

THE NATIONAL UNIVERSITY OF ADVANCED LEGAL STUDIES

CENTRE FOR LAW AND AGRICULTURE

National Seminar

On

Law and Policy on Fisheries Conservation and Management: Issues and Challenges

4th & 5th March 2013

NUALS Campus, Kalamassery, Kochi – 683 503

ABOUT THE ORGANISER

The *National University of Advanced Legal Studies (NUALS)* was established by Act 27 of 2005 by the Kerala State Legislative Assembly to advance and disseminate learning and knowledge of law and legal processes, to develop scholarship and a sense of responsibility towards society and to promote legal and judicial reforms to strengthen administration of Justice in India. The Chief Justice of India is the Visitor of the University; the Chief Justice, High Court of Kerala, is the Chancellor, and the Minister for Education is the Pro-Chancellor of the University.

The *Centre for Law and Agriculture (CLA)*, established at the National University of Advanced Legal Studies (NUALS) in the year 2011, is an attempt to respond to the need for legal scholarship in the areas of agriculture, food, fisheries and animal husbandry. With its commitment to interdisciplinary study and bridge-building between legal academia and the domains of agriculture, food, fisheries and animal husbandry, the Centre aspires to be an incubator for new approaches to how law can best address the complex and cross-cutting issues in these areas. The Centre also addresses a critical need for systematic development of legal techniques and legal structures to address the legal, economic, social and ethical challenges presented by issues at the intersection of law and agriculture, fisheries, food, animal husbandry and other allied disciplines.

BACKGROUND AND OBJECTIVES OF THE SEMINAR

Fisheries and aquaculture make crucial contributions to the world's wellbeing and prosperity. In the last five decades, world fish food supply has outpaced global population growth, and today fish constitutes an important source of nutritious food and animal protein for much of the world's population. In addition, the sector provides livelihoods and income, both directly and indirectly, for a significant share of the world's population. Taking family members and other dependents into account, almost 540 million people, or nearly 8 per cent of the world population, rely on the sector for their livelihoods. Fish and fishery products are among the most traded food commodities worldwide, with trade volumes and values reaching new highs in 2011 and expected to carry on rising, with developing countries continuing to account for the bulk of world exports. The vital contributions from fisheries and aquaculture to global food security and economic growth remain constrained by an array of problems. These include poor governance, weak fisheries management regimes, conflicts over the use of natural resources, the persistent use of poor fishery and aquaculture practices, a failure to incorporate the priorities and rights of small-scale fishing communities.

In India, the fisheries sector contributes significantly to the national economy while providing livelihood to approximately 14.49 million people in the country. The fisheries sector plays an important role in Indian economy and its contribution to the GDP is about one per cent. Export earnings from marine sector have increased from Rs. 3.92 crores in 1961-62 to Rs. 12,901.47 crores in 2010-11 with 11.8 per cent growth during 2009-10. There are 0.99 million active fishermen employed directly and 0.61 million employed indirectly with the marine fisheries sector. The total fisher folk population in the country is 4.00 million and there are about 1,94,490 fishing crafts operated in the country for harvesting marine fishery resources. The fisheries sector has been recognized as a powerful income and employment generator as it stimulates growth of a number of subsidiary industries and is a source of cheap and nutritious food besides being a source of foreign exchange earner. Most importantly, it is the source of livelihood for a large section of economically backward population of the country.

Among the maritime states in India, Kerala occupies the foremost position in marine fish production, accounting for about 26% of the total landings. Out of the EEZ of 2.2. million sq. km for India, 36,000 sq. km is close to the Kerala coast. The potential of the state in terms of marine fisheries is believed to be about 7.5 lakh tonnes. Besides, the fisheries sector contributes around 1.26% to the total GDP and the export of marine products has set an ever time record of 1852.93 million US\$ during 2011-2012. The total population of fisherfolk residing in the State is estimated to be 10.02 lakh, which includes 7.712 in the marine sector and 2.304 in the inland sector.

Conservation and management fisheries resources presents much more complex problems of regulation and management than hitherto envisaged during the centuries over which they have been exploited. The fisheries provision of the 1982 United Nations Convention on the Law of the Sea and the new instruments adopted in its aftermath at the regional, national and state levels each mark distinct phases in the development of the legal and policy regime for the conservation & management of marine fisheries resources. They reflect the concern that fundamental changes in the fishery situation have been brought about with the introduction of highly mechanized fishing methods & technologically advanced fleets with no comparable progress in preventing over-exploitation and abuse. The Seminar attempts to analyse the legal and policy issues at stake in contemporary international and domestic fisheries laws especially from the perspective of fisheries. It also attempts to address the challenges that lie ahead for states, fishers, the fishing industry & international fisheries organizations in the realm of fisheries conservation and management. The gaps in the legal and policy framework and the challenges that are likely to be encountered in the days to come will be addressed at the seminar. The seminar would also review the state of law and policy relating to fisheries conservation and management at the international level and the impediments and limitations within which countries such as India need to operate. It is hoped that the deliberations at the seminar will enable us to chart out a roadmap for the future development of the legal and policy framework relating to fisheries conservation and management at the international, national and domestic level.

FORMAT OF THE SEMINAR

The national seminar which is proposed to be held on 4th and 5th March 2013 will involve a series of intellectually enriching deliberations ranging across diverse topics of relevance based on the general theme of the seminar. The seminar will be inaugurated in the forenoon of 4th March 2013. There will be three technical sessions (1) International, Regional and Comparative Perspectives on Fisheries Conservation and Management; (2) Indian Law and Policy on Fisheries Conservation and Management with Special Reference to Marine Fisheries and (3) Indian Law and Policy on Fisheries Conservation and Management with Special Reference to Inland Fisheries and Aquaculture. The three technical sessions will be held on 4th and 5th March 2013.

Each technical session will commence with the opening remarks of the Chairman of the Session. This will be followed by presentations by the distinguished invited speakers in each session. The presentations by the invited speakers will be followed by presentations by participants whose papers have been selected as being eligible for presentation. The other participants will have

an opportunity to participate in the deliberations to be held at the end of each session.

Detailed schedule of paper presentation, speakers and list of selected papers for the presentation would be displayed on the official website of the University www.nuals.ac.in on 27 February 2013 and will also be communicated through *e-mail* to the participants concerned.

PARTICIPATION

Participation in the seminar is open to academics, lawyers, policymakers, students, researchers, representatives of government departments, members of civil society, advocacy groups, fishermen, representatives of fishermen's organisations and other stakeholders from the fisheries sector. There is no registration fee for participants. However participation shall be limited to those who formally register on or before **20th February 2012**. Interested persons are required to fill in the Registration Form [Available in the NUALS Website – www.nuals.ac.in] and e-mail the registration form to cla@nuals.ac.in before **20 February 2013**.

Participants shall make their own arrangements in respect of accommodation.

Participation is open to all individuals irrespective of whether they are presenting a paper at seminar or not. All individuals participating in the Seminar will be issued a 'Participation Certificate'. Authors whose papers are selected for presentation and who thereby get an opportunity to present papers at the seminar will be issued a 'Certificate Regarding Paper Presentation'.

CALL FOR PAPERS

The organisers solicit well researched and innovative papers for presentation at the seminar. The selection of papers is highly competitive and there are limited slots for presentation. The papers may also be jointly authored [Limited to a maximum of two authors].

The research papers should have a minimum of 3000 words. It must be typed in Times New Roman Font Size 12 with 1" margin on all sides with 1.5 line spacing. The paper should be paginated. Incorporate headings as well as sub-headings wherever necessary. Footnotes must be sequential and may appear at the bottom of the page. Bibliographies or Reference Lists are welcome but not compulsory. Any citation format may be used. However authors shall use a uniform citation

format throughout the paper. The papers shall be **e-mailed** to cla@nuals.ac.in on or before **23 February 2013**.

The author shall mention his name, affiliation, postal address, mobile number as well as e-mail address in the communication. The author shall also indicate the particular thematic session to which the paper relates.

The list of selected papers will be published in NUALS Website on 27 February 2013.

The Research Papers may address the issues and challenges in the context of any one or more of the following topics / legal instruments:

- Fisheries Conservation and Management Regime under UNCLOS .
- Fisheries Conservation and Management and the U.N. Fish Stocks Agreement.
- Role of Regional Fisheries Management Organisations
- 1993 FAO Compliance Agreement & FAO Code of Conduct for Responsible Fisheries
- International Plan of Actions adopted by FAO
- Frameworks to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing.
- Free Trade vis-à-vis Fisheries Conservation and Management (WTO Jurisprudence)
- Fisheries Subsidies and Sustainable Fisheries Management.
- Role of the Convention on Migratory Species (CMS) and the Convention on International Trade in Endangered Species (CITES) in the Protection of Marine Species.
- The Convention on Biological Diversity (CBD) / Biological Diversity Act (India) and Protection of Marine Biodiversity.
- Environment Laws of India and Fisheries Conservation: The Wild Life (Protection) Act , The Environment Protection Act, Water (Prevention and Control of Pollution) Act.

- Conservation, management, exploration and exploitation of living resources in the Indian EEZ.
- Control of operation of Foreign Fishing Vessels in Indian Maritime Zones.
- Legal Framework Governing Inland Fisheries in India.
- Legal Framework Governing Aquaculture in India.
- Regulation of Fishing by Fishing Vessels in the Sea along the Coastline of Kerala State.
- Legal Framework for the Development, Propagation, Conservation and Management of Inland Fisheries in Kerala State.
- Other State Legislations Governing Inland and Marine Fisheries in India.
- Seasonal Fishing Ban (SFB) as a Tool of Fisheries Management.

CONTACT DETAILS

Any further information on Seminar can be obtained from

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