

Report of Community-Based Consultation on Formulating a Coastal Rights Act

Venue- OTDC, Satapada, Chilika Lagoon, Bay of Bengal

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Organized By:

NIRMAN

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In Collaboration with

Environment Change and Governance Group,
University of Waterloo, Canada

And

Rekhi Centre of Excellence for the School of Happiness,
Indian Institute of Technology (IIT), Kharagapur, Rekhi Centre of
Excellence for the School of Happiness and Environmental Change and
Governance Group, (ECGG), India



UNIVERSITY OF
WATERLOO

ECGG Environmental Change
& Governance Group



BACKGROUND:

Chilika is a Brackish Water Lagoon, spread over the three districts i.e; Puri, Khordha and Ganjam of Odisha State covering an area of over 1100 k.ms, a part of Bay of Bengal coast. It is situated on the East of India between 19.8450° North Latitude and 85.4788° East Longitudes and extends from Southwest corner of Puri and Khordha Districts to the adjoining Ganjam District in the State of Odisha. It is the largest Coastal Lagoon in India and second Largest Lagoon in the World. It is the largest Wintering Ground for Migratory Birds on the Indian Sub-continent. The lake is home to a number of threatened species of plants and animals. In the year 1981, Chilika Lake was designated the first Indian Wetland of International Importance under the Ramsar Convention.

The lake is an ecosystem with large fishery resources. The highly productive Chilika Lagoon ecosystem with its rich fishery resources sustains the livelihood for 150,000 fisher folk living in 132 villages on the shore and islands. The water spread area of the lagoon ranges between 1165 to 906 k.ms during the monsoon and summer respectively. It is one of the Biodiversity Hot Spots of the Country. The Lake itself can be broadly divided into four ecological sectors based on salinity and depth: the Southern Zone, Central Zone, Northern Zone and the Outer Channel.

Keeping in mind with a definite purpose of strengthening the human-environment system of the Lagoon, NIRMAN (a leading civil society organization in Odisha, India), has started working on Chilika Lagoon realizing the sustainable livelihood securities of the rural poor since the local livelihood of fisher folks, their access rights to capture fishery resources and ecological functions of Chilika Lagoon have undergone tremendous changes. The opening of a new sea mouth in the year 2001 has caused severe problems for the lagoon and its fisher folks. Over a period of 5 years, NIRMAN had conducted a State Level Debate and built public opinion on the marginalization process of fisher communities and raising the issue of access and rights of these communities in order to strengthening the human-environment system of the Lagoon.

INAUGURAL SESSION:

A One Day Community-Based Consultation on Formulating a Coastal Rights Act was organized by '**NIRMAN**' in partnership with ECGG, University of Waterloo, Canada, Rekhi Centre of Excellence for the School of Happiness, Indian Institute of Technology, (IIT) Kharagapura 11.00AM on 06th August 2018 at Jatrivas, Satapada, Chilika Lagoon, Bay of Bengal.

PARTICIPANTS ATTENDED:

This one day workshop was attended by a total number of 35 participants which included the representatives of the Primary Fisherman Cooperative Societies and Fisher Community leaders of Chilika lagoon (Chilika Mastyajibi Mahasangha, Purbanchal Mastyajibi Mahasangha, Harijan Mastyajibi Mahasangha, Paramparik Mastyajibi Mahasangha) students of University of Waterloo, Canada, IIT, Kharagapur,. The other resource persons those attended the workshop included Prof.(Dr).Prateep Kumar Nayak, University of Waterloo, Canada, Mr .Prasant Mohanty, Executive Director, NIRMAN, Prof. Priyadasri Patnaik, IIT, Kharagpur, Prof Jenia Mukherjee, IIT Kharagpur, and Prof Anuradha, Chaudhury, IIT Kharagpur, Dr.Barnes Clare, Associate professor Edinburgh University, Mr.Sisir Kant Pradhan, Livelihood and NRM Expert etc.

The workshop was organized by the NIRMAN and Environmental Change and Governance Group (ECGG), University of Waterloo, Canada in collaboration with Rekhi Centre of Excellence for the Science of Happiness, Indian Institute of Technology (IIT), Kharagpur.

PURPOSE OF THE CONSULTATION:

The main objectives of this consultation was to develop consensus on the framework of Coastal Right Act, similar to Forest Right Act to recognize the customary rights of fisher folks and protection of the Lagoon Ecosystem with all its Genetic Diversity; to formulate the Management Plan for Integrated Resource Management in order to Sustain the Conservation of the Lagoon Eco-system and secure the livelihood of Fisher Community.

Key discussion points consultation:

- **Introducing the idea of Coastal Rights Act for the governance of Chilika Lagoon in the light of Forest Rights Act.** The premise of the Forest Rights Act builds upon historical injustice and need for recognition of rights over forest land. More specifically it talks about bundle of rights and complex individual and community relationship with the forest resource. Chilika offers a strong parallel for lagoon resources. The studies done by scholars establishes the historical association of the resident communities mostly fishers with the lagoon. It also provides for a complex resource governance and community as well as individual stake over the resource. In the present management and governance framework is not recognizing the complex community rights (fishers rights) over lagoon resource. Therefore this qualifies for a Coastal Rights Act in the line of Forest Rights Act.



- **Customary rights of Fishers as the rallying point of the debate on the Coastal rights Act:** The leaders of fisher federation spoke about the customary rights of theirs at length. Shri Laxmidhar Swain made an intervention about the exclusive customary rights over Chilika. He said, “nobody was taking interest to visit this place because of salty water”. He further said the so called development is a myth for fishers. Mr. Bhanja Kishore Jena, fisher Leader of Chilika Maschyajibi Mahasangha expressed that, earlier they were enjoying their rights but now they are deprived of getting their legitimate rights over their livelihood and finding no other alternative they have started migrating to outside the states in order to search for a job to sustain their family.
- **Weak policy protection for traditional fishers:** Almost all the leaders unanimously echoed the voice about the apathy towards fishers in present management regime. Mr. Sadashiv Jena, one of the leaders of the Chilika Mastyajibi Mahasangha (fisher federation) said that Chilika Lagoon was being managed by Chilika Development Authority, which fell far short of delivering the job adequately for sustainability of both the Fishermen and Chilika. He further said that, Chilika had lost its identity and dignity because of lack of political will on the part of policy makers and vested interested groups. Mr. Jena also explained how 145-147 villages depended on Chilika for fishing and expressed his concern for lack of any enabling policy to support livelihood of such large number of people.

- **Increasing external interventions causing the resource conflicts and degradation of resource base:** Mr Krushna Chandra Jena, the fisher leader spoke about the absence specific policy protecting fisher community. He said that now fishers are being dominated and



humiliated by the vested interest groups and Chilika mafias. According to him, no corrective measure was taken by the Government despite their repeated struggles for survival. Mr. Jena in his remark, highlighted about the biodiversity loss due to unethical practices by non-fishers. Mr Rabindra Jena brought the dimension of caste and customary groups. He said that there is no such caste as Ana-Mastyajibi (Non-Fishermen). According to him, the Mafias operating in Chilika and having nexus with vested interest groups are immense problem for local fisher-folks. Growing market economic push and non-fishers intervention is calling for a new policy in favour of fisher community

- **Threatened Livelihoods of fishers calls for an appropriate policy:** Almost all the fisher leaders raised concern over the dwindling livelihoods of fishers in the region. MrRaghunath Bala, the ex-president of Chilika Matshyajibi Sangathan raised the fundamental issue of coexistence of Fishers and biodiversity of Chilika Lagoon. He said if the livelihoods of fishers are not protected, the ecological character of the lagoon can't be protected. Dr Prateep Nayak has extensively written about the complexities of Socio-ecological system that exist in Chilika.
- **Proactive action on structural and environmental problems:** The structural problems of education, engagement of youth in the resource system needs urgent attention. Appropriate disaster risk reduction mechanisms needs to be in place as Chilika is prone to climatic hazards.
- **Revival of Greater Collective action for protection of Rights at Lagoon Scale:** Fisher leaders strongly opined for uniting all fishers in Lagoon under one umbrella and fight for their rights with a common strategy. They also request the premier institutions like IITs and University of Waterloo to join their hands to build narratives on the real issue in Chilika and

advocate for an appropriate policy framework for the survival of Chilika Lagoon in general and traditional fishers in particular.

During discussion, Prof. Prateep Kumar Nayak, University of Waterloo, Canada, Mr. Prasant Mohanty, Executive Director, NIRMAN, Prof. Priyadasri Patnaik, IIT Kharagpur, Dr. Barnes Clare, Assistant/Associate professor, Mr. Sisir Kant Pradhan, Livelihood and NRM expert presented various issues on resilience and socio-ecological system of Chilika lagoon and provided valuable inputs in the consultation. The meeting ended with a vote of thanks given by Mr. Prasant Mohanty to the Chair and all participants who attended in the Consultation Workshop.

Conclusion:

A clear consensus for laying out a foundation for detail action plan emerged among the participants. The discussion indicated that an Action plan was required for Integrated Sustainable Management of Chilika lagoon with an objective to achieve the sustainability through participatory planning for conservation and judicious use of the natural resources of Chilika lagoon. Some of the areas like Catchment Treatment with Plantations, Community Development such as De-siltation/ Renovation of Ponds, Drinking Water Supply and Provision of Solar Lights, Bio-diversity Conservation, Weed Control and Environment Education and Awareness etc. were proposed to be included in the action plan.

Apart from the these propositions, the participants felt that social organizations, research institutions, peoples organizations, CBOs, Government institutions and other bodies could form viable alliances for protecting the lake ecosystem and wide variety of genetic diversity available in it through integrated resource management. Such management was expected to integrate livelihoods security of fishermen depending on the lake.