

State Level Consultations on ILO Convention on Work in Fishing in Coastal States of India

Society for Direct Initiative for Social and Health Action (DISHA) organized state level consultations on ILO Convention on Work in Fishing in collaboration with Centre for Education & Communication (CEC) and NFF state level seminars for campaign were organized in Gujarat, Maharashtra, Tamilnadu and Andhra Pradesh. Brief accounts of the seminars are as follows:

A. State level seminar on ILO Convention on work in fishing – Gujarat

The seminar was jointly organized by NFF, MASS, CEC, ICSF and DISHA in collaboration with the International Labour Organisation (ILO) in Ahmedabad on 6th May 2008. More than fifty participants comprising of fishworkers, trade union representatives, academicians, social activists and civil society organisation representatives deliberated on the ILO Convention on Work in Fishing in a state level seminar held.

The seminar on the ILO Convention on Work in Fishing was held in the midst of **National Campaign for the Rights of Fisherpeople** (Machhimar Adhikar Rashtriya Abhiyan), a historic event that took off from Jakhau in Kutch, Gujarat on 1st May 2008 and was to move along the Indian coast (Kutch-Kanyakumari- Kolkata) to conclude on 27th June 2008.

NFF Chairperson Mr. Harekrishna Debnath, on behalf of the organizers, welcomed the participants and explained the agenda of the day. He explained the needs for occupational safety and livelihood security of the fisherpeople relating those with their demands and struggles. He called upon the participants to get into collective brain storming so that the seminar comes out with a clear stand on the convention at the end of the day.

Vivekanandan of SIFFS enlightened the participants with his vast experiences of fisherpeople's works and the relevance of the ILO convention to their lives.

Mr. Sebastian Mathew (ICSF), in his key note address, first narrated the types of fishing practiced by the fisherpeople on the Gujarat coast along with rich data on the numbers of fishers, types of boats and gears, organization of fishing and fish landing. Then he indicated the benefits that could accrue to each category of fishers from the ILO Convention on Work in Fishing. He also explained the necessity for extending the scope of the convention to all fishers through a national legislation.

Mr. J John (Labour File) explained the position of unorganized workers in general and fishworkers in particular in the Indian labour scenario. He pointed out the quantity of services and produces generated by the unorganized workers. Basing on this he justified the extension of benefits of ILO Convention to the fishworkers.



The presentation by resource persons was followed by a group discussion. A panel of speakers under the stewardship of Prof. Aswin Karia, Ex-Principal, Palanpore Law College and with inputs from Mr. Harinеш Pandiya, Smt. Fatima Bibi and Smt. Purnima Meher further explained and clarified the relevant provisions of the Convention in the context of Indian fisheries. Amar Bhai, Hassan Bhai and Vijay Bhai and Bharat Patel also spoke during the meeting.

The participants unanimously demanded the Government of India to immediately ratify the ILO Work in Fishing Convention 2007. It further demanded that a comprehensive legislation for fishworkers in the light of the ILO Convention for the benefit of all fishworkers be enacted by the Government of India. The participants further demanded that the NFF should be involved and informed in the preparation of the National legislation.

The participants expressed appreciation of ILO's support and participation in the Seminars on ILO Convention on Work in Fishing Convention and welcomed their efforts towards enactment of a National Legislation for all Fishers.

This seminar was jointly organised by NFF, MASS, CEC, ICSF and DISHA

The Seminar closed with a resolution on following points:

- 1. Ratify ILO Convention on work in fishing, 2007**
- 2. Enact a comprehensive legislation on work in fishing including all sections of fish workers – fishers, sorters, processors, loaders, vendors etc.**
- 3. Ensure livelihood protection and natural resource conservation through the comprehensive legislation.**

4. Ensure social security to fisher women
5. All fisher peoples' organisation, other trade unions, civil society organisations, NGOs should join in the campaign.
6. India Government should complete the process of ratifying the convention and enactment of legislation in one year.
7. Fisherpeoples' right to access fishery resources must be ensured.

B. State level seminar on ILO Convention on work in fishing – Maharashtra

State level seminar on ILO Convention on fishing was organized jointly by DISHA National Fishworkers' Forum (NFF), Centre for Education and Communication (CEC), International Collective in Support of Fishworkers (ICSF) and Maharashtra Machhimar Kruti Samity (MMKS) in collaboration with ILO at Shivaji Mandir, Dadar, Mumbai on 12th May 2008. The objective of the seminar was to familiarize the Convention and to seek probable follow up action for its ratification /implementation in the country.

Participants: Fifty eight persons representing the fishing community leaders, trade unions, social activists, intellectuals, media persons and students participated in this one-day seminar.

Mr. Harekrishna Debnath (Chairperson, National Fishworkers' Forum), Mr. Rambhau Patil (President, Maharashtra Machhimar Kruti Samiti), Mr. N.D. Koli (General Secretary, NFF). Mr Narendra Patil, Mr. Matanhy Saldanha (the first Chairperson and fellow founder of NFF) graced the stage by narrating their experiences of the current circumstances which are being encountered by the coastal peoples across India.

The resource persons, Mr J. John and Mr. Sebastian Mathew (ICSF) introduced different dimensions of the ILO convention through their power-point presentations which were rich in statistical data and factual information regarding the various provisions. The discussion positioned the ILO convention within the larger discourse of the routes of potential translation and implications of the convention. Sharing of information and ideas was facilitated by Mr Sanjay M.G of National Alliance of People's Movements (NAPM) who translated the presentations and anchored both the question and answer sessions in Marathi.

People from diverse backgrounds attended the convention proceedings. Mr. Ashok Kashinath Nakhaw, President, *Akhil Koli Samaj Parishad*, Mr Sukla Sen eminent activist, a representative from YUVA working with the urban poor on housing issues also joined conveyed solidarity to the fish workers and committed to raise the issue in their respective forum. Mr. Vivek Mulay from the *Maharashtra Machhimar Mase Vikreta Sangh* and his colleagues from the organization repeatedly highlighted the plight of fish vendors in urban Maharashtra, the majority of who are women. Mr. Sebastian, as a response to this query mentioned that the ILO convention applies to 'workers' on board of fishing vessels and the standpoint of the unorganized sector workers whose category includes the huge majority of workers in the fishing sector was discussed.

Media representatives were also present in the seminar. Doordarshan representative interviewed Mr. N.D.Coli. Two fisher folk from Gujarat, Mr.Ahmad Majalia and Mr Arun Siddique shared the experiences of their villages with reporters from Down to Earth Magazine (CSE, Delhi).

The fisher folk from Gujarat, added the flavours of the lives and struggles of the coastal people of the neighbouring state. Direct experiences of depletion of fish, salted waters, decreasing incomes, large-scale displacement of traditional fisher peoples in coastal villages to set up industries and special economic zones (SEZ) along with the advent of hazardous and polluting industries along the coast contrastingly corresponds to the larger players in the fishing sector.

Towards the end of the day, Mr. Harekrihsna Debnath summarized three recommendations arising out of the discussions of the day. The first was in line with the generic ambience of the room created by the repeated questions stressing the intense nature of gendered oppression and acknowledged the marginalization encountered by women workers in the fishing industry. The recommendation touched upon the idea of legislation to protect the differential interests of the women fish workers. The second recommendation appealing to the Government of India to enact a national legislation in the light of the ILO Fishing Convention to include fishworkers came strongly with a “*turant kiya jaye*” or a call to immediately enact the same with an extension of social security benefits to all fishworkers bringing in those in allied industries and those indirectly associated with fishing. The need for a convention at a national level was identified and NFF requested representatives of the government, fishworkers, non-profit organizations to come together for the aforementioned venture.

C. State level seminar on ILO Convention on work in fishing – Tamilnadu

State level seminar on ILO Convention on fishing was organized jointly by DISHA National Fishworkers’ Forum (NFF), Centre for Education and Communication (CEC) and International Collective in Support of Fishworkers (ICSF) at ICSEA, Egmore, Chennai on 9th June 2008. International Labour Organisation (ILO) collaborated with the effort. Among the local organizers were Tamilnadu Fishworkers’ Union (TFU), Ramnad District Fishworkers’ Trade Union (RFTU), Vangakadal Meen Thozilalar Union (VMTU) and Coastal Action Network (CAN). The objective of the seminar was to familiarize the Convention and to seek probable follow up action for its ratification /implementation in the country.

Participants: Around eighty five persons representing the fishing community leaders, trade unions, social activists, intellectuals, media persons and students participated in this one-day seminar.

Resource persons: Ms Susama Varghese, National Programme Manager of Workers’ Project, ILO Sub-regional Office, New Delhi, Mr. Sebastian Mathew, Programme Advisor, ICSF, Mr. J. John, Editor, Labour File were the resource persons for the input sessions while Mr. Harekrishna Debnath (NFF), Mr. Sasanka Dev (DISHA), Ms Jesu Rethnam (NFF), Mr. T. Peter Dhas, Mr. A. Paul Samy and Mr. M. Ilango were among the panel.

Proceedings: The **opening session** was chaired by NFF Chairperson Mr. Harekrishna Debnath. NFF Executive Committee Member Ms. Jesu Rethnam, on behalf of the organizers, welcomed the participants and explained the agenda of the day. Mr. Harekrishna Debnath in his opening remarks about

the seminar on ILO Convention called upon the participants to get into collective brain storming so that the seminar comes out with a clear stand on the convention at the end of the day. He specially thanked Ms Susamma Varghese for her presence in the seminar and requested her to continue ILO support to the movement of fishworkers in India. He also mentioned that the Seminar was being held in the midst of **National Campaign for the Rights of Fisherpeople** (Machhimar Adhikar Rashtriya Abhiyan), a historic event which was simultaneously taking place along the Indian coast line (Kutch- Kanyakumari-Kolkata) from 1st May to 27th June 2008.

Ms. Varghese explained in detail what ILO is and how ILO functions in India. She specially emphasized the relevance of ILO in protecting workers' rights. ILO Convention on Work on Fishing was adopted in 96th session of International Labour Convention held in June 2007. She mentioned that 80% of fish workers in the world are in Asia. Most of them belong to China and India. Hence it is very important to popularize the ILO Convention among them. She explained how different categories of fish workers can be benefited by the Convention. Social securities including medical benefits will be extended to large section of fishermen. She stated that all the member states including India are obligated to abide by the Convention. Now it is important that appropriate legislation is enacted in the country to implement the provisions of the Convention.

The second session was chaired by Mr. Sasanka Dev of DISHA. He pointed out that fishing has been recognized by the said ILO Convention as a hazardous occupation compared to other occupations. But the people engaged in this sector enjoy minimum or no rights and opportunities. The ILO Convention has brought the opportunity to safe guard the basic rights of the fish workers.

Mr. Sebastian Mathew introduced the salient features of the convention through power point presentation. He presented an overview of the fishing sector of Tamilnadu state and established the relevance of ILO Convention. He also narrated the intent and possible impact of the convention on the workers in the fishing sector. He emphasized the need for ratification of the convention by our Government. He elaborated how the provisions of the convention could be extended to workers in the smaller fishing vessels and even the shore-based workers through appropriate national legislation. Particularly the social security provisions of the convention could be of paramount importance for all fish workers.

Mr. J. John, Editor, Labour File presented a brief history of emergence of ILO and its role in protecting labour rights in world arena. He mentioned that a vast section of workers are unorganized, who are deprived of basic rights. Fish workers are mostly self-employed and unorganized even in contrast to other section of unorganized workers. So we have to wage a battle to extend rights to them. In his presentation, he also dealt with the existing Fisheries Laws in India and stressed the immediate need for intense campaign, political persuasion, lobbying and alliance building to create pressure on the Government for enactment of **national legislation** to provide the benefits envisaged in the convention for all fishworkers irrespective of the size of the vessel and nature of employment. Social security benefits prescribed in the ILO Convention could be the corner stone of the intended national legislation that would help the small and traditional fish workers.

The third session was chaired by Mr. Harekrishna Debnath. A panel consisting of Ms Jesu Rethnam (NFF), Mr. T. Peter Dhas, Mr. A. Paul Samy and Mr. M. Ilango discussed the importance of the

Convention in length and breadth. Mr. T. Peter Dhas of TFU ensured that campaign would be launched in the state demanding enactment of appropriate legislation to protect the fishworkers' rights as adopted in the Convention. Mr. A. Paul Samy narrated in detail how the basic human rights of the fishworkers are being violated. Mr. M. Ilango pointed out that the national legislation should cover all sectors of fish workers so that their rights are protected.

It was followed by intense brain storming by the participants. There was consensus on building adequate pressure on the Government of India through campaign at various levels mainly by the fishers' organizations and other trade unions for a national legislation extending the relevant provisions of the Convention to cover all fish workers. Participants felt the need for such an over arching legislation particularly keeping the fact in mind that about 50% of the fish workers in India are women – who do not work on board of fishing vessels, vast majority of the traditional fishers are self employed, share fishers working with smaller fishing crafts or shore based workers and desperately need many of the benefits prescribed in the convention. They can be benefited only through a comprehensive law with these provisions.

Recommendations: The seminar unanimously arrived at the following recommendations:

1. All fisher peoples' organizations, trade unions, civil society organizations, NGOs should conduct intensive campaign for ratification of the ILO Convention on fishing by the Government of India and enactment of a comprehensive national legislation, extending the convention, to cover all fish workers.
2. The proposed national legislation must contain the following:
 - i. Social security should be the corner stone of the proposed legislation. It should include all sections of fish workers namely the fishers, fish sorters, fish vendors, loaders, fish processing workers;
 - ii. it should emphasize social security to all women fish workers together with the men;
 - iii. the legislation should protect and ensure fisher peoples' right to access fishery resources;
 - iv. it should ensure protection of livelihood of traditional fishers together with conservation of fishery related natural resources;
 - v. health protection and education should get top priority and be made a justice able right of the fish workers.
3. All participant organizations individually or jointly should organize seminars, workshops, and public meetings etc. to popularize the demand for a national legislation.
4. Members of parliament and legislative assembly should be sensitized to raise the demand in the house(s).
5. Appropriate and adequate campaign materials should be made available in local language for wide circulation.

D. State level seminar on ILO Convention on work in fishing – Andhra Pradesh

State level seminar on ILO Convention on fishing was organized jointly by DISHA, National Fishworkers' Forum (NFF), Centre for Education and Communication (CEC) and International Collective in Support of Fishworkers (ICSF) at Non-gazetted Officers' Bhavan on 11th June 2008. International Labour Organisation (ILO) collaborated with the effort. Among the local organizers were Samudratheera Matsya Karmekula Union (STMKU) and Andhra Pradesh Traditional Fishworkers' Union (APTFU). The objective of the seminar was to familiarize the Convention and to seek probable follow up action for its ratification /implementation in the country.

Participants: Sixty two persons representing the fishing community leaders, trade unions, social activists, intellectuals, media persons and students participated in this one-day seminar.

Resource persons: Mr. Harekrishna Debnath, Chairperson, NFF, Sasanka Dev, President, DISHA, Mr. K. Allaya, Orissa NFF and Mr. Ram Kumar of Equations were the resource persons for the input sessions while Mr. P. Ramalingam, STMKU, Mr. K. Tirupathi, Mr. Venkata Ramaya, Mr. Bharani Rathnam were among the panel.

Proceedings: The **opening session** was chaired by NFF Executive Committee Member Mr. P. Ramalingam. Mr. K Allaya, on behalf of the organizers, welcomed the participants and explained the agenda of the day. In his opening remarks about the seminar on ILO Convention Mr. Allaya called upon the participants to get into collective brain storming so that the seminar comes out with a clear stand on the convention at the end of the day. Mr. P. Ramalingam narrated how the fishworkers of Andhra Pradesh, like many other fish workers in the country are deprived of their basic rights.

Mr. Harekrishna Debnath, Chairperson, NFF mentioned the importance of the Seminar, which was being held in the midst of **National Campaign for the Rights of Fisherpeople** (Machhimar Adhikar Rashtriya Abhiyan), a historic event which was simultaneously taking place along the Indian coast line (Kutch- Kanyakumari- Kolkata) from 1st May to 27th June 2008. Mr. Debnath gave an account of the plight of the fishworkers in India. He mentioned that fishing is a zero investment industry and the country earns a lot from fishing. But the fishworkers both on board and on land do not get minimum protection from the government. They are denied of every basic right. Now ILO Convention has provided some opportunities to protect the fishworkers' rights if they can pursue the government to ratify it and to translate it into appropriate legislation.

Mr. Sasanka Dev of DISHA explained in detail what ILO is and how ILO functions in India. He introduced the salient features of the convention in detail. He also narrated the intent and possible impact of the convention on the workers in the fishing sector. He emphasized the need for ratification of the convention by our Government. He elaborated how the provisions of the convention could be extended to workers in the smaller fishing vessels and even the shore-based workers through appropriate

national legislation. Particularly the social security provisions of the convention could be of paramount importance for all fish workers.

Mr. Ram Kumar of Equations stated that big investments including unscrupulous tourism industries are driving away the traditional fisher people from the coast. There is immediate need to act against such move so that fishworkers' basic rights are ensured. Provisions of ILO Convention have given the opportunity to the fishworkers to raise their voice to ratify and legislate.

The next session was chaired by Mr. Harekrishna Debnath. Mr. P. Ramalingam narrated the problems faced by the fishworkers in Andhra Pradesh. He emphasized that events of human rights violation in coastal zone of Andhra Pradesh are rampant. Most of the fishing villages are under threat of eviction. Mr. K. Tirupathi mentioned that there is no health facility in the coastal villages. Villagers especially children are susceptible to epidemics. Women fish vendors do not have any place to sell their fish. Mr. Bharani Rathnam alleged that lives of the fish workers are at the mercy of the coast guards.

There was consensus on building adequate pressure on the Government of India through campaign at various levels mainly by the fishers' organizations and other trade unions for a national legislation extending the relevant provisions of the Convention to cover all fish workers. Vast majority of the traditional fishers are self employed, share fishers working with smaller fishing crafts or shore based workers and desperately need many of the benefits prescribed in the convention. They can be benefited only through a comprehensive law with these provisions.

Recommendations: The seminar unanimously arrived at the following recommendations:

6. All fisher peoples' organizations, trade unions, civil society organizations, NGOs should conduct intensive campaign for ratification of the ILO Convention on fishing by the Government of India and enactment of a comprehensive national legislation, extending the convention, to cover all fish workers.
7. The proposed national legislation must contain the following:
 - i. Social security should be the corner stone of the proposed legislation. It should include all sections of fish workers namely the fishers, fish sorters, fish vendors, loaders, fish processing workers;
 - ii. it should emphasize social security to all women fish workers together with the men;
 - iii. the legislation should protect and ensure fisher peoples' right to access fishery resources;
 - iv. it should ensure protection of livelihood of traditional fishers together with conservation of fishery related natural resources;
 - v. health protection and education should get top priority and be made a justice able right of the fish workers.
8. All participant organizations individually or jointly should organize seminars, workshops, and public meetings etc. to popularize the demand for a national legislation.
9. Members of parliament and legislative assembly should be sensitized to raise the demand in the house(s).
10. Appropriate and adequate campaign materials should be made available in local language for wide circulation.

E. State level seminar on ILO Convention on work in fishing – West Bengal

RECOMMENDATIONS from Kolkata Meeting on ILO Convention on Work in Fishing.

19.12.07

1. Ratify ILO Convention on work in fishing, 2007
2. Enact a comprehensive legislation on work in fishing including all sections of fish workers – fishers, sorters, processors, loaders, vendors etc.
3. Ensure livelihood protection and natural resource conservation through the comprehensive legislation.
4. Ensure social security to fisher women
5. All fisher peoples' organisation, other trade unions, civil society organisations, NGOs should join in the campaign.
6. India Government should complete the process of ratifying the convention and enactment of legislation in one year.
7. Fisherpeoples' right to access fishery resources must be ensured.
8. Health protection for fishworkers with special reference to HIV / Aids prevalence.