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Food and Agriculture
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United Nations

LEGAL AND POLICY REPORT ON SUSTAINABLE SMALL-SCALE FISHERIES IN INDIA

Applying the FAO policy and legal diagnostic toolbox
In support of the implementation of the Voluntary
Guidelines for Securing Sustainable Small-Scale Fisheries
in the Context of Food Security and Poverty Eradication

WORKING DOCUMENT



Food and Agriculture Organization of the United Nations (FAO)
Bay of Bengal Programme Inter-Governmental Organization (BOBP-IGO)
2025

LEGAL REPORT ON SUSTAINABLE SMALL- SCALE FISHERIES IN THE INDIA

*Applying the FAO policy and legal diagnostic toolbox in support of the
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Fisheries in the Context of Food Security and Poverty Eradication*

Food and Agriculture Organization of the United Nations (FAO)
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2025

Preface

The Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) is an international instrument focusing on the needs of small-scale fisheries. The SSF Guidelines provide an all-inclusive framework for guiding small-scale fisheries governance and development, and are by definition, broad and not action-specific at the national or local level: they provide recommendations on what needs to be done, but not how.

Towards supporting implementation of the SSF Guidelines through NPOA-SSF, FAO has developed an SSF Policy and Legal Diagnostic Toolbox to review national policies and legislation, allowing countries to assess the extent to which their legal and policy frameworks address the key issues outlined in the SSF Guidelines.

The Legal and Policy Report supports the initiation of an NPOA-SSF. It is expected that this will be reviewed and further developed as part of the NPOA-SSF development.

A regional webinar was conducted on 4th June 2025 with the participation of about forty members from the four BOBP countries. FAO experts explained the process of using the Diagnostic Toolbox to analyse each country's legal and policy framework in relation to the SSF Guidelines. Subsequently, BOBP IGO carried out an analysis of India's national policies and legislation using the first two tools provided in the Toolbox. For the third tool, the questionnaire was filled based on inputs from members of the fishing community through focus group discussions and interviews conducted by community-based organisations.

The first draft report was circulated to experts from the country and the FAO team. The document was revised based on the critical inputs received from the subject matter experts from FAO and national experts. The revised draft was discussed during the FAO Regional Capacity Development Workshop on Development of National Plan of Action for Small Scale Fisheries (NPOA-SSF) held in Chennai from 17-19 September 2025, and the feedback obtained from the country's official nominees to the Workshop were incorporated.

The DRAFT Final version was circulated to the Government of India and all the experts and community representatives involved in the process for review and the document was further revised and improved based on the comments received.

This version of the Legal and Policy report will serve as a working document for the National Task Force members as well as reference material for outreach and communication, during the development of the NPOA-SSF and will be subject to revision and adaptation based on continuous feedback and inputs.



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Abbreviations and Acronyms

BOBP-IGO	Bay of Bengal Programme Inter-Governmental Organisation
CAA	Coastal Aquaculture Authority
CBD	Convention on Biological Diversity
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CRZ	Coastal Regulation Zone
CZMP	Coastal Zone Management Plan
EAF	Ecosystem Approach to Fisheries
EEZ	Exclusive Economic Zone
FAO	Food and Agriculture Organization (of the United Nations)
HRBA	Human Rights-Based Approach
ICZM	Integrated Coastal Zone Management
IUU	Illegal, Unreported and Unregulated (Fishing)
MCS(E)	Monitoring, Control, Surveillance (and Enforcement)
MFRA	Marine Fishing Regulation Act
MPEDA	Marine Products Export Development Authority
NPOA-SSF	National Plan of Action for Small-Scale Fisheries
RTE Act	Right to Education Act
SAP	Strategic Action Programme
SAPCCs	State Action Plans on Climate Change
SDG	Sustainable Development Goals
SEZ	Special Economic Zone
SSF	Small-Scale Fisheries
SSF-LEX	Small-Scale Fisheries – Legal Database
TURF	Territorial Use Rights for Fisheries
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forestry in the Context of National Food Security

Executive Summary

Towards supporting implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines), FAO has developed an SSF Policy and Legal Diagnostic Toolbox to review national policies and legislation, allowing countries to assess the extent to which their legal and policy frameworks address the key issues outlined in the SSF Guidelines.

BOBP IGO carried out an analysis of India's national policies and legislation using the three tools provided in the Toolbox. The draft report was circulated to experts from the country and the FAO team and their suggestions were incorporated. The draft was also discussed at the Regional Capacity Development Workshop on Development of National Plan of Action for Small Scale Fisheries (NPOA-SSF) held in Chennai from 17-19 September 2025, and feedback received has been incorporated.

In summary, Tool 1 indicated that India has ratified most of the binding instruments related to fisheries except C188 Work in Fishing Convention.

India's fisheries within the territorial waters come under the coastal states (provinces)/ union territories. Each of the states / union territory has its own Marine Fishing Regulation Act, forming the primary legislation for fisheries. Hence common points were taken from the state MFRA in carrying out the analysis.

With respect to Tool 2, 49% of the questions were answered with a 'yes', 37% with 'no'. Fishermen include SSF as mentioned in the National Policy for Marine Fisheries, 2017 but needs to be clearly defined, though the Marine Fisheries Census has a working definition and also indicates that over 90% are considered traditional fishermen. Principles from the SSF Guidelines are mostly included in the National Policy on Marine Fisheries. There is a gap between policy and legislation, with some of the aspects not yet been legislated. In the realm of Social Development, Employment and Decent Work, high scores were because of the PMMSY. It is in the tenure and access rights area that more work needs to be done.

From Tool 3, it is clear that the fishing community considers themselves as small-scale, when compared to the mechanised craft. The community responses indicated that while 38% of the questions were answered positively, and they were unsure about 7% of the questions, they were unsure for about 30% and said no to another 30% of the questions.

There were some differences between the desk study and the community feedback indicating that greater awareness creation is required in areas such as access to justice; while responses from both Tool 2 and 3 indicate that considerable work in the area of tenure and access rights needs to be done. Overall, the analysis helped in better understanding of the sections of the SSF Guidelines that is already covered by existing policy and legislation.

1. Introduction

The Food and Agriculture Organization of the United Nations (FAO) has supported the implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) through various initiatives over the past decade (FAO, 2014; FAO, 2020). One of the key pathways for implementation is the review of national policies and legislation, allowing countries to assess the extent to which their legal and policy frameworks address the key issues outlined in the SSF Guidelines. This process enables the identification of legal and institutional gaps, areas for improvement, and opportunities for incorporating human rights-based and ecosystem-based approaches to fisheries governance. To support this, FAO has developed a range of tools, including the SSF Policy and Legal Diagnostic Toolbox, the SSF-LEX database, and the SSF Legislative Guide, which provide structured guidance to assess, align, and enhance national frameworks in support of sustainable small-scale fisheries. These efforts aim to foster inclusive and coherent governance, ensuring that national instruments reflect the social, economic, cultural, and environmental dimensions of small-scale fisheries.

1.1. Importance of policy and legal framework for Small-Scale Fisheries

A well-developed policy and legal framework is essential for promoting sustainable SSF, as it provides the foundation for recognizing the rights and responsibilities of those engaged in the sector. National policies and laws play a vital role in shaping how fisheries are managed, ensuring that small-scale fishers and their communities are included in decision-making processes, and that their human rights are respected and protected. Legal instruments help define the duties of both public authorities and private actors, support accountability, and provide access to justice in cases of rights violations. By incorporating approaches such as the HRBA and the EAF, policy and legal frameworks can address the complex social, cultural, economic, and environmental dimensions of SSF. Together, they offer clarity on governance responsibilities, foster cross-sectoral coordination, and ensure that SSF issues are integrated across relevant domains, including gender equity, food security, climate resilience, and environmental protection.

1.2. Legal and policy resources to support national implementation of the SSF Guidelines

To enhance understanding of the policy and legal environment related to SSF, FAO developed SSF-LEX, an online database that provides structured information on national frameworks supporting the implementation of the SSF Guidelines. This resource is valuable for policymakers, legal experts, and SSF stakeholders, offering country-specific profiles that include data on socioeconomic conditions, legal commitments, institutional setups, and relevant national laws and policies organized by key themes such as tenure, resource management, gender equality, and climate change. Complementing this, the SSF Legislative Guide provides a practical framework for countries seeking to align their legal systems with the SSF Guidelines. It outlines

legislative options such as amending existing laws, introducing new legislation, or enacting detailed regulations, and emphasizes the need for inclusive, rights-based consultations with all SSF actors: particularly women, Indigenous Peoples, and marginalized groups. The Guide also provides examples of legal provisions from different countries and highlights common challenges in legislating for SSF. Used alongside the SSF Policy and Legal Diagnostic Toolbox, it supports thorough assessments of existing national frameworks and offers guidance on structuring new or revised legal instruments that reflect the core principles of the SSF Guidelines.

1.3. Marine Fisheries in India

India is the second largest fish producing country with around 8% share in global fish production. Fish production increased to an impressive 184.02 lakh tons (2023-24) from 95.79 lakh tons (2013-14) and 63.99 lakh tons (2003-04) registering an increase of 88.23 lakh tons in 10 years (2014-24) as compared to an increase of 31.80 lakh tons (2004-14). The marine fish production doubled to 10.52 lakh tons (2004-14) from 5.02 lakh tons (2014-24). A tremendous increase of 77.71 lakh tons was achieved in Inland and Aquaculture fish production from 2014-24 as against the 26.78 lakh tons achieved from 2004-14.

The fisheries sector supports the livelihoods of nearly 30 million people, particularly from marginalized and vulnerable communities. Key features from the 2016 Marine Fishing Census are given below:

Along the Indian coast there are 3,477 marine fishing villages distributed in 9 coastal states, and 3 union territories. Highest number of marine fishing villages are in Odisha, Tamil Nadu and Andhra Pradesh with 739 (21.3%), 575 (16.5%) and 533 (15.3%) villages respectively. There are 8,93,258 marine fishermen families with 2,01,855 (22.6%) in Tamil Nadu, 1,55,062 (17.4%) in Andhra Pradesh and 1,21,637 (13.6%) in Kerala, topping the list. Nearly 91.6% of the families are traditional fishermen families. The total number of active fishermen in marine fisheries sector is 9,27,081. A total of 1,66,333 fishing crafts exists in the fishery in marine fisheries sector out of which 42,985 (25.8%) are mechanized, 97,659 (58.7%) are motorized and 25,689 (15.4%) are nonmotorized.

1.4. Overview of National jurisdictional frameworks for governing Small-Scale Fisheries

From a governance perspective, fisheries management in India is constitutionally decentralized (FAO, 2020). The Constitution of India, as last consolidated in 2023, allocates responsibilities for fisheries governance between the Union and State governments (Constitution of India, Seventh Schedule, 2023). States and Union Territories (UTs) have jurisdiction over fisheries within the territorial sea up to 12 nautical miles, while the Union Government governs marine fisheries beyond this limit up to 200 nautical miles, within the EEZ (Constitution of India, Seventh Schedule, List I Entry 57 & List II Entry 21, 2023). This distribution of legislative authority is reflected in the Seventh Schedule of the Constitution: Entry 21 of the State List empowers state governments to

regulate inland and coastal fisheries, while Entry 57 of the Union List grants the central government authority over fisheries beyond territorial waters (Constitution of India, 2023). Accordingly, the Union Government formulates national fisheries policy and legislative frameworks, while all nine coastal states and four UTs have enacted their respective MFRA to govern fishing activities within their maritime jurisdictions (Department of Fisheries, Government of India, 2023).

India has brought out the National Policy on Marine Fisheries (NPMF) in 2017. The Policy recognizes the diversity and complexity of the marine fisheries sector and explicitly acknowledges the importance of small-scale fisheries (SSF) within this framework. While the policy uses the broader term "marine fisheries" to encompass all activities related to harvesting, post-harvest, and governance of marine resources, it distinctly identifies small-scale fisheries as a vital component requiring targeted support. At the central level, there is the Maritime Zones of India (Regulation of Fishing by foreign vessels) Act, 1981 and Rules, 1982 but this is limited to the EEZ.

At the State/Union Territory Level, Marine Fishing Regulation Acts have been enacted based on a common framework. Many have been amended based on the NPMF, 2017. The table gives the list of coastal State/UT MFRA.

Table 1.1: Coastal State/UT MFRA

S. No	Coastal State / UT MFRA
1.	Gujarat Fisheries Act, 2003
2.	Maharashtra Marine Fishing Regulation Act, 1981
3.	Goa, Daman and Diu Marine Fishing Act, 1981 ¹
4.	Karnataka Marine Fishing Regulation Act, 1986
5.	Kerala Marine Fishing Regulation Act, 1980
6.	Tamil Nadu Marine Fishing Regulation Act, 1983
7.	Andhra Pradesh Marine Fishing (Regulation) Act, 1994
8.	Orissa Marine Fishing Regulation Act, 1982
9.	West Bengal Marine Fishing Regulation Act, 1993
10.	Lakshadweep Marine Fishing Regulation, 2000 (UT)
11.	Puducherry Marine Fishing Regulation Act, 2008 (UT)
12.	Andaman and Nicobar Islands Marine Fishing Regulation, 2003

1.5. Manual on NPOA-SSF

To support countries in developing their NPOA-SSFs, FAO has developed a manual entitled “Developing and implementing National Plan of Action for Small-Scale Fisheries”, which contains four steps to review and identify gaps in small-scale fisheries governance. FAO has also developed ‘A policy and legal diagnostic toolbox for sustainable small-scale fisheries’ to review governance review and carry out gap analysis for components in the manual, aiming at highlighting the strengths and gaps in

¹ After Goa became a separate State, Daman and Diu have become a separate Union Territory in 1987.

a country's national legal and policy framework supporting sustainable small-scale fisheries.

2. Small-Scale Fisheries Policy and Legal Diagnostic Toolbox: Mapping National Instruments to the Small-Scale Fisheries Guidelines

The second edition of the Policy and Legal Diagnostic Toolbox for Sustainable Small-Scale Fisheries (FAO, 2025) served as the primary analytical framework for this report. Specific national policies and legal instruments were systematically reviewed and evaluated using the SSF policy and legal diagnostic toolbox. The toolbox has three tools as illustrated below.

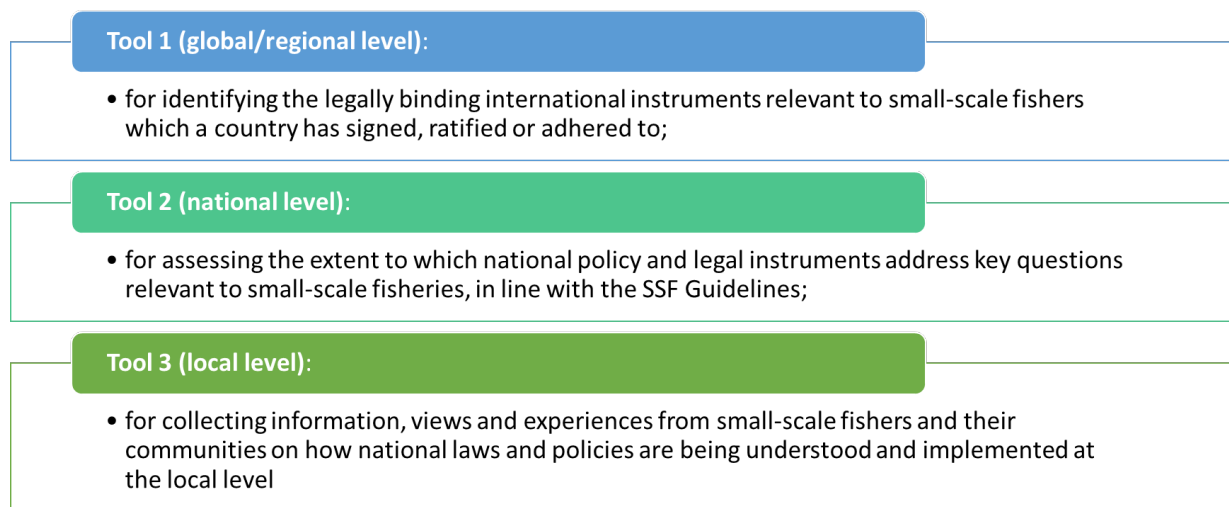


Figure 2.1: The Three Tools of the Diagnostics Toolbox

2.1. Methodology and Scope of the desk-based assessment

Given the holistic nature of small-scale fisheries (SSF) and the variability across national contexts and priorities, assessing the full scope and complexity of SSF presents significant challenges. To address this, a streamlined methodology was used for applying the SSF Legal Checklist to selected national policy and legal instruments, forming the basis of this report. The preliminary desk-based assessment was subsequently validated and refined through expert review during an in-country workshop

2.1.1. Alignment of national Framework with International Legally Binding Instruments Relevant to SSF (Tool 1)

Multiple international instruments: both legally binding and non-legally binding, constitute a set of international commitments and soft law standards that are highly relevant for SSF governance. Annexe A of the SSF Policy and Legal Diagnostic Toolbox present a non-exhaustive list of key international instruments relevant to SSF using the first tool of the Toolbox. Though the toolbox includes only legally binding instrument, we have included key non-binding instruments related to SSF.

- a) a template table for identifying legally binding international instruments relevant to SSF which a country has signed, ratified or is adhering to (Annex A, Table 1);
- b) a template table for identifying non-binding international instruments relevant to SSF which a country has endorsed (Annex A, Table 2);

Assessing key issues of the SSF Guidelines in national fisheries policy and legal instruments (Tool 2)

Tool 2 of the toolbox provides a template questionnaire for assessing key issues of the SSF Guidelines in national fisheries policy and legal instruments. The results of the exercise are presented in **Annex B**. For this, a comprehensive list of specific national policies, primary legislation, and secondary legislation was compiled using information sourced from SSF-LEX, FAOLEX and the country’s official legal and policy databases.

The SSF Guidelines Policy and Legal Questionnaire presents the questionnaire organized around 11 sub-sections as follows; the number of questions under each sub-section is given in the brackets.

- i. Definition (5)
- ii. Objectives (5)
- iii. Principles (3)
- iv. Institutional and administrative arrangements (8)
- v. Tenure and access rights (13)
- vi. Sustainable resource management and conservation (27)
- vii. Social development, employment and decent work (24)
- viii. Value-chains, post-harvest and trade (1)
- ix. Gender equality (6)
- x. Disaster risks and climate change (5)
- xi. Access to justice, enforcement, and accountability (5)

Under each subsection, there are questions that examine the extent to which points are covered in the legislation with respect to the SSF. The assessment prioritized evaluating SSF legal requirements within national fisheries policies, primary legislation, and secondary legislation. The responses: Yes, no, or partially are used in the analysis to assess the checklist. The final two columns of the SSF Legal Checklist identify: (i) the specific provisions or sections of the legal and policy instruments where the SSF legal requirement was addressed; and (ii) supplementary comments and explanatory notes providing context and justifications, particularly in cases of partial or limited alignment.

2.1.2. Assessing Community Response to the Policy and Legal Implementation Questionnaire (Tool 3)

Tool 3 of the toolbox provides a template questionnaire to gather information from small-scale fishing communities on how national laws and policies are being understood and

implemented at the local level. This is divided into the following subsections, the number of questions under each sub-section is given in the brackets.

- i. Recognition of small-scale fishers (6)
- ii. Institutional and administrative arrangements (8)
- iii. Tenure and access rights (13)
- iv. Sustainable resource management and conservation (10)
- v. Social development, employment and decent work (15)
- vi. Value chains, post-harvest and trade (4)
- vii. Gender equality (5)
- viii. Disaster risks and climate change (5)
- ix. Access to justice, enforcement, and accountability (3)

In India, community interviews and discussions were held with 100 participants in the form of FGD and telephonic interviews. The participants include women CDOs who coordinate JLGs in Nagapattinam and Kanyakumari districts; and fishermen from Nagapattinam, Kanyakumari, Thiruvananthapuram, Kollam and Alapuzha districts. The questions were translated into the local language and responses were recorded for each question and finally consolidated. The participants were all from the small-scale fishing community. The consolidated feedback is presented in Annex C.

2.2. Validating the report through experts' consultation and revision by FAO

The document was sent to a set of experts in the country as well as the FAO for comments; feedback was also obtained from participants at the Regional Capacity Development Workshop on Development of National Plan of Action for Small Scale Fisheries (NPOA-SSF) held in Chennai from 17-19 September 2025, which have been incorporated in this version.

3. Analysis

3.1. Tool 1 (Annex A)

Table 1 in Annex A shows that India is a Party to 19 legally binding international instruments, and a signatory to two relevant to small-scale fisheries (SSF) instruments, while it is not a Party to 6 such instruments. For the 19 instruments to which the country is a party, commitments are reflected in the Constitution or through primary legislation. India is not yet a party to the C188 Work in Fishing Convention.

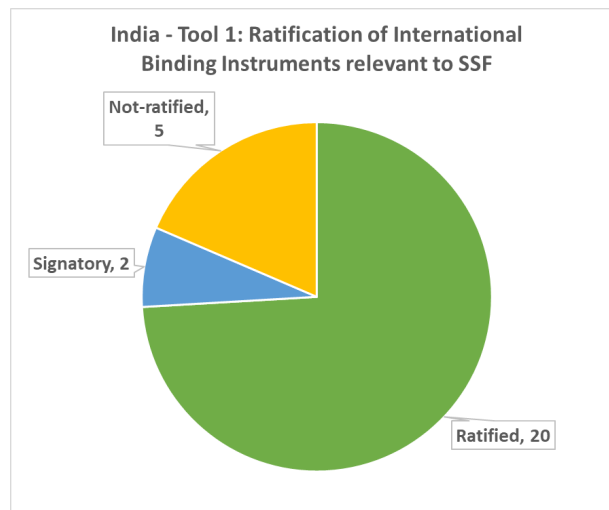


Figure 3.1: Tool 1 : Ratification of International Binding Instruments related to SSF

Table 2 in Annex A shows that India has implemented components¹² of the 23 non-binding instruments that have been listed in the table; mostly the implementation is through primary legislation. In some case, it is partially implemented as in the 2010 FAO/ILO/IMO Safety Recommendations for Decked Fishing Vessels of Less than 12 metres in length and Undecked Fishing Vessels which are not consistently implemented across the country. In the case of the 2007 UN Declaration on the Rights of Indigenous Peoples (UNDRIP), while India voted in favour of the declaration, India does not consider the concept of “indigenous peoples”, and thus the UNDRIP, is not applicable to India. However, for the purpose of the NPOA-SSF, since the National Policy for Marine Fisheries (NPMF), 2017 and the National Marine Fisheries Census (NMFC) refer to ‘traditional fishermen’, we have included ‘traditional fishermen’ under the broader term ‘Indigenous Peoples and Local Communities (IPLC)², especially considering that more than 91% came under ‘traditional fishermen’ class in the 2016 NMFC.

² Indigenous Peoples and local communities (IPLCs) are distinct and diverse groups that maintain close ties to their territories and traditions, playing a crucial role in environmental management. They are holders of ILK and the advantage of using the IPLCs term relates to its inclusive and nuanced nature, allowing for the inclusion of traditional knowledge from communities that may not assert an Indigenous status or identity. 2. UNESCO-IOC and UNESCO-LINKS, 2024a. (IOC Technical Series no 189 Volume 1)

3.2. Critical Analysis and findings – Tool 2 (Annex B)

This subsection summarizes the main gaps from the desk-based preliminary assessment without prejudice to others that may be identified in a comprehensive analysis of the national policy and legal frameworks at country level.

Of the 102 questions in the Policy and Legal questionnaire, 50 questions were answered with ‘Yes’ meaning the questions are fully or sufficiently addressed in at least in one of the instruments, 13 were answered as ‘partially’ meaning the requirement is addressed to some degree but with limitations, and 387 were answered with ‘No’ meaning the requirement is not addressed in any of the analysed instruments.

Findings by section are presented in the table.

Table 3.1: Tool 2: Summary of responses (Annex B)

S.No	Section	Yes	No	Partial	Total
1	Definition	2	3	0	5
2	Objectives	2	3	0	5
3	Principles	2	1	0	3
4	Institutional and administrative arrangements	2	5	0	8
5	Tenure and access rights	6	7	0	13
6	Sustainable resource management and conservation	10	16	0	27
7	Social development, employment and decent work	23	1	0	24
8	Value-chains, post-harvest and trade	0	1	0	1
9	Gender equality	6	0	0	6
10	Disaster risks and climate change	4	1	0	5
11	Access to justice, enforcement, and accountability	4	1	2	7

The summary of responses is presented in the chart below along with a pictorial indication of the distance to be travelled to achieve aspirational status.

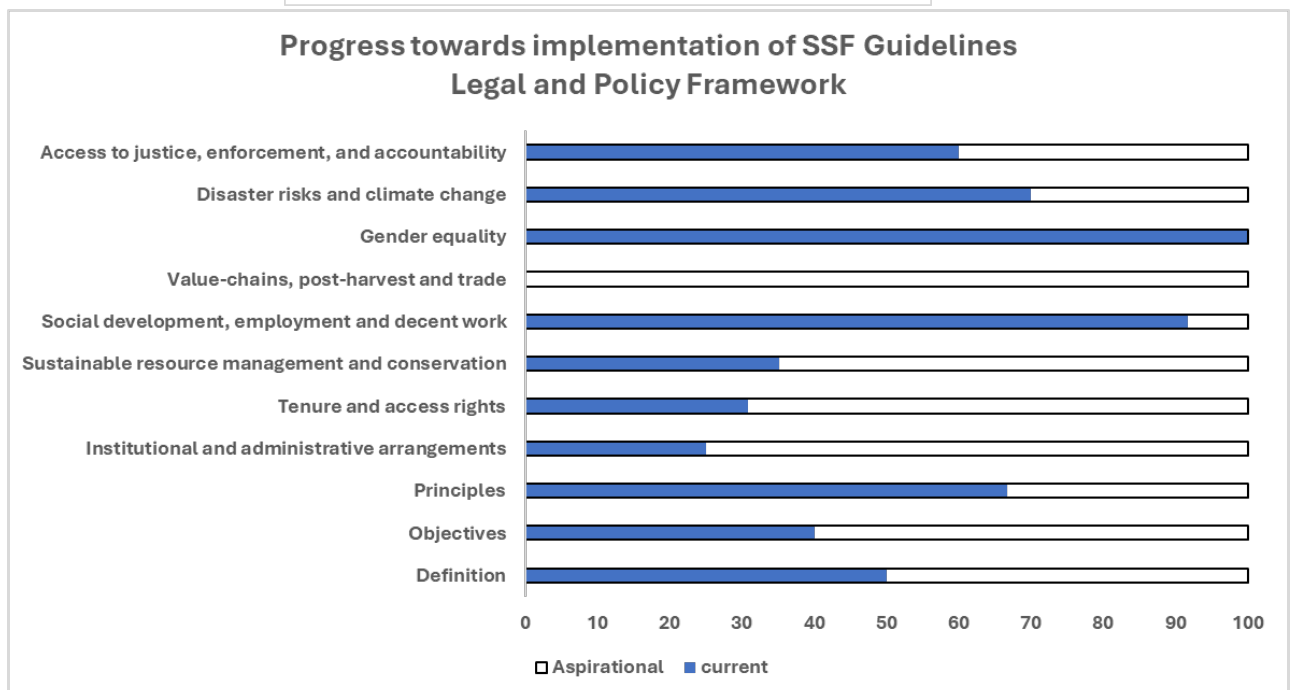
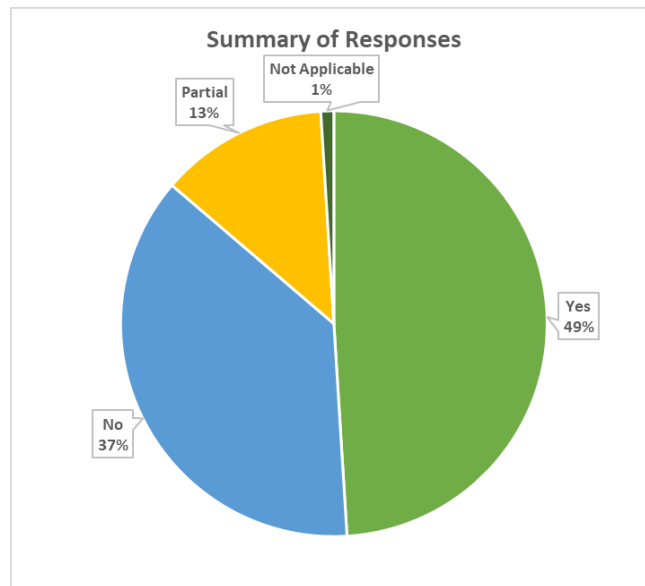


Figure 3.2: Tool 2: Analysis of policy and legal framework to support implementation of the SSF Guidelines

3.2.1. Section-wise analysis

Based on the responses in Annex B, a section-wise summary is given below.

i. Definition

India’s fisheries governance is decentralized, with the states (provinces) governing inland waters as well as the marine area within territorial limits. While the National Policy for Marine Fisheries (NPMF), 2017 (A1) mentions SSF, there are no definitions. The legislation at the state level defines fishers but not small-scale fishers. [The National Marine Fisheries Census 2016 used the following definitions:](#)

- Marine fisherman as ‘A person (male/ female/LGBTQ) who is engaged in marine fishing or any other activity associated with marine fishery or both’.
- Traditional fishermen: Those who are fishermen by birth and fishing is their ancestral occupation.
- Fishermen family: A family in which at least one member is engaged in marine fishing or associated activities or both.

More than 91% came under the ‘traditional fishermen’ category in the NMFC 2016.

ii. Objectives

Neither India’s NPMF, 2017 nor the state Acts have specifically stated objectives. However, NPMF has a mission statement which was considered equivalent to objectives but the focus is on sustainable resources as the core of all actions.

iii. Principles

No principles are explicitly stated in the NPMF, 2017 or in the state legislation. However, the NPMF, 2017 has a strategy built on seven pillars which are construed to be equivalent to principles. In the legislation, while there are no defined principles, the focus of the actions is based on a human-rights approach.

iv. Institutional and administrative arrangements

At the central (federal) level, the Department of Fisheries under the Ministry of Fisheries, Animal Husbandry and Dairying is responsible for matters relating to formulation of policies and schemes pertaining to development of Inland, Marine and Coastal Fisheries and Fishery Institutes including its four subordinate institutions and one autonomous body and one regularly authority. The Department advises the State Governments /Union Territories (UTs) in formulation of policies and programmes in the field of fisheries. Its jurisdiction is limited to the EEZ and it is involved in implementing the Maritime Zones of India (MZI) Act of 1981, which regulates fishing by foreign vessels in Indian waters.

At the state/ union territory level, the Department of Fisheries looks at various aspects of the fisheries sector including fishermen’s welfare, conservation of resources, safety and security of fishers, development of infrastructure etc. Each state/UT has formulated and implements its Marine Fisheries Regulation Act apart from laws regarding inland fisheries. The state/UT jurisdiction is limited to territorial waters. It also implements various schemes either as part of Central Schemes (e.g. PMMSY) or state schemes as well as other projects and programmes.

There is no national fisheries authority where stakeholders, including fishers, are participants. At the state/UT level, co-management councils are being set up for delegated management of fisheries in many states.

v. Tenure and access rights

A formal registry of all fishers (which includes anyone in the value chain as well) has been activated at the national level ([National Fisheries Development Platform: NFDP](#)). Apart from this, all states have cooperative societies to which fishers have to belong to avail

welfare schemes. All fishing boats have to be licenced; all state/UT MFRA have clear processes on registration and licensing requirements; without a licence, a fishing vessel may not carry out fishing. Most states have exclusionary clauses with respect to access – either in terms of distance from the coast or by depth – beyond which mechanised craft are allowed to fish. The excluded area is for non-motorized and motorised craft (some states define the engine’s HP) for ‘the need to protect the interest of different sections of persons engaged in fishing, particularly, those engaged in fishing using traditional fishing craft such as catamaran, country craft or canoe’ (TNMFRA). The Forest Rights Act, 2006 has provisions for community tenures of habitat.

A key problem with coastal fishing communities in India is the land they occupy for their habitations near the sea is not formalized in revenue records (i.e. they do not have ownership titles). According to the Coastal Regulation Zone (CRZ) Notification 2011 and CRZ 2019 issued under the Environment (Protection) Act, 1986, all states/ UT are to prepare Coastal Zone Management Plans in which the fishing habitations are to be marked. However, this has been contentious. Many communities are facing forced relocation due to both natural hazards (e.g. erosion) and development pressures (e.g. Tourism). The Environment Impact Assessment Notification, 2006, issued under the Environment (Protection) Act, 1986 has to provide information on whether the project involves resettlement. The National Rehabilitation Policy, 2007 as well as legislation for right to compensation is there when land is acquired by the government. However, since many fishing communities live on undocumented land, this becomes a problem.

vi. Sustainable resource management and conservation

The NPMF, 2017 has called for EAFM. This is being implemented currently in two locations. Coringa Mangroves in Andhra Pradesh and Pichavaram in Tamil Nadu, as part of the BOBLME Phase II programme implemented by the BOBP-IGO. The NPMF, 2017 has a number of points on sustainable resource management and conservation, especially conservation of habitats such as mangroves and seagrasses which are important for fisheries. Coastal Ecosystems such as mangroves and seagrasses which are important for fisheries are considered as CRZ-I under the CRZ Notification with strict prohibitions on developmental activities. These ecosystems are also conserved under various programmes such as the Green India Mission. Identified coastal ecosystems have also been declared under various categories of protection under the Wild Life Protection Act, 1972; where these include marine components, they are called Marine Protected Areas (e.g. Gulf of Mannar Marine National Park and Dugong Sanctuary in Tamil Nadu).

Registration is required for all fishing vessels either under the MPEDA Act, 1972 or the state/ UT MFRA. Vessels are also required to register on the ReALCraft portal. There are no fishing quotas in India.

Co-management through the formation of councils has been mooted by some states through their MFRA but the concept appears to be slow in taking off. With the implementation of EAFM, there is also the suggestion for developing fishery management plans.

India does not yet have an NPOA-IUU but it has endorsed the Bay of Bengal Regional Programme of Action on IUU. It is not yet a signatory to the PSM Agreement.

vii. Social development, employment and decent work

India has a number of legislations and programmes in place for this; a few are included in policy but not yet implemented. The PMMSY has a number of schemes that target social development in the fisheries sector. Welfare schemes such as for relief during the lean period and fishing ban period as well as insurance and debt relief are available. Some schemes / programmes are for all citizens and can be accessed by fishers as well. India does not have foreign migrants in its fishing boats; however, there are migrants from other states (=provinces), including land-locked states of India who work in coastal fishing boats. The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 is applicable here. The minimum age in fisheries is 14, like in all other occupations. Safety at sea is important and the government is implementing various programmes that enable fitting of safety devices in all fishing craft.

viii. Value-chains, post-harvest and trade

There is no specific consideration for SSF in trade. However, some fisheries such as the Ashtamudi short-neck clam and the Blue Swimming crab in Palk Bay have been certified / are in the process of certification – these are largely considered artisanal fisheries.

ix. Gender equality

Though the NMPF, 2017 provides for gender equality and it is known that women play an important role in fisheries, especially in post-harvest activities, their role is increasingly threatened for various reasons. Women in fisheries are still largely excluded from the traditional panchayat (traditional fishing village-level organisation) proceedings and do not generally play a role in conservation-related activities except as workers in mangrove nurseries and such.

The National Policy for the Empowerment of Women, 2011 supports women's rights across sectors. To address issues such as violence against women, there are a number of laws as well as local activities (e.g. [SNEHA](#)), not necessarily focused on the fishing community. The Ministry of Women and Child Development is implementing various schemes/ programmes and women can dial 181 to avail services from Women's Helpline. There is also reservation for women embodied by the Nari Shakti Vandan Adhiniyam (Constitution (One Hundred and Twenty-Eighth Amendment) Act, 2023). Women may also obtain benefits such as maternity and child care through state welfare schemes.

x. Disaster risks and climate change

Climate change and concerns about its impact are mentioned in the NMPF; however, the National Action Plan on Climate Change or its eight missions do not mention climate change impact on the fisheries sector. Vulnerabilities of the sector to climate change are considered especially because most fishing communities live close to the sea and are impacted by cyclones and rough weather. [The National Disaster Management Plan, 2019](#)

includes activities such as early warning systems for fishermen in coastal areas, evacuation at sea of fishing boats during cyclones etc. There are also funds available for disaster response. Each state has developed its own state-level action plan for climate change which includes actions for adaptation of coastal communities including fishing communities to climate change impacts.

xi. Access to justice, enforcement, and accountability

Legal aid is available to those who cannot afford legal representation. In many fishing communities, traditional panchayats also serve in conflict resolution. Also, some states have included formation of district level peace committees for resolution of disputes without resorting to the formal system. However, the fisheries legislation does not yet provide for community participation in enforcement of fisheries legislation. There is no clear distinction between offences by different categories of fishers. For example, if caught fishing in a prohibited place, the fine depends on the value of the fish caught.

3.3. Critical Analysis and findings - Tool 3 (Annex C)

This section summarizes the results regarding the fishing community’s perspective to the questionnaire under nine major sections as given in the table, and visualised in the chart.

Table 3.2: Tool 3 : Summary of responses (Annex C)

	Section	Yes	No	Partial	not sure	total
1	Recognition of small-scale fishers	6	0	0	0	6
2	Institutional and administrative arrangements	1	4	2	1	8
3	Tenure and access rights	5	4	3	1	13
4	Sustainable resource management and conservation	3	2	4	1	10
5	Social development, employment and decent work	6	3	4	2	15
6	Value chains, post-harvest and trade	0	2	2	0	4
7	Gender equality	2	1	2	0	5
8	Disaster risks and climate change	2	1	2	0	5
9	Access to justice, enforcement, and accountability	1	1	1	0	3

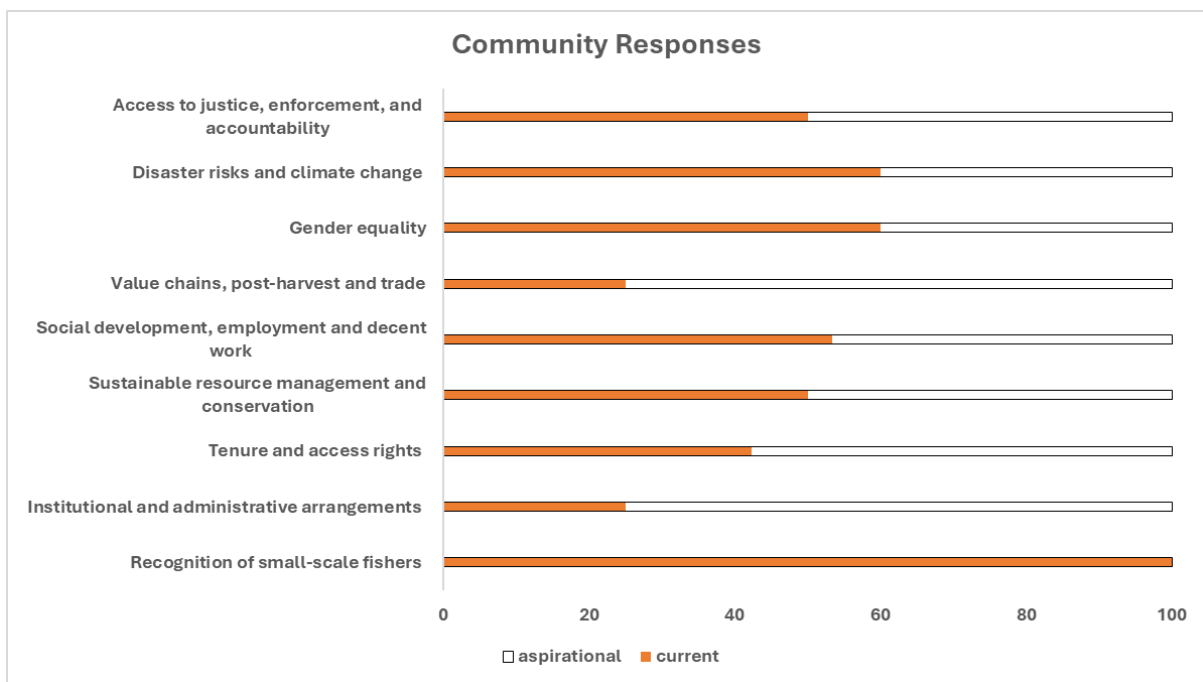
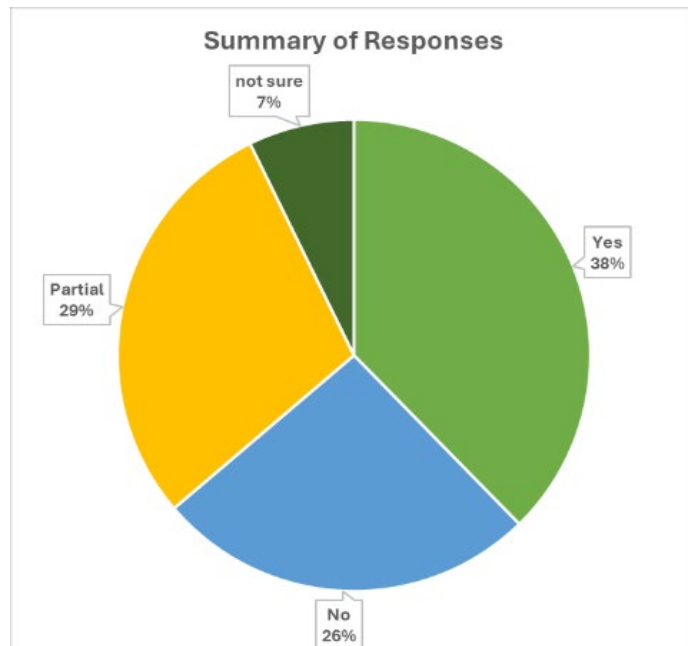


Figure 3.3: Tool 3: Legal and Policy Framework: Summary of community responses on progress towards implementation of SSF Guidelines

3.3.1. Section-wise analysis

- i. Recognition of small-scale fishers (6)

A resounding yes to all the questions in this section indicates that members of the fishing community consider themselves small-scale fishers, in comparison with those operating mechanised boats. They also feel that it helps them avail welfare schemes. Women in the community are active in post-harvest processes and others in post-harvest are accepted only if they belong to the community.

ii. Institutional and administrative arrangements (8)

They are aware about the Department of Fisheries but believe that it is not doing enough for them as the department focuses only on short term and does not look at their long-term needs including employment for fisher youth. Implementation of MFRA is also poor especially in controlling mechanised boats, the development of ports along the coastline without inputs from the fisher community etc.

They said that the small-scale fishing community enjoys authority in fishing cooperatives. In states like Tamil Nadu, the traditional panchayats hold authority though they are not legally recognized. They believe that delegating authority to the local level leads to better resource management.

iii. Tenure and access rights (13)

According to them, fishers are registered in a registry. Registration procedures for smaller craft are simpler but sometimes there are issues due to bureaucracy. The requirement of a licence to fish is not strictly implemented with respect to small-scale fishers. Since, in general, the licence is fishing vessel based on the local address of the owner, inter-state migrant (Tamil Nadu fishers in Kerala harbours) face issues in some seasons. They are considered as outsiders. Lack of awareness, bureaucracy, travel time and cost of travel, missing documents etc. are some barriers.

Though traditional fishers are supposed to have preferential access to some spaces, mechanised boats intrude into this area as do various development projects. Fishers have been forced to move out from their homes because of coastal erosion. There has been eviction of fishers from their fish stalls in some places. There were no safeguards during relocation.

iv. Sustainable resource management and conservation (10)

Co-management processes were partial, and often without legal validity. They also mentioned that small-scale fishers were consulted on occasion, such as the trawl fishing ban – for which the traditional knowledge of the fishers was used. They said that they had a duty to report IUU fishing and said that fishers could be involved in MCS activities.

v. Social development, employment and decent work (15)

Social development questions generally had a positive response. With regard to safety and decent work, they highlighted “Sea safety issues, long hours of fishing voyage due to non-availability fish resources in near shore, no fair price in some situations because of nexus between auctioneers-middlemen-traders, inadequate basic facilities in the

harbours and landing centres etc.” Safety equipment were expensive and there was reluctance to comply with safety norms.

Fishers who have migrated to other countries as labour did report forced labour and non-payment of wages, but those were rare. But they were aware of forced labour in fish processing plants. While they did not flag child labour as an issue, they did mention children doing all types of jobs in fishing due to financial pressures on the family.

vi. Value chains, post-harvest and trade (4)

They did not have facilities to keep or process fish in their community and said that it was not easy to sell fish at a fair price in the community. Some cooperatives did exist to support at first point of sale but much less for distant markets.

vii. Gender equality (5)

Women were involved in seaweed collection and inland fisheries, processing of fish, selling fish and net mending. Their role in providing support at the household level for children and men was acknowledged. Women did not have the same rights as men and had leadership roles in women’s groups. They said that while women have central place in SSF family and manage the household finance earned by men, the respect and equal treatment in meeting are issues. Women also faced domestic violence from drunkard husbands.

viii. Disaster risks and climate change (6)

They had noticed a number of changes attributed to climate change. They cited rising temperature, shifting seasons, more storms, fewer fish and other species, or new species, decline in sardine catch in Kerala (Tamil Nadu also reported decline in the last two-three years), abnormal fishing seasons, unpredictable monsoon, rough sea, frequent cyclones and low pressure warnings. After Cyclone Okhi, they began to give more importance to weather alerts; they were aware of state government schemes such as compensation.

ix. Access to justice, enforcement, and accountability (4)

They were not aware of formal legal services but approached local fisher societies, advocate (if available), Church based organisations, local NGOs for dispute resolution. They also had their own ways of conflict resolution through fisher trade unions, local cooperatives, village Panchayat (TN) and local Church committees. When there fishing violations, initial warnings on violations of rules are given by the local organisations (fisher unions, cooperatives, church committees, village panchayat) and if the warnings go unheard, it is reported to the fisheries department. Generally, the fishers strongly feels that their voices are always ignored and law enforcement is favourable to the mechanised vessels (not taking action against illegal fishing by mechanised boats).

4. List of priority areas/gaps

4.1. Outcome from Tool 1

- Ratification is needed of International Conventions related to fishing such as the C188 Working in Fishing Convention as well as other related instruments.

4.2. Outcomes from Tool 2

i. Definition

While fishers may be defined, an explicit definition of SSF in the legislation is required. A modified version of the definition used by the National Marine Fisheries Census could be used as it is inclusive. Inland fishers must also be included. In India, many fishermen are listed as 'traditional' as per the census as they have been practicing the activity for many generations.

A proposed working definition therefore could be based on the NMFC:

Marine small-scale fisherman as 'A person (male/ female/LGBTQ) who is engaged in marine fishing or any other activity associated with marine fishery or both' including traditional fishermen. Traditional fishermen are those who are fishermen by birth and fishing is their ancestral occupation.

Inland fisherman: (includes men and women) (based on Sharma et al, 2013). They mostly belong to the fishermen community though people from other communities may also join the fishers for fishing. They include the following:

- Those persons who are engaged in fishing activity alone or in a group or cooperative in the inland open water resources
- The person, who directly undertakes the trade such as marketing of fresh fishes, preserved fishes, etc.
- Someone whose traditional occupation is fishing and fish culture, so as to exclude the middlemen from leasing the Govt. ponds on priority

ii. Objectives

Clear set of objectives related to SSF need to be mentioned in the policy/ legislation.

iii. Principles

The importance of SSF contributions to food security need to be mentioned.

iv. Institutional and administrative arrangements

The three-tier fisheries multi-stakeholder authority for management of a state/UT fisheries is essential – the roles of each stakeholder need to be defined. A national fisheries authority may also be mooted. Participation by SSF and women in the fisheries sector in the state/UT authorities must be ensured with defined roles.

v. Tenure and access rights

A formal registry has been set up at the national level, all fishers must be encouraged to register themselves. Though exclusionary clauses are present in the state MFRA

assigning designated areas to motorised/ non-motorised/ traditional craft, implementation has to be improved significantly.

The land occupied for habitation and livelihood requirements (e.g. fish drying, net mending, storage) is not always formalized in revenue records. The state CZMP is to map the space occupied by the fishing communities, especially within 500m of the coastline. There is forced relocation due to development activities; while some compensation is available, relocation is not always in equivalent spaces making access to livelihood (sea) more difficult.

vi. Sustainable resource management and conservation

EAFM is being implemented via the BOBLME Project in two sites; other sites have been identified. Conservation of coastal ecosystems is also being carried out under various national missions and programmes. However, coastal ecosystems face extensive threats due man-made activities. The questions did not mention marine litter which is a problem in the nearshore areas in many locations.

The policy/ legislation needs to look at recognizing customary tenure rights (as for e.g. indicated by the FRA, 2006). Migrants in fisheries are from other states in India and generally work as crew and are not able to obtain licence for fishing. There are no quotas for SSF or women or limitation of fishing effort. No protection is there for traditional methods in policy or law. Fishers are not part of consultations for marine spatial planning, MPA etc.

Registration of craft and a fishing licence are a must for all fishing activities. However, India does not yet have an NPOA-IUU not is it yet a signatory to the PSM Agreement.

vii. Social development, employment and decent work

Almost all questions were answered with a yes with many schemes available now as part of the PMMSY. Even if not mentioned in fisheries policy/ legislation, applicable legislation is available for all citizens which may be used such as the Inter-State Migrant Workmen's Act, 1979, or Constitutional Provisions.

viii. Value-chains, post-harvest and trade

There are no special considerations for small-scale fisheries in the provisions on trade in fisheries and fishery products – this gap may be rectified by providing 'sustainability certificate' for harvest process, if applicable, similar to certification of organic produce.

ix. Gender equality

The fisheries policy recognizes the contribution of women in fisheries; however there are many ways in which women are discriminated against, as for example, in participation in traditional panchayat meetings where many decisions are made. They also have to face the impact of development related problems such as shoreline erosion and the move from beach-based landing centres to harbour areas, moving of markets to places away from their customer base etc. Gender violence is also a problem despite laws and programmes to control it.

x. Disaster risks and climate change

The fisheries policy recognizes the impact of climate change on the sector. Fishers living close to the coast are affected by cyclones. While there are funds and schemes for building disaster resilience, it is not clear how well they are in place. However, the alerts for rough weather and cyclones are well provided with good last mile connectivity.

xi. Access to justice, enforcement, and accountability

Most fishing communities rely on their traditional panchayats for dispute resolution. Some states have included formation of district level peace committees for resolution of disputes without resorting to the formal system. However, the fisheries legislation does not yet provide for community participation in enforcement of fisheries legislation. There is no clear distinction between offences by different categories of fishers.

4.3. Outcomes from Tool 3

i. Recognition of small-scale fishers

All the community members consider themselves small-scale fishers, inclusive of women.

ii. Institutional and administrative arrangements

They were aware of the government institution managing fisheries. However, the fishers feel that the government's focus is on short term welfare of the community without giving any attention to the rights and long-term needs of the small-scale fishing community. Poor implementation of MFRA in controlling the illegal methods of fishing by the mechanised and purse seine boats, starting new ports without hearing the voices of traditional community in the SSF (Vizhinjam), announcement of new sand mining projects in the sea despite the protests of the community, no special attention to the unemployment of youths in fishing community are some of the issues raised by the fishermen.

iii. Tenure and access rights

They were registered as fishers but the licencing requirement was not strictly implemented. Migrants from other states did face issues as they are considered outsiders. Barriers faced include lack of awareness, bureaucracy, travel time and cost of travel, missing documents etc.

According to them, traditional fishing grounds are protected on paper but in reality, mechanised fleets, ports, ship navigation, tourism, oil/gas, sand mining seriously affects SSF. They said that forced evictions were there due to coastal infrastructure such as ports.

iv. Sustainable resource management and conservation

Consultations with small-scale fishers are rare, due attention is not paid to their suggestions and opinions. While they were consulted on trawl bans, they were not

consulted on development projects and they were not sure about participating in planning processes that affect them such as MPA. They were positive about supporting MCS against IUU fishing.

v. Social development, employment and decent work

They were generally positive about the availability of schemes but did flag decent work-related issues listing sea safety issues, long hours of fishing voyage due to non-availability fish resources in near shore, no fair price in some situations because of nexus between auctioneers-middlemen-traders, inadequate basic facilities in the harbours and landing centres etc. Fishers were reluctant to comply with safety requirements because of cost. Children in fisheries were only forced to work due to family circumstances.

vi. Value chains, post-harvest and trade

There were no facilities of cold storages by government at harbour or landing centres and fishers still depend on use of ice boxes. While there was some support to SSF at the first point of sale, there was less intervention in selling in distant markets or value addition.

vii. Gender equality

Women participate in various pre-harvest activities such as mending nets, harvest in the case of seaweeds and inland fishing and post-harvest activities. They also provide household support for children and men. Women have central place in SSF family and they manage the household finance earned by men. However, the respect and equal treatment in meetings are issues. Women are also facing domestic violence from drunkard husbands.

viii. Disaster risks and climate change

They have noticed a number of changes in climate resulting in abnormal fishing seasons, rough seas and frequent cyclones. Weather alerts were well provided, and safety was being given importance especially after 2017 Cyclone Ockhi. There were some compensation schemes available.

ix. Access to justice, enforcement, and accountability

While they were not aware of formal legal services available, they have community ways of resolving conflicts and only as a last resort, they reach out to the fisheries department. Generally, the fishers strongly feel that their voices are always ignored and law enforcement is favourable to the mechanised vessels (not taking action against illegal fishing by mechanised boats).

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5. Annexures

5.1. Annex A: Tool 1

Table 1. Legally binding international instruments relevant to small-scale fisheries

S. No	Name of Instrument	Status (Signatory/ Party/ Not a party)	Related Policy/Legislation	Comments/ explanatory notes
1.	1930 ILO Forced Labour Convention No. 29	Party	Bonded Labour System (Abolition) Act 1976; Constitution Art 23 prohibits forced labour	India criminalized bonded labour in line with C-29
2.	1946 International Convention for the Regulation of Whaling	Signatory (not ratified)	Wildlife Protection Act 1972 shields whales under Schedule I; India follows IWC moratorium	
3.	1948 ILO Freedom of Association and Protection of the Right to Organize Convention	Not a Party		
4.	1949 ILO Migration for Employment Convention (Revised) No. 97	Not a Party		
5.	1951 ILO Equal Remuneration Convention No.100	Party	Equal Remuneration Act 1976 mandates equal pay for equal work across genders	India enacted this legislation directly in compliance with C-100
6.	1957 ILO Abolition of Forced Labour Convention No. 105	Party	Bonded Labour Act 1976; IPC criminalizes forced labour	

S. No	Name of Instrument	Status (Signatory/ Party/ Not a party)	Related Policy/Legislation	Comments/ explanatory notes
7.	1958 ILO Discrimination (Employment and Occupation) Convention No. 111	Party	Equal Remuneration Act, SC/ST (PoA) Act 1989 prohibits workplace discrimination	
8.	1965 International Convention on the Elimination of all Forms of Racial Discrimination	Party	Constitution Art 15; SC/ST (Prevention of Atrocities) Act 1989 bans caste/racial discrimination	
9.	1966 International Covenant on Civil and Political Rights	Party	Constitution (Art 14–21); National Human Rights Commission Act 1993	
10.	1966 International Covenant on Economic, Social and Cultural Rights (ICESCR)	Party	Directive Principles; RTE Act 2009; MGNREGA 2005 enforce socio-economic rights	
11.	1971 Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat	Party	Wetlands Rules 2017; Wildlife Act 1972	
12.	1973 ILO Minimum Age Convention No. 138	Party	Child Labour (Prohibition & Regulation) Act, 1986	
13.	1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)	Party	Wildlife Protection Act, 1972	
14.	1979 Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).	Party	Constitution of India, Equal Remuneration Act	

S. No	Name of Instrument	Status (Signatory/ Party/ Not a party)	Related Policy/Legislation	Comments/ explanatory notes
15.	1982 United Nations Convention on the law of the Sea	Party	Maritime Zones Act 1976	
16.	1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	Signatory but not ratified	IPC provisions on torture	
17.	1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	Not a Party		
18.	1990 Convention on the Rights of the Child (CRC)	Party	Juvenile Justice Act 2015	
19.	1992 United Nations Framework Convention on Climate Change (UNFCCC)	Party	National Action Plan on Climate Change (NAPCC), 2008. SAPCC	
20.	1992 Convention on Biological Diversity (CBD)	Party	Biological Diversity Act, 2002.	Traditional knowledge of fishers recognized but poorly documented.
21.	1994 WTO General Agreement Tariffs and Trade.	Member	Foreign Trade Policy (latest 2023). SEZ Act, 2005.	Export oriented policies sometimes marginalize

S. No	Name of Instrument	Status (Signatory/ Party/ Not a party)	Related Policy/Legislation	Comments/ explanatory notes
				small-scale fishers
22.	1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA).	Party		
23.	1999 ILO Worst Forms of Child Labour Convention No. 182.	Party	Child Labour (Prohibition & Regulation) Amendment Act 2016.	
24.	2006 Convention on the Rights of Persons with Disabilities	Party	National Policy for Persons with disabilities, 2006. The Rights of Persons with Disabilities Act, 2016.	
25.	2006 International Convention for the Protection of All Persons from Enforced Disappearance.	Not a party		
26.	2007 ILO Work in Fishing Convention No. 188.	Not a party		
27.	2010 Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization.	Party	National Biodiversity Action Plan. Biological Diversity Act, 2002	

S. No	Name of Instrument	Status (Signatory/ Party/ Not a party)	Related Policy/Legislation	Comments/ explanatory notes
28.	2015 Paris Agreement	Party	National Action Plan on Climate Change (NAPCC). State Action Plans on Climate Change (SAPCCs).	

Table 2. International non-binding instruments relevant to small-scale fisheries

S. No	Name of instrument	Status (implemented or not at national level)	Legal/ Policy basis	Comments / explanatory notes
1.	1968 Code of Safety for Fishermen and Fishing Vessels (revised).	Not implemented	Ministry of Shipping's Fishing Vessel Safety Code (2005 UK-IMO update); BIS Inland Harbour & Fishing Vessel standards (IS 8013, IS 7595 parts)	Safety Code adopted through national standards and used in vocational training. CIFNET provides mandatory training based on it.
2.	1980 FAO/ILO/IMO Voluntary Guidelines for the Design, Construction and Equipment of Small Fishing Vessels. <i>revised to the 2005 Voluntary Guidelines for the Design, Construction and Equipment of Small Fishing Vessels</i>	Not implemented	India's Indian Marine Fisheries Code and IMO/BIS standards for fishing vessels.	Referenced in FAO and IMO capacity-building documents

S. No	Name of instrument	Status (implemented or not at national level)	Legal/ Policy basis	Comments / explanatory notes
3.	1992 UNGA Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.	Implemented	National Commission for Minorities Act, 1992; State-level Fishers' welfare policies; constitutional minority protections	India implements universal minority rights; fisherfolk belonging to religious/ linguistic minorities are covered under national minority welfare schemes.
4.	1995 UN Fourth World Conference for Women's Beijing Declaration and Platform for Action (Beijing Declaration).	Implemented	Gender Equality Commission (Ministry of Women & Child Dev.); National Policy for Women 2016; fisherwomen support schemes	
5.	1995 FAO Code of Conduct for Responsible Fisheries (CCRF).	Implemented	National Marine Fisheries Policy 2017; seasonal monsoon trawl ban	
6.	1999 UN Declaration on human rights defenders.			India does not have a specific law for implementing the UN Declaration on Human Rights Defenders, but it has established frameworks and mechanisms, such as the National Human

S. No	Name of instrument	Status (implemented or not at national level)	Legal/ Policy basis	Comments / explanatory notes
				Rights Commission (NHRC), that recognize and support human rights defenders
7.	2002 CBD COP Decision VI/7 Annex Akwe: Kon Voluntary guidelines for the conduct of cultural, environmental and social impact assessments regarding developments proposed to take place on, or which are likely to impact on, sacred sites and on lands and waters traditionally occupied or used by indigenous and local communities.	Not Implemented	Biological Diversity Act 2002	According to India's Third National Report to the Convention on Biological Diversity (CBD, a legal review has been undertaken but it is not clear how the guidelines have been implemented
8.	2004 FAO Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (Right to Food Guidelines).	Implemented	National Food Security Act, 2013	Targeted Public Distribution System (TPDS), National Food Security Mission (NFSM)
9.	2005 FAO Technical Guidelines for Responsible Fisheries No. 10 “Increasing the Contribution of Small-Scale Fisheries to Poverty Alleviation and Food Security”	Implemented	Marine Fisheries Policy 2017; schemes, like the Pradhan Mantri Matsya Sampada Yojana (PMMSY)- A scheme to bring about Blue Revolution through sustainable and	Reflected in the spirit of programs that focus on improving the livelihoods of fishermen and expanding market access for fish products

S. No	Name of instrument	Status (implemented or not at national level)	Legal/ Policy basis	Comments / explanatory notes
			responsible development of fisheries sector in India	
10.	2007 UN Declaration on the Rights of Indigenous Peoples (UNDRIP).	Not Implemented		<p>India voted in favour of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). However, India does not consider the concept of “indigenous peoples”, and thus the UNDRIP, is not applicable to India. (ref)</p> <p>However, for the purpose of the NPOA-SSF, the term ‘Indigenous Peoples and Local Communities’ is used to enable inclusion of ‘traditional fishermen’ as well as those groups listed as Scheduled Tribes as per Article 242 of the Constitution of India</p>

S. No	Name of instrument	Status (implemented or not at national level)	Legal/ Policy basis	Comments / explanatory notes
11.	2010 FAO/ILO/IMO Safety Recommendations for Decked Fishing Vessels of Less than 12 Metres in length and Undecked Fishing Vessels.	Partially implemented	Indian Marine Fisheries Act/draft regulations; Working Group inputs from CIFNET; DG Shipping surveys, State Marine Fishing Regulation Acts (MFRAs); GSR 448(E)	Several components such as vessel registration, licensing, zoning by vessel type, and marking/identification are implemented through MFRAs and central regulations. However, uniform safety equipment standards, construction and seaworthiness norms, and mandatory crew safety training are not consistently implemented across India.
12.	2010 ILO Guidelines for port State control officers carrying out inspections under the Work in Fishing Convention, 2007 (No.188).	Not Implemented		India has not yet ratified ILO Convention No. 188 and therefore is not obligated to implement the 2010 ILO Guidelines for port State control

S. No	Name of instrument	Status (implemented or not at national level)	Legal/ Policy basis	Comments / explanatory notes
				officers carrying out inspections under the convention
13.	2011 UN Guiding Principles on Business and Human Rights.	Implemented	National Action Plan on Business and Human Rights (2020 draft); National Voluntary Guidelines (NVGs), with updates made in 2018 to include human rights due diligence.	
14.	2012 UN Conference on Sustainable Development' outcome document 'The Future We Want'	Implemented	National Sustainable Development Goals;	
15.	2012 FAO Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forestry in the Context of National Food Security (VGGT).	Not implemented		India, as a member of the UN, supports the principles of the FAO VGGT and has participated in the broader implementation process, there is not yet a specific, comprehensive nationwide

S. No	Name of instrument	Status (implemented or not at national level)	Legal/ Policy basis	Comments / explanatory notes
				implementation of these voluntary guidelines as a single, unified national law or policy.
16.	2013 CITES COP Resolution 16.6 (Rev. COP 18) CITES and Livelihoods	Implemented	Wildlife (Protection) Act, 1972	A 2016 workshop report cited India's handling of the <i>Saussurea costus</i> (kuth) plant as an example of balancing conservation and livelihoods. The plant was up-listed to CITES Appendix I in 1985, but India has since supported cultivation to reduce pressure on wild populations. There are other examples also
17.	2014 FAO Principles for responsible Investment in Agriculture and Food Systems.	Not implemented		India's approach aligns with the principles through various existing laws, policies, and participation in multi-stakeholder dialogues.

S. No	Name of instrument	Status (implemented or not at national level)	Legal/ Policy basis	Comments / explanatory notes
18.	2014 CBD COP Decision XII/5 Annex Chennai Guidance for the Integration of Biodiversity and Poverty Eradication.	Implemented	Biodiversity Act, 2002; Biodiversity Management Committees (BMCs); coastal livelihood programmes	
19.	2015 UN Sustainable Development Agenda and the Sustainable Development Goal (SDG).	Implemented	National SDG Framework;	
20.	2016 CBD COP Decision XIII/18Mo'otz Kuxtal Voluntary guidelines for the development of mechanisms, legislation or other appropriate initiatives to ensure the “prior and informed consent”, “free, prior and informed consent” or “approval and involvement”, depending on national circumstances, of Indigenous Peoples and local communities for accessing their knowledge, innovations and practices relevant for the conservation and sustainable use of biological diversity, and for reporting and preventing unlawful appropriation of traditional knowledge.	Implemented	Biodiversity Act, 2002	India's existing Biodiversity Act, 2002 provides a mechanism for many of the decision's core principles, including the recognition and protection of traditional knowledge.

S. No	Name of instrument	Status (implemented or not at national level)	Legal/ Policy basis	Comments / explanatory notes
21.	2016 FAO How- to Guide on Legislating for an ecosystem Approach to Fisheries.	Not implemented		An analysis carried out in 2024 by BOBP-IGO showed medium level of alignment, with 24 EAF legal requirements yet to be incorporated into India's policy and legal frameworks
22.	2017 ILO Guidelines of flag State inspection of working and living conditions on board fishing vessels.	Not Implemented		India has not yet ratified C188 Work in Fishing Convention, these guidelines are related
23.	2018 UN Declaration on the Rights of Peasants and other People Working in Rural Areas (UNDROP)	Not Implemented		India voted in favor of adopting the Declaration at the UN General Assembly in December 2018, but not implemented at national level

5.2. Annex B: Tool 2

Table 1: List of National Policy and Legal Instruments related to Fisheries Assessed in this Report

Type	Identification	Original Title	Year or Timeframe	Amendments
National Policy	A1	National Policy on Marine Fisheries	2017	–
National Fisheries Primary Legislation	B1	The Territorial Waters, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Act	1976	–
	B2	Marine Fisheries Regulation Acts (MFRAs) – State/UT	Various (1980s onward; See Table 1.1)	State-wise amendments
	B3	Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act	1981	
National Fisheries Secondary Legislation	C1	Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Rules	1982	
	C2	Order – Ban on bull/pair trawling, light attractors	2017	–
	C3	Seasonal Fishing Ban Order: Order No. 30035/15/97-Fy (T-1) Vol. V on restrictions in marine fishing activities	Annual updates	Annual updates
	C4	Marine Products Export Development Authority Act	1972	

Table 2: Response to Questionnaire

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
1. Definition				
1.1.	Is the term small-scale fisheries or related terms defined in the policy and legal framework?	partially	<p>B1: Tamil Nadu Marine Fishing Regulation (Amendment) Act, 2016.</p> <p>Kerala Fishermen Debt Relief Commission Act, 2008.</p> <p>The Kerala Monsoon Fishery (Pelagic) Protection Act, 2007</p>	<p>Tamil Nadu: “fisherman” means any person involved in fishing for livelihood or profit (Tamil Nadu)</p> <p>Kerala: ‘fisherman’ means, a person who accept fishing as the foremost means of livelihood and whose annual income does not exceed the annual income limit fixed by the Government from time to time and it includes the widow of a fisherman;</p> <p>“Traditional Fisherman” means any person engaged in fishing with or without traditional or modified traditional crafts and gears for his livelihood;</p> <p>The National Marine Fisheries Census 2016 (NMFC 2016) has the following definitions: Marine fisherman: A person (male/ female/LGBTQ) who is engaged in marine fishing or any other activity associated with marine fishery or both Traditional fishermen: Those who are fishermen by birth and fishing is their ancestral occupation</p>

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
1.2.	Does the term related to small-scale fisher include women?	partially		The NMFC includes women
1.3.	Does the term related to small-scale fisheries differentiate commercial and subsistence?	No		
1.4.	Does the term related to small-scale fisheries include reference to the entire value chain (pre-harvesting, harvesting, and post-harvesting)?	Partially		Yes, as per the NMFC
1.5.	Do any of the terms related to small-scale fisheries include Indigenous Peoples?	Yes		India does not consider the concept of “indigenous peoples” (ref). However, the NMFC 2016, the NPMF, 2017 and various state MFRA refer to ‘traditional fishermen’. In this analysis, ‘indigenous peoples’ is taken to include ‘traditional fishermen’. In addition, India also has a number of ‘Scheduled Tribes’, tribal communities in India officially listed by the President of India under Article 342 of the Constitution, who may be considered the equivalent of ‘indigenous peoples’
2. Objectives				
2.1.	Do the objectives of the policy and legal framework include reference to small-scale fisheries?	No		

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
2.2.	Do the objectives include recognition of SSF to food security and nutrition?	No		
2.3.	Do the objectives refer to achieve the sustainable utilization and responsible management of fisheries resources?	yes	Mission statement in A1 (National Policy on Marine Fisheries, 2017)	Mission “While keeping sustainability of the resources at the core of all actions, the policy framework will meet the national, social and economic goals, livelihood sustainability and socio-economic upliftment of the fisher community and is intended to guide the coordination and management of marine fisheries in the country during the next ten years.”
2.4.	Do the objectives include references to women?	Yes		Gender justice
2.5.	Do the objectives include references to Indigenous Peoples?	No		India does not consider the concept of “indigenous peoples”, and thus not applicable to India. (ref). However nor the objectives specifically refer to traditional fishermen
3. Principles				
3.1.	Do the principles of the policy and legal framework explicitly refer to small-scale fisheries?	No		
3.2.	Does the main fisheries policy include any of the principles of the	Yes	A1 preamble	The overall strategy of the NPMF, 2017 is based on seven pillars, namely sustainable development, socio-economic upliftment of fishers, principle of

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
	SSF Guidelines that enshrine the human rights-based approach? *			subsidiarity, partnership, inter-generational equity, gender justice and precautionary approach. These seven pillars will guide the actions of various stakeholders in meeting the vision and mission set for the marine fisheries sector of the country.
3.3.	Does the main fisheries legislation include any of the principles that enshrine the human rights-based approach? *	Yes	B1 Chapter 2	Broadly, in all the MFRA, Chapter II deals with ‘Regulation, Restriction or Prohibition of fishing in the Specified Area’. For e.g. Tamil Nadu MFRA refers to ‘(a) the need to protect the interest of different sections of persons engaged in fishing, particularly, those engaged in fishing using traditional fishing craft such as catamaran, country craft or canoe;(b)the need to conserve fish and to regulate fishing on a scientific basis;
* For ease of reference: human rights and dignity; respect of cultures; non-discrimination; gender equality and equity; equity and equality; consultation and participation; rule of law; transparency; accountability; economic, social and environmental sustainability; holistic and integrated approaches; social responsibility; and feasibility and social and economic viability.				
4. Institutional and administrative arrangements				
4.1.	Is there a government institution specifically in charge of small-scale fisheries?	yes	Government of India (Allocation of Business) Rules, 1961	The Department of Fisheries, Ministry of Fisheries, Animal Husbandry and Dairying , Government of India at the centre; Department of Fisheries at the State/Union territory level; Includes all fisheries and hence SSF.

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
4.2.	Is there representation of small-scale fisheries actors in any national fisheries authority?	No		Currently no national fisheries authority exists
4.3.	Is there representation of women any national fisheries authority?	No		Currently no national fisheries authority exists
4.4.	Is there representation of Indigenous Peoples in any national fisheries authority?	No		Currently no national fisheries authority exists
4.5.	Is the role of the government institution relevant to small-scale fisheries solely advisory?	No		The Department of Fisheries at the National and State levels provide welfare schemes as well as carrying out regulatory functions
4.6.	Is the role of the small-scale fishers clearly defined?	No		
4.7.	Does the policy and/or legislation recognize customary or Indigenous institutional arrangements?	No		Though traditional fishermen are referred to in the policy and legislation, no customary institutional arrangements are recognised
4.8.	Are there provisions for the delegation of authority to the local/community level?	Yes	B1	States have started the process of delegating authority to local/ community level through amendments to their MFRA. For example, amendments have been made to the Kerala MFRA to include formation of three-tier fisheries management councils at the state, district and fishing village level
5. Tenure and access rights				

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
5.1.	Is there a registry for fishers?	Partially	NFDP	National Fisheries Digital Platform has been created under the ongoing PM-MKSSY, a sub-scheme of the PMSSY; it is for accessing benefits under PMSSY.
5.2.	Are there specific requirements for the registration of small-scale fishers?	No		
5.3.	Are there specific requirements for the registration of women?	No		
5.4.	Are there specific requirements for the registration of Indigenous Peoples?	No		Considering traditional fishermen under Indigenous Peoples
5.5.	Is there any exemption from obtaining a fishing license?	No		All fishing boats have to be registered and obtain a licence for fishing. There are no individual fishing licences.
5.6.	Is there any special requirement for small-scale fishers in the application for a fishing license?	No		
5.7.	Are there any requirements for preferential access by small-scale fishers to fishery resources?	No		As long as they fall within their state MFRA requirements
5.8.	Does the policy or legislation establish exclusive access for small-scale fishers?	Yes	A1: 13.0 B1: Chapter II (Regulation, restriction or	Through exclusion clause by specifying areas where fishing by mechanised vessels and deep-sea vessels is prohibited.

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
			prohibition of fishing in the specified area)	<p>All craft other than mechanised and deep-sea vessels may be considered small-scale in the Indian context (Jena and George, 2018).</p> <p><u>A1:13</u> Coastal States/UTs have specific areas reserved (based on depth or distance from shore) for traditional fishers where mechanised fishing is not permitted.</p> <p>B1: Generally, in the state MFRA, Chapter II deals with this. For example, <u>TN MFRA</u> states “no owner or master of a mechanized fishing vessel shall use or cause or allow to be used such fishing vessel for fishing operation in the sea within three nautical miles from the coast line in the State and the owner or master of a mechanized fishing vessel shall use or cause or allow to be used such mechanized fishing vessels only beyond three nautical miles from the coast line in the State and such operation beyond three nautical miles shall be subject to the conditions specified in the schedule to this Act”</p> <p>In <u>Kerala</u>, Area coming within the depth range of 50 meters has been demarcated for fishing by the traditional fishermen using country crafts and beyond the limit in the economic zones can be</p>

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
				utilized by motorized boats and large vessels. Similarly, other states have their own definitions
5.9.	Is there any special requirement for small-scale fisher license holder to transfer his/her license?	No	B2: e.g. TNMFRA: Chap II Sec 8 (7)	B2: There is no special or exclusive requirement for small-scale fisher license holders
5.10.	Does the policy and/or legislation recognize customary tenure rights?	partially		The primary fisheries policy and legislation do not make any reference to customary tenure rights. However, these are mentioned in the Forest Rights Act, 2006. Chapter II: 3 (d) other community rights of uses or entitlements such as fish and other products of water bodies, grazing (both settled or transhumant) and traditional seasonal resource access of nomadic or pastoralist communities; (e) rights including community tenures of habitat and habitation for primitive tribal groups and pre-agricultural communities
5.11.	Does the policy and/or legislation recognize Indigenous tenure rights?	partially		Same as above
5.12.	Does the environmental policy and/or legislation prohibit forced eviction of small-scale fishers and their communities?	partially		There is no explicit provision prohibiting forced eviction of SSF and their communities for development projects; however they are to be compensated for displacement
5.13.	Does the environmental policy and/or legislation provide clear	Yes	The Environmental Impact Assessment	The laws and policy cited apply to all including SSF fishers and their communities

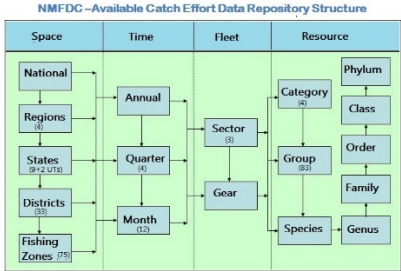
S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
	safeguards (e.g., prior notification in a timely manner, compensatory measures, reparation) for small-scale fishers and their communities in the case of relocation?		<p>Notification 2006 issued under the Environment (Protection) act, 1986</p> <p>The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013.</p> <p>National Rehabilitation & Resettlement Policy, 2007</p>	<p>EIA 2006 requires prior environmental consent and the preparation of environmental impact assessment statements. It does not directly mandate or provide specific procedures for resettlement. However, it implicitly addresses the issue by requiring a public consultation process and social impact assessments (SIA) for certain projects, which includes evaluating the socioeconomic impact on affected people.</p> <p>For resettlement, the RFCTLARR 2013 and National Rehabilitation & Resettlement Policy, 2007 policy listed are to be used. The objective of the Act is to ensure, in consultation with institutions of local self-government and Gram Sabhas established under the Constitution, a humane, participative, informed and transparent process for land acquisition for industrialisation, development of essential infrastructural facilities and urbanisation with the least disturbance to the owners of the land and other affected families and to provide just and fair compensation to the affected families whose land has been acquired or proposed to be acquired or are affected by such</p>

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
				acquisition and make adequate provisions for such affected persons for their rehabilitation and resettlement
6. Sustainable resource management and conservation				
6.1.	Does the policy and/or legislation provide for the ecosystem approach to fisheries?	Yes	A1: 14.0	14.0 The Ecosystem Approach to Fisheries Management (EAFM) will be implemented with due consideration to the well-being of all living and non-living constituents of the marine ecosystem and the social attributes of stakeholders.
6.2.	Is there a requirement for fisheries management to apply the precautionary principle?	Yes	A1: 11.0	Precautionary principle is one of the seven pillars of the strategy of the NPMF. 11. To ensure that these management measures effectively improve the livelihoods of fishers, periodic reviews will be conducted, taking into account the best scientific information available, including a precautionary approach, and with due engagement of fishers and other concerned stakeholders.
6.3.	Is there a register of fishing vessels? If yes, please specify if the vessel is required to register with the fisheries authority, maritime authority or any other applicable authority.	Yes	A1: 19.0 B1	A1:19: the Government has an online uniform registration and licensing system (ReALCraft) to register all fishing vessels operating in the marine sector (traditional, motorized, mechanized and non-mechanized). However, the registration is through the state in which the fishing vessel is berthed.

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
				The state MFRA state that a vessel may either be registered section 11 of Marine Products Export Development Authority Act 1972 (Central Act 13 of 1972) or under the state MFRA.
6.4.	Are there any special requirements for registration applicable to small-scale fishing vessels?	No		
6.5.	Does the fisheries legislation exempt subsistence small-scale fishing from certain responsibilities (e.g., registration, payment of licence fees)?	No		
6.6.	Is there a fisheries management scheme in place that reflects co-management?	Yes	A1: <u>14.0</u>	The NPMF (A1) mentions in para 14: co-management system, which could include local, regional, inter-state and national fisheries councils. Some states have amended their MFRA to reflect a three-tier state-district-village fishermen council for co-management.
6.7.	Where there is co-management in place, are roles and responsibilities of small-scale fishers clearly defined?	No		If it is a working example, the answer can be given. If in legislation, then answer is 'not yet'. E.g.in Kerala the fishery management councils at two levels (state, district) have been notified, the members listed but roles and responsibilities not yet defined

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
6.8.	Is there a requirement to use traditional knowledge in fisheries management?	Yes	A1: 9.0	A19: Management of fisheries will follow an integrated approach, blending traditional knowledge and science with business principles and effective engagement of both primary stakeholders, and also those engaged in ancillary activities to ensure that fisheries are ecologically and economically sustainable. For example, when sanctuaries were designed for Hilsa fisheries in West Bengal, local knowledge was used alongside scientific inputs to define the sanctuary areas.
6.9.	Do the conditions for granting a fishing license require the applicants to be a national, and not allow for a migrant to apply?	Yes	The Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act of 1981 and The Merchant Shipping Act, 1958	The Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act of 1981 and The Merchant Shipping Act, 1958 strictly defines an "Indian vessel" as owned by Indians. Only registered fishing vessel owners can apply for fishing licence. Hence migrants cannot apply.
6.10.	Is there a specific arrangement for establishing quota to small-scale fisheries?	No		There is no quota system in India
6.11.	Is there a specific arrangement for establishing quota to women?	No		

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
6.12.	Is there a specific arrangement for establishing quota to Indigenous Peoples?	No		Including traditional fishermen under “indigenous peoples and local communities”
6.13.	Is there a limit of fishing effort to small-scale fishing vessels?	No		
6.14.	Are there any traditional fishing techniques, methods and ceremonies protected?	No		While they are not officially protected, they continue to be practiced by traditional fishing communities
6.15.	Is there a requirement to ensure participation of small-scale fishers in the process of establishing fisheries management areas?	Yes	A1: 14.0	The Ecosystem Approach to Fisheries Management (EAFM) will be implemented with due consideration to the well-being of all living and non-living constituents of the marine ecosystem and the social attributes of stakeholders.... The norms for introducing these management measures will be worked out in consultation with the fisheries research institutions, coastal States/UT Governments, fishers and their associations and other concerned stakeholders in the sector
6.16.	Is there a requirement for the fisheries management plans to be published?	No		
6.17.	Does the law regulating the process for marine spatial planning allow	Partially		There is no law yet for marine spatial planning. However, the nearest equivalent in India is the Coastal Zone Management Plan. Representatives

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
	for the participation of small-scale fishers?			from coastal communities including fisherfolk are included in the District Coastal Zone Management Authority (e.g. Tamil Nadu)
6.18.	Does the law regulating the process for marine protected areas allow for the participation of small-scale fishers?	No		Participation is only for management of PA
6.19.	Does the law regulating the process for aquaculture establishments allow for the participation of small-scale fishers?	No		
6.20.	Are there any special considerations for small-scale fisheries in the provisions on fisheries research?	No	A1: 26.0	The Policy talks about Government strengthening the science-policy interface, implement a National Marine Fisheries Data Acquisition Plan, involving Central and State Governments, research institutions and stakeholders. Does not explicitly mention SSF
6.21.	Is there an obligation for the research institution to collect disaggregated data for small-scale fisheries?	Yes	CMFRI	 <p>The diagram illustrates the NMFDC - Available Catch Effort Data Repository Structure. It is organized into four main columns: Space, Time, Fleet, and Resource. <ul style="list-style-type: none"> Space: National (1), Regions (6), States (9, 12, 15), Districts (18), Fishing Zones (75). Time: Annual (3), Quarter (6), Month (12). Fleet: Sector (3), Gear (6). Resource: Category (6), Group (6), Species (6), Phylum, Class, Order, Family, Genus. Arrows indicate the flow of data from higher-level categories (National, Annual, Sector, Category) down to more granular levels (Fishing Zones, Month, Gear, Species, Genus). A text box on the right states: 'CMFRI collects disaggregated data through a multi-stage, stratified random sampling design.'</p>

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
6.22.	Do the fisheries policy and/or legislation promote or provide for the involvement of fishers in the design of MCS systems and safety standards?	No		A1: 19.0 “Efforts will also be made to strengthen the role of community in implementation of the MCS functions”
6.23.	Do the fisheries policy and/or legislation promote or provide for the involvement of fishers to engage in MCS activities (e.g., community observers, inspectors, wardens)?	No		
6.24.	Is there a National Plan of Action (NPOA) to prevent, deter and eliminate illegal, unreported and unregulated (IUU)?	No		
6.25.	Where there is an NPOA-IUU, are there any specific provisions on small-scale fisheries?	NA		
6.26.	Where fisheries legislation contain provisions on Port State measures to prevent, deter and eliminate IUU fishing, or where there is legislation regulating these measures, do they apply to small-scale fisheries?	Yes		Provisions deterring IUU fishing apply to all fishers

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
6.27.	Do small-scale fishers have the duty to report on IUU fishing practices?	No		
7. Social development, employment and decent work				
7.1.	Does the social security scheme apply to small-scale fishers and fishworkers?	Yes	A1: 42.0	PMSSY <i>inter-alia</i> provides social security measure to fishers including inland fishermen and fish workers through group accidental insurance coverage to fishers including both marine and inland fishermen and allied fish workers wherein the entire insurance premium amount is shared between the Centre & State in various defined proportions
7.2.	Does the savings and credits scheme apply to small-scale fishers and fishworkers?	Yes	A1: 46.0	The primary schemes available to them include the National Savings-cum-Relief Scheme and the Kisan Credit Card (KCC) scheme. Eligibility is often restricted to those who are active fishers, belong to a cooperative society, and are below the poverty line (BPL).
7.3.	Does the insurance scheme apply to small-scale fishers and fishworkers?	Yes	A1: 43.0	Group Accident Insurance scheme (GAIS) is being offered as part of the Pradhan Mantri Matsya Sampada Yojana (PMMSY) to offer insurance coverage to all the Fishers of the country. The scheme is being implemented by National Fisheries Development Board (NFDB) through M/s Oriental Insurance Company Limited (OICL).

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
7.4.	Are any specific subsidies and insurance schemes for small-scale fishers and fishworkers?	Yes	PMMSY: Chap II 2 iii (j), 14	The subsidies and schemes are inclusive and especially target the economically vulnerable (below poverty level), and especially the traditional fishermen
7.5.	Does the fisheries policy promote decent work in fisheries?	Yes	A1: 24.0	A1:24: The Government will consider incorporation of the provisions of the said Convention into the domestic legislation to provide necessary protection to labours working on fishing vessels. In this regard, it is also essential that the above provisions are extended to labours migrating from one State/UT to the other for working on fishing vessels.
7.6.	Is there specific protection against forced labour, human trafficking, and debt-bondage?	Yes	A1: 46.0	<p>A1: Acknowledges debt trap and pledges liberal finance to reduce exploitative dependence, but no explicit legal protection. For e.g. Kerala has enacted The Kerala Fishermen Debt Relief Commission Act, 2008.</p> <p>In India, there is no single, specific law for forced labour, human trafficking, and debt bondage solely within the fisheries sector. Instead, the industry is covered by general national laws that prohibit these activities across all sectors, alongside some broader policies aimed at supporting fish workers.</p>

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
				<p>Laws prohibiting exploitation in India</p> <p>Constitutional and anti-trafficking laws</p> <ul style="list-style-type: none"> • Constitution of India (Article 23): This article expressly prohibits "traffic in human beings and other similar forms of forced labour". • Bhartiya Nyaya Sanhita, 2023 (previously Indian Penal Code): Section 143 (formerly Section 370) of this statute broadly prohibits human trafficking for any form of exploitation, including slavery, servitude, and physical exploitation. • Immoral Traffic (Prevention) Act, 1956 (ITPA): This law primarily addresses trafficking for commercial sexual exploitation, but the Criminal Law Amendment Act of 2013 expanded other provisions to cover trafficking for other forms of exploitation <p>Laws against bonded labour</p> <p>Bonded Labour System (Abolition) Act, 1976 and Minimum Wages Act, 1948</p>
7.7.	Are there specific considerations on the safety of fishers and fishworkers in the fisheries policy	Yes	A1: 25.0	A1 25: In view of the predominant small-scale nature of the Indian marine fisheries, Government will ensure that safety-at-sea measures are

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
	and/or law (e.g. awareness campaigns, trainings on search and rescue)?			adequately strengthened and implemented. Such measures <i>inter alia</i> will include provisions of lifesaving appliances (such as Distress Alerting Transmitter/Automatic Identification System) and communication equipment on the vessels and developing adequate skills and capacity of fishers and other concerned stakeholders.
7.8.	Is there a policy and/or legislation that specifically supports or protects the rights of Indigenous Peoples, which would be applicable to Indigenous Peoples in the small-scale fisheries sector?	Yes		Traditional fishermen are supported by the fisheries policy and legislation. In addition, the Forest Rights Act, 2006 is applicable to Scheduled Tribes
7.9.	Does the fisheries policy and/or legislation provide for non-discrimination against Indigenous Peoples?	Yes		The policy and legislation are inclusive of traditional fishermen
7.10.	Is there recognition and protection of traditional knowledge of Indigenous Peoples?	Yes		Yes, under the Forest Rights Act, 2006
7.11.	Is there recognition and protection of the rights of Indigenous Peoples to occupy, and manage the resources of, the traditional/ancestral territories?	Yes		Yes, under the Forest Rights Act, 2006

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
7.12.	Is the free, prior, informed consent (FPIC) provided in the consultation process affecting Indigenous Peoples?	Yes		Yes, under the Forest Rights Act, 2006
7.13.	Is there a policy and/or legislation that specifically supports or protects the rights of migrants, which would be applicable to migrants in the small-scale fisheries sector?	Yes	the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979	In India, no non-Indian is permitted to work in Indian fishing boats. There is extensive migration between states (=provinces) in the fisheries sector. Hence, the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, which addresses the working conditions and welfare of inter-state migrant workers is relevant. The government also runs various social security and welfare schemes for migrant workers, including skilled and unskilled ones, like the Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY), Pradhan Mantri Suraksha Bima Yojana (PMSBY), and PM SVANidhi.
7.14.	Does the labour or related legislation recognize the same rights to migrant workers as the rights of national workers (e.g. wages, working hours, health and safety standards), which would be	Yes	The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979	Same as above

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
	applicable to the small-scale fisheries sector?			
7.15.	Are migrant workers eligible to apply for social security scheme?	Yes	The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979	Same as above
7.16.	Is there a policy and/or legislation that specifically supports or protects the rights of children and youth, which would be applicable to children and youth in the small-scale fisheries sector (e.g. access to education, decent employment for youth)?	Yes	Right of Children to Free and Compulsory Education Act, 2009: Chap II	Right of Children to Free and Compulsory Education Act, 2009 guarantees all children aged 6 to 14 the right to free elementary education, and includes provisions for children with disabilities, there is no fisheries-specific policy or legislation in India that directly addresses the rights of children and youth in the small-scale fisheries sector
7.17.	Is there a minimum age for working in fisheries?	Yes	Child Labour (Prohibition & Regulation) Act, 1986: Sec 2	The minimum working age in India is 14 years for all occupations, except in hazardous industries where the minimum age is 18 years. This is based on the Child Labour (Prohibition & Regulation) Act, 1986, which prohibits the employment of children under 14 in any occupation or process. However, this is a general provision and does not specifically address employment in the fisheries sector.

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
7.18.	Are there any restrictions for children to engage in unsafe work or other activities along the fisheries value chain?	yes	Child Labour (Prohibition & Regulation) Act, 1986: Schedule B	The Schedule B to the Child Labour (Prohibition & Regulation) Act, 1986 lists processes in which no child (below 14) may be engaged in any workshop wherein any of the processes set forth in Part B of the Schedule is carried on: (59) mechanised fishing
7.19.	Does the fisheries policy provide for any program that address children in fisheries?	No		
7.20.	Does the social security scheme include provisions specific to a family-economy or household labour regime?	partial		Schemes are implemented by the state governments. For example, Tamil Nadu's Policy Note for 2025-26 indicates schemes such as enhanced special allowance for fishing lean period to marine fishermen families, increased ban period relief assistance to marine fishermen families etc.
7.21	Are there any considerations for the maintenance of safety equipment and/or the observance of safety standards on board small-scale fishing vessels?	Yes	A1: 25.0	The primary legislation for fisheries at the state level implements this through conditions for getting fishing licence such as 'Fishing vessel shall be fitted with sufficient life-saving and fire-fighting appliances and communication safety devices"; Registration and licencing can be denied to craft without mandatory safety equipment. These requirements are inclusive to all fishing craft

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
7.22.	Does the fisheries policy promote the compliance with sea safety standards for fishing vessels?	Yes	A1: 25.0	A1 25: Government will ensure that safety-at-sea measures are adequately strengthened and implemented. Such measures <i>inter alia</i> will include provisions of lifesaving appliances (such as Distress Alerting Transmitter/Automatic Identification System) and communication equipment on the vessels and developing adequate skills and capacity of fishers and other concerned stakeholders. This is being supported through schemes under the PMMSY
7.23.	Is there a specific policy and/or legislation on safety standards for fishing vessels?	Yes	A1: 20.0 Merchant Shipping Act, 1958: Sec 298	Merchant Shipping Act, 1958 this provision supports safety at sea, it is primarily applicable to registered and sea-going vessels. Components of sea safety are included in the MFRA (through amendments); all boats need to adhere to prescribed safety standards while obtaining licence
7.24.	Is there any mechanism for small-scale fishers to report on accidents or incidents occurred during their activities?	Partially	Merchant Shipping Act, 1958: Sec 350	The Merchant Shipping Act, 1958 provides a reporting mechanism for accidents involving all registered sea-going vessels.
8. Value-chains, post-harvest and trade				

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
8.1.	Are there any special considerations for small-scale fisheries in the provisions on trade in fisheries and fishery products?	No		
9. Gender equality				
9.1.	Is there a policy and/or legislation that specifically supports or protects the rights of women, which would be applicable to women in the small-scale fisheries sector?	Yes	A1: 48.0	In addition, the National Policy for the Empowerment of Women, 2001 Sec 1.11 (ii) (iv) broadly supports and protects the rights of women across all sectors, including economic and livelihood activities
9.2.	Does the fisheries policy and/or legislation provide for gender equality?	Yes	A1: 48.0	Gender Equity 48.0 Women constitute more than 66 percent of the total work force in post-harvest activities in the fisheries sector. Besides raising families, women play important roles in retailing fish, fish drying and other value addition activities through women self-help groups (SHGs). The Government will continue to support its contributions to the roles played by women and will further enhance support by way of forming women cooperatives; women-friendly financial support schemes; good working conditions that would include safety, security and hygiene and transport facilities for retail marketing; encouragement to take up small-scale

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
				fishing, value-addition activities; and also facilitate their active engagement in fisheries management
9.3.	Does the fisheries policy and/or legislation provide for non-discrimination against women?	Partial	A1: 48.0	A1: While the policy promotes women's involvement, there is no explicit reference to non-discrimination.
9.4.	Are there any measures or requirements in place which grant preferential treatment to women?	Yes	A1: 48.0	No specific preferential treatment for women is indicated
9.5.	Does the labour or related legislation provide for maternity rights (e.g., paid leave, healthcare, safety), which would be applicable to small-scale fisherwomen?	Yes	Unorganised Workers Social Security Act (UWSS), 2008	In India, small-scale fisherwomen do not fall under the direct purview of the The Maternity Benefit Act, 1961 , because they are typically self-employed or part of the unorganized sector. However, they are entitled to some maternity benefits and health coverage through social security schemes designed specifically for unorganized workers. State schemes are available in some states e.g. under Tamil Nadu's Fisheries Welfare Board for delivery assistance, miscarriage/termination of pregnancy where financial assistance is provided
9.6.	Are there any measures to prevent and eliminate violence against women?	Yes		The Protection of Women from Domestic Violence Act, 2005 : Provides legal protection to women against domestic violence. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act,

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
				2013 : Addresses sexual harassment of women at workplaces.
10. Disaster risks and climate change				
10.1.	Does the fisheries policy consider climate change in the provisions relating to fisheries management?	Yes	A1: 41.0	Climate Change (Adaptation and new initiatives) 41.0 Climate change is one of the biggest challenges that the fisheries sector is facing and time-bound adaptation and management plans are necessary. The impacts of climate change on marine fisheries are amply visible in the Indian EEZ and surrounding high seas. Such impacts have brought perceptible changes in the fishery of some species, forcing fishers to make changes in fishing operations. Climate change is also one of the reasons for changes in abundance of vulnerable fish stocks. The Government will encourage focused studies on climate change impacts on fish stocks and fishing communities, besides implementation of adaptation options in a time-bound manner. As part of India's International commitments on climate change, the concept of green fisheries by reducing Green House Gases (GHG) emissions from fishing and fishing related activities will also be encouraged.

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
10.2.	Does the climate change policy consider fisheries management?	No		
10.3.	Does the climate change policy or strategy address small-scale fisheries?	Yes		Under the National Initiative on Climate Resilient Agriculture (NICRA) , the vulnerability of Indian marine fishes to climate change was evaluated. Installation of nearshore artificial reefs and seaweed farming under PMSSY are towards building climate resilience small-scale fishers
10.4.	Does the fisheries policy recognize the vulnerabilities of small-scale fisheries to climate change?	Yes	A1: 41.0	While the paragraph does not specifically mention traditional fishers, it is inclusive
10.5.	Is there an insurance scheme or funds available to support small-scale fishers in the event of climate change or disaster risk?	Partially	PMMSY: Annexure 1 10	Under PMMSY, small-scale fishers and fishworkers have the provision of insurance of Fishing Vessels and Fishermen (where fishers” will also mean to include fish workers, fish farmers and any other categories of persons directly involved in fishing and fisheries related allied activities). There are also provisions to support building multi-disaster resilient housing for fishermen in coastal areas. In addition, during a disaster, funds are made available through the State Disaster Response Fund ; and supplemented by the National Disaster Response Fund in severe disasters

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
11. Access to justice, enforcement, and accountability				
11.1.	Is there a public legal advisor or office to whom/which small-scale fishers can resort to for legal assistance?	yes	The Legal Services Authorities Act (Sec 12, 19)	Legal aid in India refers to the provision of free legal services to individuals who cannot afford legal representation. This ensures access to justice for all, regardless of their financial situation, and is enshrined in The legal Services Authorities Act.
11.2.	Does the fisheries legislation provide for alternative means for conflict resolution (e.g., mediation, village councils)?	Yes	A1: 14.0 MFRA: Chap IV Sec 19	Yes, some of the state MFRA have the provision e.g. Tamil Nadu. CHAPTER IV RESOLUTION OF DISPUTES 19 District level peace committee.- (1) For resolution of disputes, a District Level Peace Committee shall be constituted with the following members under the chairmanship of District Collector concerned:- (i) Concerned Sub-Collector/ Revenue Divisional Officer having jurisdiction, over such coastal area. (ii) Concerned Deputy Superintendent of Police. (iii) Adjudicating officer i.e., Joint Director of Fisheries/ Deputy Director of Fisheries. (iv) Assistant Director of Fisheries of the District concerned other than the Authorized officer.

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
				<p>(v) Two Office bearers of the District Association of Fishermen operating Motorized country craft and country craft of the district as may be nominated by the District Collector.</p> <p>(vi) Two Office bearers of the District Association of Fishermen operating mechanised fishing vessel of the District as may be nominated by the District Collector.</p> <p>(vii) Authorized Officer concerned (Member-Secretary)</p> <p>(viii) Any other special invitees as desired by the District Collector.</p> <p>(ix) Two Fisheries Advisory Committee Members as may be nominated by the District Collector.</p> <p>(2) An agreed resolution made by this committee on any dispute that may arise in the District, shall be binding on all parties of the District concerned.</p>
11.3.	Does the fisheries legislation provide for community participation in the enforcement of fisheries legislation?	No		While the legislation/ policy does not provide for community participation in enforcement, landing centre/ fishing village level controls are exerted in many traditional fishing villages in India
11.4.	Does the fisheries legislation differentiate the offences	Partially	B2: Chap III Sec 17	B2: While some states such as Maharashtra provide a strong legislative example by

S. No	Question	Yes/ No/ Partially/ NA – not applicable	Legal and / or policy Basis	Comments
	committed by small-scale fishing vessels?			incorporating scale-based penalty provisions, most other Indian coastal States and UTs have not yet adopted such a differentiated approach.
11.5.	Does the fisheries legislation provide for different penalties for small-scale fishing vessels?	Partially	B2: Chap III Sec 17	B2: While Maharashtra provides a strong legislative example by incorporating scale-based penalty provisions, most other Indian coastal States and UTs have not yet adopted such a differentiated approach.

5.3. Annex C: Tool 3

Table: Response to Policy and Legal Implementation Questionnaire for Communities

S. No	Question	Yes	No	Partially/ Not Sure	Comments
1. Recognition of small-scale fishers					
1.	In your community, do people generally consider themselves small-scale fishers (whether they fish or a living, for food, or both)?	Yes			They consider them as small scale by comparing with mechanised boats. They also feel this term is good to avail welfare benefits from the government.
2.	Do you think there is a clear understanding in your community about what “small-scale fisheries” means?	Yes			In practical terms they know that they are small compared to mechanised, purse seiners etc.

S. No	Question	Yes	No	Partially/ Not Sure	Comments
3.	In your experience, is the term “small-scale fisher” used in any laws or policies to support fishers?	Yes			National Fisheries Policy
4.	Do you know if the term “small-scale fisher” includes women in your community?	Yes			Actively involved in post-harvest activities
5.	Are people involved in post-harvest activities (e.g., processing fish, selling fish) recognized as part of the fishing community?	Yes			Ready to accept only if they are residing in the fishing villages.
6.	Do the objectives of the policy and legal framework include reference to small-scale fisheries?	Yes			
2. Institutional and administrative arrangements					
7.	Is there a specific government institution or authority responsible for managing small-scale fisheries in your country or community?	Yes			Department of fisheries at the central and state levels.
8.	If yes, do you think the government institution is doing enough to address the needs of small-scale fishers?		No		
	<p>Please elaborate your response and give examples:</p> <p>The fishers feel that the government focus on short term welfare of the community and giving any attention to the rights and long-term needs of the small-scale fishing community. Poor implementation of MFRA in controlling the illegal methods of fishing by the mechanised and purse seine boats, starting new ports without hearing the voices of traditional community in the SSF (Vizhinjam), announcement of new sand mining projects in the sea despite the protests of the community, no special attention to the unemployment of youths in fishing community are some of the issues raised by the fishermen.</p>				
9.	Are small-scale fishers represented in any national fisheries authority or institution (e.g., ministry, agency, or commission)?		No		

S. No	Question	Yes	No	Partially/ Not Sure	Comments
10	Do you think the representation of small-scale fishers in these authorities is effective and allows their voices to be heard in decision-making?		No		
11	Are women represented in any national fisheries authority or institution that deals with small-scale fisheries?		No		
12	Are Indigenous Peoples represented in any national fisheries authority or institution that deals with small-scale fisheries?			Not sure	
13	Are there provisions for delegating authority over small-scale fisheries to the local or community level (e.g. local government, fishing cooperatives, or community-based organizations)?			Partial	There are no local governments exclusively covering fishing villages and therefore no authority for fishing community in these forums. However, small scale fishing community enjoys authority in fishing cooperatives and CBOs and voice in informal governance. In Tamil Nadu, traditional panchayaths are strong authority in fishing villages also, but not legally recognised.
14	Do you think that delegating authority to the local/community level improves the management and sustainability of small-scale fisheries?			Partial	Fisheries co-management initiatives in Kerala in Ashatamudi lake clam fishery, regulation of ring seine fishery in Alapad panchayath (SIFFS) and in Nagapattinam in Tamil Nadu are examples.
3. Tenure and access rights					
15	Are small-scale fishers in your community officially registered in a fishers' registry?	Yes			

S. No	Question	Yes	No	Partially/ Not Sure	Comments
16	Is the registration process accessible and affordable?			Partially	Registration fee is low for small vessels (Kerala) and TN fishermen feel it is high (details to be confirmed). Accessibility issues sometimes happen because of bureaucracy, lack of awareness and documents etc.
17	Are there special efforts or procedures to assist women register as fishers?		No		
18	Are Indigenous Peoples in your community able to register and be recognized in consistency with their customary rights?			Not sure	
19	Do small-scale fishing vessels have to register separately or follow different rules from larger vessels?			Partially	Comparatively simpler rules for small-scale fishing vessels to larger vessels.
20	Is subsistence fishers exempt from registration or license fees?		No		Registration is not strict
21	Do small-scale fishers need a license to fish in your area?	Yes			Not strictly implemented.
22	Is the licensing process fair and transparent?			Partially	
23	<p>Are there any groups that face barriers in getting a license? (Select all that apply)</p> <p>Generally, the license is fishing vessel based in the local address of its owner.</p> <p>a. Women -</p> <p>b. Indigenous Peoples</p> <p>c. Migrants – Inter-state migrant (Tamil Nadu fishers in Kerala harbours) face issues in some seasons. They are considers as outsiders.</p> <p>d. Youth</p>				

S. No	Question	Yes	No	Partially/ Not Sure	Comments
	e. Poor/low-income fishers f. None g. Don't know If you checked any group: what type of barriers do they face? Lack of awareness, bureaucracy, travel time and cost of travel, missing documents etc.				
24	Do small-scale fishers have special or preferential access to certain fishing areas?	Yes			The intrusion of mechanised boats in this area is a serious threat to this right of small-scale fishers.
25	Are traditional fishing grounds respected and protected from other sectors? (e.g. large-scale fishers, tourism, extractive industries)?		No		Traditional fishing grounds are protected on paper but in reality, mechanised fleets, ports, ship navigation, tourism, oil/gas, sand mining seriously affects SSF.
26	Are there any cases of forced evictions of fishers or fishing communities in recent years?	Yes			Eviction due to coastal infrastructure – <ul style="list-style-type: none"> • Hundreds lost houses in Vizhinjam and near villages (Trivandrum) due to sea erosion after the works of Vizhinjam port project. • Hundreds lost houses in Alapad (South Kerala) in sea erosion due to sand mining. • Eviction of fish stalls of fishers in Nochikuppam in Chennai and loss of livelihoods.
27	If relocation happened, were proper safeguards (e.g., consultation, compensation) in place?		No		

S. No	Question	Yes	No	Partially/ Not Sure	Comments
4. Sustainable resource management and conservation					
28	Is there a co-management system in place where small-scale fishers share decision-making power with the government?			Partial	Kerala – The consultation of Department of Fisheries with Kadakkody in some villages, Fisher Cooperatives (Matsyafed, SIFFS), Fisher Unions though it is partial without legally validity. Tamil Nadu – The conflict resolution process of department with the local village panchayath in SSF.
29	If co-management exists, are the roles and responsibilities of small-scale fishers clearly defined and respected?		No		Only informal process.
30	Do small-scale fishers have a say when fisheries management areas are created?			Partial	Trawl ban decision and consultation. No consultation in development projects.
31	Can small-scale fishers participate in planning processes that affect them such as marine protected areas or aquaculture projects?			Not Sure	
32	Are small-scale fishers involved in designing monitoring, control, and surveillance (MCS) systems?		No		Very rare consultation with SSF community but no due attention to its opinions and suggestions.
33	Can fishers help with MCS activities, like being community observers or reporting violations?	Yes			
34	Is there a national plan to fight illegal, unreported and unregulated fishing (IUU)?	Yes			There are provisions in National Policy of Marine Fisheries and state MFRAs. The implementation is weak.

S. No	Question	Yes	No	Partially/ Not Sure	Comments
35	Does this plan include small-scale fisheries?			Partial	
36	Do small-scale fishers have a duty or role to report IUU fishing?	Yes			
37	Is the traditional knowledge of the community for example the knowledge of seasons or customary fishing practices used or respected in fisheries management decisions?			Partial	Traditional knowledge of seasonal ban (trawl ban)
5. Social development, employment and decent work					
38	Do fishers and fishworkers in your community have access to any social security schemes? For example, healthcare, pensions or unemployment assistance.	Yes			
39	Are there any savings or credit programs available for small-scale fishers and fishworkers? For example, micro credits.	Yes			The current flow of credit is not enough to meet the credit requirements and fishers still depends money lenders to fill the gaps.
40	Can fishers get any form of insurance related to fishing? For example, insurance for accidents at sea, vessel insurance or life insurance.	Yes			Central and state specific accident insurance schemes apart from some general schemes. Vessel insurance is implemented by Matsyafed in Kerala and SIFFS in Tamil Nadu.
41	Do fishers and fishworkers receive any type of subsidies? For example, during closed seasons, or subsidies for fuel.	Yes			
42	Do women involved in pre-harvest, harvest or post-harvest activities receive maternity benefits?	Yes			General schemes not fisheries specific

S. No	Question	Yes	No	Partially/ Not Sure	Comments
43	Do small-scale fishers have decent work conditions? (this means that they work in safe conditions, are not forced to work excessive hours, receive a fair payment)		No		
	If not, what are the main issues? Sea safety issues, long hours of fishing voyage due to non-availability fish resources in near shore, no fair price in some situations because of nexus between auctioneers-middlemen-traders, inadequate basic facilities in the harbours and landing centres etc.				
44	Have you heard of any cases of forced labour, human trafficking or debt bondage in your community?			Partial	
	If yes, please provide details: Fishers migrating to gulf countries raises the issue of forced labour and non-payment of wages. These are rare cases. Forced labour in fish processing plants				
45	Are there measures in place to improve safety at sea for fishers in your area? For example, safety trainings, provisions of safety equipment or communication devices.			Partial	Cost of safety equipment and facilities in the vessel to keep the items are issues. Reluctance of fishers to comply the safety norms.
46	Are the rights if Indigenous Peoples in your community protected by policies or laws? For example, laws that uphold indigenous traditions and customs or customary rights.		Not sure		Though some of the rights of the community are protected in the policy or laws, the weak implementation is a concern. Customary rights are not legally protected.
47	Are there migrant workers involved in fishing?			Partial	
48	If yes, do they have the same rights and receive the same treatment as local fishers? For example, same pay, decent working conditions, access to services		No		

S. No	Question	Yes	No	Partially/ Not Sure	Comments
49	Are you aware of any laws, policies and programmes that specifically aim to protect children? For example: laws, policies and programmes that ensure that children can go to school	Yes			
50	Is there a minimum age for someone to start working in fishing in your area?		No		
51	Are children in your community prevented from doing any dangerous jobs in fishing? For example: handling heavy fishing gear or going out to sea			Partial	Financial issues in family forces the children, in some cases, to all types of jobs in fishing.
52	Are you aware if the government have any programmes to support children and young people in your fishing community? For example, training for young fishers, safety training			Not sure	Aware of schools and scholarships are available.
6. Value chains, post-harvest and trade					
53	Do you have facilities to keep fish fresh or to process fish in your community?		No		No facilities of cold storages by government at harbour or landing centres and fishers still depends on use of ice boxes.
54	Is it easy to sell your fish at a fair price locally?		No		
55	Is there any cooperatives or associations in your community that help fishers market their catch?			Partially	Matsyafed and SIFFS societies supporting the first point of sale at the harbour or landing centres level and very less intervention in distant marketing and value addition.
56	Has the government or other organizations provided training to improve fish processing or marketing?			Partially	

S. No	Question	Yes	No	Partially/ Not Sure	Comments
7. Gender equality					
57	Are women involved in small-scale fishers in your community?	Yes			
58	<p>If “Yes”: in what ways women participate?</p> <p>a. Catching or harvesting fish – sea weed collection, inland fisheries</p> <p>b. Processing fish (cleaning, drying, smoking) - yes</p> <p>c. Selling or trading fish - yes</p> <p>d. Making or repairing fishing gear (nets, traps) – Net mending</p> <p>Other roles: household support for children and men.</p>				
59	Do women have the same rights and opportunities as men in your community? For example, the right to fish in the same areas, to get licenses or permits, to join cooperatives, and to speak in community meetings.		No		
60	Are there any programs or support specifically for women in small-scale fisheries? For example, training for women specifically, credits or grants, leadership programs, or others.	Yes			Training in post-harvest programmes by government agencies and NGOs.
61	Do women feel safe and respected when they participate in fishing activities and meetings? Including being free from harassment or violence and having their opinions heard.			Partially	Women have central place in SSF family and they manage the household finance earned by men. However, the respect and equal treatment in meeting are issues. Women are also facing domestic violence from drunkard husbands.

S. No	Question	Yes	No	Partially/ Not Sure	Comments
62	Do women have any leadership roles or representation in local fisheries groups or committees?			Partially	In women groups and their committees.
8. Disaster risks and climate change					
63	Have you noticed any changes in the climate that affects your fishing?	Yes			
	<p>If “Yes” what changes have you noticed? For example: rising temperature, shifting seasons, more storms, fewer fish and other species, or new species</p> <p>Decline in sardine catch in Kerala (Tamil Nadu also reported decline in the last two-three years)</p> <p>Abnormal fishing seasons</p> <p>Unpredictable monsoon</p> <p>Rough sea</p> <p>Frequent cyclones, low pressure warnings</p>				
64	Are you aware of a plan in case of a natural disaster that affects fishing? For example: plan for storms, floods, cyclones including early warnings or evacuation plans.			Partially	Weather alerts in mobile phone and TV prompts to avoid fishing trip. Evacuation in serious weather threats.
65	Have you received any training, or support to help fishers adapt to climate change impacts?		No		
66	Are you aware of any emergency plan or assistance in the case a disaster or extreme weather hits your community?			Partially	Giving importance to safety after Okhi and Gaja cyclones. Giving attention to weather alerts.
67	Are you aware of any insurance schemes to help fishers recover from losses due to disasters or climate events?	yes			State government schemes, mainly death compensation.
9. Access to justice, enforcement, and accountability					

S. No	Question	Yes	No	Partially/ Not Sure	Comments
68	If a fisher has a legal problem or dispute, is there an office they can turn for assistance? For example, legal aid service, ombudsman, national human rights institution, an organization that assist fishers.			Partial	Not aware of formal legal services available.
	If "Yes" which one? Approach local fisher societies, advocate (if available), Church based organisations, local NGOs.				
69	Does your community have ways to resolve conflicts or problems related to fishing locally? For example, village elders, community meeting, local dispute resolution/ mediation center	Yes			Through fisher trade unions, local cooperatives, Villlage Panchayath (TN) and local Church committees.
	If someone breaks the fishing rules in your area, what usually happens? a. Nothing happens (violations are usually ignored) b. They might get a warning from community officials c. They face penalties, such as fines or have their gear confiscated from national authorities d. It depends on who it is, some people face penalties others not e. Not sure Initial warnings on violations of rules will be given by the local organisations (fisher unions, coopertives, church committees, village panchayath) and if it's unheard inform the crime to the fisheries department.				
70	Do you feel that small-scale fishers are treated fairly by law enforcement?	No			
	Please give reasons for your answer: Generally, the fishers strongly feels that their voices are always ignored and law enforcement is favourable to the mechanised vessels (not taking action against illegal fishing by mechanised boats).				



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