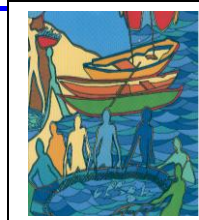


Orissa Traditional Fish Workers' Union

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To,
Shri Jairam Ramesh,
Minster of Environment and Forests,
New Delhi

Dear Sir,

Subject: Demands of the Orissa traditional fish worker's union regarding legislations for coastal protection

The Orissa Traditional Fish Workers' Union (OTFWU) is the only trade union of fishworkers in Orissa which represents the interests of the traditional fishing communities. We represent the interests of all the traditional fishworkers from the 6 coastal districts of Orissa.

We are placing before you the various demands of the fisher

- * **We demand a Comprehensive Act for Coastal Land Rights.**
- * **In the interim, the CRZ Notification of 1991 should be in operation in its original form.**
- * **We demand that the MoEF commits to a process for ensuring these two main demands.**

CRZ and its amendments

1. Go back to the original CRZ Notification of 1991 with all the 13 initial prohibitions intact.
2. No amendment to the CRZ should be introduced without adequate public consultation. No amendments should be introduced using the Rule 5 (d) of the Environment (Protection) Rules, 1986 that does away with the need for public consultation.
3. Consultation should be done appropriately in the appropriate language and methods.
4. In the implementation of the CRZ Notification, there should be a role for PRI institutions and gram sabhas. In panchayat areas where there are fewer fishing communities, the pali sabha should be involved in implementation and monitoring
5. Registered fisheries cooperatives should be consulted whenever certain amendments are introduced or when certain development projects are introduced.
6. No permitted activity in the CRZ may be allowed if it impacts on fishing community use of the coast. The panchayat, gram sabha or pail sabha may be empowered to decide and review this. All activities may be permitted only on onset at these level/bodies.
7. Representatives of the fishing community should be involved in monitoring efforts for the implementation of the CRZ rules at all levels.
8. The implementation and monitoring structure of the CRZ mechanism should include adequate representatives of the fishing community at the district, state and national level.

9. The inshore waters should be brought in as part of CRZ including prohibitions on destructive activities. And the same right to the traditional/beach based/sea going fishermen should be established.
10. No reclamation of sea should be allowed.
11. Conservation of mangroves wherever they are.
12. No taking over of the beach/inshore waters for SEZ purpose.

Coastal land rights

13. The definition of 'Local community' can include families and households including those engaged in agriculture, business etc who may not belong to the fishing caste, but who can nevertheless be included as the local community.
14. Identify of a fisher community person should meet two conditions: 1) should belong to the fishing caste (should be born into such a community) and 2) should be related to the activity of fishing.
15. When guaranteeing the rights of local community, the difference between the fishing community and the local community should be remembered and the rights of the fishing community should be given priority.
16. Common lands of fisher villages and fisherfolk should not be allowed to be acquired by non-fishing coastal communities. This includes government land.
17. The government should recognise and acknowledge the rights of the fishing community to have access over lands that are used for fishing purposes and for the economic, recreational, social and cultural purposes of the fishing community.
18. Rights over coastal water bodies should belong to the traditional fishing community.

Housing and settlements

19. All fisherfolk homes need to be given proper titles and land patta and settlements till date.
20. The traditional and habitual right of the traditional/beach based/sea going fisher people should be emphasised.
21. The right to the construction of residences in the CRZ for the fisher people should be established.
22. Whenever fisherfolk there is move to deny rights to fishing or to access to the sea, due to some project, the fishing community should first be consulted in this regard and should be compensated for their losses. The terms of compensation should be arrived through consultations before the project is approved/starts.

Marine Conservation

23. Conservation efforts should be preceded by support to fisherfolk livelihoods rights.
24. Wherever a marine sanctuary is declared the livelihood interests of the traditional fishermen should be allowed.
25. When the government proposes to introduce any ban on fishing, the local community should be informed and then the ban needs to be discussed before being finalised. The local unions should also be provided information on the same.
26. Right of fishermen over the seasonal activity in Jambudwip should be re-established.
27. Livelihood of the traditional/seagoing/beach based/fish vending women should be protected in all areas, including Marine Protected Areas.
28. CBOs formed and managed by the community persons should be given priority for management of coastal resources

Violations

29. Stringent punishment to the violators.
30. Settlements of traditional beach based and sea going fishing communities should not be considered violations as the coast is their home.

Mapping and documentation

31. Provisions to update mapping should be made and land records should be integrated to identify various CRZ areas. The old HTL should be used to identify existing violations.
32. High Tide Line needs to be demarcated afresh for updating the CRZ areas (especially since many areas have got eroded) and will enable the identification fresh violations.

We are hopeful that these detailed inputs will be considered and that you will provide directions for further detailed consultations on coastal legislation matters.

Sincerely,

K. Alleya
General Secretary,
Orissa Traditional Fish Workers' Union,
Ganjam, Orissa