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23rd April 2020

To,
Shri Giriraj Singh
Hon'ble Minister,
Ministry of Fisheries, Animal Husbandry & Dairying
E-mail: officeministerahdf@gmail.com

Subject: Appeal for the fair implementation of central government's uniform annual fishing ban ([MFAFD order No. 30035/15/97-Fy\(T-1\)Vol.V dated 20th March 2020](#))

Respected Sir,

The spread of COVID-19 and subsequent measures taken in India and around the world, while commendable, have significantly impacted the lives of fisher communities. With declining [exports](#), falling prices, rising fears for fisher health and safety, fisheries around India are taking a major hit, despite being exempt from the Indian lockdown. Due to the distress caused by the lockdown and upcoming monsoon fishing ban, we understand that there are reports of individuals and organisations, specifically from the mechanised fishing groups, attempting to call for a complete lifting of the fishing ban. In response, there is indication that some state governments are suggesting to either [prepone](#) the monsoon fishing ban or to [lift it completely](#) for this year, in order to alleviate the pressure. We appreciate that the Central government has not yet accepted these demands.

As researchers working towards the uplift of socially marginalised fisher communities and environmental sustainability in India, we urge you to reinforce a subsidiarity principle in formulating fisheries regulations, such that policy decisions accord primacy to the priorities and interests of the smallest units, i.e small scale fisher (SSF) communities. This links to India's commitments in various international and national policies and laws that reiterate principles of sustainability, equity and environmental justice in rule-making. We support the central government's [uniform annual ban](#), which prohibits certain categories of fishing (exception being traditional non-motorized boats of SSF) between 12nm to 200nm from India's coastline. Lifting the practice of a uniform fishing ban, popularly referred to as the monsoon ban, will be counterproductive to India's achievements thus far on fisheries governance for the following reasons:

A. Negative impacts of lifting the uniform ban

1. Many of the smallest fishers (and fishing labour) still harvest near-shore and protected waters for their daily subsistence during the ban period; by restricting mechanised and motorized fishing for a short

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duration of the year, the ban safeguards the interests of these legions of India's [traditional fishers](#) and poorest fishers.

2. The ban remains India's most widely accepted and enforced fishing regulation, arising out of a social and political compromise built on decades of negotiation among many fishing constituencies and the state. This is an extraordinary achievement in the history of complex tropical fisheries.
3. The 61-day closure momentarily relieves pressure off India's tropical marine environment, allowing benthic habitats to recover from destructive practices of [bottom trawling](#) in our seas.
4. The ban acts as a useful measure to [protect some spawning fish stocks](#).
5. It is clear that fisheries and [seafood markets](#) will take time to rebuild from the losses caused by the disruptions of COVID-19 and the nationwide lockdown. A sudden reopening of all kinds of fishing will flood markets, and in the absence of local, national and [international demand](#), will only drive down prices.
6. Fish labourers working in India's industrial fisheries are usually migrants from various states. The lockdown has left them [stranded](#) in deplorable conditions affecting them physically and psychologically. At this moment, their demand has been to return to their home states rather than to return to the gruelling work involved in mechanised fishing operations in India. If mechanized fishing resumes, many often-indebted labourers would be forced to continue work, now effectively as bonded labour when conditions, prices and profits are suboptimal. Hence direct support to this group of workers through state social security measures is crucial, till the end of the ban period, rather than merely re-opening mechanised fisheries at this time.
7. The uniform ban also represents a solution to the collective risk of fishing during India's unpredictable monsoon; opening up all scales of fishing during this time will unfortunately endanger the lives of the most marginalized sections of Indian society, in particular the migrant labour employed in the mechanised fleet.
8. As the ban primarily affects the larger, mechanized sectors — which concentrate fishers on boats and in bustling harbours, the monsoon ban also acts to prevent the spread of coronavirus through some of India's most vulnerable people: fish workers and labour.

The monsoon ban is a critical fisheries management tool in India; we strongly urge officials to maintain existing fishing bans and only make serious alterations after considerable deliberation and consultation with the representatives of the small scale fisheries communities such as the National Fishworkers' Forum.

B. Suggestions for post-lockdown fisheries regulation

Prioritising concerns of weakest sections: To alleviate the negative economic effects of the lockdown through fisheries management and regulation, it is important to recognize that fisher communities in India are not uniform, they present multiple social, cultural and economic classes and castes, each of whom has been impacted differently. The current uniform fishing ban order could be amended to articulate this position clearly.

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Differential support and relief strategies and packages: Based on our understanding of the current issues (after being involved in relief work as well as consultations with multiple fisher unions and societies on the ground), we find that there are two major sections of the community who are worst affected by the COVID-19 lockdown; the migrant fishers (and fish labourers) working in the industrial sector and the traditional fishers working in the small-scale fishing (SSF) sector. Both of them need different kinds of support/relief strategies. We propose a nuanced, two-pronged approach that we feel has a better possibility of achieving sustainability while ensuring the most vulnerable of the fisher communities are supported through this difficult time:

1. For migrant fishers (and fish labourers) working in the industrial sector:
 - a. Prioritise and strengthen government aid and the social safety net that provide disaster relief and economic support; as a first critical step, ban compensation should be expanded to cover this section of fishworkers. If the [savings-cum-relief model](#) has proved viable, it too should be expanded to all fishing states and support should be extended to migrant fishers as well. There is a desperate need to [remonitize](#) the poorest sections of our society.
 - b. Instruct state governments to coordinate with each other to create a database of migrant fishers currently stranded across various maritime states for the purpose of provision of aid and relief.
 - c. Issue directions to state governments to immediately incorporate such fishers as eligible for compensation and relief under the COVID relief efforts and for other uniform ban related relief.

2. For marginalised traditional fishers working in the small-scale fishing (SSF) sector:
 - a. Small-Scale Fishers (SSF), including traditional motorised and non-motorised boats, are best placed to operationalise the government's 'Model Standard Operating Procedures (SOPs) related to movement of Fisherman and Fishing Boats in COVID-19 Scenario' dated [18th April 2020](#). This includes social distancing as they tend to involve fewer people (2-3 per boat), often land on beaches rather than crowded jetties, support a lower catch volume and consumer base.
 - b. There is a still larger section of India's small-scale fishing community, comprising a variety of motorised boats, where such physical distancing norms are not feasible to maintain.
 - c. Under such circumstances, where fishers have been unable to earn an income over the last few weeks and also where fishers are still hesitant to return to fishing after the ban was lifted due to fears of contracting the virus, cash and in-kind compensation must be made available in addition to uniform ban relief.
 - d. A staggered reopening of India's fisheries where SSF are given first priority to rebuild their lives and livelihoods will help sustain local supply while slowly rebuilding seafood supply chains.

During the monsoon period, state governments regulate fisheries within territorial waters; some allowing traditional and small-scale motorized boats to operate while others like Goa, Maharashtra and Gujarat enforce a

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complete lock down of all activities. East coast states where the monsoon ban started on 15th April, allow small scale fishing (SSF) in territorial waters (up to 12nm) with state-specific regulation on the type of gear and craft that are exempt from the annual ban. Similar state-specific exceptions for SSF can be made for territorial waters of West coast states whose 61 day ban begins on 1st June 2020. **The Ministry could direct states to incorporate the above modifications and approach in their respective states while implementing the monsoon bans.**

COVID-19 presents us an opportunity to rebuild Indian fisheries in sustainable and socially responsible ways. We appreciate the ministry's quick response to the concerns of India's multiple fisheries sectors and would like to strengthen the efforts towards supporting its largest sector of citizens - the small scale fishers and their tremendous contribution to fisheries sustainability and food security of our nation.

Sincerely,

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