

- Fishworkers displaced due to ban on any particular gear should be provided with adequate financial assistance for shifting to any other allowable gear.
- OTFWU will voluntarily ban the use of 3 types of nets that trap turtles.
- Areas within the Gahirmatha Marine Sanctuary that do not have turtle congregations should be declared as buffer areas. Within these buffer areas the existing fishing restrictions need to be revised to allow traditional fishing practices that do not impact turtles.
- In case of a complete ban on any particular area for a particular period, all affected fishermen of that area must be compensated for the loss of income for the same period. Adequate financial allocations for this purpose must be a component of the conservation program.
- Traditional fisherfolk using traditional gears should be differentiated from mechanised gears like trawl nets.
- For each of the turtle congregation areas, joint management/ monitoring committees comprising of traditional fishermen, officials and scientists should be formed. This committee should decide upon the exact period, nature and extent of restriction on fishing activities depending upon field observations.
- The OTFWU also states that following fisheries management measures need to be undertaken as part of a more holistic marine conservation approach:
  - Stop collection of prawn seeds from sea and creeks.
  - Stop intensive aquaculture in the coastal zone as per the SC judgment by Justice Kuldip Singh, 1996.
  - Strict implementation of monsoon ban on trawling from 15<sup>th</sup> June to 31<sup>st</sup> August.
  - Enact National Marine Fishing Regulation Act to cover entire EEZ.
  - Diversify the existing trawlers and mechanised fleet to harvest deep-sea resources and thereby reduce overcapacity in traditional waters.
  - Stop water pollution from industrial establishments, sewerage, tourism, commercial ports and oil exploration etc.
  - Bring about aquatic reform conferring rights to the traditional fishing community to own and manage water bodies, fishing crafts and gears and distribution/ marketing of fish.

## **Turtle conservation from the perspective of Orissa's trawling industry**

### **Project Swarajya**

*Ganesh Ghat, Bakharabad, Cuttack-753002, Orissa*

*E-mail: [projectswarajya@sify.com](mailto:projectswarajya@sify.com)*

Over the years, the trawler associations of Orissa through their representatives have been expressing their reactions towards turtle conservation measures enforced by the Government. These have ranged from outright rejection of the theory that holds trawling to be the major cause of turtle mortality, to making suggestions for conservation measures that meets their interests and involves them in field level implementation. In one instance i.e. in a Workshop-cum-Demonstration on Turtle Excluder Devices (TEDs) held at Paradip in February 2002, the representatives of trawler associations of the State articulated their position vis-à-vis the turtle related fishing restrictions and made quite elaborate

and vociferous statements. From these communications, their overall concerns can be figured out. Based on these statements and also from informal discussions intermittently held with the trawler associations since then, we may sum up their overall concerns as follows:

- Indian trawlers should not be forced to use any prototypes or modified designs of TEDs, since these are American innovations, which are useful only for targeted shrimp trawling which takes place in US waters. These are not suited for India where mixed trawling of shrimp, fish and crab of different varieties and sizes of catch goes on. This

- is true even in case of the so-called Indian trawler friendly CIFT TED - the latest design imposed on trawlers by the Government - which has been found to result in more than 20% of their fish catch loss - an unviable proposition.
- In place of TEDs, an indigenous device needs to be evolved under the collaborative efforts of the Government and the trawling industry, that effectively minimizes the loss of fish catch while safeguarding turtles from incidental catch.
  - If the government earmarks an area for seasonal closure of all fishing operations such as that currently existing at Gahirmatha, there is no need to make the usage of TEDs mandatory all along the Orissa coast.
  - The boundaries of the fishing-prohibited area in the coastal waters should be clearly demarcated so as to be visible from a distance, possibly by using solar powered buoys.
  - There is presently no boundary and no method to prove that a fishing boat has entered a prohibited area. There are also no clear procedural guidelines to make arrests and seizures. Therefore the act of making such arrests and seizures without any clearly laid-down procedure is unfair.
  - There is no reason why during the non-turtle season, fishing should not be allowed in the Gahirmatha Marine Sanctuary and the congregation areas along the coastal waters of Orissa.
  - The exact area and location of turtle congregation zones off the Orissa coast should be reviewed and redrawn from time to time in a collective exercise by both enforcement agencies and the trawling industry, in view of periodical changes found in the behaviour of migrating, congregating and nesting turtles in choosing new sites and abandoning old ones.
  - The prohibitive or restrictive measures on fishing operations in the waters of Orissa imposed for the purpose of turtle conservation or the conservation of other forms of biodiversity should be reviewed and reformulated on the basis of dialogues between enforcement agencies and the marine fishing industries of the State.
  - If caught within the prohibited zones, a trawler may be caught and a case registered against it by the appropriate designated officials, with no arrest of persons or seizure of boat, net, catch etc. If found guilty, the concerned trawler may be awarded with pecuniary fines at the end of the litigation. The legal proceedings have to be completed expeditiously within a time frame. Such an approach is convenient for both the trawling industry and enforcement agencies.
  - The current penalties are excessive by any reckoning and pushed quite a few fisher families to complete ruination. This is more so when we consider the fact that turtles if ever caught in trawl nets are only incidental catch and not a result of intentional poaching. Again the cases should not be forwarded to the court since the exasperating delay in the disposal of cases in the courts simply tells upon the survival of the concerned fisher families.
  - The charter of rights for marine fishing communities vis-à-vis the various legislations and regulations and their enforcement by different authorities should be formulated by the Government in consultation with the concerned fisher agencies and spelt out clearly.
  - Malpractices such as extortion and bribery by some staff in the Forest Department in connection with turtle cases should be completely stopped.
  - The trawler associations are willing to extend their wholehearted cooperation to all turtle conservation measures at the ground level, provided these are adopted with their consent. Secondly their concerned personnel should be financially remunerated using turtle conservation funds with the Government in a manner similar to other technical or enforcement agencies.
  - The Government should make efforts to involve the trawling community in research and development programmes around turtle conservation, marine fisheries and biodiversity, and also in promoting eco-tourism along Orissa coast.