



Envisioning a smart resolution to fishing disputes between India and Sri Lanka

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ABSTRACT

Poaching activities in the territorial waters off the coast of the Northern Province of Sri Lanka by the fishing communities from the state of Tamil Nadu in India, especially in the wake of the end of Sri Lanka's civil war in 2009, have seriously strained the historic kinship, as also the bilateral international relations between Sri Lanka and India. The objectives of this policy paper are to first, make an informed assessment of the magnitude of these fishing disputes that occur between Sri Lanka and India in terms of both monetary, and livelihood losses incurred by Sri Lanka and the people who are directly affected by the same; and second, to explore scientific or technical solutions to this long running dispute to counter the ineffectiveness of law enforcement and the presumed absence of political solutions.



KEYWORDS

Dispute resolution; fishing;
India; IUU; Sri Lanka

Introduction

Sri Lanka's northern provincial economy has been rising from the ashes of the civil war since 2010, and has, as per the latest data available, recorded the highest provincial economic growth rate annually from 2011 till 2015, amongst the nine provinces in the country.¹ However, the growth of the fishing sub-sector has been stifled due to poaching (which is, by definition, illegal), by fisherpersons from India, (particularly from the state of Tamil Nadu) off the northern coast of Sri Lanka, (largely off the districts of Jaffna and Mannar).

The fisherpersons of Sri Lanka and India have been fishing in the Gulf of Mannar, Palk Bay, Palk Strait (the latter two together is also commonly known as the Sethusamudram), and elsewhere harmoniously from time immemorial using traditional equipment and methods of fishing.² (See [Map 1](#)). However, due to technological advancements (modern fishing vessels including multi-day boats and trawlers, modern fishing nets, etc.), the marine resources on the Indian side of the Palk Bay and elsewhere have been aggressively harvested and overexploited.³ The fisherpersons of Northern Sri Lanka have not been able to avail of such technological advancements owing to the onset of the civil war in 1983 and the resultant severity of restrictions imposed on fishing by the security forces of Sri Lanka.⁴

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