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Indian Fishermen Catch Gunfire Maritime Dilemmas Pestering Indo-Sri Lanka Relations

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Indian fishermen in search of a decent “catch” are being caught themselves. The Liberation Tigers of Tamil Eelam (LTTE), Sri Lankan fishermen, and, perhaps most disturbingly, the Sri Lankan Navy pose violent threats to Indian fishermen illegally poaching in bountiful Sri Lankan waters.

Though the International Boundary Line is well-known to these Indian fishermen, dwindling fish stocks directly off India’s southern coast pit (to village fishermen, somewhat abstract) territorial boundaries against livelihoods. The violence they face in Sri Lankan waters—also well-known to the fishermen—underscore their desperation to sustain their livelihoods.

For a period leading up to the 2002 Ceasefire Agreement, Sri Lanka denied its fishermen access to fertile Sri Lankan fishing grounds as a safety measure. Indian fishermen, frustrated with dwindling catches in waters immediately off India’s southern coast, however, happily fished in Sri Lanka’s territory. Since 2001, the Sri Lankan fishermen have been allowed to re-stake their country’s fishing grounds and in the subsequent six years, Indian fishermen have repeatedly been fired upon and abducted in planned attacks.

Tangled Lines Stir Bilateral Relations

Seeking justice for Indian poaching, Sri Lankan fishermen have petitioned the government and the *de facto* authority, the LTTE, to enforce their sole right to fish in Sri Lankan waters. To the detriment of Indian fishermen, both naval forces have attempted violent remedies to address the frustrations of Sri Lankan fishermen. The latter have even taken justice into their own hands,

“setting off” in fleets composed of fishing boats and in fiery tempers to round-up Indian transgressors.

Despite these threats to their security, Indian fishermen remain reluctant to stay out of Sri Lankan waters, continuing to disregard territorial boundaries last changed in 1974. Violence has ensued, presenting a challenge to improved bilateral relations between India and Sri Lanka.

Sri Lanka’s Navy Loses Control

In a spate of attacks in February through the beginning of March 2007, Sri Lankan Naval vessels repeatedly fired on Indian fishermen. The Sri Lankan maritime patrols have good reason to be suspicious of Indian fishermen. Since 1983, the LTTE have hired Indian fishermen to smuggle supplies, including military equipment, to northern Sri Lanka’s Jaffna peninsula. LTTE operatives are known to disguise themselves as fishermen for supply runs and attack missions, and the LTTE rarely “goes in” without ample weaponry nor go down without a fight. Of course, for any legitimate naval force, this series of attacks on regular Indian fishermen—however provoked by deserved suspicion—are inexcusable responses to territorial incursions.

As reported by the *Frontline* in a late March 2007 issue, the Sri Lankan Navy carried out at least seven separate attacks on Indian fishermen from 11 February to 9 March 2007. In an interview with a *Frontline* correspondent, an Indian fisherman, Soosai, recounted the March attack, “We raised our hands above our heads to signal that we were unarmed fishermen, but the Sri Lanka Navy personnel shot at us like they would shoot sparrows. After they finished with the firing, they left as if

nothing had happened."¹ Indian Defence Minister A K Antony recently accused the Sri Lankan Navy for a series of attacks on Tamil Nadu fishermen that have killed 77 civilians in the last sixteen years—though observers question whether the LTTE should not be accused for a significant chunk of this death toll.²

The Sri Lankan Ministry of Defence denies that its navy was involved in any of the recent attacks. Substantiated reports of Sri Lankan naval involvement make this argument untenable. More importantly, the Sri Lankan government does appear to have accepted New Delhi's message that these attacks must cease. There have been no reported Sri Lankan naval attacks on Indian fishermen since March 2007—though this state of affairs might not last. Also, Indian fishermen continue to face arrest, imprisonment, and physical harassment for crossing into Sri Lankan waters.

Sadly, a quieter Sri Lankan Navy does not mean that violent danger to Indian fishermen has disappeared. Statistically, the LTTE, cruising through Sri Lankan-fished *and* Indian-fished waters as a third naval force, poses the largest violent threat to Indian fishermen. While this threat has little regard for territorial boundaries, it does have implications on the debate over territorial control.

A Little Island Stirs a Territorial Dilemma

Kachchativu—Indian fishermen prey on Sri Lankan prawns and other fish around this small island in Palk Bay (see map)—is at the center of this debate. In 1974, then Indian Prime Minister Indira Gandhi ceded control of Kachchativu to Sri

Lanka, presumably in an effort to foster good relations with its neighbour. Mrs. Gandhi, somewhat cheapening her country's gift, brushed Kachchativu off as having no strategic importance. Now there are calls from within India to take Kachchativu back, and protection of Indian fishermen is a primary justification for such arguments.

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Advocates of Indian control over Kachchativu who are also sensitive to diplomatic constraints suggest that India lease the island in perpetuity, thereby skirting sovereignty issues while still addressing pragmatic security considerations. So, one solution proposes that India offer Sri Lanka territorial or economic incentives in return for a permanent lease on Kachchativu.

If New Delhi reneges on Mrs. Gandhi's gift, even if softened by a diplomatic technicality, it will rekindle familiar cries, particularly from the Sri Lankan political opposition and Islamabad, and labeling of India's pragmatic behavior as "hegemonic." Coming in the wake of Indian National Security Adviser M K Narayanan's highly controversial remarks, New Delhi must be skittish about confirming Sri Lanka's long-held suspicions of paternalistic instincts. NSA Narayanan declared, "We are the big power in this region. Let us make it very clear. We strongly believe that whatever requirements the Sri Lankan government has, they should come to us. And we will give them what we think is necessary. We do not favour their going to China or Pakistan or any other country..."³ The Sri Lankan government received Narayanan's comment as a blatant challenge to their country's



sovereignty, so New Delhi may let the desire to control Kachchativu rest for awhile.

Limited Naval Options: Indian Navy Forced to Collaborate

A more significant issue that surfaces between New Delhi and Colombo in response to continued attacks on Indian fishermen is Sri Lanka's desire to jointly patrol the Palk Straits with India. Currently the defence relationship includes coordinated patrolling. Joint patrolling, for the Sri Lankan and Indian navies and Indian coast guard, means inter-dependence and mutual responsibility.

For the Indian Navy, joint patrolling almost guarantees greater engagement with the LTTE. India's policy since the early 1990s allows LTTE engagement only in response to security considerations directly threatening India and/or regional stability. Indian policy decisions have stood firm on not fighting Sri Lanka's war anymore than is absolutely necessary to protect its interests. However, despite India's now systematic refusal to honour Sri Lanka's request for joint patrolling, Sri Lanka persists with this request.

Violence against Indian fishermen will make New Delhi act—with naval ships if necessary. In one sense then, Sri Lankan naval attacks on Indian fishermen actually push Sri Lanka's lobbying efforts for joint patrolling. With Indian fishermen meeting violence while venturing beyond India's maritime jurisdiction, India may have to consider how to arrange for (at least) emergency access to Sri Lankan waters. Surely all-out joint patrolling with the Sri Lankan navy is beyond New Delhi's limits on Indian military engagement in the conflict. It is counter-intuitive to work closely with a navy that itself, presents a significant threat to Indian interests, but this may be the surest way to soothe trembling trigger fingers in the Sri Lankan Navy.

Indian Response Has Potential to Model Economic Problem-Solving

New Delhi's response, especially if Indian fishermen continue to face violent attacks, will be closely watched. An April 2007 editorial in Indian daily, *The Statesman*, strongly criticized India for botching essential security considerations related

to Indian fishermen's safety:

The protection of fishermen is a national duty that is taken much too lightly. Given the fact that there is constant friction in the Palk Straits[...]we have failed to come up with any kind of mechanism to prevent inadvertent straying across maritime boundaries, or defending fishing boats from attack. The problem has persisted for years, with only stop-gap arrangements and knee-jerk reactions.⁴

New Delhi's band-aids keep peeling off—meanwhile, there is a wound that needs to be healed. The political uproar over the fishermen's plight, mainly coming from Tamil Nadu politicians, is demanding diplomatic and military solutions. Certainly, pressure on the Sri Lankan government from New Delhi to ensure no further attacks by the Sri Lankan Navy and more stringent mechanisms to enforce territorial boundaries are necessary for immediate relief...if not further LTTE engagement and/or naval collaboration. The root cause of the problem, however, and, thereby, the long-term solution is economic-based.

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Indian fishermen poach in Sri Lankan waters because there is not enough fish closer to home. Unsustainable harvesting has left fisheries off India's southern coast depleted and unprofitable. How long will it take the remaining productive waters to reach a similar state? If livelihoods are to be saved—that is, if fishermen have to remain fishermen—the Indian government must quickly develop and implement appropriate fishery management projects.

The depleted Indian fisheries may be too “fished out” to manage back into commercial productivity within a reasonable length of time. An alternative fishery model fitting environmental, technical and market conditions in south India must be sought. Current aquaculture projects, meant to stimulate coastal economic development along the southern coast, do not provide struggling fishermen jobs as fishermen. Traditional fishermen, though, may have to trade their nets for at-sea fish farms. With mechanized trawlers and large-scale engineering projects continuing to disrupt the seascape, a resurgent fish population in the traditional fishing grounds, even with tighter fishing restrictions, is unlikely.

With well-funded projects that New Delhi and the fishing communities decide on, India will demonstrate to Colombo how to solve political grievances with economic, sustainable solutions. Hopefully Colombo will take note and see the relevance of this approach with regard to its ethnic war.

ENDNOTES

1. T S Subramanian, “Straits of Tension,” *Frontline*, Vol. 24, Issue 6, 24 March-6 April 2007.
2. “Sri Lanka Agitated Over Antony’s Statement,” *The Hindu*, 12 May 2007.
3. “Centre considering unified command for armed forces,” *The Hindu*, 1 June 2007.
4. “Troubled Waters,” *The Statesman*, 4 April 2007.



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