

Sri Lankan Fishermen: A Potential Maritime Security Concern

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Abstract— *End of LTTE terrorism was a key factor in the rapid growth of fisheries activities in Sri Lanka. The relaxation of various restrictions imposed on fishermen helped the expansion of fisheries activities to a greater extent. Number of illegal activities (human smuggling, drug trafficking, IUU fishing etc.) has taken place with the involvement of local fishermen in the recent past posing a challenge to maritime security. Therefore, having an effective surveillance of fishing activities both inland and in the marine environment is important. It is in this context, immediate attention is required to be drawn to maritime security and the activities of local fishing fleet to ensure fishing is not emerging as a maritime security challenge.*

Keywords— Maritime Security, Maritime Domain, Sri Lankan fishermen

I. INTRODUCTION

Sri Lanka stepped into a new era with the military defeat of LTTE in year 2009 and making history for being the only country in the world to achieve such a victory against one of the most dangerous terrorist outfits in the world. A country which battered with an internal conflict for near three decade is in the path towards achieving sustainable development in many fields. With this primary objective taking number one in the high priority list of Sri Lanka, the tasks that lie ahead undoubtedly will be much more challenging than winning a war. Giving credit to the development that has taken place during the last five years, it is very much evident that Sri Lanka has the potential to further expand in various paths. The grand strategy for this development has been set through the 'Hub Concept' formulated by the President, where five important hubs are aligned in making Sri Lanka the Wonder of Asia. The five major hubs include Shipping, Aviation, Energy, Commercial and Knowledge which found to be the key pillars Sri Lanka looking forward to build the foundation to become the Wonder of Asia; which is a significant

challenge when viewed from any angle. As one would clearly see that all the hub elements are interconnected, the Shipping hub or the maritime component stands tall among the rest for many reasons. The importance of Sri Lanka being located on the path way of one of the busiest shipping lanes will have a greater significance in many fronts for future Sri Lanka.

Significant factors such as; Sea Lines of Communication (SLOC), effective utilization of the Exclusive Economic Zone (EEZ), available marine resources, effective maritime governance etc. are some of the key aspects Sri Lanka needs to pay special attention. It is a well-known fact that the main reason for the LTTE to emerge into one of the most formidable terrorist outfits in the world is their capability to use the seas around Sri Lanka and even the International seas to keep intact the much needed military supplies to fight a war for near three decades. Inability to effectively monitor the seas around the country and lack of a sizable Navy can be sighted as two major areas where the LTTE capitalized. With the end of the war in year 2009, the seas around the country are free from visible enemies. This confirmation does not in any way mean the seas around the country are free from maritime security threats and challenges.

Many activities related to the seas around the country began to emerge at a considerable pace taking advantage of the prevailing maritime security situation. Tourism and fishing remain in the forefront and has shown potential in further development. This paper primarily focuses on the local fishing industry and its developments in the maritime domain. Even though many generally tend to view fishing as another activity that is taking place in the seas around the country, if its activities are not carefully monitored and regulated, this alone could present number of challenges to the maritime security component in the short and long run. There are number of other non-traditional maritime security challenges that can affect Sri Lanka in various magnitudes. Such a major area that has taken the attention in the

present context is the Indian fishermen's poaching issue. Despite the magnitude of the above issue, it seems that the activities of the local fishing fleet need to be analysed carefully in order to understand challenges the local fishermen could present.

II. IMPORTANCE OF MARITIME SECURITY

The contemporary theoretical debate over the "security" question in international politics and the development of the sub-field of security studies can be traced to at least as far back as the early 1980s, a period of heightened Cold War tensions (Rahman 2009). The evolution of the concept was largely based on the applications of broader context; its application to the maritime environment was comparatively less. Because most theorizing about security has not been maritime focused, it is essential to place the development of concepts of maritime security within the context of the wider security debate (Collins 2007).

The term 'maritime security' and 'maritime safety' have been used in connectivity in most occasions but when defined, they provide two different meanings in the maritime context. The term 'maritime safety' is defined in the United Nations 2008 report on the Oceans and the Law of the Seas as 'ensuring safety of life at sea, safety of navigation, and the protection and preservation of the marine environment. Maritime domain has evolved into an era where non-state actors and irregular warfare has taken a new dimension in challenging the sovereign States. The difference of safety and security has to be identified in this context. Feldt, Roell & Thiele (2013) highlights the significance of this as;

"Maritime Security" has to be distinguished from "Maritime Safety". "Maritime Security" is "the combination of preventive and responsive measures to protect the maritime domain against threats and intentional unlawful acts". Key words are: preventive and responsive measures, aiming at both law enforcement as a civilian and military requirement and defense operations as a military, in this case naval requirement. "Maritime Safety" is "the combination of preventive and responsive measures intended to protect the maritime domain against, and limit the effect of, accidental or natural danger, harm, and damage to environment, risks or loss." Definition for 'maritime security' has taken different shapes and views depending on the

context in which it was applied. The 2008 UN report on the Oceans and the Law of the Seas define the term taking the main threat components which constitute security component as, 'seven specific threats to maritime security: Piracy and armed robbery at sea, terrorist acts involving shipping, offshore installations and other maritime interests, illicit trafficking in arms and weapons of mass destruction, illicit traffic in narcotic drugs and psychotropic substances, smuggling and trafficking of persons by sea, illegal, unreported and unregulated fishing and intentional and unlawful damage to the marine environment'.

The shipping community has defined 'maritime security' according the industry operator's viewpoint as "Focus on the marine transport system and relates to the safe arrival of cargo at its destination without interference or being subjected to criminal activity" (Klein 2011). As there is no unique definition for 'maritime security', a broad definition is sighted by Thayer (2012) as 'protection of sovereignty and territorial integrity in the maritime domain; security of shipping and seafarers; protection of facilities related to maritime affairs; port security; resource security; environmental security; protection against piracy and armed crimes at sea; protection of fisheries; safety and freedom of navigation and over flight; regulation of maritime affairs; and maintenance of law and good order at sea'.

The lack of a generally agreed definition is noted by, amongst others, Sam Bateman in his recent exploration of the "tame" and "wicked" problems of maritime security (Bateman 2011). Despite these differences observed in defining 'maritime security', Bateman (2011) highlights that, 'The one maritime security concern that appears to be a common concern of regional countries is the *security and safety of shipping and seaborne trade* [emphasis added]. This extends to a common interest in countering piracy and maritime-terrorist threats, as well as concern for Search and Rescue (SAR) and other marine safety services, particularly in regional "choke points", such as the Malacca and Singapore straits" (Bateman 2011).

The complexity faced in defining maritime security is primarily attributed to the various political contexts and organizational requirements which project a general view that the term has been used slackly. Till (1990) highlights that "this is a far from easy task since the phrase 'maritime security'

comprehends so much.” These developments with regard to defining the term have evolved into a broader conceptual debate on security. It thus might be viewed simply as another dimension of security, although the security studies literature does not reflect that: perhaps surprisingly, maritime security is never identified as an independent issue sector (Tow, Thakur and Hyun 2011). The existing literature on maritime security has tended to focus on the characteristics of the sea and its varied uses, and the threats posed to those uses (Cozens & Mossop 2005). The non-traditional view on maritime security differs from its focus of strategic standpoint. In this context, Till (2004) comprehend his analysis within the organizing concept of “good order at sea,” whereby the sea as a resource, as a medium for trade and information exchange, and as an environment, faces “risks and threats to the good order on which their continued contribution to human development depends.”

Apart from the significant amount of attention paid on maritime security by leading naval superpowers and many emerging littoral states, Sri Lanka being an island nation requires serious attention on this aspect. It will be true to say that the development of Sri Lanka will largely depend on the ocean and its wealth of untapped marine resources. No country in the world is capable of conducting 100 per cent monitoring of respective oceans and maritime activities that take place in one’s EEZ due to the vastness of the ocean. Oceans are also sighted as areas which less regulatory actions are taking place. This in turn offers an open invitation to all non-state actors to use the oceans for illegal activities. Ranging from smuggling of arms to launching an attack on another country’s soil, the maritime domain is used for an array of illegal activities. The Mumbai attack shows how vulnerable a country can be despite the availability of most sophisticated maritime surveillance and other mechanisms. The utilization of the fishing vessels by terrorists in the above attack points out the importance of paying close supervision on the fishing activities.

III. RESEARCH PROBLEM

The emergence of a safe and secure maritime environment after year 2009 has provided a favourable situation for the local fishermen to explore the seas around the country with minimum or no restrictions on aspects such as engine

horsepower, restricted fishing areas, timings for fishing etc. Termination of activities carried out by the Fishing Marshalling Points (FMPs) is also seen as another security sensitive relaxation that was taken to benefit the fisheries activities. At present the local fishermen enjoys freedom of access to sea at will. Taking advantage of the relaxed restrictions fishermen’s involvement in illegal activities has been also reported. This situation is indeed an area which demands careful study and monitoring of fisheries activities.

‘Despite the presence and monitoring by the Sri Lanka Navy (SLN) and Coast Guard, how can local fishermen and their activities emerge as a maritime security challenge in the post conflict scenario?’ remains as the research problem of this study.

IV. RESEARCH QUESTION

In order to unpack the above research problem, the following research question was formulated:

- How could local fishermen emerge as a challenge to maritime security?

V. RESEARCH OBJECTIVES

The primary objective of this research is to analyse what potential threats maritime security challenges the local fishing activities could present?

VI. NATURE OF LOCAL FISHING INDUSTRY

Historic evidence proves that Sri Lanka was one of the earliest countries in South Asia to consume fish. Excavations in Batadomba Lena Cave in Kuruwita and Udupiyan Galge Cave in Rathnapura have exposed fish remains indicating that the man had been consuming fish for the last 40,000 years or more (Weliange 2010). Perhaps the earliest evidence of fishing in South Asia, as evidenced by the finds of beads of shell, comes from the Batabomba Lena caves in Sri Lanka dated to *circa* 28,500-16,000 BP (Ray 2003). According to Pridham (1849), Diodorus Siculus (400 BC) has given a narrative of the visit of Iambulus, an ancient traveler to Sri Lanka who has said among other things, that some of the people in the Isles Siculus assumes that these are the Isles off the North coast of Taprobane employed themselves in fishing.

With the dawn of peace and relaxation of certain restrictions imposed on fishing, especially the

northern fishermen commenced to venture out to sea comparatively in a much larger scale than prior to 2009. The fishermen in other areas too enjoyed the benefits of the peaceful environment. Fishermen from other areas of the country too began to concentrate their fishing activities primarily in the North western, North and North eastern sea areas due to the availability of abandon fisheries resources.

According to the details provided by the Ministry of Fisheries and Aquatic Resources Development (MFARD), fisheries sector in Sri Lanka account for 1.8 percent of GDP at the current market prices and 1.3 percent at constant (2002) prices in 2013. Total fish production in 2013 amounted to 512,840 metric tons and its value addition was Rs. 156,358 million (US\$ 1,212 million). Growth rate of fisheries sector in 2013 was recorded as 6.2 percent at constant prices and it was 15.8 percent at current market prices against 2012. Around 262,530 active fishermen have engaged in both marine and inland fisheries and 986,410 members of their household depend on the income gained through fishing and related activities. Fisheries sector has generated Rs. 31,792 million (US\$ 246million.) of export earnings in the year 2013 and it was accounted for 2.5 percent of total export earnings. A positive trade balance of Rs. 10,672 million (USD 78Mn.) was indicated for external trading of fish and fishery products. In order to achieve this growth, about 30,470 of motorized boats and 22,800 of non-motorized boats have been operated in marine fishing. Out of motorized boats around 4,080 boats have been operated in offshore fishing.

Analyzing the fish production forecast expected to be achieved in year 2014, 2015 and 2016 (Table 1) clearly indicates that Sri Lanka is expecting a higher degree income from both marine as well as inland and aquaculture fish production. This forecast is significant especially when compared with the total fish production forecast in year 2009 which was only 339,730 Mt. The 2009 forecast was made with a total fishing fleet of 49,014. According to MFAR, 2013 fishing fleet comprised of 62,720 fishing vessels of all types.

Table 1. Fish production forecast (Mt)

Indicator	2013	2014	2015	2016
Marine	590,900	625,260	674,150	740,850
Inland &	94,800	105,400	118,450	137,510

Aquaculture				
Total	685,700	730,660	792,600	878,360

Source: Statistics Unit of MFARD

A close observation on the developments that has taken place in the fisheries sector in the recent is likely to continue developing further to gain the full potential of the fisheries resources that lies in the Exclusive Economic Zone (EEZ) of Sri Lanka in years to come. Achieving this objective will require expansion of the fishing fleet to a sizable one. These fishing vessels adding to the existing fishing fleet will form a vast network of fishing vessels. In addition to the inland operated fishing vessels, the attention will focus on to the fishing vessels that operate quite closer to the shores and those capable of venturing into the EEZ as well as to the high seas. MFARD statistics on the number of available inland fishing craft indicates a total of 9,130 craft in year 2013. Analysis of the expansion of inland fishing craft had an increase in the past years and it is expected that these vessels will undoubtedly increase to a greater extent in the years to come. This implies the importance of establishing an effective regulatory mechanism to monitor inland activities. Table 2 provides the details of this expansion:

Table 2. Inland fishing craft

Indicator	2010	2011	2012	2013
Inland fishing craft	7990	8020	8360	9130

Source: Statistics Unit of MFARD

Presently there are 18 fisheries harbours with 10 being proposed and one under construction according to the details provided by the Ceylon Fisheries Harbours Cooperation. Once the proposed and under construction harbours are fully operational, there will be 29 fisheries harbours around the country to cater for the requirements of local fishermen.

VII. LOCAL FISHERMEN AND MARITIME SECURITY CHALLENGES

With over 1700Km long coastline, 21,000Km² Territorial Sea area, 517,000Km² of EEZ and expected Extended EEZ (EEEZ) of nearly 1,400,000Km², Sri Lanka has an enormous challenge in monitoring the activities on the shore, out in the EEZ and EEEZ. The challenge is primarily due to the vastness of the ocean space. A Navy or a Coast

Guard is not capable of monitoring this mammoth ocean mass. The inability to completely monitor one's maritime domain can be effectively exploited by various actors to gain advantage for numerous illegal maritime activities. The difficulty to place physical maritime boundaries (unlike the land demarcations), makes the situation further worst. Even though the present study focuses primarily on the activities of the local fishermen, there are various other users such as the merchant vessels, who calls on Sri Lankan ports as well as transit Sri Lankan waters which their activities required to be monitored especially when these ships are in Sri Lankan Territorial Waters and in the EEZ.

Prior to year 2009, there were number of restrictions in place to monitor local fishermen's activities primarily due to the maritime threat posed by the LTTE Sea Tigers. Out of all such mechanisms in place, establishment of FMPs to keep a record of fishing activities was a major deterrent factor to protect the LTTE usage of local fishermen/their craft to launch attacks and also to ensure fishermen are not involved in such activities. Naval personnel who manned these points kept a record of fishermen and also rechecked these boats once they reached the shore. The Navy manned over 170 such points in identified locations around the country during the conflict period which assisted in countering large number of enemy attacks. These points also functioned as security observation points during day time and as a listening post at night which was capable of bringing in more depth to the shore defence.

The other main restrictions imposed were on areas such as time duration for fishing, fishing areas (High Security Zones) and engine horse power limitations. These restrictions were imposed to both protect the fishermen and to assist the Navy to distinguish genuine fishermen from enemy disguising as fishermen. Relaxation of these restrictions came into force gradually following the LTTE military defeat in year 2009 to benefit the fishermen. Taking the advantage of the situation, local fishermen commenced to engage in fishing in large scale. Various incidents of illegal activities taking place with the involvement of local fishermen surfaced gradually after 2009. Areas such as *'human smuggling, drug trafficking, over exploitation of marine resources, Illegal Unreported and Unregulated (IUU) fishing* are some of the main illegal activities the local fishermen have found to be directly or indirectly engaged at present.

Human smuggling emerged as a major security challenge where local fishermen found directly involved in providing the sea passage from Sri Lankan shores to Australia. Details pertaining to number of fishing boats arrested/evaded, number of persons arrested are shown in Table 3.

Table 3. Human smuggling details

Year	Arrested boats	Evaded boats	Arrested personnel
2009	7	0	176
2010	0	4	0
2011	3	1	70
2012	62	123	3008
2013	16	14	1019

Source: Directorate of Naval Operations

Analysing the data pertaining to year 2012 alone, one could easily argue that the situation was out of control of the authorities. All the boats involved in human smuggling through the sea routes were found to be fishermen with links to the master smugglers. When a boat leaves the shores of Sri Lanka with loads of illegal personnel on board, the maritime law enforcement authorities will find it extremely difficult to apprehend such a boat out at sea if no real time intelligence is available. The fishermen's involvement in ferrying a large number of illegal persons to Australia had number of repercussions on many sensitive areas. As many were found to be Tamil citizens taking the journey, the LTTE Diaspora was quick to point finger at Sri Lanka stating that Tamils being ill-treated by the majority. Despite these developments, the SLN was capable of arresting the situation to a greater extent. No direct boat arrivals have been reported from Sri Lanka to Australia since October 2013 to date.

Many news reports cite increased drugs transshipment via Sri Lanka to number of destinations. Drug trafficking to Sri Lanka is being done through two primary ways; via the sea and air. Discovery of number of drug smuggling attempts through airport and Colombo harbour has been reported in the recent past. According to the United Nations Office on Drugs and Crime (UNODC), maritime drug seizures found to be larger when compared on land and maritime seizures constitute no more than 11 per cent of all cases across all drug categories globally, each maritime seizure was on average almost 30 times larger than seized consignments trafficked by air. This proves

the vulnerability of the maritime domain globally as well as regionally which demand prompt strategic as well as tactical responses through a regional dialogue and approach. The Sri Lankan experience has shown that fishing vessels are being used by drug traffickers for smuggling across the Palk Bay. SLN has effectively contributed in seizing drugs both on land and out at sea on number of occasions. In year 2013, SLN seized over 245 Kg of Cannabis and in year 2014, over 75 Kg of Kerala Cannabis. Due to the presence of large number of Indian trawlers and local fishing vessels, surveillance of each and every vessel becomes extremely difficult without timely intelligence. A large number of Kerala cannabis is smuggled through a well-organized fishing network across the Palk Strait. Majority of cannabis recoveries have been done in the northern and north western shore areas which have been smuggled by a well knitted fleet of fishing vessels.

The definition of maritime security encompasses security of ocean resources as well. The fisheries resources in the Sri Lankan waters are untapped to a greater extent. Yet, illegal and substandard fishing practices continue to take place in making the fisheries resources unsustainable and continue to damage the much important marine environment which takes years to reverse back to the normal life. Use of illegal fishing methods such as dynamiting, bottom trawling, and fishing during prohibited periods and illegal nets are some of the activities which directly contributes to this. Over fishing in certain areas too have a direct impact on the sustainability of the industry.

IUU fishing is yet another area Sri Lanka need to pay close attention. Sri Lanka was issued with a 'yellow card' by the European Union (EU) as Sri Lankan fishermen have caught in engaging in IUU over 11 cases in 2012. However the situation improved to a greater extent after implementing key inspection procedures and awareness programmes. The EU is Sri Lanka's dominant trade partner for fish and fisheries product exports, bringing in an income of about 22 billion annually. Losing EU market due to IUU fishing will have a significant impact on the economy. The fishermen who are engaged in IUU fishing quite often come across with other fishermen from various corners of the world and the possibility of mid-sea drug transshipment becomes high due to this fact.

A close monitoring mechanism is essential in terms of fisheries affairs that take place across the Palk Strait when considering the strategic and tactical importance to both India and Sri Lanka.

VIII. RECOMMENDATIONS

Considering the maritime security challenges that can be posed by the Sri Lankan fishermen due to activities mentioned above, the following recommendations are forwarded to be implemented immediately to avoid situation worsening and endangering the peace and stability of Sri Lanka:

- Establishment of regulatory mechanism to monitor fisheries activities (inland and marine).
- Strict compliance to existing legal framework and introduction of new laws/regulations pertaining to fisheries.
- Immediate re-commencement of FMP duties (with minimum disturbance to fishermen).
- Re-evaluation of conditions which led to the relaxation of fishing restrictions.
- Establishment of a comprehensive fisheries data base.
- Installation of Vessel Identification Systems (VIS) on board fishing vessels of all types.
- Establishment of a Fishing Community Based Monitoring Network (FCBMN) to monitor activities in other coastal areas.

IX. CONCLUSION

Even though our seas are free from a visible enemy at present, the vastness of the ocean space provides ample of opportunities for various actors to use the maritime domain to conduct illegal activities. Having the ability to move across a huge ocean area, Sri Lankan fishermen are found to be an important element in the maritime security affairs of Sri Lanka. As the maritime domain is found to be a crucial factor in achieving future development objectives, the importance of those who frequent the seas around the country is found to be high. The necessity to identify key areas where local fishermen are involved in illegal activities endangering the maritime security and national security therefore remains as a vital area for immediate attention.

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