

## **Marine Fisheries Regulation and Management (MFRM) Bill 2019**

### **Why in news?**

The Marine Fisheries Regulation and Management (MFRM) Bill 2019 is in the public domain for discussion.

### **What is the Bill for?**

- India has obligations to frame laws under the United Nations Convention on the Law of the Sea (UNCLOS) 1982 and the World Trade Organisation (WTO) agreements.
- The Marine Fisheries Regulation and Management (MFRM) Bill 2019 is one such piece of legislation.

### **What does UNCLOS provide for?**

- Under UNCLOS, which India ratified in 1995, the sea and resources in the water and the seabed are classified into three zones:
  1. the internal waters (IW)
  2. the territorial sea (TS)
  3. the exclusive economic zone (EEZ)
- The internal waters (IW) is on the landward side of the baseline; includes gulfs and small bays.
- Coastal states treat IW like land.
- The territorial sea (TS) extends outwards to 12 nautical miles from the baseline.
- In this, coastal nations enjoy sovereignty over airspace, sea, seabed and subsoil and all living and non-living resources therein.
- The EEZ extends outwards to 200 nautical miles from the baseline.
- Coastal nations have sovereign rights for exploration, exploiting, conserving and managing all the natural resources therein.

### **What are the objectives of the Bill?**

- **Regulation** - Since fisheries is a state subject, fishing in the IW and TS come within the purview of the states concerned.

- Other activities in the TS and activities, including fishing beyond the TS up to the limit of the EEZ, are in the Union list.
- No Central government, so far, has framed laws covering the entire EEZ.
- The Bill attempts to make up for this gap.
- The annual fishery potential of the country's EEZ is about 5 million tonnes.
- Utilising it judiciously is an important priority of the government that was underscored by the formation of a new fisheries ministry.
- **WTO** - The Bill is also a response to discussions on [fisheries' subsidies](#) at the WTO since the Doha Round of 2001.
- India has been defending the rights of developing nations for special and differential treatment.
- Developed countries contend that nations without laws to manage fisheries in their respective EEZs are not serious about unregulated fishing.
- The MFRM Bill comes as India's response to this too.

### **What are the key provisions?**

- The Bill prohibits fishing by foreign fishing vessels, thus nationalising the country's EEZ.
- An Indian fishing vessel keen on fishing in the EEZ, outside the TS, must obtain a permit.
- This requirement has been contested by the fishing industry, particularly small-scale operators.
- Bigger vessels, particularly trawlers, registered and licensed under state departments, will need a permit to fish.
- This is a welcome measure to manage the fishing sector.
- The Bill respects the jurisdiction of the coastal states over the TS.
- It proposes social security for fish workers and calls for protection of life at sea during severe weather events.

### **What are the concerns?**

- There is a faulty assumption in the Bill that only large-scale vessels fish outside the TS.
- In reality, thousands of small-scale fishing crafts regularly venture into such areas.
- Their freedom to access fish outside the TS will cease if the Bill becomes law.
- A few exemption clauses to safeguard their livelihoods should be incorporated in the Bill.
- The Bill also lacks congruence with important regional fishery agreements.
- It seems to be incomplete compared to the regulations in other coastal nations.
- However, it is necessary for the sustainable future of the marine fishing

industry.

### **What is the way forward?**

- Fish cannot be bound by territoriality diktats of the Centre or states.
- Cooperative governance between them over different territories (IW, TS and EEZ) is key to the sustainable management of marine fisheries.
- Hence, ideally, this should now go into the Concurrent List.
- Small-scale fish workers should demand to make the entire IW and TS completely free of trawling using the FAO/UN Small-Scale Fisheries Guidelines to support their arguments.
- This will raise their incomes, ensure a steady supply to consumers, heal the coastal areas and curb the bane of destructive fishing.

**Source: Indian Express**

