



HUMAN RIGHTS AT SEA



Human Rights at Sea Baseline Study

On Levels of Understanding
of Human Rights among
Koli Fishermen Working in
and around Mumbai, India



Human Rights at Sea

BASELINE STUDY ON LEVELS OF UNDERSTANDING OF HUMAN RIGHTS AMONG KOLI FISHERMEN WORKING IN AND AROUND MUMBAI, INDIA



INTRODUCTION

As an independent human rights charitable Non-Government Organisation (“NGO”) working in the maritime environment, Human Rights at Sea (“the Charity”) undertakes community-focused baseline studies (“the study”) around the world led by local nationals with local stakeholders to establish the extent of understanding, education and awareness of individual fundamental human rights in local seafaring and fishing communities, and the challenges of raising such a topic.

AIM: The aim of the research fieldwork is to build a series of objective and comparative studies that can be used for local, national and international referencing in respect of better and more constructively raising awareness of human rights provisions, protections and effective remedies under the main principle that ‘human rights apply at sea, as they do on land’.

In July 2019, an Indian Human Rights at Sea field researcher conducted a series of field interviews and associated research on behalf of the Charity in the Koli Community (“the Community”) in Mumbai and Mumbai Metropolitan Region (“Mumbai”) in India to achieve the study aim. The following report details the findings, commentary and detail from interviews held.

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“We had suffered a lot in the hands of the authorities. Any protest that we do, we will suffer immensely. It is very difficult to deal with the authorities.”

Koli Fisherman

PART 1

EXECUTIVE SUMMARY

A discussion on what constitutes ‘human rights at sea’ among fishermen living and working in and around Mumbai raises serious questions about the general understanding of what constitutes fundamental human rights and what that means. In recent times, open and transparent discussion on the subject of human rights has been frowned upon both by locals, as well as authorities in Mumbai as reported to the charity in witness testimony.

This study is based on personal interactions with fishermen, with members of the Cooperative Societies representing the different fishing areas, and relevant government authorities who narrated their individual perspective of what constitutes ‘human rights at sea’ in the Koli Community residing in Mumbai, India.

From the perspective of the local fishermen and their Community, the most important factor they emphasized was the violation of their right to livelihood in the face of threats from the rapid commercial development of the city of Mumbai, combined closely with associated pollution and climate change.

The fishermen were often reluctant to discuss the issue in detail fearing consequences from the authorities as their expectations of short-term transformational change in terms of improved livelihoods had not been fulfilled in the past. Comparatively, on the side of the Government authorities, the topic of ‘human rights’ evoked suspicion and criticism as the subject is seen to oppose and hinder rapid commercial development activities taking place in Mumbai.

- ¹ TNN, ‘Mechanized boats not allowed to go fishing from June 1-July’, available at http://timesofindia.indiatimes.com/articleshow/69405225.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst
- TNN, ‘Annual ban on fishing off Maharashtra coast from June 1’, available at: <https://timesofindia.indiatimes.com/city/mumbai/annual-ban-on-fishing-off-maharashtra-coast-from-june-1/articleshow/69572136.cms>
- ² Salma Rehman, ‘India overexploiting fish resources: Greenpeace’, available at: <https://www.downtoearth.org.in/news/india-overexploiting-fish-resources-greenpeace-38400>
- ³ Divya Kohli and Aditya Raghavan, ‘Mumbai is killing the fishing villages that made it Mumbai’, Livemint, available at: <https://www.livemint.com/Leisure/1E0AEjOdn9xDmg7FpIFzJ/Mumbai-is-killing-the-fishing-villages-that-made-it-Mumbai.html>
- Apekshita Varshney, ‘Are Mumbaikars prepared for the environmental impact of new coastal projects?’, Citizenmatters, available at <http://citizenmatters.in/mumbai-new-coastal-projects-affect-environment-12384>
- ⁴ Deepa Punjani, ‘The Socio Legal Debate on the Coastal Road in Mumbai’, available at: <https://www.livelaw.in/columns/the-socio-legal-debate-on-the-coastal-road-in-mumbai-146081>
- ⁵ Arunangsu Roy Chowdhury, ‘Trawling in troubled waters: fishermen face rising cost’, available at <https://www.thehindu.com/news/cities/mumbai/trauling-in-troubled-waters-fishermen-face-rising-costs/article25090798.ece>
- ⁶ Badri Chatterjee, ‘10 Chinese vessels found fishing illegally in Maharashtra’, available at <https://www.hindustantimes.com/mumbai-news/in-troubled-waters-10-chinese-vessels-found-fishing-illegally-in-maharashtra/story-FigOPCnmT3o0xuSDeqFjvN.html>
- ⁷ ‘In troubled waters: 10 Chinese vessels found fishing illegally in Maharashtra’, available at: <https://www.hindustantimes.com/mumbai-news/in-troubled-waters-10-chinese-vessels-found-fishing-illegally-in-maharashtra/story-FigOPCnmT3o0xuSDeqFjvN.html>
- ⁸ <https://www.travenix.com/discover-koli-community-mumbai/>
- ⁹ http://censusindia.gov.in/Tables_Published/SCST/dh_sc_delhi.pdf, http://www.censusindia.gov.in/Tables_Published/SCST/dh_sc_rajasthan.pdf, http://censusindia.gov.in/Tables_Published/SCST/dh_sc_madhya_pradesh.pdf
- ¹⁰ Article 15 (4) and Article 46 of the Constitution of India.
- ¹¹ Staff Reporter, ‘Koli leaders demand inclusion of all sub-groups in list of STs’, available at <https://www.thehindu.com/news/national/karnataka/koli-leaders-demand-inclusion-of-all-sub-groups-in-list-of-sts/article25927832.ece>
- ¹² Staff Reporter, ‘Koli leaders demand inclusion of all sub-groups in list of STs’, available at <https://www.thehindu.com/news/national/karnataka/koli-leaders-demand-inclusion-of-all-sub-groups-in-list-of-sts/article25927832.ece>
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STUDY FINDINGS

CONTEXT

During the period of the study it was peak monsoon season in Mumbai, the time during which fishing in the sea with mechanized boats are not permitted by the Government¹. The fishing docks in Mumbai remain busy with activity, while the catch is caught from the areas closest to the coast (around five (5) nautical miles) through the use of traditional boats (non-mechanized boats) and is sold in the markets near to the docks.

Nonetheless, the local catch is ever diminishing with contributing factors being marine pollution², commercial developmental activities³, the rise in boat fuel prices, the lack of supporting subsidy on diesel by the Government⁴ and illegal fishing by boats from other countries⁵ all collectively and severely affect fishermen's livelihood and the chance of turning a modest profit in support of their families.

The Koli Community

The fishing community in Mumbai consists primarily of the Koli Community who have been the original indigenous inhabitants of Mumbai for the past five centuries⁶.

Although the Koli Community predominately resides in Mumbai in the State of Maharashtra, they can also be found in the neighbouring states of Gujarat and Rajasthan⁷. The Koli Community resides in 'Koliwadās' or houses next to the coast and work in markets located near to residential areas. Koli fishermen are not the only ones who work in the different fishing areas in Mumbai; there are migrant fishermen from other Indian States such as Andhra Pradesh, Odisha, Gujarat, as well as from Nepal, India's neighbour country.

In 2001, the Koli Community were included in the Scheduled Caste/Scheduled Tribe category in some states in India on the basis of the census that was conducted that year⁸.

The Scheduled Caste/Scheduled Tribe categorization is a form of positive discrimination under the Indian Constitution⁹ to protect certain communities who have historically suffered in the past. However, this inclusion is limited to only some sub-categories of the Koli Community and to some states in India, though currently most of the Community is now classified as 'Other Backward Classes'¹⁰.

The inclusion of all sub-categories of Kolis in the Scheduled Caste/Scheduled Tribe category is something that the Koli Community has been demanding for the last two decades¹¹. This would have helped the Community to get increased priority in attaining higher education opportunities and better jobs, without which it leaves them little choice, but to continue fishing the coastal waters with diminishing stock levels.

The Indian fishing industry ("the industry") in Mumbai primarily includes small scale fishermen with the average number of crew on a boat ranging from three (3) to five (5), and who fish on a daily basis.

The industry primarily remains using small boats (20 feet in length) as the building of bigger boats (more than 60 feet in length) is both expensive and comes with significant additional costs such as maintenance fees and wage payments for the crew. Fishing in the deeper sea is also considered dangerous by some of the fishermen as they have to spend more time out at sea thereby increasing the chances of often fatal accidents from the likes of weather-related events¹². Consequently, most fishermen in Mumbai conduct their trade close to the coast (less than 5 nautical miles).

The industry has adopted the structure of Cooperative Societies ("Cooperative Society") wherein a number of boat owners are registered together and operate collectively. There are also around 3000 societies in and around Mumbai, while other prominent societies having more than 200 boats are located in areas such as Cuff Parade, Mahim, Worli, Versova, Wasai, and Revas in Raigad.

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Employment Opportunities and Fundamental Changes

In the last twenty years, there has been a drastic change in the composition, size and attitude of the industry in Mumbai and consequently of the Koli Community.

In the 1990s, fishing was a lucrative and promising industry from which fishermen were able to earn a good living and turn a profit. Many of those from the Community continued working in the profession throughout the associated supply chain after being at sea.

However, in the last five years (since 2014) due to the increasing pollution in the ocean and lack of support from Government authorities, the latest Koli generation are moving away from the profession of fishing¹³ and venturing into other jobs such as IT, call centre work, medicine, engineering and chartered accountancy among other professions.

Currently, a majority of those working as fishermen are now middle-aged, the younger generation is otherwise focusing on becoming better educated to gain the chance of access to improved working opportunities. Those remaining in the Community, which predominantly comprises the older generation¹⁴, in general are not very literate and often lack the ability to read or write as well as the younger generation.

Human Rights Awareness and Issues

Focal Issues

Unlike the agricultural sector which is heavily subsidized¹⁵, the fishing sector in India is not currently given the same favourable treatment that protect the rights of fishermen¹⁶. Even with the subsidy provided for the purchase of diesel and assistance during the fishing ban, the State of Maharashtra has received one of the lowest monetary allocation for subsidies in comparison to other States in India¹⁷. This has threatened the basic living sustenance of fishermen and consequently, they are primarily concerned with their right to livelihood which is their main focus over any other fundamental human right.

There is also a reluctance to engage with non-governmental organizations (NGOs) or associated charitable foundations. The Community believes that such organizations come and obtain the relevant information from them without any immediate, or transformational change to their financial position and livelihoods. They also fear backlash from the Government authorities for speaking with such organizations.

Co-operatives

Findings shows that it is predominantly the Societies that take steps to improve the working conditions of fishermen in a certain geographical area. Societies like the Karanja Fishing Cooperative Society in Sassoon Dock have tried to introduce certain crew safety measures and equipment in the boats such as the provision of life-jackets to all fishermen, fire extinguishers and professional insurance for death and injury. However, in some cases such as the introduction of washrooms or cooking stoves on the boat, the fishermen have themselves turned down such facilities due social and cultural beliefs, and also due to practical reasons of being at sea in small boats.

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Human Rights Awareness

Although not aware of what comprises the exact nature and meaning of 'human rights at sea', some of the fishermen expressed a significant interest in learning about their fundamental rights and to be aware of case studies and stories about the issues faced by fishing communities in other locations.

The presence of newly-educated graduates amidst the Koli Community has also helped the older fishermen learn more about their human rights and therefore take up such issues with the authorities. The Community further highlighted and emphasized the importance of sharing information on social media websites like WhatsApp, which is then transmitted to a group comprising all the members of the local fishing villages.

Dispute Resolution

The dispute resolution mechanism in place to solve issues related to human right violations is mostly centered around the engagement with the Cooperative Societies. In most cases, it is the Societies which resolve many of the issues raised, including human rights issues that are faced by the fishermen at sea including payment of wages, fighting and injuries on board boats, safety issues, insurance provisions and compensation for fishermen lost at the sea, by way of example. In more serious cases such as the destruction of livelihood due to developmental activities, the societies support the fishermen by filing petitions in the applicable courts and appointing lawyers, as required.

Effects of Commercial Development

As Mumbai has become the second most populated city in India, there are many infrastructure projects that are being commissioned such as the Bandra Worli Sea Link Project¹⁸ and the recent Mumbai Coastal Road Project.

In a recent decision, the Supreme Court of India refused to stay the order by the High Court of Bombay quashing the Coastal Regulation Zone clearance awarded by India's Ministry of Forest, Environment and Climate Change to the Coastal Road Project¹⁹.

These projects are opposed by the Koli Community who believe that they hamper their right to livelihood²⁰ and contribute to detrimental pollution at sea²¹. The authorities, on the other hand, view human rights as a subject that opposes economic development within the country. There is often severe criticism of efforts, especially by NGOs, to disseminate information about human rights while there is scrutiny of the underlying motives of those who try to work on the subject matter²². This apparent lack of understanding of human rights and suspicion of the subject on the part of some of the local authorities hampers the efforts of the effective promotion of the subject, and therefore reduces the benefits that can arise from a clearer understanding of an individual's fundamental rights.

¹³ 'As young move away from fishing, Kolis, Agris fight to save', available at http://timesofindia.indiatimes.com/articleshow/22175777.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst
<https://shodhganga.inflibnet.ac.in/bitstream/10603/147153/8/08%20social%20conditions%20of%20the%20koli%20community%20in%20mumbai%20city.pdf>

¹⁴ 'Polina Schapova, 'The Kolis One of the Oldest Fishing Communities of Mumbai Face an Uncertain Future' available at: <https://www.firstpost.com/long-reads/the-kolis-one-of-the-oldest-fishing-communities-of-mumbai-face-an-uncertain-future-6500251.html>

¹⁵ Prema Sidwani, 'India's budget allocation for agriculture remains unchanged at ₹1.3 trillion', available at: <https://www.businessinsider.in/indias-budget-allocation-for-agriculture-remains-unchanged-at-1-3-trillion/articleshow/70054131.cms>

¹⁶ 'Four states provide maximum subsidies to fishermen', available at: <http://www.millenniumpost.in/nation/4-states-provide-max-subsidies-to-fishermen-govt-364811>

¹⁷ Kirtika Suneja, 'Fish subsidies rise 23%, but India feels it won't be an issue' available at: <https://economictimes.indiatimes.com/news/economy/agriculture/fish-subsidies-rise-23-but-india-feels-it-wont-be-an-issue/articleshow/66505071.cms>

¹⁸ The Quint, 'Why Are Fishermen in Mumbai Worried About Their Future?' available at: <https://www.youtube.com/watch?v=kJOMUqpfpfU>

¹⁹ Japnam Bindra, 'Mumbai coastal road project: SC refuses to stay HC's decision quashing CRZ clearance' <https://www.livemint.com/news/india/mumbai-coastal-road-project-sc-refuses-to-stay-hc-s-decision-quashing-crz-nod-1564142272341.html>

²⁰ 'Fishermen oppose coastal road project, threaten to disrupt work', available at: <https://indianexpress.com/article/cities/mumbai/fishermen-oppose-coastal-road-project-threaten-to-disrupt-work-5511012/>

²¹ Press Trust of India, 'Bombay HC quashes CRZ clearances to Rs 14,000 cr coastal road project connecting Marine Drive to Borivali' available at: <https://www.businesstoday.in/current/economy-politics/bombay-hc-quashes-crz-clearances-to-rs-14000-cr-coastal-road-project-connecting-marine-drive-to-borivali/story/365063.html>

²² Ranjeet Jhadhva, 'BMC violating court orders on coastal road project, say Mumbai activists' <https://www.mid-day.com/articles/bmc-violating-court-orders-on-coastal-road-project-say-mumbai-activists/20736187>

Sujeet Kumar, 'India has been hostile to NGOs for decades. Modi made it worse' available at: <https://qz.com/india/1611326/india-has-been-hostile-to-ngos-for-decades-modi-made-it-worse/>

Since 2014 the Modi Government has cancelled the license of 15,000 foreign NGOs, available at: <http://www.asianews.it/news-en/Since-2014-the-Modi-government-has-cancelled-the-licence-of-15,000-foreign-NGOs-46231.html>

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RECOMMENDATIONS

The following recommendations are made from this study report.

- 1. Improve education and awareness.** There have been no serious attempts in the past by either Government authorities, or the Cooperative Societies to make fishermen and their families aware of their fundamental rights. While Government authorities are reluctant to engage with NGOs fearing backlash against their commercial development projects, the Societies are keen to promote activities that contribute to the welfare of fishermen. An alignment with the different Societies in Mumbai to distribute information and conduct training sessions could prove beneficial for the fishermen in the Koli Community.
- 2. Improve information dissemination.** According to the conversations with the fishermen, most of the dissemination of information in the Koli Community occurs through social media websites such as WhatsApp and Facebook. There are established social media groups which include most of the Community living in the fishing villages or 'Koliwadas' which can be used in order to spread awareness about human rights issues.
- 3. Use younger educated community members as focal points.** The presence of people who have attained higher education within the Koli Community can be used as focal points to engage the others in conversation surrounding human rights at sea.



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PART 2

The following field interviews and testimony expand upon the detail of Part I. Where individuals have agreed to be named the interview remains unredacted. At least one interview had to be terminated ahead of time due to the threatening nature of the responses received.

INTERVIEW WITH GANESH NAKHAWA

- Chairman of The Cooperative Society Sassoon Dock Mumbai

Mr. Ganesh Nakhawa is a 7th Generation Fishermen from the Koli Community. He is the Director of the Karanja Fishing Cooperative Society Limited. He is closely involved in activities related to the welfare of fishermen being the Chairman of Purse Seine Welfare Association in Mumbai. He is engaged in advocating about their rights and collaborating with other members of the Society to bring about small positive changes.

What is the structure of the fishing industry in Mumbai?

Ganesh: Most of the fishermen in the Mumbai area are self-owned boats. They are engaged in a Cooperative Society. The fishermen in Mumbai are primarily small-scale fishermen, they go to the sea for a day or a short duration and come back.

What is the educational level of the fishermen? Is the newer generation moving to newer professions?

Ganesh: Before 20 years, fishing was a very attractive industry for fishermen in Mumbai. However, due to pollution, lack of support from Government authorities, the newer generation is moving away from fishing. Most of the fishermen are now old and in their 50s. The younger generation is getting educated and moving to new jobs. Those in the Community (the older generation) are not very literate. They may not be able to read and understand issues or [understand] about human right violations. The government schemes for ship building have been stopped. This has also hampered the fishing community. The government had reservation for the Koli Community in the Scheduled Caste and Scheduled Tribe category, it was then removed. The Community is now downgraded to the Special Backward Class (from Mahadev Koli to Hindu Koli). Therefore, there is no priority in attaining higher education and better jobs.

How does the supply chain work?

Ganesh: Years back, the people from the Koli Community used to sell fish in the fish market. People used to come to fish markets. Now people from outside buy fish in bulk and sell it from door to door. This has created a challenge for the fisherwomen in the Community as they have to travel more to sell fish. Most of the fish is also sold in other states and is exported.

Have there been attempts by the Cooperative Society to spread awareness about human rights or their rights in general?

Ganesh: No. Even there has been no such attempts by Central Fisheries Department.

Do you think that educational materials and videos will be helpful for the fishermen? Will they be interested?

Ganesh: But these educational materials are only helpful if there are government policies to protect fishermen. Like that the fishermen cannot venture more than 10 days or the enforcement of token system. It is not there in Sassoon Dock as it is really big, but in other docks it exists. Every crew member has a token which they collect in the morning and they return it when they come back in the evening. The token system is to ensure that the Cooperative Society can ensure that the fishermen who went out have come back and also to make payments.

What is the language that has been spoken by the community?

Ganesh: It is Marathi that is prevalent among the fishing community. They do have some understanding of Hindi. There are also migrant labourers from different states also like Andhra, Orissa etc. That is why the Government enforced the biometric system. The Coast Guard and Navy used to check them on a routine to ensure that they come back from the sea as there are no other records. If a fisherman is lost from the Koli Community, it will be immediately reported, but in the cases of migrant fishermen, there are chances that the identity of the person cannot be established.

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INTERVIEW WITH GANESH Nakhawa cont/d

Do you think that people from outside speaking to them?

Ganesh: You need to tie up with Cooperative Societies in different locations. One in Cuff Parade, one in Mahim, in Worli, or Versova or Arnala, Wasai, Nagaon, Revas in Raigad who have more than 200 fishing boats. Our Cooperative Society will be more than happy to help. We have well educated people running the Society and maybe show instances of issues in other areas, with examples from other places. There are small changes that can be made. However, at the same time you can also get government on board as well. If you want to talk about minimum wages, minimum facilities etc. One example in life jackets on board. Last year, our Society distributed free jackets on board and also fire extinguishers.

How are the issues solved? Is there a government involvement?

Ganesh: The issues like fights on board between crew or crew and owners, they get solved at the Cooperative Society level.

Are there labour unions?

Ganesh: In Sassoon Dock, there is a labour union. But in other places, it is mostly the union of the boat owners that exist.

Ganesh: What is the [NGO's] project exactly?

We are trying to do a baseline study of the human rights awareness among fishermen. This is my first step. After which, I will try to approach fishermen and talk about it. There is also a proposed meeting with the National Human Rights Council (NHRC) as we are trying to get everyone onboard.

Ganesh: Are you planning to meet others?

I'm trying to meet the fishermen. I'm going to walk around and speak to them.

Ganesh: I don't think they will utter a word. It happened in 2014 or 2015 when Reliance Foundation conducted a study, there was a lot of backlash. The fishermen are now not at all interested in talking to NGOs and Foundations, as they come, and hold talks, and workshops and they never come back. The actual issue is never solved even after all this. There is no benefit that the fishermen actually get. I will not advise you do that. However, small changes can be made. There is a need of minima wage, or fishermen drought like agricultural drought. It is not the fault of the fishermen that they don't catch any fish. The government should compensate them.

In 1989, we lost 400 fishermen and 200 boats. Then the Sassoon Dock Society started an insurance. It is a community insurance. We have strong funds. In case of natural calamity happens then 10 lakhs²³ is paid for the boat and 2 lakhs²⁴ is paid for the fishermen. This should be adopted in other Cooperative Societies as well. The government can contribute to this, but the government machinery is slow. Unless the money reaches within a short span of time, there is no benefit. Unless such policies are brought in, in the next five years, the fishing industry will collapse due to the adverse effect of climate change and small catch. They will not continue fishing. They will go for other jobs. This will make the entire industry collapse. For this, strong laws should be made. In Ratnagiri, last year there was barely any catch and this year, crew of 60 boats didn't turn up. The government does not focus on the rights of the fishermen.

The best way is to contact the different Cooperative Societies and they will help you. Going to a mob and speaking to them about human rights is not advisable. At my level, I can arrange meetings with different people. The other societies are smaller, Sassoon Dock is the biggest one with 600 boats. Other societies have lesser boats like 10-20. The Alibag Cooperative Society also has round 200-250 boats, Maharashtra Rajya Society also has 300 boats. There are around 3000 societies and there are 12,000 boats.

It can be great project and eye opener for the Government also that someone is coming and examining the issue is here. I can help you arrange a meeting with the Maharashtra Government and have all the stakeholders on board. Otherwise you will to have to do to individual places.

I want this issue to be raised at a larger forum. The rights of fishermen should be raised as a larger issue. There should be awareness among the fishermen community.

²³ USD 14473.00

²⁴ USD 2894.60

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INTERVIEW WITH THE FISHERMEN OF WORLI

During the engagement at Worli, the interviewer spoke to five fishermen who were standing under the shelter due to heavy monsoon rains outside. They did not wish to be named as they are already embroiled in legal issues with the authorities, and have been arrested/detained in the past²⁵.

Do you know about human rights of fishermen?

Fisherman 1: No.

Have you heard about Human Rights at Sea?

Fisherman 1: No.

Fishermen 2: The things that we suffer during the fishing is something that everyone should know. It's not like we go and get fish every day and get a lot of money. There are lots of expenses that are incurred for maintenance and other charges. This is not something the outside world knows.

The charity wants to give out information and show a documentary on human right of fishermen. What do you think?

Fisherman 1: Acha hai (It's really good). There are huge roads, shipping yard is being made in Maharashtra. There is no place for fishermen to catch fish. There is damage to boats while attempting to catch fish. The coastal road and sea link have hampered their fishing area. There is no space for fishing. We do traditional fishing, we do it close to the coast. You get costly fish in the rocky area close to the rocky area. There is no need for us to go to deep sea. To go to deep sea you need diesel, you need to pay the fishermen, you need to spend a few days there and there are also risks. We don't do that. We like to fish close to the coast.

Have there been accidents in the past of lost fishermen or loss of life? Does the government compensate you for it?

Fishermen 1: Yes, it has happened in the past. The Government offers no compensation. The Government only gives us the license. There is no subsidy for building small boats. Under the Sagarmala project which was released by the Government of India, there is only subsidy for deep sea vessels which cost around USD 145185²⁶. We cannot build such boats as we cannot repay the loans. Out loans and subsidies which are dedicated to fishermen by the Central Government, not even 20% reaches us. Even if we are to get loan or subsidy, there is a lot of paperwork and administrative hurdles. Hence, we only fish nearby. Although there is a ban by the Indian Government to go fishing into the deep sea, there are Chinese boats which come and fish in the India coast. There are many political issues in relation to the infrastructure projects in the area. The issue is being argued in court. The Cooperative Society has appointed a lawyer. Even the compensation that is given for the stay on fishing for the period of ban on fishing is very meagre. This is not enough to stop fishing.

Fishermen 2: There are many issues already in relation to the Bandra-Worli Sea Link²⁷. It has almost stopped us from going for fishing. There have been stay imposed by the High Court on construction of the new Coastal Road Project, but the authorities don't listen to this. They make the workers work at night and cleans up all the debris so that nobody will notice. We look at the GPS and we see how much further construction has been done.

Do you think that a movie and information notices will be helpful to you? Will you have time to watch the same?

Fisherman 3: Yes, I think we will. Everyone has an android phone. If one person gets to know, then everyone will share it on the group. There is a WhatsApp group for the entire Koliwada (fishing village) so if one person shares it, then everyone will get to know. The development projects that is happening in developed countries have happened 50 years back. Now they have realized that the harm that they have done. Now they are dumping all the waste in our country harming our fishing also.

Fisherman 1: Unlike the agricultural sector, we have no loans and subsidies. We don't suicide like them [farmers and farmer workers], so it doesn't get the attention of the authorities or the media.

²⁵ 'Koli Community Hold Protest At Badhwar Park', available at: <https://www.dnaindia.com/mumbai/report-koli-community-holds-protest-at-badhwar-park-2570076>

²⁶ http://sagarmala.gov.in/sites/default/files/Revised_Achievement_book_English-pdf.pdf, Jyotika Sood, Utpal Bhaskar, 'Fishermen may get deep sea vessels to go to exclusive economic zones', available at: <https://www.livemint.com/Politics/RM0YFRzwzt5oidCwcy7W/Fishermen-may-get-deep-sea-vessels-to-go-to-exclusive-econom.html>

²⁷ 'Mumbai Fishermen Worried About Future', available at: <https://www.thequint.com/videos/short-dogs/mumbai-fishermen-worried-about-future>

Human Rights at Sea

BASELINE STUDY ON LEVELS OF UNDERSTANDING OF HUMAN RIGHTS AMONG KOLI FISHERMEN WORKING IN AND AROUND MUMBAI, INDIA



How about the next generation? Do they go to school?

Fisherman 1: Most people here have finished high school. There are also some graduates. There are changes, the Community is diminishing. People are going for other jobs. If we got a lot of fish, this would not have happened.

Fisherman 3: We were assured that there will be no harm to our Community. We meet the authorities weekly. Now we have appointed a lawyer for us to fight the authorities.

Do you speak Hindi or Marathi?

Fishermen 1: We all understand Hindi, but we speak Marathi within the Community. What exactly is the project?

Our idea is only to spread awareness among the fishermen community about their rights.

Fishermen 1&2: We had suffered a lot in the hands of the authorities. Any protest that we do, we will suffer immensely. It is very difficult to deal with the authorities. They don't know our hardship. We have told them to experience our life. We have to go to the see all the time.

How do you deal with authorities?

Fisherman 1: There is no way to deal with them. Because of the Worli Sea Link, we have no space to fish. The fishing area in Worli are mostly rocky areas, by putting concrete we have no space left to fish. If you build roads, underground parking lots and gardens, then where will we fish? There was enough concrete put when the Worli Sea Link was built. There are saying it's for development and for highway construction. We have been fishing here for years. There was a lot of breeding of lobsters in this area especially in the gaps between the rocks. Now because of the concrete construction, there is no breeding of lobsters in the area. Now lobsters go to another area, so we cannot fish. The Koli Community has been here when Mumbai was first inhabited. The others have come after that. We should get the rights first and everyone else after else. The authorities are saying we are can reduce the traffic. But the number of cars on the roads of Bombay are increasing. There is so much traffic on the Sea Link in the morning and evening. There is metro construction is also going on, there is traffic because of that also.

Human Rights at Sea

BASELINE STUDY ON LEVELS OF UNDERSTANDING OF HUMAN RIGHTS AMONG KOLI FISHERMEN WORKING IN AND AROUND MUMBAI, INDIA

INTERVIEW WITH GOVERNMENT OFFICIAL

NB: The arranged interview and conversation with the local government official was undertaken in difficult and extremely threatening circumstances and was curtailed due to personal safety concerns of the interviewer.

Hello Sir, I am a researcher for the UK-based NGO Human Rights at Sea.

Official: (Reads the authorisation letter and the supporting material) Is this located in India? Is this NGO based in India?

No, but it is trying to enter into dialogue with the government on human rights issues.

Official: Why are they interested? There are many NGOs in India. Why do they want to come here? Ultimately, they are a foreign NGO and India is a developing country. They introduce things like human rights, this right, that right and try to collapse our development projects. That's why I'm asking. My duty is to support the government as I'm a government servant.

Sir, the NGO wants to work with the Government only. They have already approached the National Human Rights Commission for dissemination of educational materials for fishermen.

Official: I know what they are ultimately doing.

Official: Why is the focus on Mumbai? This is not for the Worli Sealink project, right?

No Sir.

Official: Do you speak Marathi?

No.

Official: Thank God

Sir, this project is [to be] in collaboration with the Government. There is no intention to hamper any of the development projects. That is why Government authorisation is being sought.

INTERVIEW WITH MR. RAMDAS SHINDE

- Maharashtra Rajya Society - Vice President of The National Federation of Fishermen

Are there sufficient mechanisms in place for resolving the issues of fishermen?

Ramdass: Yes, there are sufficient mechanisms in place. However, some of the larger issues are fought over in court, for which the Federation assists the fishermen.

Has there been any attempt on part of the Government in the past to educate the fishermen about their rights?

Ramdass: The people just don't have the time to read pamphlets or watch documentaries. Even if it is done, it should be done with the authorization of the Government. The Government (Maharashtra Government) had a documentary about the rights of fishermen around 20 years back.

What is the level of education among the fishermen in Mumbai? Do you think we can distribute pamphlets in Hindi only?

Ramdass: Mostly they are in school pass or drop outs. There are some graduates also. Both Hindi and Marathi will be advisable.

Who We Are

BACK GROUND

Human Rights at Sea was established in April 2014. It was founded as an initiative to explore issues of maritime human rights development, review associated policies and legislation, and to undertake independent investigation of abuses at sea. It rapidly grew beyond all expectations and for reasons of governance it became a registered charity under the UK Charity Commission in 2015.

Today, the charity is an established, regulated and independent registered non-profit organisation based on the south coast of the United Kingdom. It undertakes **Research, Education, Advocacy and Lobbying** specifically for human rights issues in the maritime environment, including contributing to support for the human element that underpins the global maritime and fishing industries.

The charity works internationally with all individuals, commercial and maritime community organisations that have similar objectives as ourselves, including all the principal maritime welfare organisations.

OUR MISSION

To explicitly raise awareness, implementation and accountability of human rights provisions throughout the maritime environment, especially where they are currently absent, ignored or being abused.



KEEP IN CONTACT



We welcome any questions, comments or suggestions. Please send your feedback to:
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World Map: Mumbai, India



Disclaimer






The content and detail within this Baseline Study has been provided to Human Rights at Sea by Koli fishing community and government stakeholders in Mumbai through first-hand testimony taken by an independent researcher. The contents of the submitted text have been checked, as best as is possible, for accuracy by the authors at the time of writing. Human Rights at Sea is not liable in anyway, whatsoever, in any jurisdiction, for the contents of this baseline study which has been translated and published in good faith following investigation by the Charity. All text and pictures have been acknowledged where able. Any omissions or factual inaccuracies may be alerted by writing to: enquiries@humanrightsea.org. The opinions, perspectives and comments are solely those of the author supported by the evidence disclosed.



Human Rights at Sea Baseline Study

On Levels of Understanding of Human Rights among Koli Fishermen Working in and around Mumbai, India

Human Rights at Sea is a Registered Charity in England and Wales No. 1161673. The organisation has been independently developed for the benefit of the international community for matters and issues concerning human rights in the maritime environment. Its aim is to explicitly raise awareness, implementation and accountability of human rights provisions throughout the maritime environment, especially where they are currently absent, ignored or being abused.

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