THE TRADITIONAL MARINE AND COASTAL FISHERFOLK (RECOGNITION OF RIGHTS) BILL 2009: A CRITIQUE

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FUNDING AGENCIES :



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The Duleep Mathai Nature Conservation Trust

INTRODUCTION

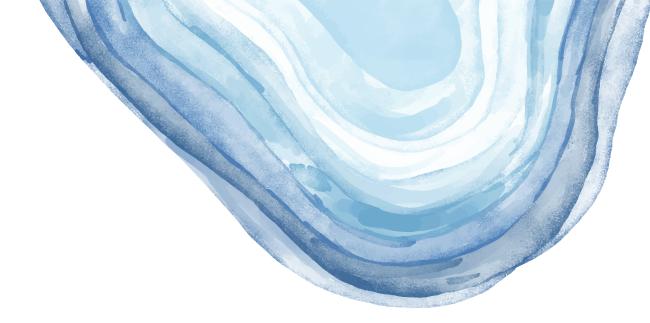
The year 2017 is fast turning into a year of relaxation for environmental regulations introduced by the Ministry of Environment, Forests and Climate Change¹. On the 22nd of March, The Indian Express, broke the news that the CRZ notification 2011, India's only comprehensive legislation protecting fragile coastal spaces and commons was going to be revised, yet again. The new law would be re-christened the Marine Coastal Regulation Zone Notification (hereafter MCRZ) (Sinha and Ranjan, 2017) and is poised to further relax the few remaining regulations along Indian coasts. The new law will permit undefined 'tourism'in eco-sensitive zones and land reclamation along a vulnerable coastline. This represents a significant blow to the few remaining protective measures under the current regime that safeguard coastal ecosystems and the customary rights of India's fishing communities to their coastal commons.

CONTEXTUALISING 'GROWTH' ON THE INDIAN COAST

Since the liberalisation of India's economy in 1991, rapid economic growth on the coasts have increased the pressures on coastal land from growing urbanisation, unregulated tourism, infrastructure development and industrial expansion. This growth drive has left the primary stakeholders of the coastline: fishing communities who depend on these spaces for their sustenance and livelihoods, vulnerable and disenfranchised. Today the coastline is a hotbed of commercial and entrepreneurial activity, swiftly rising as a coveted space to meet the developmental needs of a fast growing globalised economy. A third of the Indian population lives within a 50km distance of the coast (Byravan et al 2010). The same coast is also a mosaic of fast-growing coastal infrastructure. Existing and proposed coastal infrastructure include major ports, power plants, airports, coastal roads and highways, which are being planned very close to the shoreline along India's coast. As an illustration, a study conducted in 2010 showed that the total number of ports along the Indian coastline was around 213, roughly translating to one port every 28 kms (Rodriguez and Sridhar, 2010).

According to the Central Marine Fisheries Research Institute (CMFRI) census of 2010, India's mainland coast has 3288 marine fishing villages, 1511 landing centres and 8,64,550 marine fisher-folk families, totalling an approximate fishing population of 4 million (CMFRI 2012). As the coasts emerge as highly contested spaces characterized by multiple claims to coastal resources, the livelihoods of India's fishing communities are increasingly fraught with uncertainty of access to coastal resources and ecosystem degradation. Sea level rise, depleting ocean resources and ecosystem degradation. Sea level rise will negatively impact the Indian coastline in a number of ways, causing inundation, flood and storm damage from increased cyclone activity, shore-line and beach erosion, saltwater intrusion, and wetland loss (Byravan et al, 2010).

The current narrative of development on the coasts underlines the urgent need to reconcile the needs of fishing communities dependent on these geographies for their livelihoods with the larger objectives of coastal planning by recognizing the rights of these communities to their coastal spaces. The advocacy efforts of fisher unions and environmental organisations intensified during the 2000's owing to proposed shifts in coastal governance regimes. Sustained advocacy efforts by different coastal groups demanding the strengthening of the coastal regulation regime led to the drafting of the Traditional Marine and Coastal Fisherfolk (Recognition of Rights) Bill in 2009. Although the draft bill was a positive step towards recognizing the rights of India's fishing communities to their customary use of coastal commons, it suffered from several weaknesses. In the following sections we present a critique of the framework of the 2009 bill.



COASTAL COMMONS IN INDIA

The livelihoods of fishing communities are rooted in their use of coastal commons. Coastal commons, which are at the interface of land and sea are of immense significance for fishing communities for various reasons. These geographies essentially provide fishers access to the ocean commons, in addition to supporting a host of fishing-allied activities. Furthermore, fishers rely on visual observations of prevailing weather conditions, tidal and wind activity, shoal movements and sea surface patterns, therefore physical proximity and unimpeded visibility of the sea is vital for fishing communities. Shore spaces provide crucial livelihood spaces by providing space for parking fishing crafts and gear, employing shore-seines, drying and repairing nets and catch landing, sorting, processing, auctioning and sale (Rodriguez 2008; Salagrama 2006). In Karwar, fishers build rudimentary storage sheds for storing craft and gear during the off-season (field interviews, February, March 2017). Apart from supporting fishing and associated activities, these spaces are an integral part of the socio-cultural lives of communities (Rodriguez 2010).

A BRIEF HISTORY OF THE STRUGGLE TO CLAIM COMMONS AT SEA AND LAND

The struggle for fisher rights first started as a movement to safeguard the rights of small scale fishers to their ocean commons. Post-Independence, the focus on industrialization and expanding agricultural production was felt even in the fisheries sector. The government introduced the Indo-Norwegian Project in 1953, which focussed on providing mechanized fishing technology and improved post-harvest infrastructure (Nayak and Vijayan, 2006). By the late 1970s it was observed that overall fish and prawn harvests were on the decline and it was apparent that the marine fishery sector was in a state of crisis, propelled by overfishing (Kurien 1991). The mechanization drive had led to intense conflict between fishers practising fishing using non-motorized, traditional boats and gear and the mechanised fleet. The National Fishworkers Forum, a registered national federation of state level small and traditional fish workers'unions of India came together in 1978 to advocate for the rights of artisanal fishworkers. In 1978, the Majumdar Committee appointed by the Central Government, recommended that a Marine Fisheries Regulation be enacted. Although this bill was not passed by Parliament, it was referred to State Governments (Dietrich and Nayak, 2006). All states subsequently effected state-level legislations which provided a zoning for the territorial sea, demarcating areas where artisanal and mechanised boats could operate, thereby providing a first legal framework for protecting the rights of artisanal fishermen to their ocean commons.

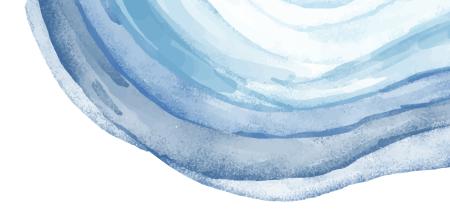
Owing to the livelihoods of the fishing community being closely connected with the sea and previous conflicts over resources being centred around oceanic resources, fishing communities did not see land as an important asset (Rodriguez 2010). In 2007, activist T.S.S Mani from Tamil Nadu stated "The fisher people have been the traditional inhabitants of the coast. Their occupation of the land adjoining the sea was entrenched in their association with the sea. They never felt it necessary to prove their occupation of coastal lands through land pattas. In many areas they did not feel the need for this also because all their shore areas were in the trusteeship of temples or community institutions" (Menon and Sridhar 2007). The attention of the fishing community to their rights to coastal land emerged in the 1990s, when owing to India's liberalization and globalization policy, coastal lands began to be increasingly used for development and large infrastructure projects such as ports and harbours (Menon and Sridhar 2007). Although the Congress Government during Indira Gandhi's leadership is credited with introducing landmark environmental laws, successive governments, including those led by her party tampered with their regulatory provisions over time. Of these, the CRZ is perhaps the most transformed. Introduced in 1991, it was amended roughly 25 times largely to accommodate commercial and developmental interests that were previously restricted, making it very difficult for the notification to be understood and implemented comprehensively. The amendments significantly diluted the objective of the CRZ 1991, of regulating and prohibiting activities along the coasts to protect them from activities that were detrimental to these spaces (Menon and Sridhar 2007).

In 2007, the MoEFCC introduced a Coastal Zone Management Draft notification of 2007. This draft notification allowed construction activities on the seaward side of a 'set back line', endangering the rights of communities to their beach spaces (Sridhar, 2010). After four years of struggle demanding the roll back of the CMZ notification, the CRZ 2011 was officially notified on 6th January 2011, albeit with the 25 amendments made to the 1991 notification formally codified into the text of the new regime (Sharma 2011).

Over the years, coastal regulation regimes have been in a state of flux, with the coasts emerging as important avenues to support India's growing economy. Each subsequent regime has tried to conditionally allow more and more developmental activities on the coasts, endangering the rights of the fishing communities to these spaces. Currently no legal framework comprehensively captures and protects fishers' rights to coastal spaces and resources. The CRZ 2011 only makes a passing mention of community rights in the context of allowing construction or reconstruction of dwelling units within the ambit of traditional rights and customary uses such as existing fishing villages and goathans in CRZ III Areas. The CRZ 2011 conditionally protects coastal commons used by the fishing community, such as-inter-tidal zones, beaches, mangroves, tidal influenced water bodies, fishing grounds etc. However, to date, the CRZ 2011 remains poorly enforced and ubiquitously violated across India's coastline.

The newly proposed MCRZ Notification further weakens access to coastal commons in the coastal governance regime. It proposes lifting the ban on land reclamation for commercial and entertainment purposes and allows tourism in classified ecologically sensitive areas. Various coastal and fisher groups, such as the National Coastal Protection Campaign, a network led by the NFF, comprising of fisher unions, environmental NGOs and individual activists, and other fisher support groups submitted petitions highlighting the disastrous effects that the new notification will have on coastal and marine ecology and its ramifications on the fishing community's customary use of coastal commons (National Coastal Protection Campaign, 2017). However, this policy review has largely remained a closed-door process and specific details are yet to be made public. Activists have been able to access some details using Right to Information applications, however finer details of the proposed notification have been relegated to an annexure, details of which remain to be made public or opened for wider consultations with coastal communities.

The history of the struggle to retain access to resources, both at land and sea, underline the importance of coastal and ocean commons in the lives of fishing communities. As the demand for coastal land from alternative pressures increase, fishers and their allies have felt an urgent need to secure the lives of fishing communities by recognizing their customary rights to coastal spaces.



THE TRADITIONAL MARINE AND COASTAL FISHERFOLK (RECOGNITION OF RIGHTS) BILL 2009

The Traditional Marine and Coastal Fisherfolk (Recognition of Rights) Bill 2009 was the first of its kind legislative framework that attempted to recognize the rights of fishing communities to their coastal and ocean commons. The demand for a separate legal provision that identifies and recognizes the rights of fishing communities to their coastal commons was strengthened by the passing of the Scheduled Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act (hereafter Forest Rights Act or FRA). The Swaminathan committee report "Final Frontier"ⁱⁱ of July 2009, recommended that a legislative provision similar to the Forest Rights Act be designed for recognizing the rights of fishing communities to coastal spaces. On the heels of the anti-Coastal Management Zone campaign, and with the support of then Minister of the MoEF, Jayaram Rameshⁱⁱⁱ, a draft bill of the 'Traditional Marine and Coastal Fisherfolk (Recognition of Rights)' was released in 2009. It was modelled similar to the structure of the Forest Rights Act and primarily aimed to recognize the following rights of fishing communities:

- Right to hold and live in the coastal areas under the individual or common occupation for habitation or fishing for livelihood
- Community rights of use or entitlements such as fish, other products of water bodies and traditional seasonal resource access of nomadic or pastoralist communities
- Rights to protect, regenerate, conserve or manage any resource which the community has been traditionally protecting or conserving for sustainable use
- Right of access to biodiversity and community right to intellectual property and traditional knowledge related to biodiversity and cultural diversity

The bill also provided for establishing public facilities and utilities such as schools, anganwadis, hospitals/dispensaries, water tanks, drinking water supply pipelines, fish auction and curing halls, net mending yards, boat repair facilities, crematoria and burial grounds for fishers, roads and community centres. Additionally, it instructed state governments to expand and strengthen functions of various fisheries departments and agencies to provide post-harvest technologies such as cold storage plants, cold transport chains, processing units, cleaning facilities etc. By providing these amenities in a fishing village, this Bill recognised developmental rights of fishing communities (similar to how the Forest Rights Act's provisions for forest dependent communities and their livelihood activities) and advocated for enhanced standards of living, access to markets and self-sufficiency by providing necessary public utilities and localised post-harvest infrastructure.

Similar to the FRA, the 2009 bill provided a four-tiered institutional mechanism for recognizing, vesting and recording rights of fishing communities. The first grass root level tier comprised of the Panchayat, with an Executive Committee to examine the resolution passed by the Panchayat. The state fisheries department was the highest institution at the state level. A state-level monitoring committee would monitor the process of recognition and vesting of rights and submit regular reports to the Ministry of Agriculture which was the nodal agency under this Bill.

Although the Bill had some positive elements, the 2009 draft was met with a lukewarm response (Kumar et al., 2014). Fisher leaders and activists felt that it did not reflect the contemporary socio-cultural realities of the fishing communities, owing to its limited definition and scope of the stakeholders or beneficiaries covered by the bill and the institutional mechanism that was proposed for the recording and finally vesting rights with fishing communities. As a result, engagement on the bill with the MoEFCC was negligible, and almost no consultations were held with fishing communities at the grassroots over the first draft. The NFF did not support the draft bill, however it recognized that the bill presented an opportunity for the NFF and its constituents to examine the fisher rights issue. The NFF called on its constituents to hold consultations with communities at the grassroots to propose an alternative framework (NFF Annual Report, 2011). Individual groups within the NFF network have subsequently re-visited the bill by proposing their individual and collaborative takes on a model framework, but concerted efforts in this direction at the time of the release of the first draft were largely absent. Consequently, the bill was not reviewed by the MoEFCC beyond the first draft.

We provide a brief account of how the Fisher Rights Bill performed in relation to the following themes:

1. Defining 'fishers'

As the title suggests, the bill proposed that the recipients of the rights were to be traditional fishers. It defined fishers as "*traditional members of fisher-folk who primarily reside in and who depend on sea fishing for their bona fide livelihood needs*.

It further defined 'Traditional'fishing as "use of traditional mechanism for catching fish by traditional boats and gears which are not mechanized, including the fisher-folk who are involved in traditional fish processing like curing, salting, drying, marketing and other related processes.

The word 'fisher-folk' seemed to suggest to the fisher a rustic, 'folk' identity in relation to other communities. Additionally, it limited rights recipients under a future law by reducing the scope of the bill to a caste-based, occupational subset of fishers within a fishing village. It is important to note that Indian fishers from a single village practice fishing using a range of craft and gear along a gradient of mechanization, from non-motorized boats powered by sails or physical labour, to motorized wooden or fibre boats which have out board engines, to being employed on mechanised fishing vessels such as trawlers and purse-seiners. Fishers either own these non-motorized^{1v} or motorized crafts^v, or are employed on mechanised vessels^{vi} in many parts of the Indian coastline. Fishers also cannot be boxed into fixed categories based on the types of fishing they practise or the craft and gear they use, as there is frequent movement within these categories. For instance, fishers employed on trawlers, join their neighbours using non-motorised craft during the monsoon ban season. For instance, in Majali, a fishing village in Uttara Kannada district of Karnataka, in a single fisher family, there could be members employed in the mechanised sector, but at the same time owning and practicing fishing using non-motorized or motorized craft and gear (field interviews, February, March 2017). Crew members working on motorized boats could individually own simple, non-motorized fishing crafts. More importantly, penalising fishers who have participated in a process facilitated by the state by actively promoting certain kinds of technology over others, by not recognizing their rights to the coasts is unfair. Despite being ecologically harmful, the crew members of mechanised fishing vessels are fishers and as pointed earlier also comprise of small scale fishers who sometimes work on these vessels. Recognizing rights of a subset of the fishing population can negatively influence social dynamics within these communities, leading to increased conflicts over sharing resources. Instead of narrowing the criteria of rights recipients under a future legislation, the nature of rights that such a policy intervention recognizes should be nuanced so as to address the needs of a range of stakeholders with differential claims to coastal spaces and resources, such that the needs of particularly deserving sections are addressed first.

Activists working with fishing communities, also point out the dependence of non-fishing castes and the coastal poor on marine fishing. The bill defined other traditional fishers as 'a member or community who has for at least three generations prior to the 13th day of December, 2009 primarily resided in and who depend on the ocean for bona fide livelihood needs and employ traditional fishing'. Although other communities dependent on traditional fishing were included as rights recipients, the clause of proving dependence on marine, traditional fishing for 3 generations or 75 years of dependence would leave a large number of stakeholders out.

2. Institutional Framework

The lowermost tier of the institutional framework proposed in the Fisher Rights Bill was the Panchayat. At the ground level, Panchayats were to initiate the process of determining the nature and extent of rights along with preparing a map delineating area and accompanying list of rights. However, it has been observed that owing to the highly organised internal nature of fishing communities, fisher participation in formal governance institutions is very limited (Rodriguez, 2010).Not only is the interaction between the fishing community and Panchayat limited, but being a subset of the village population, fisher welfare may not always be priority for formal governance institutions especially when determining claims and rights is an ancillary responsibility/ role.^{vii} Community members may sometimes be ward members (field interviews, February and March 2017), but formal participation cannot be assumed for all communities. In the context of a mechanism to identify and record fisher rights, poor participation at the grass root level institution will also makes it difficult to elect fisher representatives at the sub-divisional and district level bodies involved in recording and recognizing rights.

Devolving the function of recording extent and nature of rights to the Gram Sabha level under the FRA empowers forest dependent communities at the grassroots. However, devolving the same mandate to an equivalent institution in the context of fishing communities, where all adult members participate, is difficult as fishers constitute a smaller percentage of the larger gram sabha. Fisher settlements are typically spatially distinct from the rest of the village, owing to fishing as a livelihood requiring close proximity and visibility of the sea. These settlements are also largely caste homogeneous and therefore enjoy relative autonomy in internal governance. Therefore, fisher settlements are sometimes smaller parts of different wards within a larger village. Fishers actively participate in traditional caste Panchayats that oversee everyday governance, conflict resolution, community finances and compliance with community based resource management rules (Bavinck 2001). Being an occupational minority, they constitute a subset of the larger gram sabha. The absence of an institution that enjoys full participation such as the gram sabha has especially proved to be an impediment to implementing the provisions of the FRA (wherever applicable) for marine fishing communities.

3. Nodal agency

Although the 2009 bill was drafted by the MoEFCC, the nodal agency specified under the bill was the Ministry of Agriculture. Fisheries fall under the Department of Animal Husbandry, Dairying and Fisheries (emphasis added) within the Ministry of Agriculture. Despite the Ministry of Tribal Affairs (MoTA) being the central nodal agency under the FRA, studies have found that it is under-resourced to supervise the implementation of the FRA (Sahu et al., 2017). Although the fishing community population of 4 million (CMFRI 2012) could be lesser than the tribal population, it is unclear how a department handling fisheries in addition to two other (and much larger) portfolios, will be able to effectively oversee implementation of a future legislation on fisher rights.

There is also the added complication of inter-ministerial coordination. Currently coastal land under the CRZ zone is regulated under the jurisdiction of the MoEFCC, while fisheries fall under DAHDF. While fisheries is a state subject, coastal lands are governed by multiple departments including environmental departments, ports, rural development, etc. In addition, marine regions and activities are administered and regulated by multiple other ministries and departments including the Coast Guard, Ministry of Shipping among others. Recognizing fisher rights that straddle both, coastal land and marine resources will require close coordination between these departments and ministries. Diverting coastal land, falling under CRZ categories for the purpose of building additional infrastructure for fishing villages, as the bill provides for, will require close coordination and institutional support from all of these state agencies.

Fisher leaders have been advocating for a separate Union Ministry of Fisheries that will be able to coordinate and oversee the different aspects of fisheries which currently fall under the jurisdictions of multiple ministries, however this remains to be constituted.

4. Penalties

Chapter V of the bill dealt with penalties for punishable offences. The list of offences under this section included ecosystem destruction from practices that are harmful to the surrounding ecosystem, indiscriminate pollution and dumping of solid waste into coastal waters, destruction of fishing habitats by overfishing, dredging, reclamation or construction of structures which affect fishing and spawning areas and destruction of the dwelling units or any part of the coastal village area for developmental activities not sanctioned or permitted by concerned agencies. As of today, all of the above comprise existing and ongoing violations of the CRZ 2011 and MFRAs of different states. For instance, under the CRZ 2011 discharge of untreated waste and effluents from industries, cities or towns and other human settlements was to be phased out within two years,

however this still continues unabated. Identifying and penalising offenders is difficult unless existing violations are dealt with strictly. Therefore, effectively safeguarding the coasts and the coastal waters will require strengthening implementation of existing coastal and fisheries regulations.

In the run up to the Lok Sabha elections of 2014, the Bharatiya Janata Party released a 'National Policy on Fishing and Fishermen' in 2012. This policy document aimed to 'provide a road map for policy makers working towards the growth of the fisheries sector and the uplift of fishing communities. It listed policy gaps that fisheries face and the problems faced by the fishing communities. This policy document also pointed out the lacunae in the 2009 bill policy design. It noted that definitions of 'coastal waters', 'traditional', 'mechanised' and 'nodal agency' lacked clarity and that the scope of the bill was restricted to fishers fishing within a distance of 5km from the coast. In its recommendations it also pointed out that there is need to form a separate Union Ministry of Fisheries. However, since the 2014 elections these policy recommendations and a host of other resolutions made in that document remain to be implemented.

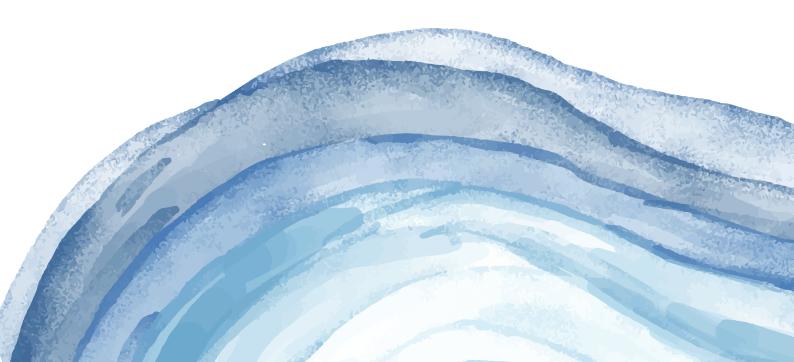
DISCUSSION

The critique presented above gives an insight into the complexities of devising and effectively implementing a future legislation to recognize fisher rights. The challenges of capturing heterogeneity within fisher identities, the nature and range of rights that need to be accommodated to safeguard fisher livelihoods, identifying stakeholders/rights recipients under a future legislation and designing a context specific institutional mechanism that is both participatory and democratic, present opportunities for different actors that can collaboratively contribute to a future policy. The resurgence of interest in a fisher rights legislation in the wake of the concerns with a weakened CRZ regime, will need to address the shortcomings of the 2009 bill. Going forward, the following steps can be taken to revise the understanding around designing an effective framework for recognizing fisher rights:

1. Wide-scale consultations need to be held at the grassroots with fishing communities in coastal districts of all maritime states and union territories to build on the nature and diversity of rights that a future fisher rights act needs to reflect the current context of fisheries. The sheer diversity in coastal geomorphology, fishing methods and cultures of different fishing communities along India's coastline has led to diverse resource use patterns. These consultations will provide fisher activists with the opportunity to build on a context specific range of rights that various fishing communities need to safeguard fisher livelihoods and customary rights to coastal commons.

2. Attention must be focused on the appropriate institutional mechanism to officially recognize rights, which is best suited for initiating and recording claims at the grassroots. This will involve identifying appropriate institutions or the actors/ participants of new institutions formed for this purpose, identifying the capabilities such an institution must possess and the processes to be followed. These discussions should also seek to understand other operational elements and factors such as who comprises the 'fisher community', who will be accorded rights under a future legislation, the nature of use of coastal commons, rights to these geographies and community responsibilities towards its governance.

3. The approach to designing a legislative intervention for recognizing fisher rights must borrow from the lessons and critiques of the FRA, and its implementation to plan for the implementation of a future Fisher Rights Act. One such critique has been poor awareness among implementing agencies and target communities and the inadequacy of full time staff in district level committees and sub-divisional committees (Sahu et al. 2017). Another recommendation made to strengthen the FRA is to involve CSOs (expand)to support the institutions under FRA in their work and supporting communities and the Gram Sabha in mapping Community Forest Resources and village boundaries (Oxfam, 2015). The FRA requires informed Gram Sabha consent for the diversion of forest land. It further states that rights are not transferable but can only be inherited. Similar safeguards should protect against elite capture and diversion of coastal land to further ensure against encroachment of community commons of fishing communities. These lessons provide us with valuable insight to strengthen future rules for a fisher rights act.



CONCLUSIONS

The freshly revised National Policy on Marine Fisheries 2017 (NPMF 2017) strengthens the demand for securing fisher rights by committing to implementing the United Nations Food and Agriculture Organization's Voluntary Guidelines for Small Scale Fisheries (hereafter VGSSF). These guidelines emphasise the need to provide small scale fishers secure tenure rights to coastal land resources and in doing so calls on the state to identify, record and respect legitimate claims to tenure by passing appropriate legislation to this effect (FAO. 2015). However, the NPMF 2017 is a non-binding policy instrument and therefore it remains to be seen whether the Department of Animal Husbandry, Dairying and Fisheries effectively incorporates the VGSSF framework into its policies. As coastal governance regimes are relaxed in favour of commercial interests and ill-planned coastal infrastructure, fishing communities whose livelihoods are dependent on these geographies are increasingly under threat. According to the NPMF a total of 67% viii fishers are engaged in small scale fishing in India today. While the mechanised fleet is able to function largely out of fishing harbours and landing centres for landing catch and other fishing allied operations, India's small scale fishers depend on extensive coastal stretches, many of which are shared commons for habitation and to support a number of economic, social and cultural activities. It is imperative that the lives of these communities are secured by recognizing their rights to these fragile and contested spaces through a framework that is carefully deliberated, in tune with current coastal realities and promotes social justice within the complex endeavour of fisheries.

FOOTNOTES

i In March 2017, the MoEFCC issued a notification related to the Environmental Impact Assessment Notification 2006. This notification allowed projects and other industrial units operating without environmental clearance to apply for clearance to the Expert Appraisal Committee and be appraised for environmental clearance in the next six months.

ii Following mass protests on the proposed CMZ Notification, then MoEF Minister, Shri Jayram Ramesh announced that it would be allowed to lapse. Parallel to this announcement, a committee chaired by Prof. M.S. Swaminathan was constituted to give recommendations for the improvement of the CRZ Notification. This Swaminathan Committee Report called the 'Final Frontier' was submitted on 16th July 2009.

iii Jayram Ramesh was seen by many as a pro-fisher and pro-environment Minister

iv Non-motorized crafts refer to fishing crafts which do not use motorized means of propulsion

v Motorized crafts refer to fishing craft which use out board engines as mechanised means of propulsion but not for hauling of the catch

vi Mechanised fishing refers to fishing that use mechanized technology for propulsion and mechanised gear for fishing

viiBased on correspondence with NFF members and National Coastal Protection Campaign members, during a state meeting of the latter held in Chennai, Tamil Nadu on 6th June 2017. The NCPC is a nation-wide collective/network of fish-worker associations, fish-worker trade unions, environmental organisations and individual activists. It was formed as a collective in 2008, in response to the release of the Coastal Management Zone Notification which had threatened to allow rampant industrialization on the coasts.

viii Due to the inherent diversity within the small scale sector, it is difficult to define 'small scale fishing' or percentage of fishers employed in small scale fishing. We use the total % of fishers employed in the artisanal and motorised sector given in the NPMF 2017 as a proxy for this figure. The NPMF pegs these respective figures as and 5% active fishers occupied in the artisanal sector and 62% active fishers occupied in the motorised sector.

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