the onus on the government to secure tenurial rights and land-use rights. The recognition of cultural, social and economic attributes of the communities would play an important role in determining case-specific and location-specific programmes and interventions. Each group listed a number of state departments in response to the second question, but nearly all recommended the Fisheries Department assume the role of co-ordinator and facilitator. They also stressed the need for true representation in institutional arrangements of the small-scale fisheries community at all levels.

Although the groups did not have time to discuss the third question at length, it was agreed that there was a need to review what support and capacity was available—and how it could be accessed better, and what was lacking and required. It was also agreed that the lack of co-ordination between various actors was counterproductive to the collective objective of addressing the issues of small-scale fisheries, and hence any efforts would have to begin with bringing together these different actors.

LOUIS/ICSF



West Bengal participants at the group discussion

While discussing location-specific issues that needed addressing, the issues highlighted, and recommendations on the way forward, had a number of elements in common. In particular, the participants observed that there was a need to:

- contextualise the guidelines for relevant application in local areas;
- make gender equity and empowerment of the marginalized a priority;
- increase visibility of the small-scale fisheries subsector and emphasize its ability for poverty eradication and its contribution to food security and adequate nutrition;
- disseminate information about the SSF Guidelines and other instruments to empower communities to assert their rights, in turn making them less dependent on welfare schemes of the state;
- critically examine the current model of capital- and investment-driven development at the cost of social development and address indirect threats to livelihood and resources (for example, pollution from shore-based industries, development and tourism projects, competition from the large-scale and other sectors);
- ensure that implementation of the SSF Guidelines was bottom-up and participatory;
- draw from existing positive examples and good practices already instituted in community management for the realization of equitable and sustainable practices;
- formalise and secure tenure rights for ownership, use and transfer;
- call upon state governments to address their responsibility in safeguarding human rights, particularly of members of vulnerable and marginalized groups;
- explore opportunities for skill-building and alternative livelihoods to enhance income generation;
- emphasize the role of the post-harvest sector;
- provide due recognition of inland fisheries and address tenurial, livelihood and social security issues; and
- establish a more prominent position for SSF in the market and trade components of the value chain.

Rammohan Rao, who represented the Andhra Pradesh group, called for the formal recognition of existing traditional and customary institutions that functioned democratically. In an effort to promote gender equality, he advocated for the inclusion of women within these systems, which were already embedded in the community, to increase their visibility and entrust them with decisionmaking. He also stressed the need for the sector to be better organized through collectivisation and solidarity among fishers.

With regard to securing rights over land and land use, Debasis Shyamal of the Dakshinbanga Matsyajibi Forum, West Bengal, emphasized the need for measuring and mapping land that was used by the community to ascertain the full extent and nature of use. Given the importance of co-ordination for effective action between the various departments and agencies of government, the group had identified the Fisheries Department to play the role of co-ordinator.

Agreeing with the suggestion to entrust the Fisheries Department with a nodal agency role, the Odisha group, represented by Mangaraj Panda, recommended the setting up of a single-window system. A planning and monitoring committee was recommended to be set up at the district/block/*gram panchayat* level with adequate representation of small-scale fishers. In the context of alternative livelihoods and diversification, he also highlighted positive examples of community-based and community-initiated programmes for ecotourism, which, he said, could serve as examples of good practices in other states as well.



Ashis Senapati, Project Swarajya, Odisha; Mangaraj Panda, Secretary, United Artists' Association, Odisha; Debasis Shyamal, Dakshinbanga Matsyajibi Forum, West Bengal; Ujjaini Halim, Treasurer, World Forum of Fish Harvesters and Fish Workers (WFF); S Danassegaran, Deputy Director, Department of Fisheries and Fishermen Welfare, Government of Puducherry at the workshop session on presentation of group reports

S Danassegaran, Deputy Director, Department of Fisheries and Fishermen Welfare, Government of Puducherry, representing the Tamil Nadu and Puducherry group, called for a “Fishermen Housing Rights Protection Act” to secure the rights of communities who were the traditional occupants of coastal land, in order to safeguard their rights. Similar to the institutional set-up proposed by the Odisha group, he suggested a three-tier committee—at the village, district and state level. The state-level committee will have as active members, officials from all of the concerned line departments.

Contextualising the SSF Guidelines

The second day of the SSF Guidelines workshop began with a panel discussion on contextualising the guidelines in the case of Indian small-scale fisheries. The panellists included representatives with working experience on inland fisheries, marine fisheries, food security, disaster management, legal issues and the coastal environment. Yugraj Singh Yadava, Director, BOBP-IGO, moderated the session.

SSF Guidelines and Inland Small-scale Fisheries

The first panellist was V V Sugunan, Assistant Director General (Retd.), Indian Council of Agricultural Research (ICAR), New Delhi, who provided further insights into inland small-scale fisheries. Offering a way in which the definition of small-scale fisheries could be attempted, he suggested that instead of basing it on the capital invested, environmental sustainability and social and economic equity could be factors that could define its limits. Although the role of inland fisheries in promoting sustainable livelihoods was acknowledged, there is a lack of conceptual clarity, he said, which often limited effective management strategies. The presentation focused on the concept of stock enhancement, a production mode that had not received due attention. Considering the potential contribution towards overall fisheries production by the inland sector, he urged that careful consideration of all methods be undertaken in the range of activities between culture-based and capture-based fisheries to determine the most suitable in terms of providing food security, and ensuring environmental sustainability, and social and economic equity. He elaborated upon the benefits and disadvantages of various methods, and demonstrated that stock enhancement could also provide considerable opportunities for the small-scale fisheries subsector. Of the fish production of 12.27 mn tonnes projected for 2020-21, enhancement fisheries could potentially contribute approximately 2 mn tonnes of fish, a significant contribution if we were to consider the relative environmental and social benefits.

Tenure Rights and Inland Fisheries

The promotion of sustainable livelihoods requires the consideration of various factors that influence day-to-day activities and resource-use decisions of people in the SSF sector. Sumana Narayanan, Programme Associate, ICSF, Chennai, gave a brief overview of tenure rights in inland fisheries, drawing from examples in Bihar and West Bengal. Having visited and interacted with stakeholders in landscapes surrounding the Ganga, she highlighted how the tenuous nature of access or use rights impinged upon fishing livelihoods. The open access to riverine systems had not improved access to resources of the marginalized communities—free access had not in any way guaranteed or safeguarded their rights. She cited the example of the traditional *panidhari* system in Bihar, which was premised on stringent property rights on the river and worked on an exclusionary basis—a system abolished by law, but still practised in some areas today. She also spoke about the emerging threats to livelihoods of fishing communities from development and tourism projects such as resorts along the banks of the river.

Integration of Small-scale Fisheries in the Ecosystem Approach to Management

E Vivekanandan, Scientist Emeritus at the Central Marine Fisheries Research Institute (CMFRI), Chennai, talked about the ecosystem approach to fisheries management (EAFM) in the context of small-scale fisheries, a concept highlighted by the SSF Guidelines. After briefly introducing the concept of EAFM and its history, commencing at the Reykjavik Declaration on Responsible Fisheries

in Marine Ecosystems in 2001, he elaborated upon the prospects for developing a small-scale fisheries-centric EAFM plan and its implementation. The Convention on Biological Diversity (CBD) defines EAFM as “the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way”. The EAFM approach was holistic in scope, he said, which was a marked shift from the way fish and fish production was viewed: conventional systems treated them as entities separate from the ecological and sociocultural environment.

The five steps outlined in developing and implementing an EAFM plan required multi-sectoral co-operation and included: (i) defining its scope; (ii) identifying and prioritising issues and threats; (iii) developing the EAFM plan; (iv) implementing the plan; and (v) monitoring and evaluation, and adaptation, as and when required. Within the small-scale fisheries context, the benefits of EAFM included helping stakeholders take the responsibility for management, better compliance and enforcement, reduced conflict between and within sectors, and better communication and trust between various actors. A successfully implemented EAFM plan offered a myriad of possibilities, including the potential certification of the fishery as a ‘green fishery’. While promoting the EAFM approach, however, he cautioned that in places where governance was weak, it would be particularly challenging to implement, especially in regions with fragmented land or marine tenure systems.

Customary Rights to Land and Sea: Negotiating Tenure Rights

With the current scenario of economic growth, globalization, urbanisation and environmental impacts resulting from these processes, Probir Banerjee, President, Pondy Citizen’s Action Network (PondyCAN), Puducherry, called for an “inside-out” approach to addressing environmental problems and designing interventions with an alignment of values and actions. He highlighted the immense changes on land and at sea that were caused by infrastructure and coastal development projects. He introduced an ongoing pilot Coastal Stewardship Programme, which conducted capacity building in fishing villages, and trained the youth in mapping their villages with global positioning system (GPS) units and geographic information system (GIS) software. The long-term objective of this project, he said, was for the coastal inhabitants to recognize and assert their rights over land and sea. The mapping exercise was also aimed at challenging and redefining people’s perceptions of the space that they used and foster the notion of their village as a single unit. The results of the mapping were also intended for other purposes, for example, in addressing issues



V V Sugunan, Assistant Director General (Retd), Indian Council of Agricultural Research (ICAR), New Delhi; Sumana Narayanan, Programme Associate, International Collective in Support of Fishworkers (ICSF), Chennai; E Vivekanandan, Scientist Emeritus, Central Marine Fisheries Research Institute (CMFRI), Chennai; Yugraj Singh Yadava, Director, BOBP-IGO and Probir Banerjee, President, Pondy Citizen’s Action Network (Pondy CAN), Puducherry at the workshop session on contextualising the SSF Guidelines

such as education, health and sanitation. This would empower the community to address their own needs, he added, and as was already demonstrated in a few cases, produce evidence that could be used in court to validate and claim their rights and counter false affidavits determining land use.

Disaster Management and Small-scale Fishery-based Livelihoods: Lessons Learnt from Disaster-resistant Housing, Tamil Nadu

Annie George, Chief Executive, Building and Enabling Disaster Resilient Coastal Communities (BEDROC), Nagapattinam, and Sajith Sukumaran, Consultant, FishMARC, Thiruvananthapuram, shared their experiences working with fishing communities in the post-2004 tsunami context in Tamil Nadu. While the former focused on the housing policy and the outcomes of shelter and housing exercises undertaken by the Tamil Nadu state government in the aftermath of the tsunami, the latter spoke of the impacts on fisheries livelihoods, post-disaster. Annie George highlighted the governance challenges, community aspirations and administrative and technical aspects that compounded some of the problems that arose in the course of the rehabilitation efforts. She pointed out that although the intentions were well placed, the lack of technical capacity, low investments in repair and maintenance, and the short shrift given to safety, proved counterproductive. She suggested revisiting the lessons learned from this exercise to create better-informed disaster management programmes for the future.

Sajith Sukumaran provided a brief overview of the situation before, during and after the 2004 tsunami, with a specific focus on fisheries livelihoods along the Tamil Nadu coast. The tsunami had caused extensive damage to equipment, and, in sharp contrast to shelter, there was no government policy for livelihood rehabilitation. Fisheries interventions saw high investment in fishing craft and engine repair, and new NGOs who had no prior knowledge or understanding of the sector supplied funds, gear and equipment to communities, which caused considerable changes in the dynamics of the communities, and induced them into a welfare-seeking mode. A review 10 years after the tsunami had shown a significant expansion of motorised craft; the traditional *kattumaram* had all but disappeared along this coast. There had also been a trend of fishers going deeper into the sea, on longer, sometimes multi-day, voyages, and targeting large pelagic and reef fishes. Even the mechanized sector had seen an increase in capacity (although not as much in numbers). A lack of data regarding certain key aspects, especially regarding the impacts on the livelihoods of women, had left gaps in understanding certain trends. There was, therefore, a need, he concluded, to include the assessments to impacts not just to lives, but also to livelihoods (that is, on gear, craft, access, etc.) in the consideration for resilience plans and rehabilitation policy.

Climate-smart Fishing: Development of Solar-powered Fishing Vessels, Thoothoor

In the face of changing climatic conditions and the possible direct impacts they may have on fishing and fisheries-based livelihoods, Vincent Jain, Executive Secretary, Association for Deep Sea Going Artisanal Fishermen (ADSGAF), Thoothoor, Tamil Nadu, spoke about climate-smart fishing and the development of solar-powered fishing vessels in Thoothoor. The ongoing work, he said, involved development of innovative climate-smart technologies for fishing vessels, and also interventions in other fisheries-based and fisheries-related activities, including the introduction in the post-harvest sector, for example, of solar lamps in evening markets for women fish vendors. He illustrated the economic and environmental feasibility of this technology when compared with conventional fuel-based technology, and outlined the next steps for future projects that were in the process of being developed. The prototype models of solar-energy-based technology developed by ADSGAF could potentially inform other experiments or interventions based on alternative energy. However, he cautioned, there were some limitations to using the technology,

including the high initial costs, lack of after-sales services and lack of training. But with adequate training and support from the government to bring alternative energy into the mainstream, many of these limitations could be overcome, he concluded.

Post-harvest and Trade: Social Development and Women Fish Vendors

The post-harvest sector, in which women play a significant role, is often only accorded cursory importance. This subsector is also referred to as an ‘invisible arm’ of fisheries whose functioning is known but actors ignored. Jesu Rethinam, Secretary-cum-Director, Social Need Education and Human Awareness (SNEHA), Nagapattinam, talked about social development of women in the fisheries sector, focusing on women fish vendors. She indicated how the changing nature of the coast and markets were making women fishworkers increasingly vulnerable. Women were losing access to the beach due to a variety of factors, including coastal erosion (which reduced beach-landing space), and to development projects that were claiming shorefront access, and there was a marked shift from shoreline fisheries to harbour-based fisheries. They were also losing their spaces within markets, with the entry of large players and the loss of their right of first offer to the fish catch. Poor facilities at the market had adverse impacts on women, as did the increasing distances that they were compelled to travel, leading to time poverty⁴, and feminisation of labour⁵. Women not only played an important role in managing a family but also the immediate community; for instance, making sure children are well fed and educated. Thus, the women in the fishing community had a different outlook on the resource, focusing not on immediate gain as much as long-term security and sustainability of the resource. This made them vital partners in resource management decisions, she added.

Legal Actions in Protecting the Human Rights of Small-scale Fishing Communities

Addressing the lack of legal provisions to secure the rights of small-scale fishing communities, Gayatri Singh, an advocate from Mumbai and Member, Human Rights Law Network (HRLN), listed the possibilities of asserting rights through the provisions of supporting laws and regulations. She discussed the ongoing and rapid erosion of traditional systems, and the failure of the state and courts to recognize customary rights over land and water. This made small-scale fisheries communities vulnerable to external forces that utilized the coast for purposes other than fishing. The nature of viewing customary tenure in the light of resource *use* and not as basic *rights*, had markedly changed how the exploitation of the resource was planned. She also lamented the erosion of the Doctrine of Public Trust—according to which the state is a trustee of the commons—and questioned the notion of what was meant by ‘public interest’. As an example of invoking provisions of related relevant legislation, she brought attention to specific sections of the Forest Rights Act, which gave the right to traditional dwellers to exploit resources within a protected area—a provision

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- 4 Time poverty arises from a situation where a person works long working hours without being able to choose otherwise. Time poverty is often compounded by monetary poverty, in that monetary poverty exacerbates should he/she choose to work fewer hours (Bardasi, E and Q. Wodon. 2009. *Working Long Hours And Having No Choice: Time Poverty In Guinea*. Policy Research Working Paper 4961. World Bank. <http://elibrary.worldbank.org/doi/book/10.1596/1813-9450-4961>).
- 5 Feminisation of labour is generally described as an outcome of the effects of liberalization and market orientation on women. The term is used in two ways: (1) to refer to the rapid and substantial increase in the proportions of women in paid work, and in this context, (2) to refer to the deregulation of labour markets, fragmentation of production processes, and emergence of new areas of export specialisation have all generated an increased demand for low-paid, flexible female labour (Kanji, N. and K. Menon-Sen. 2001. *What does the Feminisation of Labour Mean for Sustainable Livelihoods?* IIED, 6 pages.

that addressed some of the concerns raised earlier by members of communities from Odisha, where conservation measures played a large part in restricting access of traditional fishworkers to their fishing grounds. In this context, she also cited the example of the draft Traditional Coastal and Marine Fisherfolk Protection Act, whose provisions, she believed, addressed a large number of issues that previously did not find due recognition in the other laws. However, as was later discussed, this draft law was revoked and is currently under revision involving extensive consultations with fishing communities.

Food Security and the Right to Food

Kavita Srivatsava, National Secretary, People's Union for Civil Liberties (PUCL), New Delhi, introduced the Right to Food Campaign, acknowledging Chandrika Sharma's efforts to bring fishworkers to the platform. She brought to focus the National Food Security Act, which accorded a basic entitlement to food and nutrition to people across the country. She informed the workshop that the provisions of the Act would extend to the small-scale fishing community as well, especially fisherwomen (for example, the provision of free meals to pregnant and lactating women). She reiterated the importance of the contribution of the sector to food security and the implications for poverty alleviation, and invited the participation of actors in the small-scale fisheries subsector to join the national Right to Food Campaign.

Discussion

The comments and questions that followed the panel discussion addressed a variety of issues. Jesu Rethinam was concerned about the introduction of exotic species in aquaculture, and the increasing support to export-oriented fish production, which was proving to negatively impact the livelihoods of the small-scale fishers. Ujjaini Halim raised a concern about the ambitious proposition for ecolabelling of fish produced through small-scale fisheries. The presentations during the panel discussion had reintroduced the focus on the ways in which economic development was given precedence over social development, and the myriad ways in which this had direct and indirect impacts on the livelihood and well-being of marginalized communities, and especially women.

Radha Gopalan, Member, Core Committee, Food Sovereignty Alliance, India, brought attention to the dilution of environmental laws, the demarcation of SEZs, the construction of ports, and the entry of corporate players into the market, which were some of the identified indicators of the inequitable model of development that threatened the small-scale fisheries subsector.

Yugraj Singh Yadava talked about the need for the Fisheries Departments to be given more credibility and a stronger voice, especially given their role in safeguarding the biodiversity of the country's marine and freshwater ecosystems. The overriding importance given to ecological concerns often had direct impacts on the very communities whose practices had the potential to safeguard the resources.

Nalini Nayak referred to the process of the workshop itself as reflective of the larger process that was expected of the implementation—the participation and contribution of various stakeholders from a variety of disciplines and representing different sectors to address the common objectives of the SSF Guidelines and their implementation. In this context, she asked, how each sector could better relate to the larger context in which the small-scale fisheries subsector was situated. For example, she said, a scientist working on fisheries management must challenge the changes in legislation such as the removal of a public consultation clause, that further limit the access of resources to communities.



Gayatri Singh, Advocate, Mumbai and Member, Human Rights Law Network (HRLN); Kavita Srivatsava, National Secretary, People's Union for Civil Liberties (PUCL), New Delhi; Jesu Rethinam, Secretary-cum-Director, Social Need Education and Human Awareness (SNEHA), Tamil Nadu and Annie George, Chief Executive, Building and Enabling Disaster Resilient Coastal Communities (BEDROC), Tamil Nadu at the workshop session on contextualising the SSF Guidelines

DEVELOPING A ROAD MAP FOR IMPROVING GOVERNANCE, HUMAN DEVELOPMENT AND SUSTAINABLE USE OF FISHERY RESOURCES

C M Muralidharan moderated the concluding panel of the workshop. The panel presentations and the following open discussion offered potential ways in which the many suggestions and recommendations could be meaningfully employed, and the commitments to collaboration addressed, in the implementation of the SSF Guidelines. Implicit through the discussions was the acknowledgement of the SSF Guidelines as one of many tools that addressed the development and management needs of the small-scale fisheries subsector.

Developing a Small-scale Fisheries Plan

The first speaker, M Ilango, Chairperson, National Fishworkers' Forum (NFF), India, recapitulated the arguments that questioned the present mode of development, and demanded, in no uncertain terms, that practices that were detrimental to the well-being of the small-scale fisher and the marine and coastal ecology be reconsidered. In particular, he called upon authorities to address the threats posed by destructive fishing practices. He also introduced the "People's Draft Bill of Rights of Fisheries and Other Traditional Coastal Communities", pointing out that the stake that these communities claimed in coastal and marine resources necessitated their participation in decisionmaking at every level. The Bill recommended the constitution of a committee with adequate representation of traditional fishers to review and accept plans. He also emphasized the need to valorise ecologically-sound practices of traditional communities, and to introduce women-centred marketing of fish.

NHRC, India: Potential Role in the Protection and Promotion of the Rights of SSF Communities

Sonali Huria, Research Consultant at the National Human Rights Commission (NHRC), New Delhi, outlined the potential role that the NHRC could play in the protection and promotion of rights of SSF communities. She provided an overview of the functioning of the Commission, and emphasized its role in advocacy, law reform and encouraging ratification of implementation of international standards. The complaints disposal and enquiry process of the Commission was another way in which a direct appeal could be made regarding human-rights violations. She mentioned cases that were filed by the members of fishing communities with the NHRC concerning violation of human rights. Under the various monitoring mechanisms of the Commission, she encouraged those who were working in the field with these communities, to attend the open hearings that were conducted periodically to voice their concerns, and to appeal to the NHRC to review legislation that had the potential to meaningfully address small-scale fisheries concerns. She also drew attention to the parallels between NHRC's focal point on human-rights defenders and the guiding principle of the SSF Guidelines on human rights and dignity.

CMFRI and Small-scale Fisheries

K Sunil Mohamed, Principal Scientist and Head of Molluscan Fisheries, Central Marine Fisheries Research Institute (CMFRI), Kochi, elucidated the role of scientific and research institutions in the sustainable use and management planning of fishery resources. He listed out the specific functions and possible role of CMFRI: a large database which enumerated marine fishers, craft, gear and socioeconomic factors would be an invaluable resource in country-wide assessments; the institute had been monitoring catch and effort nationally; and the codification of fishing gear (164 in total) could potentially help in clarifying the definition of the small-scale fisheries subsector, as far as categorization based on gear may be involved. A large number of CMFRI research projects focus on the small-scale fisheries subsector, examining the socioeconomic status, sustainable marine policy issues, capacity development to EAFM, supply chain management, 'global learning for local solutions', and disaster resilience. He also introduced the National Marine Fisheries Management Code—based on the provisions of the CCRF, and indicated that the draft would be circulated in mid-2015 among civil society and fishing communities for extensive consultations. He concluded with the example of the clam fishery in Ashtamudi Lake in Kerala that was certified by the Marine Stewardship Council (MSC).



M Ilango, Chairperson, National Fishworkers' Forum (NFF), India; Sonali Huria, Research Consultant at the National Human Rights Commission (NHRC), New Delhi; K Sunil Mohamed, Principal Scientist and Head of Molluscan Fisheries, Central Marine Fisheries Research Institute (CMFRI), Kochi; C M Muralidharan, Project Manager, BOBLME; Mary Chinna Rani, Director, Department of Fisheries and Fishermen Welfare, Puducherry; D Nagasaila, Advocate, Madras High Court, Tamil Nadu at the workshop session on Developing a Road Map for Improving Governance, Human Development and Sustainable Use of Fishery Resources

Developing a Road Map: Perspectives from the Department of Fisheries, Puducherry

Laying down the road map for the Department of Fisheries of the Union Territory of Puducherry, Mary Chinna Rani, Director of Fisheries, Department of Fisheries and Fishermen Welfare, Puducherry, listed the schemes and initiatives of the Government of Puducherry. While the Puducherry Marine Fisheries Regulation Act encompassed many of the issues confronting fisheries, it was not implemented in full spirit, she said. She highlighted the example of the ban on purse-seine nets, which continued to be used in many areas. She also emphasized that compliance would improve if awareness-raising programmes about the CCRF were undertaken seriously. Referring to the conflicts of rights of access to fishing grounds, she suggested that should the leasing rights be vested with the state Fisheries Departments, and not with local-level bodies, uniformity in regulation might promote equitable access. Responding to the claims that there was a lack of representation and organization among the SSF subsector, in particular of women and marginalized sections, she listed the various state-level committees, housing and welfare schemes and fishermen's co-operatives as initiatives of the state government to include fair representation.

Developing a Road Map: Policy Coherence from a Legal Perspective

Offering clarity on the way forward, D Nagasaila, an advocate at the Madras High Court, cited the SSF Guidelines themselves as an appropriate guide to the process of implementation. She shared her experiences as a labour and environmental law practitioner, and referred to cases that highlighted the need for communities to be integral to the decision-making process. Reiterating many of the concerns raised during the two-day deliberations on addressing threats from outside the fisheries sector, she made a compelling case to revisit policies regarding coastal and marine resource use, and engage actively with all sectors. Livelihoods could be secured, she said, only if the security of the marine ecology was assured. This required the combined commitment of a variety of actors, and the ethical enforcement of legislation. Further, rules and regulations imposed upon a community from the outside are often ignorant of their own capacity to make decisions regarding judicial resource use. However, if rules and regulations are drafted on the basis of consensus, then enforcement becomes automatic since compliance is voluntary. Therefore, while introducing any legislation, regulation or intervention (including those in keeping with the SSF Guidelines), it is necessary to assure the constituency that it directly impacts that it is in their best interest.

Drawing attention to the section on policy coherence in the SSF Guidelines, she recommended that unless a comprehensive code on land, water and natural resources was developed, which involved all sectors, it would be impossible to address any issue in isolation. She also cautioned that unless institutions practised “constitutional morality” and instilled an honesty of purpose in executing their functions, all efforts would be futile, irrespective of whether there were reforms in legislation or new bodies instituted, or even instruments drafted based on the SSF Guidelines.

Discussion

The discussion that followed the panel presentations offered a variety of perspectives. While some community representatives sought clarity on how decisions regarding fishing bans and regulations were justified by scientists, they also questioned the legitimacy of such uniform regulations in the light of the varying contexts to which they were applied. Bans had social and economic implications, and could not be rationalised solely on biological or environmental factors. It was suggested that restrictions be also imposed with the aim of protecting vulnerable groups and sustainable fishing practices.

The principle of ‘scale subsidiarity’ in relation to fishing vessels was proposed for further examination and application, in the effort to replace the ‘one-size-fits-all’ approach to policymaking.

The question of the mandated and obligatory roles of scientists in the development of management strategies was also discussed at some length, and, in turn, the responsibilities of those working in a particular sector or discipline to engage with the larger objectives as outlined in the SSF Guidelines.

The juxtaposition of differing perspectives from different actors was another aspect that came up for discussion. The example of the Ministry of Environment, Forest and Climate Change and state departments of environment and forests, operating under the provisions of the Wildlife Protection Act (1972) was shared to highlight a protection-based approach to resource conservation, whereas the Fisheries Departments promoted the exploitation of fishery resources. The reconciliation of these differing approaches—and not necessarily of purpose—it was pointed out, might go a long way in achieving commonly determined objectives. One of the suggestions offered was that the Fisheries Departments prepare a ‘positive listing’ of species that could be exploited, to offset the ‘negative listing’ of species whose exploitation was prohibited under conservation law. Some concerns were raised over sea safety and seaworthiness of fishing craft, and a separate Fishing Vessels Act was proposed to address them.

VALEDICTORY REMARKS

The valedictory remarks were made by Raja Sekhar Vundru, Joint Secretary, Department of Animal Husbandry, Dairying and Fisheries, Ministry of Agriculture, New Delhi. He commended the efforts that went into the drafting of the SSF Guidelines—especially in their inclusion of a human-rights-based approach—and highlighted the various ways in which the government had already put into place a number of programmes and interventions that addressed the issues brought up by the SSF Guidelines. He enumerated the various challenges that confronted fisheries, stressing that sustainable use of fishery resources remained a mounting challenge. The governance of resources, he said, was not limited by the lack of laws, but sometimes by their ineffective implementation. He cited, as an example, the MFRA: the implementation of this law could be made more effective if we were to address questions of what concrete steps and measures we would need to put in place to better safeguard the marine resources (for example, a freeze on fishing vessels, monitoring of motors and fuel use, etc.). He invited the workshop participants to deliberate upon the existing gaps in policy and action and bring them to the notice of his Ministry. Governance, he said, was a continuous process. He concluded by affirming that the responsibility of drawing out the road map lay with the communities, and the FWOs and CSOs that worked with them, and ensured the active participation of the government in the role that such a plan would foresee.

LOUIS/ICSF



Raja Sekhar Vundru, Joint Secretary, Department of Animal Husbandry, Dairying and Fisheries, Ministry of Agriculture, New Delhi; C M Muralidharan, Project Manager, BOBLME and John Kurien, Member, ICSF at the valedictory session of the ICSF-BOBLME India Workshop

CLOSING REMARKS

John Kurien brought the workshop to a close, urging that the deliberations be continued. It was the objective of the workshop, he said, to help catalyse further debate, engagement and collaboration. He added that the new opportunities and avenues that had been opened up were a revelation to those who had worked all these years with an inward-looking approach to an outward-looking one, an approach that the SSF Guidelines themselves had fostered. He cautioned against hasty and shortsighted action, and said that the process of implementation of the SSF Guidelines must duly reflect the participatory and inclusive process by which they were drafted. Mariette Correa, Programme Co-ordinator, ICSF, Chennai, presented the Vote of Thanks.

ACKNOWLEDGEMENTS

ICSF would like to acknowledge the support from BOBLME to this workshop and the preceding preparatory consultations. We recognize its role, along with other regional, national and local-level organizations, as invaluable to the successful implementation of the SSF Guidelines. We are also grateful to FAO for facilitating and supporting the meetings and consultations. We thank Kevin Gallagher and Nicole Franz of FAO for their contributions to the discussions. The representation of government agencies, from the central Ministry of Agriculture to the various state and local-level bodies, has upheld the spirit of developing strong and meaningful partnerships, and we look forward to their continued participation in the dialogue that will guide implementation of the SSF Guidelines. In particular, we are thankful to Raja Sekhar Vundru, Joint Secretary of DADF, Ministry of Agriculture, Government of India; Santha Sheela Nair, Vice Chairperson of the Tamil Nadu State Planning Commission; B Meenakumari, Deputy Director General of Fisheries, ICAR; Yugraj Singh Yadava, Director, BOBP-IGO; all the Fisheries Departments' representatives from the various states; the National Human Rights Commission; and NITI-Aayog. We are also thankful to the fishing community representatives, fisher union leaders, FWOs, CSOs and NGOs, for bringing to centre stage the various issues faced by the small-scale fisheries subsector, and for their valuable recommendations and suggestions on the way forward. We hope that these enriching deliberations are taken back to the members of the communities that were represented. Thanks are due also to the participants at the various subnational consultations in the lead-up to this workshop. The experts and specialists who participated in our thematic panel discussions provided valuable insights on the issues confronting the small-scale fisheries subsector and the possibilities to address them. In particular, we are thankful to CMFRI, CIFT and CIFRI. We are thankful to the Hotel Ambassador Pallava team for their hospitality. Finally, we are thankful to the ICSF staff and those who made this workshop possible.

LOUIS/ICSF



Mariette Correa, Programme Co-ordinator, ICSF, Chennai, delivering the vote of thanks at the closing session of the ICSF-BOBLME India Workshop



RAMYA RAJAGOPALAN/ICSF

Dryfish market at Odisha,
India

Annex 1: Prospectus

BACKGROUND

The Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines)—developed in a participatory and consultative manner, particularly with the active engagement of civil society organizations (CSOs)—were endorsed by the FAO Committee on Fisheries (COFI) at its 31st Session in Rome in June 2014. These Guidelines have been developed to complement FAO's 1995 Code of Conduct for Responsible Fisheries (CCRF).

Whilst recognizing the ecosystem approach to fisheries (EAF) as an important guiding principle towards sustainability of all parts of the ecosystem as well as the livelihoods of small-scale fishing communities, the SSF Guidelines seek to promote a human-rights-based approach to empower fishing communities in achieving the objectives of the Guidelines. These objectives include enhancing the contribution of the small-scale fisheries subsector to food security and nutrition; contributing to the equitable development of fishing communities; and sustainable utilisation and prudent conservation and management of fisheries resources.

The SSF Guidelines specifically complement the CCRF by: (i) bringing social development, employment and decent work as a new focus to empower small-scale fishing communities, particularly vulnerable and marginalized groups to enjoy their human rights; (ii) drawing attention to gender equality and equity, especially to address discrimination against women in the full range of activities along the value chain; and (iii) raising awareness about disaster risks and climate change, especially to understand their implications for food security, nutrition, housing and livelihoods.

Towards promoting ownership of the SSF Guidelines by fisheries organizations at national and subnational levels as called on by COFI at its above Session, ICSF is organizing a series of workshops at the subnational and national levels, including along the eastern and western seaboard, as well as at the national level in India, during the year 2015, focusing on both marine and inland fisheries and fishing communities.

Rationale

The east coast of India is endowed with significant habitat diversity. These include: sandy beaches, mangrove forests, estuaries, lagoons, coral reefs, and seagrass beds. One of the largest contiguous stretches of mangroves is on the east coast. It also has discernible marine and coastal biodiversity, particularly in its estuaries and adjacent marine space. The largest known rookery of olive ridley turtles is on the east coast, for example. There are significant protected areas in the Sunderbans, Gahirmatha and the Gulf of Mannar in the state of West Bengal, Orissa and Tamil Nadu, respectively.

According to the 2010 Department of Animal Husbandry, Dairying and Fisheries, Ministry of Agriculture, Government of India and the Central Marine Fisheries Research Institute (CMFRI), Indian Council of Agricultural Research (ICAR), Marine Fisheries Census 2010, nearly 60 per cent of the fisherfolk population—including women, children and men—are on the east coast of India comprising West Bengal, Orissa, Andhra Pradesh, Tamil Nadu and the Union Territory of Puducherry. With 60 per cent of India's full-time fishers, the eastern seaboard accounts for 40 per cent of India's marine fish catch. It also employs a large number of fishers in the inland

fishing sector and contributes significantly to India's continental fish production, especially from culture-based fisheries.

Whilst the western seaboard of India accounts for the largest share of mechanized and motorised fishing vessels, the eastern seaboard accounts for over two-thirds of manually propelled fishing vessels—about 36,000 in number. Fishers who operate these vessels; wage labourers on mechanized and motorised fishing vessels; as well as inland fishers and fishworkers, are believed to be the most vulnerable and marginalized in Indian fisheries. The eastern seaboard further accounts for nearly three-quarters of women employed or engaged in pre- or post-harvest activities.

Along the eastern seaboard, there are significant conflicts over tenure rights to inland, coastal and marine space regarding access to fishery resources, access to occupational needs and access to housing and community services. These arise not only from fishery subsectors, but also from industry and infrastructure, including power, tourism and real-estate development along the seaboard. There is significant movement of poor peasants and agricultural labourers into fishing as well as fishers from the eastern to western seaboard to pursue fishing. Inadequate access to education, health, sanitation, drinking water, and weak organizational structures make these fishing communities particularly vulnerable. The east coast of India is exposed to flooding and erosion as well as to extreme weather events like cyclones and sea surges. There are, however, significant good practices in the realms of participatory planning and implementation of housing schemes for fishing communities in the aftermath of the 2004 tsunami. There are also examples of adoption of climate-smart fishing techniques that reduce the dependence on fossil fuels for fishing operations.

Promoting co-management initiatives in marine and inland fisheries, and effective consultative and participatory mechanisms across sectors as well as within the fishery sector to protect the interests, particularly of vulnerable and marginalized groups and women, and endorsing human development and good practices in the small-scale fisheries subsector would go a long way in resolving conflicts, including over tenure rights, in securing social protection, in improving life and livelihoods of fishing communities, and in fostering governance.

Participants

Participants are expected from the five eastern states of Tamil Nadu, Puducherry, Andhra Pradesh, Odisha and West Bengal, including fisher leaders and community representatives, local CSOs and NGOs; state and central government representatives, including primarily state Fisheries Departments, national and regional NGOs and IGOs, including from BOBP-IGO and FAO, legal experts, scientists and researchers.

Expected Outcome

The small-scale fishing communities, particularly the vulnerable and marginalized groups and women would be expected to improve their understanding of the SSF Guidelines and their relevance for resolving some of the issues confronting fishing communities at the intra- and inter-sectoral levels, both within inland and marine fisheries. The workshop would help develop a road map so that related institutions of government and civil society can receive greater attention during the next quinquennium regarding the SSF Guidelines to improve governance, particularly in subnational policies and legislation for human development as well as for sustainable use of fishery resources.

Annex 2: Workshop Programme

ICSF-BOBLME India (East Coast) Workshop on
 Implementing the FAO Voluntary Guidelines for
 Securing Sustainable Small-scale Fisheries in the Context of
 Food Security and Poverty Eradication (SSF Guidelines)
 Chennai, 6-7 March, 2015

Programme

6 MARCH 2015: DAY 1	
8:30-9:00 a.m	Registration
9:15-10:45 a.m	<p>Opening Session Welcome <i>Ms Ramya Rajagopalan</i>, Programme Associate, ICSF Chair : <i>Dr John Kurien</i> Member, ICSF</p> <p>Remembering Chandrika: <i>Dr John Kurien</i></p> <p>Introduction to the Workshop <i>Mr Sebastian Mathew</i>, Executive Secretary, ICSF Opening Address <i>Ms Santha Sheela Nair. I.A.S</i> Vice-Chairperson, Tamil Nadu State Planning Commission, Chennai</p> <p>Opening Remarks <i>Dr Kevin Gallagher</i> FAO Representative in India (ad Interim), Food and Agriculture Organization of the United Nations (FAO), Rome</p> <p>Implementing the SSF Guidelines: The role of State and non-State Actors <i>Ms Nicole Franz</i>, Fishery Planning Analyst, Food and Agriculture Organization of the United Nations (FAO), Rome</p> <p>Strategic Action Programme of BOBLME and the Implementation of SSF Guidelines <i>Mr C M Muralidharan</i>, Project Manager, Bay of Bengal Large Marine Ecosystem (BOBLME) Project, Phuket, Thailand</p> <p>Promoting Social Development and Sustainable Fisheries: How can the FAO SSF Guidelines help? <i>Ms Nalini Nayak</i>, Member, ICSF</p>
10:45-11:00 a.m	Tea

11:00 a.m-13:00 p.m	<p>Session: Small-scale Fisheries and SSF Guidelines: Perspectives from Small-scale Fishing Communities <i>Mr Venkatesh Salagrama</i>, Director, Integrated Coastal Management (ICM) and Member, ICSF (overview and moderation) Reports from Sub-national Workshops by fisher representatives</p> <ul style="list-style-type: none"> • West Bengal • Odisha • Andhra Pradesh • Tamil Nadu Response from State governments
13:00-14:00 p.m	Lunch
14:00 - 15:30 p.m	<p>Panel Discussion: Implementing the FAO-SSF Guidelines: Is there need for governance reforms? (How to create an enabling socioeconomic, legal and policy environment for small-scale fisheries) Moderator: <i>Mr V Vivekanandan</i>, ICSF Member</p> <p>Panel speakers</p> <p><i>Dr Yugraj Singh Yadava</i>, Director, <i>Bay of Bengal Inter-governmental Organization (BOBP-IGO)</i></p> <p><i>Dr Ganesh Chandra</i>, Senior Scientist, <i>Central Inland Fisheries Research Institute (CIFRI), Barrackpore</i></p> <p><i>Mr T. Raja</i>, Traditional Panchayat Representative</p> <p><i>Mr Manash Choudhury</i>, Deputy Adviser, National Institution for Transforming India (NITI) Aayog</p> <p><i>Ms Albertina Almeida</i>, Legal Expert and Gender Trainer</p>
15:30-16:00 p.m	Tea
16:00-18:00 p.m	<p>Group discussions on different aspects of the SSF Guidelines</p> Presentation of Group Reports and Discussion Moderator: <i>Dr Ujjaini Halim</i> , Treasurer, World Forum of Fish Harvesters & Fish Workers (WFF)

7 March 2015: Day 2	
08:30 a.m -12:30 p.m	<p>Panel Discussion: Contextualizing the Guidelines Moderator: <i>Dr Yugraj Singh Yadava</i>, Director, BOBP-IGO</p> <p>1. SSF Guidelines and inland small-scale fisheries <i>Dr V V Sugunan</i>, Assistant Director General (Retd), Indian Council of Agricultural Research (ICAR), New Delhi</p> <p>2. Tenure rights in inland fisheries <i>Ms Sumana Narayanan</i>, Programme Associate, ICSF</p> <p>3. Ecosystem approach to fisheries and small-scale fishery-based livelihoods <i>Dr E Vivekanandan</i>, Scientist Emeritus, Central Marine Fisheries Research Institute (CMFRI), Chennai</p> <p>4. Customary rights to land and sea: Negotiating tenure rights <i>Mr Probir Bannerjee</i>, President, Pondy Citizen's Action Network (PondyCAN), Puducherry</p> <p>5. Disaster management and small-scale fishery based livelihoods: Lessons learnt from disaster-resistant housing, Tamil Nadu <i>Ms Annie George</i>, Chief Executive, Building and Enabling Disaster Resilient Coastal Communities (BEDROC), Nagapattinam, and <i>Mr Sajith Sukumaran</i>, Consultant, FishMARC</p> <p>6. Climate smart fishing: Development of solar-powered fishing vessels, Thoothoor <i>Mr Vincent Jain</i>, Executive Secretary, Association for Deep Sea Going Artisanal Fishermen (ADSGAF), Thoothoor</p> <p>7. Post-harvest and trade: Social development and women fish vendors <i>Ms. Jesu Rethinam</i>, Secretary-cum-Director, Social Need Education and Human Awareness (SNEHA), Nagapattinam</p> <p>8. Food Security and right to food <i>Ms Kavita Srivastava</i>, Convenor, Right to Food Campaign and National Secretary, People's Union for Civil Liberties (PUCL), New Delhi</p> <p>9. Legal actions in protecting human rights of small-scale fishing communities <i>Ms Gayathri Singh</i>, Advocate, Mumbai High Court, and Member, Human Rights Law Network, Maharashtra</p> <p><i>Interactive Session</i></p>
12:30-13:30 p.m	Lunch

13:30-16:00 p.m	<p>Panel Discussion</p> <p>Developing Road Map for Improving Governance, Human Development and Sustainable Use of Fishery Resources (based on the SSF Guidelines)</p> <p>Moderator: <i>Mr C M Muralidharan</i>, Bay of Bengal Large Marine Ecosystem (BOBLME) Project, Phuket, Thailand</p> <p>Panel Speakers</p> <p>Mr M Ilango, Chairperson, National Fishworkers' Forum (NFF)</p> <p><i>Dr K Sunil Mohamed</i>, Principal Scientist and Head, Central Marine Fisheries Research Institute (CMFRI)</p> <p><i>Dr Sonali Huria</i>, Researcher, National Human Rights Commission (NHRC)</p> <p><i>Ms Mary Chinna Rani</i>, Director, Department of Fisheries and Fishermen Welfare</p> <p><i>Ms D Nagasaila</i>, Advocate, Madras High Court</p> <p>Open Discussion: Moving Forward</p> <p>Valedictory Remarks</p> <p><i>Dr Raja Sekhar Vundru</i>. I.A.S. Joint Secretary, Department of Animal Husbandry, Dairying & Fisheries (DADF), Ministry of Agriculture, Government of India</p> <p>Vote of Thanks</p> <p><i>Dr Mariette Correa</i>, Programme Co-ordinator, ICSF</p>
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Annex 3: List of participants

ICSF-BOBLME India (East Coast) Workshop on
Implementing the FAO Voluntary Guidelines for
Securing Sustainable Small-scale Fisheries in the Context of
Food Security and Poverty Eradication (SSF Guidelines) Chennai
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Annex 4: Relevant International Instruments Ratified/ Adopted by India and Relevant Indian Laws and Regulations

Relevant International Instruments Ratified/Adopted by India

- Beijing Declaration and Platform for Action, 1995; and Beijing +20
- Convention No. 169 of ILO, 1989
- Convention on Biological Diversity (CBD), 1992
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), 1975
- Convention on Migratory Species (or Bonn Convention), 1979
- Doctrine of Public Trust
- Equal Remuneration Convention, Abolition of Forced Labour Convention (1957)
- FAO Code of Conduct for Responsible Fisheries (CCRF), 1995
- FAO to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (Right to Food Guidelines), 2004
- Forced Labour Convention, 1930,
- International Convention on the Elimination of All Forms of Racial Discrimination, 1965
- International Covenant on Civil and Political Rights (ICCPR), 1966
- International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966
- Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights (Limburg Principles), 1987 and Maastricht Principles on Extraterritorial Obligation of States in the area of Economic, Social and Cultural Rights (Maastricht Principles), 1997
- Ramsar Convention on Wetlands, 1971
- Reykjavik Declaration on Responsible Fisheries, 2001
- The Results of the Uruguay Round of Multilateral Trade Negotiations, 1994
- United Nations Convention on the Law of the Sea (UNCLOS), 1982
- United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), 2007
- Universal Declaration of Human Rights (UDHR), 1948
- Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (Tenure Guidelines), 2012

Relevant Indian Laws and Regulations

- Census Act, 1948
- Coastal Regulation Zone Notification, 2011
- Collection of Statistics Act, 2008
- Constitution of India (Directive Principles and Fundamental Duties: Art 262: Disputes relating to waters; Article 14, 15: Right to equality, and non-discrimination (substantive equality); Article 19(1) (g): Right to practice an occupation of one's choice - to be fishers, to have the enabling environment; Article 21: right to life and livelihoods - enablers/disablers; Article 42: ensure provision of just and humane conditions of work; Article 47: ensure raising of level of nutrition and public health; 73rd, 74th Amendments to the Constitution)

- Cooperative Societies Act, 1912
- Environment (Protection) Act (EPA), 1986
- Indian Easement Act (Section 18: customary easement rights)
- Indian Fisheries Act, 1897
- Land Acquisition Act, 1894 (Bill: 2015)
- Land Revenue Code of various states
- Marine Fishing Regulation Acts of various states
- National Food Security Act, 2013
- Protection of Human Rights Act, 1993
- River Boards Act (River Act), 1956
- Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act (Forest Rights Act), 2006
- Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014
- Trade Unions Act 1926,
- Traditional Coastal and Marine Fisherfolk (Protection of Rights) Act, Draft
- Unorganized Workers' Social Security Act, 2008
- Water (Prevention and Control of Pollution) Act, 1974
- Wild Life (Protection) Act (WLPA), 1972



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in the Context of Food Security and Poverty Eradication (SSF Guidelines)



ICSF is an international NGO working on issues that concern fishworkers the world over. It is in status with the Economic and Social Council of the UN and is on ILOs Special List of Non-governmental International Organizations. It also has Liaison Status with FAO. As a global network of community organizers, teachers, technicians, researchers and scientists, ICSF's activities encompass monitoring and research, exchange and training, campaigns and action, as well as communications.

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