Illega Fishing Issue as a Non-traditional Security Threat to Sri Lanka
(With Reference to India)

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Abstract— Non-traditional security threats are treated as a novel trend in the concept of security. Accordingly, the high handed poaching by hordes of Indian fishermen in Sri Lankan waters poses a grave threat to national security & economy of Sri Lanka. The study is focused to “identify the illegal fishing acts committed by Indian fishermen in Sri Lankan waters as a non-traditional security threat and its nature”. Despite of the main objective of the study, the sub objective of the study is to evaluate the impact of poaching on political, economic, military, societal and environmental security of Sri Lanka. For the study, Barry Buzan’s five sectors of security concept have been applied to evaluate impact of the illegal fishing by Indian fishermen in Sri Lankan waters. Methodology that followed for this study is qualitative in nature while using both primary and secondary data. To collect primary data, a sample of 50 people has been used in the fields of government, academic, military and other professionals. According to the study, as per the characteristics of the non-traditional security threats, illegal fishing activities by Indian fishermen in Sri Lankan waters are identified as a non-traditional security threat to the national security of Sri Lanka. In the elaboration of the nature of this act, it revealed that this illegal act has considerable influence on political, economic, military, societal and environmental security in the context of national security of Sri Lanka. In the evaluation of its impact on political, economic, military, societal and environmental security, the most alarming impacts can be identified on political security and on environmental security.

Keywords— Non-traditional, Security, Illegal fishing

I. INTRODUCTION
In the mid 1980s poaching issue between Sri Lanka and India came in to the forefront with emergence of violent ethnic conflict between the Tamil militants and the Sri Lankan government. But the poaching issue took place prior to the ethnic conflict of Sri Lanka. Poaching issue represents the trespassing of International Maritime Boundary Line (IMBL) by fishermen of Sri Lanka and India for fishing. Even though maritime boundary crossing for fishing purposes was prohibited after enacting the maritime boundary agreement, still these violations continue in the Palk Strait, Palk Bay and Gulf of Mannar. Fishermen of both countries rarely respect the maritime boundary, because the earnings by fishing are far more important to them. The violations have been continuously going on up to the present day. Sri Lankan Navy and Indian Coast Guards (West) patrol as monitoring forces that nab the offenders at the maritime boundary of both countries. The present study is based on to identify this act as a non-traditional security threat in the context of security of Sri Lanka. Universally accepted term for illegal fishing is “illegal, unreported and unregulated fishing” (IUU). At the international level, this issue is mostly taking place in the countries like China, Korea, Russia, Baltic Sea, and Zimbabwe (Magdalena, 2010). To a State, security is the paramount element of her sovereignty. In this paper, the issue of poaching by Indian fishermen in Sri Lankan waters has been elaborated and only from the point of view of Sri Lanka, its impact has been classified under the concept of security.

II. METHODOLOGY
To achieve the twofold objectives of the study, both primary and secondary data have been used. Descriptive analysis method has been followed for this study. For the evaluation of the impact of illegal fishing issue on the security of Sri Lanka, a theory of Barry Buzan has been applied and a purposely selected sample of 50 people in the fields of academic, military and other professionals have been used as primary data. Buzan’s five levels of security sectors such as, military, political, economic, societal and environmental security have been evaluated in this paper. Within the five levels of security sectors, it is focused to identify whether the particular issue has an impact on each security sector which can be able to define as a threat to the security of the country.

III. FINDINGS
A. Poaching Issue as a Non-traditional Security Threat
Non-traditional security threats are defined as challenges to the survival and well-being of peoples and states that arise primarily out of non-military sources such as climate change, infectious diseases, natural disasters, irregular migration, food shortages, smuggling of persons, drug trafficking and other forms of transnational crimes. The main objective of this paper is to identify the poaching by Indian fishermen in Sri Lankan waters as a non-traditional security threat and its nature. For this purpose, it is essential to recognize the characteristics of the non-traditional security threats. Through the literature review, several important characteristics have been identified as follows:

- Focuses on non-military security threats.
- Transnational in nature.
- Cannot be prevented entirely.
- The object of security is no longer just the state, but also the people, their survival and dignity.
- Consequences are often more difficult to reverse or repair.

Focuses on non-military security threats - As per the characteristics, accordingly the act of poaching or IUU is not based solely on military purposes. The prime reason for the Indian fishermen to cross the International Maritime Boundary Line (IMBL) and trespass into the Sri Lankan waters is the abundance of good quality fish and brown prawns. Territorial waters especially around Tamil Nadu are now in the process of depletion of fisheries resources. In addition to the main detriment, as consequences of illegal fishing and to some extent drug trafficking, smuggling, gun running, human trafficking and illegal trading are taking place which pose a threat to the security of Sri Lanka. During the civil conflict in Sri Lanka, illegal trading and smuggling of arms & ammunition along with fishing activities by Indian fishermen have been a threat in the context of military. Even though the consequences of IUU relate to military means, the actual motive of the illegal fishermen is not purely on military purposes.

Transnational in nature - The word "transnational" describes crimes that are not only international (i.e. crimes that cross borders between countries), but crimes that by their nature involve cross-border transference as an essential part of the criminal activity. According to the term "transnational", poaching by Indian fishermen in Sri Lankan waters, also occurred across the borders between Sri Lanka and India. It means at inter-state level. In this context, this is an act of IUU is committed by Sri Lankan fishermen in Indian waters as well as by Indian fishermen in Sri Lankan waters. Both countries are victims of this illegal act. Moreover, this act of illegal fishing done by Indian fishermen in Sri Lanka is transnational in its nature.

Cannot be prevented entirely – Even though, this act has been going on for a long time across the maritime border in Sri Lanka, neither country could entirely prevent these illegal fishing activities. Both countries have taken collective efforts to prevent this act by initiating Joint Working Groups and engaging in a series of discussions, yet the piracy continues on an ever increasing basis.

Affects the populace, their survival and dignity – Most of the Northern Province fishermen of Sri Lanka are at the receiving end of this transgression by multitudes of Indian fishermen. The livelihood of local fishermen has been endangered, with little or no redress in sight. Due to the reasons such as high technological trawlers, blatant usage of illegal nets, bellicose approach in flocks of Indian fishermen poorly equipped Northern Province fishermen of Sri Lanka are facing hardships and their life at stake. Some of the Sri Lankan fishermen have lost their lives due to the clashes between Indian and Sri Lankan fishermen in high sea. As per that, this act has been a threat to the mere survival of the Sri Lankan fishermen.

Illegal fishing by Indian fishermen in Sri Lankan waters has a detrimental impact on the marine environment of the Northern sea of Sri Lanka. Due to the usage of Bottom-trawls method by Indian fishermen, they destroy the entire sea bed. Aftermath, the sea bed is not capable of regaining marine resources anymore and stepped into depletion. The main reason for the Indian fishermen to cross the IMBL and enter into the Sri Lankan waters is the availability of good quality fish and brown prawns. They extensively reap the harvest meanwhile raping the marine resources and disturbing the fragile eco-system. It will take thousands of years for the marine resources to replenish and sometimes these may vanish forever. In that context, the grave consequences of illegal fishing are difficult to reverse or to regain in future.

While using the primary data, it is evaluated to identify whether the illegal fishing issue created by Indian fishermen in Sri Lankan waters is a non-traditional threat to Sri Lanka. The result is shown in the draft below.
As per the draft, the majority is shown at 48%, which strongly agree that illegal fishing issue is a non-traditional threat to Sri Lanka.

B. Impact of Illegal Fishing Issue on Five Levels of Security Sectors of Sri Lanka

1) Military Sector - The illegal fishing issue endangers the maritime security of Sri Lanka. At the time of the civil conflict in Sri Lanka, there were several incidents which exposed a security threat by the poaching of Indian trawlers. On 23rd August 2013 at the Kotelawala Defence University’s annual international research symposium, Commander Rohan Joseph of the Sri Lanka coast guard said that, in the post war era when Sri Lanka is not faced with any immediate security threat in terms of an armed adversary, the incessant poaching by Indian trawlers constitute a threat to Sri Lanka’s maritime security. According to him, over 4500 Indian trawlers on average poach in Sri Lankan waters three days a week. It reveals that since the war era in Sri Lanka, Indian trawlers poached in Sri Lankan waters. At that time, it was a serious security threat to Sri Lanka. Even today - the war is over the threat from terrorism is not completely over. Due to that point, the poaching of Indian trawlers in Sri Lankan waters still poses a security or military threat to Sri Lanka. Illegal fishing in other country’s territorial waters can be linked with other kinds of illegal acts such as drug trafficking, smuggling arms & ammunition, human trafficking and illegal trading and also he stated that illegal fishing issue is a non-traditional threat to Sri Lanka while endangering the military security as well. Indian trawlers poaching in Sri Lankan waters also have a connection with the drug trafficking (Kurukulasuriya, 2012). The use of terms as “invasion” and “trawler war” to describe Indian poaching in Sri Lankan waters point towards the magnitude of the problem. In performing the duties of maritime security, Sri Lankan Navy is engaged in arresting unauthorized Indian fishermen.

2) Political Sector - Even after the maritime boundary agreement in 1974, this illegal act was continuing. This poaching issue which originated from Tamil Nadu as a minor violation has now escalated to a large scale “trawler war”. Politicians from both sides of Palk Strait merely pay lip service to end the controversy with no equitable solution in sight. Tamil Nadu has a huge population whose main occupation is fishing. Tamil Nadu opposed the maritime boundary agreement between Sri Lanka and India in 1974 and 1976 which they called as an inhuman agreement. This agreement failed to uphold the territorial rights over Kachchativu as well as the traditional fishing rights of Indian fishermen in these waters. The Tamil Nadu fishermen still continue to suffer because of the failure of New Delhi to uphold the interests of Tamil Nadu in this matter. In current situation, illegal fishing issue has reached a critical stage and not the Central Government of India but Tamil Nadu is proactively playing a role to influence Sri Lanka. The State Government of Tamil Nadu is using their clout to influence and coerce the Central Government of India to take an action against Sri Lanka regarding the illegal fishing issue. The key roles are played by the Chief Minister M. Karunanidhi, who is also the President of the Dravida Munnetra Kazhagam (DMK), and Selvi J. Jayalalitha. It revealed that State Government of Tamil Nadu is exploiting the situation to exert pressure on Central Government of India to change its stance on Sri Lanka. State Government of Tamil Nadu can be addressed as a third party which is involved in the fishermen issue and exploiting the groundswell of the matter to gain political mileage. Overall, it appears that there is no sincere will in the State Government of Tamil Nadu immediately reducing its fleet of trawlers. Evidently, the Tamil Nadu government was actively involved in exerting pressure on its Central Government to support United Nations human rights resolution against Sri Lanka and its continued concern on the purported violation of the rights of the Sri Lankan Tamils (Moses, 2011). External Affairs Minister Salman Khurshid admitted that emotive protests in Tamil Nadu did influence Prime Minister Manmohan Singh’s decision to skip the Commonwealth Heads of Government Meeting (CHOGM) in Sri Lanka. The illegal fishing issue between Sri Lanka and India is exploited by the State Government of Tamil Nadu to fulfill their own requirements, by escalating the issue further without arriving at a solution.
This is a threat to the sovereignty of Sri Lanka because, habitually a huge fleet of Indian fishing crafts is entering the Sri Lankan waters without any permission. Tamil Nadu is endangering the political security of Sri Lanka by using their own recipe. If this issue continues, Sri Lanka may have a considerable impact on her political sector from the international heavy weights.

3) Economic sector - Fish production of Sri Lanka contributed a fair portion for the country’s economy. In that case, Northern Province plays a significant role and contributes a considerable portion of fish production to the country. Due to the illegal fishing issue between Sri Lanka and India, there is a considerable impact on the Northern Province fishermen as well as on their economy. This attempt is to find out how the issue has affected and is still taking effect on these people as well as on the economic prospects of Sri Lanka. According to former Fisheries and Aquatic Resources Minister Dr. Rajitha Senaratne, the Government has targeted US$ 500 million in revenue for 2013, but has had to keep its expectations low due to the significant losses from poaching. Sri Lanka Seafood Exporters Association President Roshan Fernando has stated that the loss caused by the poaching of Indians has been estimated to be over US$ 750 million annually (Hettiarachchi, 2007). Approximately 900 boats, both mechanized and non-mechanized operate from Rameshwaram on alternate days in Sri Lankan waters and per boat their prawn catch is 35 – 56 kg (kilograms) while fish catch is 120 kg. In India roughly there are more than 5000 trawlers - approximately 5300- and out of these, nearly 2500 trawlers highly depend on the fish resources of Sri Lankan waters. In 2008 there were 29772 Indian fishermen who engaged in illegal fishing in Sri Lankan waters. According to available data, in a day catch per boat weighs: the shrimps from 35 kg to 56 kg, with a mean of 45.5 kg and by catch 80 to 120 kg with a mean of 100 kg. As it calculated, the annual catch of shrimps by the number of poaching boats in Sri Lankan waters can be shown as 1,557,783.5 kg (45.5 x 34237) which is of 1557.7 metric tonnes of shrimps and this is the annual fleet catch of shrimps lost to Sri Lanka due to poaching of Indian fishermen. The minimum price of prawns in market had been identified as Sri Lankan Rs.600.00 per kg and by catch as SL Rs. 100.00 per kg. The by catch scenario would be much devastating with a mean of 100 kgs per boat, fishing effort of by catch comes to the total of 3,423,700 Kgs (100 x 34237) which is 3423.7 metric tonnes. Estimated total annual revenue lost due to the illegal poaching by Indian fishermen is considerably a large amount (Hettiarachchi, 2007). According to the above details, it is clearly proved that this illegal fishing issue has made a considerable impact on the economic security of Sri Lanka which endangered the livelihood of Northern Province fishermen.

4) Societal sector - People of the Northern Province are a significant part of the society of Sri Lanka. Societal security emphasized the cordial relations with the social groups of the society. This particular issue expresses a threat to the sector of societal security especially to the people in Northern Province. In this particular issue, societal security concept can not apply uniformly for all citizens of the country. The special group which directly affected by the illegal fishing conflict is the people of Northern Province of Sri Lanka. Therefore, it is important to evaluate to what extent this issue has affected the societal security of the fishermen in Northern Province of Sri Lanka. For three days per week and during ten months of the year Sri Lankan fishermen in North Province were confronted by their counterpart Indian trawlers and fiberglass boats in the Palk Bay and who always have been assertive in their fishing rights. Often those trawlers entered into the Sri Lankan waters by nightfall, haul their nets over the seabed and leave unchallenged before dawn, with hauls of fish - succulent prawns and pricy sea cucumber (Wijedasa, 2013). Due to the competition over the resources in Sri Lankan waters, there is regular confrontation between the Sri Lankan fishermen’s group and Indian fishermen’s group. It reveals that, illegal fishing issue has brought the two groups of fishermen which became a threat to the societal security sector in Sri Lanka. Due to these reasons Sri Lankan fishermen keep away on such days which the Indian fishermen poach in the Sri Lankan fishing grounds, because their boats, engines and nets are damaged by the large Indian vessels. Indian fishermen cut the nets of Sri Lankan fishermen and use their ones. And also Sri Lankan fishermen claimed that, by dragging iron bars along the seabed, poachers destroy everything including coral reefs and seaweeds. Due to the risk of losing their nets, Sri Lankan fishermen do not venture to fish in the troubled waters during the nights which they assume that Indian trawlers on the prowl. And Sri Lankan fishermen are familiar with Indian’s whereabouts and either they take the considerable risk to venture out to sea for fishing or stay together at home to keep their nets safe. The loss of fishing days for Sri Lankan fishermen means their economy goes down. When the economy goes down, the
socio-economic living standards of their families also become lower. They may endure many economic hardships just to survive. On the 16th of February 2011, the fishermen of Point Pedro which is a fishing town in Northern Sri Lanka gathered to take action against Indian or Tamil Nadu fishermen whom they called as “robbers of our house”. And also because of the hatred which was boiling in the minds of the Sri Lankan Fishermen, by using the small scale fishing crafts they captured 18 Indian trawlers and 112 crew members from Nagapattinam, who were fishing in-shore of Sri Lankan waters. Accordingly, there were several clashes between these two groups and these illegal acts by the Indian fishermen have posed a serious threat to the societal security of Northern Province fishermen.

5) Environmental Sector - Indian trawlers illegally enter into the Sri Lankan waters and tried to catch huge fish stocks by using destructive fishing methods which ruined the fragile relationship between nature and man. Marine experts in Sri Lanka have stated that Indian fishermen’s poaching and bottom trawling have been permanently destroying seabed environment (David, 2013). Further they have warned that, bottom trawling and poaching by Indian fishermen is ruining the marine life off the northern coast of Sri Lanka and they predict that the region may soon be barren if these activities continue. It reveals that, through the use of destructive fishing method of Indian fishermen Sri Lanka will suffer damage of a mass scale in future, which will be affecting the marine eco system of Sri Lanka. Bottom-trawls are designed to dig in to the top foot or so of the sea-bed and dredge up everything therein. In this method two heavy metal panels are fixed at both sides of the mouth of the Bottom Trawling net to make sure that it remains at the bottom of the sea floor. In addition to altering seafloor habitats, bottom trawling also results in huge amounts of by catch - unwanted fish and marine life discarded because they are of the wrong size, sex or species. Dr. Terney pointed out that Sea Cucumbers and Pearl Oysters are also the targets of bottom trawling. And also he stated that the seas around Mannar and Palk Bay are famous for Pearl Oysters and Sri Lanka could lose the economic benefit of these resources because of the encroaching Indian fishermen (Rodrigo, 2011). The Palk Bay and the Gulf of Mannar record one of the richest Biological Diversities in the Indian Ocean which includes 20% of Indian Ocean creatures. The Palk Bay, located between the Bay of Bengal and the Gulf of Mannar is home to 580 fish species, 733 molluscs, 651 crustaceans and 128 species of stony corals (Rodrigo, 2011). Zoologists claim that the Gulf of Mannar is home to over 3,600 species. The five endangered marine turtles also inhabit this area and can get entangled in these nets easily while feeding on the sea grasses at the bottom. Accordingly “waste fish” percentage is considerably high in this method. Some parts of the yield goes unused and another part is damaged.

Table. 1 Evaluation of impact of Illegal fishing issue

<table>
<thead>
<tr>
<th>Scale of Impact</th>
<th>Strongly disagree</th>
<th>Disagree</th>
<th>Neither agree nor disagree</th>
<th>Agree</th>
<th>Strongly agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Military sector</td>
<td>3</td>
<td>13</td>
<td>0</td>
<td>24</td>
<td>10</td>
</tr>
<tr>
<td>Political sector</td>
<td>0</td>
<td>2</td>
<td>1</td>
<td>15</td>
<td>32</td>
</tr>
<tr>
<td>Economic sector</td>
<td>2</td>
<td>5</td>
<td>8</td>
<td>10</td>
<td>25</td>
</tr>
<tr>
<td>Societal sector</td>
<td>8</td>
<td>10</td>
<td>6</td>
<td>14</td>
<td>13</td>
</tr>
<tr>
<td>Environmental sector</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>20</td>
<td>27</td>
</tr>
</tbody>
</table>
According to the Mr. Nishan Perera, the estimated figures show that 40-50 percent of the Indian fishermen’s catch through bottom trawling is thrown back - mostly dead - to the sea. As overall, bottom trawls damage and destroy the sand banks, rocky outcrops and patches of coral reef. All these marine habitats are really crucial to overall function of the marine eco system. As per details, illegal methods used by Indian fishermen in Sri Lankan waters, have almost destroyed the seabed which has made a detrimental impact on the environmental security of Sri Lanka.

The above table (1) shows the evaluation of the impact of illegal fishing issue on Sri Lanka in accordance with the five levels of security sectors as per the primary data.

According to the table above, as per the primary data, it reveals that among the five levels of security sectors, political and environmental security sectors have been highly affected rather than other sectors. As per the table, 32 respondents have agreed that from the illegal fishing issue, political security sector of Sri Lanka was severely eroded and on the other hand 27 respondents have agreed that environmental security sector also has been highly affected. Compared with others sectors, political and environmental aspects are the mostly affected security sectors by illegal fishing issue in Sri Lanka.

IV. RESULTS
Based on primary and secondary data, findings of the study can be expressed as the illegal fishing committed by Indian fishermen in Sri Lankan waters has identified as a non-traditional threat to the security of Sri Lanka. At the same time according to the Barry Buzan’s five levels of security sectors, it has identified that this particular issue has a considerable impact on political and environmental security sectors. Throughout the literature review relevant to this issue, the reasons for crossing the boarders to each group are as due to the lack of Global Positioning System (GPS) in mechanized boats and a chain of Automatic Identification System (AIS) stations along the Tamil Nadu coast have been found out. Meanwhile the inability to control this issue is identified as the poor cooperation of the both countries collectively.

V. CONCLUSION
According to the study, illegal fishing by Indian fishermen in Sri Lankan territorial waters is rated as a crime under international law. In addition to that, it needs to be mentioned that Sri Lankan fishermen are also committing the same crime in Indian territorial waters. In this context, the paper is only focused on the point of view of Sri Lanka regarding this issue. Even after enacting the maritime boundary agreement between Sri Lanka and India, this issue has taken place continuously till the present day. Even though the both countries have taken several initiatives to control these acts, still they could not find a long term solution to prevent this entirely. As the threat to the national security of Sri Lanka escalates, the government officials need to be much more cohesive and responsible regarding this issue. As a recommendation for this particular matter, a collectively organized mechanism with the equal cooperation & frank dialogue of both countries would be highly effective in future to prevent this act.

REFERENCES


BIOGRAPHY OF AUTHOR

Shashikala Aloka Kumari Madanayaka is currently working as an assistant lecturer in International Studies attached to the department of Economics, University of Kelaniya. She is having a First Class Honors Degree in International Studies and following a post graduate diploma in International Relations at the Bandaranaike Center for International Studies. Her research interested areas are foreign policy, national security and non-traditional security threats.