

Report: Workshop on Social Dimensions of Marine Protected Area Implementation in India: Do Fishing Communities Benefit?

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Marine and coastal protected areas are increasingly being promoted as an important tool for the conservation of marine and fisheries resources. Recently, the International Collective in Support of Fishworkers (ICSF) undertook a series of studies on marine and coastal protected areas in India to highlight the various legal, institutional, policy and livelihoods issues that confront fishing and coastal communities. The five case studies focused on (i) the Gulf of Mannar National Park and Biosphere Reserve, (ii) the Malvan (Marine) Wildlife Sanctuary, (iii) the Gahirmatha (Marine) Wildlife Sanctuary, (iv) the Sundarban Tiger Reserve, and (v) the Gulf of Kutch (Marine) National Park and Wildlife Sanctuary.

In order to discuss the findings of the case studies and to suggest proposals for livelihood-sensitive conservation and management of coastal and fisheries resources, ICSF organized a two-day workshop on ‘Social Dimensions of Marine Protected Area (MPA) Implementation in India: Do Fishing Communities Benefit?’ at Chennai during 21-22 January 2009. Apart from highlighting fishing communities’ perspectives on MPAs, the workshop was also meant to be a forum to put forward proposals for achieving livelihood-sensitive conservation and management of coastal and fisheries resources.

Over 70 people participated in the workshop. They included representatives from the Ministry of Agriculture, Government of India; the Forest Departments of the States of Orissa, West Bengal and Tamil Nadu; the Fisheries Departments of West Bengal and Tamil Nadu; National Fishworkers’ Forum and other fishworker organizations, South Indian Federation of Fishermen Societies, the Wildlife Institute of India

(WII); and the Indian Institute of Science (IISc), non-governmental organizations; environmental groups; and independent researchers.

The introduction to the workshop highlighted that in the Indian context, marine and coastal protected areas refer to National Parks and Wildlife Sanctuaries declared in coastal and marine areas, under the Wild Life (Protection) Act (WLPA), 1972. Large numbers of men and women in fishing communities—an estimated 10 per cent of the marine fisher population of India—face a potential loss of livelihoods due to restrictions on fisheries in coastal and marine protected areas. The manner in which regulations are implemented often results in a feeling that fishing communities are disproportionately bearing the costs of conservation. Compounding the problem is the limited effort to create long-term alternative livelihood opportunities and improved access to basic social services and infrastructure.

In his opening address to the workshop, Mr. M.K.R. Nair, Fisheries Development Commissioner, Department of Animal Husbandry, Dairying and Fisheries, Ministry of Agriculture, Government of India, said that fishers residing along the coastline of India are the traditional owners of the resources in those areas. While there is consensus on the need for environmental restrictions and regulations, the impact of marine and coastal protected areas on fishers who are already below the poverty line, is severe. There needs to be a system of co-management for protected areas that is located within a balanced 'seascape' approach, he suggested.

The case study presentations highlighted the socioeconomic problems facing fishing

communities, including women, as a result of protection measures. These ranged from regulations that restrict fishing access within/around the protected areas, to arbitrary imposition of rules and fines, and arrest of fishers. In the case of the Gahirmatha (Marine) Wildlife Sanctuary, it was highlighted that 43 percent of affected fishers live below the poverty line. The fishing communities in all the five protected areas complain of lack of consultation and transparency in setting up protected areas, and in the implementation of protection measures.

Fishworker organizations in all the marine and coastal protected areas studied are demanding that fishing activities of traditional fishers using non-motorized vessels must be protected. Further, existing, self-regulatory community initiatives, such as controlling seaweed extraction and imposing restrictions on fishing gear, must be recognized and supported. They are also demanding alternative livelihood options—long-term options for future generations, and short-term options for the present generation. Another demand is for the effective implementation of provisions in the Marine Fishing Regulation Act (MFRA), especially the five-km ‘trawl-free’ zones, and for implementation of provisions of the WLPA, 1972 (as amended in 2002 and 2006), especially those relating to protecting the innocent passage of fishers and their occupational interests, through clear guidelines and rules.

From presentations and discussions at the workshop it was clear that the approach adopted of regulating mainly fisheries activities, while ignoring serious issues of degradation and pollution by non-fisheries factors, is highly problematic, compromising the very objectives for which the protected areas were set up. The case study of the Gulf of Kutch (Marine) National Park and Sanctuary, for example, highlighted the severe threats to the marine environment from industrial activities and special economic zones. The study pointed out that the current legal regime for protected areas is not adequate to address the special needs of marine protection, especially to combat the threats from non-fishery related activities taking place adjacent to protected areas. Fishworkers organizations, therefore, are demanding a comprehensive approach to the

management of the marine environment, which addresses the root causes of habitat destruction and depletion of resources.

During discussions at the workshop several participants queried the very rationale for setting up marine and coastal protected areas, as there is no clear evidence of their benefits—biological and social. It was questioned whether it was a classic ‘lose-lose’ situation in which thousands lose their livelihoods, with no clear indicator of conservation objectives having been achieved. On the issue of alternative and alternate livelihood options, it was stressed that these should benefit the local fishers who are worst affected, and should be a way to reduce pressure on fishery resources, and not to take away the rights of fishers to the resource. Several participants highlighted the need for gender-segregated socioeconomic data.

The workshop was also informed of the initiatives taken by local communities to conserve marine resources in the Lakshadweep islands, where there is a proposal for declaring a Conservation Reserve under the WLPA.

The workshop's legal session drew attention to the need for putting in place a holistic and comprehensive management framework for protecting coastal and marine resources, which addresses both fishery and non-fishery management concerns, and draws on international and national legal and policy frameworks. Within the fisheries context, there is a need to move from a production focus to a management focus, requiring an environmental plan for fisheries. There is also need to recognize existing artisanal zones, under the MFRA, as a form of protected area, given that they enjoy a higher level of protection than their surroundings, consistent with the Convention on Biological Diversity (CBD) definition of marine and coastal protected areas.

The legal session also drew attention to options, under other legislation, for designating specified areas that could meet both livelihood and conservation objectives. The need to elaborate, in operational terms, what is meant by the reference in the WLPA to “protect the occupational interests of fishermen”, was also stressed. The need to operationalize the provisions for “innocent

passage” in the WLPA, to prevent the arrest of those passing through, but not fishing in, sanctuary waters, was also highlighted. The session recommended the need to demystify information on various aspects of designating and implementing protected areas, so that it can be understood by lay persons.

The role of fishing community institutions in conservation of marine living resources was also illustrated, drawing attention to the several traditional systems and institutions such as the *kadakodi* system of northern Kerala and the federated structure of governance of the *pattanavars* of Tamil Nadu and Andhra Pradesh, which have evolved rules to regulate fishing and reduce conflicts. Besides these traditional institutions, the role of new institutions such as boatowner associations, trade unions, co-operatives, women's self-help groups and federations, and trade associations was also stressed. It was suggested that a co-management approach could include traditional structures that are already embedded with social capital.

The workshop agreed that the larger fight is really against environmentally destructive development, particularly in a post-liberalization context. In the absence of the right to say “no” to destructive development in protected areas, any talk of “people’s participation” becomes merely ritualistic.

The group discussions at the workshop focused on the benefits from marine and coastal protected areas, and how they could be enhanced. All groups pointed out that while some form of protection is needed for coastal and marine resources, on the whole, marine and coastal protected areas have had few beneficial impacts, particularly for local communities. The need for community participation, good governance, transparency, accountability, and reliable data, was stressed. It was suggested that traditional knowledge systems should be integrated with conventional science for protected area management.

The panel discussion on the way forward pointed out that management of existing marine protected areas is weak, and that fishers and managers need to get together to review management approaches

to define practical “win-win” strategies. Fishworker organizations drew attention to the various struggles of the National Fishworkers’ Forum (NFF) for better management and conservation of resources, stressing the importance of a comprehensive and integrated approach. Conservation efforts should start with regulating the high-impact activities of the larger players in the fisheries and non-fisheries sectors, not the relatively lower-impact activities of the weakest. It was also stressed that costs of conservation should be borne by all, and not just by fishers. The need is to recognize the concept of ‘sustainable use’, particularly in a marine context, and to adopt frameworks that do not exclude people. The process of setting up marine and coastal protected areas should also recognize power differences between stakeholders. The need is to focus on managing ecosystems as a whole, as waters are interlinked, which calls for better co-ordination and collaboration between different departments and ministries. Institutional co-ordination is important, where Fisheries Departments are seen as partners in the marine and coastal protected area management process. Co-management frameworks need to be devised, with a substantial representation for women as members of co-management committees.

The importance of quantifying benefits from protected areas, and using a comprehensive socioeconomic database, monitoring changes in fish catches and the incomes of fishing communities in the area, was stressed. Where it is clear that livelihoods are being negatively affected, adequate compensation should be given to communities. Periodic evaluations of marine and coastal protected areas also need to be undertaken, to determine whether they are meeting the objectives for which they were set up. Further, consultative processes should be started at the beginning of any effort to declare a protected area, and new categories like Conservation Reserves and Community Reserves, which protect both the rights of local communities and meet conservation objectives, should be explored.

The concluding address by Mr. Suresh Prabhu (Former Union Minister for Power, Environment and Forests, Government of India), to the workshop reiterated the need for a holistic

approach to the conservation of coastal and marine resources. The importance of co-management approaches that integrate the traditional knowledge of fishers into a model of sustainable conservation was also stressed.

The Statement finalized by the participants of the workshop highlights the need to integrate the fundamental principles of participation, environmental and social justice, and human rights in the implementation of marine and coastal protected areas.

The India MPA Workshop Proceedings, which has been published by ICSF, contains the prospectus of the workshop, a report of the proceedings, executive summaries of the case studies, and the consensus Statement that was reached by organizations and individuals who participated in the workshop. The presentations, proceedings of the workshop and case studies are available online at:

<http://mpa.icsf.net/icsf2006/jspFiles/mpa/indiaWorkshop.jsp>.

Project Profile

Local Ocean Trust: Watamu Turtle Watch, Kenya: An update on sea turtle conservation programmes

Introduction and background

Watamu Turtle Watch (WTW) is based in Watamu, a small coastal village located about 100 km north of Mombasa. It was established in 1997 by concerned local community members, in an effort to consolidate and strengthen sea turtle conservation efforts, practiced in the area since the 1970's. In its early years, WTW focused its conservation efforts on sea turtles in the Watamu Marine National Park and northern shores of the adjacent Mida Creek Reserve, combined with an education programme directed at fishermen and schools. The management of WTW soon realised that the survival of sea turtles in Watamu was intrinsically linked to the wellbeing of the surrounding marine environment, including the protection of sea turtles across their migratory range.

Concerned by the increasing widespread degradation of the Kenyan inshore marine environment, in 2003 the WTW broadened its efforts to encompass marine conservation issues by forming the Local Ocean Trust (LOT). WTW sits as the sea turtle flagship programme within LOT. LOT works in close co-operation with the Kenya Sea Turtle Conservation Committee (KESCOM), of which it is a lead member, the Kenya Wildlife Service (KWS) and Fisheries Department, as well as numerous other stakeholders within the community. Overall, WTW covers three main sea

turtle conservation programmes that in combination, conduct nest protection and monitoring, bycatch release and a rescue centre, with community outreach and education incorporating income generating activities, education directed at schools and capacity building coming under general LOT programmes.

Watamu and Malindi Marine National Park sea turtle nest protection programme

Since 1997, with the co-operation of the local community, WTW has managed and operated a nest protection and monitoring programme in Watamu Marine National Park and Reserve. In the Malindi Marine National Park, WTW has established a similar programme, managed by KWS, and guided and overseen by WTW. Staff patrol the nesting beaches every night of the year, to locate and tag nesting sea turtles and protect the nests. Green turtles are the predominant nesters along with occasional olive ridleys.

The Watamu programme provides valuable information on the population status of turtles in the area. For the past four years in a row, previously tagged nesting sea turtles have returned to Watamu after an absence of 3-5 years. These were the first recorded return-nesting sea turtles in Kenya, highlighting the value of this programme.