Small-scale fisher migration, conflict and wellbeing
A case study from Sri Lanka
Koralagamage, D.N.

Publication date
2020
Document Version
Other version
License
Other

Citation for published version (APA):

General rights
It is not permitted to download or to forward/distribute the text or part of it without the consent of the author(s) and/or copyright holder(s), other than for strictly personal, individual use, unless the work is under an open content license (like Creative Commons).

Disclaimer/Complaints regulations
If you believe that digital publication of certain material infringes any of your rights or (privacy) interests, please let the Library know, stating your reasons. In case of a legitimate complaint, the Library will make the material inaccessible and/or remove it from the website. Please Ask the Library: https://uba.uva.nl/en/contact, or a letter to: Library of the University of Amsterdam, Secretariat, Singel 425, 1012 WP Amsterdam, The Netherlands. You will be contacted as soon as possible.
5 Conflicts in migratory fisheries

5.1 Introduction
This chapter addresses the second and third sub-research questions: What are the multi-scalar fisheries conflicts that affect household and community wellbeing of migrant fishers in northwestern Sri Lanka? What are the multiple legal systems applied in the region that have affected fisheries conflicts and household and community wellbeing of migrant fishers? It explores multi-scalar conflicts (multi-dimensional and multi-level conflicts) affecting vertical and horizontal relationships among social actors and institutions related to migrant fishing communities in Mannar. PRA exercises were used to identify the conflicting issues and interpreted through in-depth interviews and key informant discussions (see 5.2). Identified conflicts are analysed based on the conflict typology in section 5.2.1. Section 5.2.2 elaborates on legal pluralism. Section 5.3 views conflicts from the gender perspective and the impact on wellbeing is presented in section 5.4. Finally, the chapter concludes in section 5.5.

5.2 Fisheries conflicts in Mannar District
Being driven by economic forces (Hewage et al. 2011; see 2.3.2) migrants are attracted by “natural resources, which are the major sources of wealth and power... a key to rural development and good governance” (Rutten and Mwangi 2014: 54). Similarly, the ancient migratory fishery in Sri Lanka thrived on wealth and power due to the abundance of fisheries resources in both places: west (Negombo and Chilaw) and northwest (Mannar) coasts (Stirrat 1988). However, migrant fishers have currently being discouraged due to conflicts with local fishers and Muslim middlemen. This has led to rules regarding how many migrants can come, at what time, what fishing techniques can be used and to whom the fish can be sold. Table 5.1 presents an overview of the barriers imposed on migrants by locals.

<table>
<thead>
<tr>
<th>Year</th>
<th>Issue</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>Restrict migrants arriving at 50 fishing households (I#28,32 and almost all interviewees)</td>
</tr>
<tr>
<td>2013</td>
<td>Use of ring seine, dynamite fishing, and brush piles by local fishers so that the gill netting practiced by migrants is difficult (I#1,7 and almost all interviewees)</td>
</tr>
<tr>
<td>2014</td>
<td>Restrict migrants arrival until 15th of October, use of ring seine, dynamite fishing, brush piles, stake nets with galvanized pipes by locals (I#1,7, 28 and almost all interviewees)</td>
</tr>
<tr>
<td>2015</td>
<td>Remove wadi on leaving(^{15}), forced fish sales only to village fish traders (I#11,18 and almost all interviewees)</td>
</tr>
</tbody>
</table>

Source: Household interviews and KI#3 and 4

According to Table 5.1, locals impose numerous restrictions on migrants. In 2012, the number of migrating households was restricted to 50 households of the 600 of fishing families (Table 4.4), seasonally migrating to the northwestern coast from Negombo and Chilaw. After a significant struggle with local fishers and discussions with the fisheries officials, the migrants persuaded to lift this restriction. The heavy use of illegal fishing techniques such as ring seine, dynamite fishing, and brush piles in the near-shore area by

\[^{15}\text{Although the wadi removal at the end of the season is mandatory according to rules, the migrants are not used to adhering to this and not have been stressed by the CCD.}\]
local fishers hinders gill net fishing practiced by migrant fishers and reduces their income, discouraging the arrival of migrants. Local fishers imposed a time restriction on arrival to the migrating site in 2014. Any migrating fisher who came before 15 October had to wait without commencing fishing operations in Mannar. The intensive use of stake nets made with galvanized pipes in the near shore area by local fishers further jeopardizes the fishing operations of migrants. Restrictions on wadi constructions and fish selling methods were imposed to discourage the arrival of migrants in 2015. Each year, the conflict became worse. Having established the main obstacles imposed on migrants, I subsequently undertook pair-wise ranking exercises with migrants in SouthBar and Silavathurai in 2014 and 2015 to explore the most vexing issues and conflicts (see Table 5.2 to Table 5.5). I gave the freedom to list any kind of problem/conflict that arose in the migration process and temporary settlements for the pair-wise ranking exercise.

**Photo 5.1 Pair-wise ranking exercise with fishermen in Silavathurai**

![Photo 5.1 Pair-wise ranking exercise with fishermen in Silavathurai](source)

_Source: Author_

<table>
<thead>
<tr>
<th>Problems</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>Total</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Lack of water</td>
<td>X</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>0</td>
<td>11</td>
</tr>
<tr>
<td>2. Lack of toilet facilities</td>
<td></td>
<td>x</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>1</td>
<td>10</td>
</tr>
<tr>
<td>3. Restrictions on the arrival of migrant fishers</td>
<td></td>
<td>x</td>
<td>4</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>9</td>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>4. The intrusion of Indian trawlers</td>
<td></td>
<td>x</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>10</td>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>5. The intrusion of Indian vallas</td>
<td></td>
<td>x</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>6</td>
<td></td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>6. Use of brush piles in inshore waters</td>
<td></td>
<td>x</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>7. Use of log fishing and dynamite</td>
<td></td>
<td>x</td>
<td>7</td>
<td>7</td>
<td>7</td>
<td>7</td>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>8. Use of ring seine nets</td>
<td></td>
<td>x</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>9. Lack of Sinhalese Fisheries officer in the region</td>
<td></td>
<td>x</td>
<td>9</td>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>10. Unjust Police fine while moving</td>
<td></td>
<td>x</td>
<td>10</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>11. High boat transportation cost</td>
<td></td>
<td>x</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>9</td>
<td></td>
</tr>
</tbody>
</table>

_Source: Author – Pairwise exercise in SouthBar (Men FGD#1: n = 9)
Table 5.2 reveals that in SouthBar, Indian trawling (see Figure 4.3), restrictions on the arrival of migrant fishers, usage of illegal fishing techniques such as brush piles, log fishing (Photo 5.3),\textsuperscript{16} dynamiting, and ring seine, are the main issues identified by migrant fishers. Brush piles are allowed by the Fisheries Act of 1996 (Annex IV), provided that they are set beyond 15 nautical miles from the shore. However, local fishers and a few migrants set them in the near-shore disturbing small-scale fishing operations. Gill nets become entangled with brush piles (Photo 5.2), logs, and stakes (now the stakes have been replaced by illegal galvanized pipes with sharp ends -Photo 5.4). These illegal practices result in numerous consequences such as, (i) losses and ill-being resulting from the cost of repairing the damaged nets or buying new ones, (ii) loss of fishing days, (iii) mental agitation, and (iv) ill-feeling toward wrong doers. The intrusion of Indian vallams\textsuperscript{17} was not mentioned as a severe problem as these were few and did not resort to harmful fishing techniques. The lack of Sinhalese Fisheries Officers was an issue because migrant fishers were unable to complain about various malpractices such as bribes being extorted by Fisheries officers in favour of the illegal fishing of local fishers, continuous postponement of service, delayed issuance of fuel and gear subsidies offered by the government, and always being suppressed by the fisheries officials. The migrants also complained about the malpractices happening along their journey from home to Mannar. The police stationed at checkpoints on their way imposed fines on the migrating fishers for overloading their trucks, speeding on the roads, a part of the boat being stuck out of the lorry, and for other reasons. What is not clear is whether these were actual violations of the law or not. However, it created a situation in which the police could demand bribes. Furthermore, rising fuel costs increased transport costs. In this meeting, the migrants did not complain about the lack of access to clean water and sanitation facilities.

**Photo 5.2 Squid eggs in a brush pile**

![Squid eggs in a brush pile](source)

*Source: Author*

\textsuperscript{16}Log fishing is a banned fishing technique. Tree trunks are positioned in the near-shore area as fish aggregating devices. The entangled gill nets get damaged making the fishing operation difficult and loss making.

\textsuperscript{17}A traditional fishing craft with minimum mechanization that used to practice gill netting. Indian vallams also trespass the IMBL but are less destructive.
Photo 5.3 Log fishing- tree logs to be placed in the sea to attract fish

Photo 5.4 Stake nets made up of galvanized pipes

(a) The sharp edge of the galvanized pipe; b) galvanized pipes in the seashore; c) punch of a boat

Source: Author
Table 5.3 shows the pair-wise ranking of migrants’ problems in Silavathurai.

Table 5.3 Problems in Silavathurai in 2014

<table>
<thead>
<tr>
<th>Problems</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>Total</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Monopoly of Muslim traders in fish markets</td>
<td>x</td>
<td>1</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>1</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>2. Having to purchase fuel from locals</td>
<td>x</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>2</td>
<td>1</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>3. Local claims on the landing site</td>
<td>x</td>
<td>4</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>7</td>
<td>2</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>4. The intrusion of Indian trawlers</td>
<td>x</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>5. Use of ring seine by locals</td>
<td>x</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>6. Use of log fishing and dynamite by locals</td>
<td>x</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>7. Use of brush piles for fishing in inshore waters by locals</td>
<td>x</td>
<td>8</td>
<td>9</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>8. Use of SCUBA diving equipment by Jaffna fishers</td>
<td>x</td>
<td>9</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>9. Disallowed access to water to migrants from wells nearby</td>
<td>x</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>6</td>
<td></td>
</tr>
</tbody>
</table>

Source: Author – Pair-wise exercise in Silavathurai (Men FGD#2: n=8)

Table 5.3 shows that Indian trawling in Sri Lankan waters is the main issue in Silavathurai, followed by locals claiming property rights over landing sites. The latter forces migrants to vacate the place. Having a migration history of over 100 years (KI#1: I#1,4,7), the migrants are reluctant to give up their familiar places and routine behaviour. This is complicated by an increasing number of locals who are returning to their homes following the end of the war and are engaged in fishing. Although the issue has been raised at local tribunals in the presence of the Police and Divisional Secretary in Silavathurai (KI#14), the problem of access has not been resolved; local people have fenced the claimed area, including the area of migrant fishers’ common toilets donated by the Regional Council. As in SouthBar, other problems include illegal fishing techniques and the domination of local Muslim traders in supplying clean water (via water bowsers rather than from accessing from nearby wells) and kerosene for boats. In return, the fish harvest has to be sold through Muslim middlemen at low rates disadvantaging migrant fishers.

Having discussed the problems experienced by migrants in the two case study sites in 2014, I now investigate how perceptions of such problems change over time. To this end, I conducted a similar ranking exercise in the two migrant sites in 2015 largely with the same participants. The results are presented below. Table 5.4 lists the problems experienced in SouthBar in 2015. Six out of eight had attended the same exercise in 2014. The problems continued from 2014 are shaded in both Table 5.4 and Table 5.5.
Indian trawler intrusion, restrictions on the arrival of migrant fishers by local fishers, and the use of illegal fishing techniques by local fishers were the burning issues encountered in SouthBar in 2014 and 2015. Fisheries Officers (FOs) were seen as being more partial toward locals in 2015 as compared to 2014, allowing locals to engage in illegal fishing, restricting the entry of migrants, postponing the issuance of government subsidies at the Fisheries Office of Mannar, postponing wadi permits, and boat registration at the cost of the time and income of migrant fishers although fisheries officials said they are following normal procedures. CCD regulations require the removal of wadi at the end of the season (see Table 4.10). However, this rule and its implementation are cited as a problem due to the expenses: building a wadi costs about 75,000 LKR (or 556 USD) including the transport costs of the material. Hence, migrants are reluctant to dismantle the wadi at the end of every season, which otherwise they would only need to renovate at a lower cost. Such dismantling may also imply that they may lose the right to use the premises in the future. The market dominance of Muslim traders was ranked in seventh place. The use of brush piles, the time restriction on arrival, and the lack of toilet facilities were the least prioritized problems for these migrant fishers in 2015.

Table 5.5 shows the pair-wise ranking for problems experienced in Silavathurai in 2015. It appears that the situation was worse in 2015 than in 2014, possibly because of poor cooperation and coordination between small-scale fishers (fisheries associations) and the state (MFARD). Government inaction against illegal fishing activities and bribes were traceable to politicians. Migrants complained of favouritism to Muslims and Tamils in the North at the cost of migrants. Social exclusion is the 4th issue, as the Panankattikutti Fisheries Cooperative Society (PFCS) has stopped inviting representatives from migrant fishers for their meetings since 2009 and has not even informed them about the decisions taken. The market dominance of Muslim middlemen was a key challenge as was Indian trawling and illegal fishing techniques used by locals. However, both locals and migrant fishing communities collectively engage in demonstrations
against Indian trawlers (participant observation in March, 2015). The dismantling of the wadi and restricted freedom to fish (arrival restrictions, landing site restrictions, restrictions to beach space) were ranked as the 7th issue. Some of these problems are latent conflicts and are clustered in relation to the conflict typology explained in the next section.

### Table 5.5 Problems in Silavathurai in 2015

<table>
<thead>
<tr>
<th>Problems</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>Total</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Dismantling wadi when leaving</td>
<td>x</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td>5</td>
<td>1</td>
<td>1</td>
<td>8</td>
<td>1</td>
<td>10</td>
<td>11</td>
<td>5</td>
<td>7</td>
</tr>
<tr>
<td>2. Time limits on migration (Oct 15)</td>
<td>x</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>0</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>3. The monopoly of Muslim traders in fish markets</td>
<td>x</td>
<td>4</td>
<td>5</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>9</td>
<td>10</td>
<td>3</td>
<td>6</td>
<td></td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>4. The intrusion of Indian trawlers</td>
<td>x</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>8</td>
<td>9</td>
<td>4</td>
<td>11</td>
<td>6</td>
<td></td>
<td></td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>5. Use of ring seine by local fishers</td>
<td>x</td>
<td>5</td>
<td>5</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>5</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>6. Use of brush piles in inshore waters by local fishers</td>
<td>x</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>2</td>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>7. Restricting the beach space by constructing a fence</td>
<td>X</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>8. Malpractices of FI</td>
<td>X</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td></td>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>9. Fisheries Officers’ bias towards local fishers</td>
<td>X</td>
<td>9</td>
<td>9</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>10. Non-cooperative local fisheries association</td>
<td>X</td>
<td>10</td>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>11. Lack of freedom to do fishing</td>
<td>X</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7</td>
<td></td>
</tr>
</tbody>
</table>

*Source: Author – Pair-wise exercise in SouthBar (Men FGD#4: n=7)*

#### 5.2.1 Conflict typology categories

Conflicts between migrant and local fishers are symmetrical as both parties belong to small-scale fishing communities that target small fish species, use similar craft-gear combinations, and employ similar fishing techniques, except that one party is resident all year round and the other party has only temporary access (see 4.2.2). Moreover, formal and informal institutions at the locality differentiate between local and migrant fishers (see 4.4). The transboundary conflict between Sri Lankan fishers and Indian trawlers is asymmetrical because the latter represents a large-scale industry with sophisticated fishing technology operating from abroad. I now analyse conflicts using the typologies presented by Charles (1992) and Bennett et al. (2001).

##### 5.2.1.1 Fishery jurisdiction (Type I)

Access-related conflicts are well documented in fisher migration literature (Wanyonyi et al. 2016b; Njock and Westlund 2010; Curran 2002). Local fishers restrict the accessibility of outsiders (migrants) in numerous ways (see Table 5.1). Having land-based pre- and post-harvesting activities, the place is an important factor in pursuing fishing livelihoods (Stephen 2014; Kraan 2009; Bavinck 2005). Therefore, migration involves searching for a suitable place to dwell and fish. The land is required for constructing wadi, landing sites, pre-harvest preparations, repairing nets, sorting fish, removing entangled fish, selling fish (sometimes), and for dried fish processing. Migrant fishers in northwestern fisheries face place and time-based restrictions, fences around landing sites, and are required to remove their wadi when they leave
the site (see 5.2). Hence, it is evident that “gaining access to the land is more difficult than accessing the sea” (Kraan 2009:159). Yet, migrant fishers affirm historical rights to the migratory site as follows:

“We have the ownership of this land from our ancestors’ time, so why should there be a problem regarding access? These locals don’t know that their ancestors learned fishing from us, and in fact, they were employed by us”. (I#7)

The above migrant fisher claims for historical rights and intellectual rights (assuming that the locals gained the fishing knowledge from migrants) to fish in Mannar regardless of the demographic changes taking place over time. As a powerful community in the 1980s (see Table 4.4), the migrant fishers still look for the same access even though the number of migrating families has shrunk since then. On the other hand, marine capture fishery is regulated by the Central Government under the Fisheries Act of 1996 (MFARD 2018). The Act allows fishing at any place in Sri Lankan territorial waters using approved fishing gear and craft (Annex IV). However, the PFCS informally controls the Mannar small-scale fisheries by imposing restrictions on migration, which are not codified or approved by the state (see 4.4.1.3). They allow only a limited number of migrant fishing households (about 50 families) but only after the 15th of October every year. Those who arrive before the date had to return or need to wait without fishing:

“I came to Silavathurai at the end of August, but local fishers did not allow me to fish. They took my boat license and insurance saying that the Fisheries officers had asked them to collect those, which is a wrong action. In addition, they told me not to engage in any fishing activity until the 15th of October. I returned home and came back on the specified date.”(I#17)

5.2.1.2 Management mechanism (Type II)

The government has codified rules and regulations on legal fishing techniques in small-scale fisheries (Fisheries Act of 1996- see Annex IV). Although the government controls the fishery, the only visible management mechanism is an appointed Fisheries Inspector (FI) at the ground level. The Navy and Coast guard are also expected to be vigilant on violations of laws on which they have jurisdiction. Local fishers and some migrant fishers violate fishing rules and regulations by employing destructive and banned fishing techniques (e.g. ring seine, dynamiting, log fishing, purse seine, and brush piles; further, turtle and dolphin harvesting, whale hunting, and lobster harvesting in February and September). Such violations are not always monitored by the FI. On some occasions when someone notices illegal fishing activities, these complaints are mostly lodged with the police who inform the respective authorities (Navy, Coast guard, and FI). Sometimes, the police arrest the wrong-doers directly and hand over to the Navy (KI#14, 15).

Furthermore, fishers also engage in self- and co-management through CBOs. However, the co-management mechanism seems to be a one-way communication system where only the decisions taken by the government (MFARD) are disseminated through the FI to the fishers. The fishers also complain that such information is always about ‘charges’ ‘taxes’ or ‘fee’ for the facilities provided by the state. There are contentious issues and grievances over the interactions between migrant fishers and local fishers, and migrant fishers and fisheries officials at the home region and host region, prompting fishers to complain about the ignorance of state officials and the exclusion of migrants from the decision-making process. The indigenous knowledge on fishery especially the non-codified working rules on fishing restrictions and spawning season of fish (see 4.4.2), fish behaviour, and marine ecosystems are disregarded by the authorities creating a distance between government, related institutions, and CBOs (see 5.2.2).
5.2.1.3 **Internal allocation (Type III)**

Internal conflicts are common among horizontally integrated resource users (fisher groups) and vertically integrated parties such as fish traders and fish processors (see Table 5.2 to Table 5.5). Although certain fishing techniques (e.g. stake net fishing, brush piles) have not been banned by the Fisheries Act of 1996 (Gazette No 948/25 of 1996 Article 28), their present operational methods are detrimental and illegal (Photo 5.4). The unpleasant aspect of the brush pile operation is described by the following quote. A similar situation is also described by Bavinck (2015) in northern Sri Lanka.

> “Local fishers set brush piles in the near-shore for attracting cuttle fish. The sea looks like a forest then. Maneuvering the boat through these is difficult. On top of it, if our net gets entangled with a brush pile, we incur huge losses; sometimes we have to dispose of the net due to the damages”. (I#1)

Stake nets are in themselves not destructive but the use of galvanized pipes instead of tree twigs or small wooden strips as stakes, which is not authorised by the Fisheries Act of 1996, is harmful to other fishers. It causes: (a) the sea bed to be disrupted to fix the stakes, thereby impacting the ecosystem; (b) floating gill nets get entangled and damaged in the stakes; and (c) damage small craft passing over the stakes (if the boat strike a stake it punctures the hull, putting the crew at risk (Photo 5.4). Respondents say that in the latter case, the loss could exceed 100,000 LKR (i.e. >740 USD) and the number of non-fishing days could increase until the boat is repaired and the net is mended.

Fishers argue that the use of ring seine and dynamite fishing can lead to over exploitation, less opportunity for fish recovery, and destruction of fish breeding grounds, which is why these are banned by law. In the short-term, local fishers enjoy quick profits at the cost of long-term sustainability. In general, migrants oppose illegal fishing methods but rarely complain openly because they value peace and unity with local fishers as it enables undisturbed migration (I#1,7,28).

As in southern Sri Lanka (Wickramasinghe 2010), migrant fishers do not always respect government regulations on protected species. Protected marine species such as turtle, dolphin, and whale are harvested by both groups. Lobster harvesting (by SCUBA diving) in February and September, harvesting or transport of egg-bearing species such as mussels, clams, and shellfish are officially banned (Annex IV) but these rules are often breached (Photo 5.5) (KI#2,5,14,15 and I#7,23).

The pair-wise ranking exercise (see Table 5.3 to Table 5.5) also showed the domination of Muslim traders. They charge a weight-based commission and restrict sales to anybody other than Muslim middlemen from the migration site (commission agents) and get a percentage without contributing to the fish value chain except in terms of serving as middlemen. The absence of autonomy or freedom to sell the harvest with a good offer marginalizes the fishers further leading to mental distress and poor income.
Fishers realize that violating gear restrictions may, in the end, be detrimental to themselves. The problem with illegal fishing is that while it reduces the future sustainability of fish stocks and fish-based livelihoods, in the short-term it can provide the poor with much-needed protein and income especially in the absence of social support systems (Hauck 2008; cf. Scott 1985). Migrants who have little to lose in the short-term, and everything to gain may undertake illegal activities:

“Last season, I suffered huge losses due to Indian trawling. I could not recover at least the fuel costs. Day by day, I became a borrower. So, I started using banned brush piles for cuttle fish, in the near shore area and this proved to be a lucrative venture. What should I do? I cannot let my family starve”. (#12)

This quote shows that despite the well-meaning intentions of legal systems to conserve the ecosystem while enhancing the long-term wellbeing of the majority, violations are taking place to meet the short-term wellbeing of most deprived fishers in marginalized fishing communities.

5.2.1.4 External allocation (Type IV)
Ocean grabbing (Bennett et al. 2001) by foreign fishing vessels and coastal grabbing (Bavinck et al. 2015) by hoteliers create latent tensions with small-scale fishers. The Indian trawler issue is the best example of ocean grabbing. Respondents feel that (Table 5.2 to Table 5.5) Indian bottom trawling in Sri Lankan waters (see 1.4.2), which commenced in the 1970s (Menon et al. 2016; Vivekanandan 2010; Sathyapalan et al. 2007) threaten their livelihoods (Men FGDs#1,2,3,4; Women FGDs# 1,2; KI#1-7). They argue that trawling hinders fishing operations of small-scale fishers as follows:

a. Loss of fishing days—fishing near trawlers is life threatening preventing small-scale fishers from fishing when trawlers encroach into Sri Lankan waters.

b. Increased fishing effort—trawlers make seawater turbid driving away high-value pelagic fish species. Fishers have to sail far searching for fish increasing the fishing effort (fishing hours and distance) and operational costs.

c. The reduction of future fish catch—trawlers harvest juvenile and undersized fish destroying fish habitats and breeding places and threatening the marine ecosystem.
d. Damage to fishing gear— if a floating gill net gets entangled with a trawler, it may drag the net along damaging the net. In such instances, the small-scale fishers have to detach or even cut off the net as otherwise, the trawler would drag the entire boat, jeopardizing the lives of the fishers.

Such observations on the harm caused by trawling operations are confirmed by other researchers in the Northern Province (Bavinck 2015; Scholtens et al. 2012) and have played an important role in the movement to curb such transboundary fishing operations (Scholtens and Bavinck 2018; Menon et al. 2016).

**Photo 5.6 Damaged gill nets after getting entangled with a trawler**

Hoteliers and the tourism industry can deny fishers’ access to the beach and landing sites affecting the livelihoods of both fishermen and their wives in tourism-prone areas of Sri Lanka, such as Negombo and Chilaw (but not in the fisheries areas I surveyed in Chilaw). The beachfront in Negombo was restricted for dried fish processing, fish landing, and post-harvest operations (see 7.2.1.3) and extensively occupied by the hoteliers by claiming legal property rights. This makes fisher wives economically marginalized. Although the fisher wives used their courtyard (a smaller area) for fish drying, the bad odour and environmental pollution caused is seen as a risk to tourism (KI#8,9). Restrictions on accessibility are imposed by claiming property rights. Divers, swimmers, water skiers, jet skiers, and seaplane operators always occupy a section of the waterfront (I# 7, 12, 28; KI#3). They all compete for space on the beach and in the near-shore but property developers have captured the beach at the cost of local small-scale fisheries (see 6.3.3.1 and 7.2.1.2).

The problems encountered by migrant fishers in their interactions with government agencies also belong to the external allocation category. The migrant fishers are not permitted to gather any twigs, branches, or poles to renovate wadi from the adjacent forest. Act No. 57 of 1981 of CCD restricts the destruction of coastal vegetation (see 4.4.1.2).

Migrant fishers undergo direct and indirect harassment from fisheries officers who favour local fishers (see 5.2). Tensions also exist between local fishers on the one hand and Army/Navy and the migrant fishers on
the other. Local Tamil fishers distrust the Army and Navy due to the war (see 1.4.1) and think that the latter favour the Sinhalese migrants by providing necessities and intervening in disputes. Being users of illegal fishing gear and being frequently arrested by Navy officials, the local fishers oppose the presence of defense forces in the region:

“In 2011, the Navy checked only our boats, overlooking the Sinhalese migrant fishers’ boats. That delayed our arrival at the fish market. So, we couldn’t sell our stock at the right time for a good price. Finally, we united and complained against the Navy. After that, the Navy checks everybody’s boats”. (KI#2)

This quote points out that ethnic identities and tensions also play a role in the relations between local and migrant fisher groups, as well as with government authorities. However, there was no such inspection during my fieldwork in Mannar. Being war victims for three decades and having been subdued by the Government of Sri Lanka (see 1.4.1), the Tamil minorities distrust the Sinhalese and government authorities, believing that the migrant fishers will always be supported by the Army and Navy. In contrast, the Sinhalese migrant fishers believe that the local fishers are favoured by the Tamil fisheries officials at the migrating site. The ethnicity-based favourism increases the conflict between migrants and local fishers.

5.2.1.5 The debate on historical rights

The right to fish in an area and dwell on the adjacent shore needs to be recognized legally to ensure the rights of migrant fishers. Resource-based access rights are essential for conflict-free fishing practices (Gonzalez 2011). Autochthony, a potentially explosive discourse that examines who belongs to a given place (Duffy-Tumasz 2012) applies to migrant fishers who fight for the right to place. In relation to fishing, there are two types of access rights – namely access rights and withdrawal rights (Schlager and Ostrom 1992). Access rights are needed to enter a defined physical area. Withdrawal rights are needed to obtain the products from the resource. Migrant fisher groups in Mannar are claiming rights to land, fish, migration, and sell fish. Such rights are dealt with the state in terms of permits and licenses, which specify the conditions under which such access and withdrawal, are allowed. Access rights are demanded by migrant based on historical migratory rights as follows:

- “We are the pioneers in migratory fishing in Sri Lanka” (I#4). Importantly, migrant fishers claim that they taught the locals to fish, mend nets, process fish, and generally helped to improve their fishing skills thus calling themselves ‘true fishers’ (KI#5) and this was confirmed by an office-bearer at PFCS (KI#2).
- The littoral ‘SouthBar’ was named as such because the ‘bar’ was populated by fishers who came from the ‘South’ – downward to North that is from western, southern, and northwestern provinces (I#7,52).
- Historical movements of migratory fishers have been documented in research articles and books (Bartz 1959; De Silva 1964; Stirrat 1988; Amarasinghe 2011).

At transboundary level, Indian trawler fishers claim rights over historical waters in Palk Bay and the Gulf of Mannar (see 1.4.2), which they shared before the Srima-Shastri agreement in 1974 (see Table 4.7). However, the agreement between Sri Lanka and India on the maritime boundary line between Gulf of Mannar and the Bay of Bengal and related matters are clearly stated in Article V:
“(1) Each party shall have sovereignty over the historic waters and territorial sea, as well as over the islands, falling on its side of the aforesaid boundary.

(2) Each party shall have sovereign rights and exclusive jurisdiction over the continental shelf and the exclusive economic zone as well as over their resources, whether living or non-living, falling on its side of the aforesaid boundary.

(3) Each party shall respect rights of navigation through its territorial sea and exclusive economic zone in accordance with its laws and regulations and the rules of international law” (Srima-Shastri agreement in 1974 in UN 1977).

The two cases describe two conditions where migrant fishers demand access and withdrawal rights on historical grounds but which are either not recognized on legal terms or have been rescinded illegally as in the latter case of the Indian trawler fishers. The next section elaborates on multi-level conflicts in relation to multiple legal systems and institutions in Mannar fisheries.

5.2.2 Legal pluralism- a consideration of the rules

The formal and informal legal systems relevant to the Mannar small-scale fisheries (see 4.4) are not necessarily understood by migrant fishers or respected by all. Such institutions work best when they are legal, legitimate, predictable, equitable, and effective and when they are supported by monitoring and compliance mechanisms that target free riders (Bavinck et al. 2014). An analysis of available legal systems is a pre-requisite for an effective governing system (Bavinck and Gupta 2014) making appropriate choices to address the burgeoning conflicts in small-scale migrant fisheries. Thereafter, the legal pluralism typologies presented by Bavinck and Gupta (2014) is adopted. The four heuristic types are indifference, competing, accommodation, and mutual support.

The international law governing boundaries are clear even though these may be violated by small-scale fishers and trawlers, either because they cannot see the boundaries in the sea waters or because they are searching for fish and ignore it. The fisherfolk, both migrant and local fishing communities, adhere to the Fisheries and Aquatic Resource Act No 2 of 1996. The national laws regarding illegal fishing techniques are also clear although local fishermen often violate them. Legal pluralism arises in relation to the customary rights of migrant fishers to access fishing areas, catch fish and undertake related activities such as building wadi, drying fish, and repairing nets, versus the rights of local fishers to restrict such rights of migrant fishers, versus the sale of property on the beach to hotels and the tourism industry. Thus, legal pluralism covers the state legal systems and non-state legal systems (community legal systems of both migrants and locals).

Legal pluralism – a consideration of the actors

Legal systems in Mannar small-scale fisheries are complex with multiple actors and interactions. The importance and interactions of these actors and agents are illustrated by the relational mapping (Figure 5.1). It shows the entities (both individuals and organizations) at the migratory site, which are important for the migration process. Accordingly, PFCS, SouthBar migrators’ fisheries society (represents NFF), fisheries office, defense forces including Army, Navy, and Police, village officer, fish trader, and water suppliers are mentioned. Then the entities were delineated based on their importance and the level of interactions (see 3.4.1.1). The interactions between migrant fishers and PFCS are loosely bound, yet it is recognized as an important entity. Defense forces support to establish the migrant fishers in the migrating site safely and are
recognized as the second most important with close interactions. Fish traders (not middlemen) are the third important party. SouthBar fisheries association (daughter association of the NFF) is also important as it has the closest interaction. Although the Fisheries Inspector (FI) plays a critical role, the migrant fishers perceive the FI as less important than others and have minimal interaction with him/her. The FI is responsible to report all the ground-level operations to the Assistant Director (AD). However, the issues in migration, Indian trawling, and government subsidies are communicated directly to the AD due to poor attendance and lack of communication with the FI. The role of the water supplier is followed by the village officer with the least interaction and importance. The diagram shows the poor relationship established with the PFCS. Yet, it is an important institution for social integration and harmony. Further, an inadequate role is performed by the apex state entity for fisheries: the fisheries office. Thus, remedies are needed to improve interactions between actors, agents, and institutions in small-scale fisheries including PFCS and migrant communities (see 9.5).

**Figure 5.1 Actors and institutions related to migrant fishers - SouthBar**

Source: Author – PRA exercise in SouthBar (Men FGD#3, n=8)

*Legal pluralism – conflicting interactions*

Legal plurality is noticeable in Mannar small-scale fisheries, especially at the migratory fishing sites. Open access to the fishery is well stated in the National Fisheries Policy (MFARD 2018b) and Fisheries and
Aquatic Resource Act No 2 of 1996. In practice for centuries, and also due to seasonal migration to the same place, the migrant fishers have perceived migration as their customary right. Therefore, migrants claim traditional rights to access and withdraw fish in the migrated area, which is contested by locals. In contrast, local fishing communities are reluctant to accept these rules. Hence, they impose various restrictions on migrants’ arrivals (Table 5.1). It is also noteworthy that the two communities had thrived well in the past accommodating each other’s legal systems (Table 4.4). The increasing fishing pressure due to the increasing fishing population (Table 4.5) coupled with the environmental degradation caused by Indian trawling might have increased tension between locals and migrant fishers (climate change has also caused tensions). However, climate change did not factor in due to less awareness of it among fishing communities.

Next, fishing techniques, such as brush piles and stake net fishing are allowed under the Fisheries and Aquatic Resource Act No. 2 of 1996. However, the conventional arrangement of structures has been manipulated by local fishers by replacing wooden stakes with galvanized pipes with sharp ends and dense tree twigs and logs for brush piles, and even operating at the near-shore area. Although the fishing techniques are accommodated in the Act, the specifications are incomplete. Thus, migrant fisher communities have perceived these as destructive but often practiced by locals. The two community legal systems are conflicting.

Certain norms are practiced by migrant fisher communities on ecological sustainability perspectives. Hence, the migrant community avoids evening fishing, fishing once a day, and fishing on full moon days, which is accepted and affirmed by the NFF (see 4.4.2). In contrast, such practices are not among local fishing communities (Kl#2).

The fish marketing mechanism, or the fisher-trader relationship in other words, functions under traditional norms without any written rules or codes. This establishment is mutually supportive (see 4.4.2) as the trader facilitates the migration and provides a continuous fish harvest. However, the market dominance and excessive bargaining power of the trader and sometimes the middlemen make the fisher unhappy and unsatisfied, thus resulting in conflicting relationships. Yet, being rational individuals, migrant fishers look for the best prices offered by the buyer who can be a wholesaler, retailer, or consumer. The fishers believe that it is their right to sell to a preferred person as the catch is their wealth. In contrast, traders from the local community consider the catch as the locals’ property as it was caught from their sea. Hence, fishers are forced to sell the catch through local middlemen who charge a commission on a weight basis.

My research found that fisher societies develop their own rules (see 4.4.2) and implementation mechanisms for the effective functioning of communities. Thus, a form of self-governance is noticeable (Bavinck et al. 2014). Sometimes, it conflicts with state rules—which are often based on science—regarding what can be fished, when, and how. Sometimes these conflicts with community rules regarding who can fish where—which can affect migrant/local fishers’ rights. Therefore, multiple legal systems, which were

---

16 The unpublished records of NARA (2019) indicate a reduction of the near-shore fish resources to one-fifth of the stocks in 1978-80.
19 A similar case has been reported in Koralagama and Ashan (2010) regarding stakenet (Kattudel) fishing in Sri Lanka.
enforced by different institutes (formal and informal), are conflicting to maximize their stakes and wellbeing.

5.3 Gender dimension in fisheries conflicts
Sri Lankan small-scale fishing communities are dominated by ethos and independence (Weeratunge 2003; Weeratunge 2009) where men fish while women are caregivers. Local traditions prevent women from stepping into the sea (Weeratunge 2003), from certain areas in the beach, and from touching the boats, especially in the Puttalam District on the first day of the fishing season due to taboos regarding menstruation (Reinprecht and Weeratunge 2006). Similarly, women in the Batticoloa District are made to believe that the sea would carry them away when they step onto the beach (ibid.). However, restrictions on touching and working on the boats are not reported by any of the fisherwomen in my study areas. Gender-based cultural identities have shaped women’s role to not engage with direct fishing but with complementary tasks (Demmke 2006). Women engage in pre- and post-harvest activities more on the east coast (Weeratunge et al. 2016) than in the south (Coulthard et al. 2014) and thereby contribute significantly to fisheries (participant observation, I#5, 10, 50). Fisherwomen on the northwest coast are anxious to migrate because the extended empty beach allows them to earn an extra income by processing fish. Fishermen migrate mainly due to seasonality and a few other factors (see 4.3.4). However, the ultimate absorber of any debt burden, loss, or other economic damage is the fisher wife. When the income is insufficient to meet their needs, women often have to pawn their jewelry to meet these commitments, which depresses them and affects their self-esteem (see quotes in 6.3.4).

Women are reluctant to mingle with neighbouring villagers at migratory sites due to the lack of protection and exposure to potential sexual harassment. Young girls are not allowed to walk around freely as they may be vulnerable to sexual harassment or ethnic violence (I#10, 22, 41). Village wells are not accessible to women after 18.00 hours because they believe that women should not step out to water sources after sunset as evil spirits hunt them (I#5, 10, 11). Women in conflict-ridden areas are exposed to risks to family cohesion. Gender-based conflicts are latent and do not come up during short discussions but only through in-depth interviews. Small groups with close ties tend to avoid conflicts by not confronting but tolerating outcomes (Goffman 1969). This has been a common practice among migrant fisherwomen, as they have to deal with hard-working husbands with numerous distresses due to conflicts (I#16, 22).

5.4 Conflicts and wellbeing
Conflicts affect three-dimensional wellbeing—material, relational, and subjective (Pouw and McGregor 2014; Coulthard et al. 2011; White 2010)—further marginalizing migrant fishers (see Table 5.6).
Table 5.6 Impact of conflicts on human wellbeing

<table>
<thead>
<tr>
<th>Conflict</th>
<th>Material wellbeing</th>
<th>Relational wellbeing</th>
<th>Subjective wellbeing</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Indian trawling (poaching)</td>
<td>Reduced income, loss of fishing days, high operational cost, loss of resources, loss of fishing gear, loss of job security</td>
<td>Conflicts with Indian fishermen, riots against the government</td>
<td>Frustration, loss of dignity, loss of trust/confidence toward the government, loss of job satisfaction</td>
</tr>
<tr>
<td><strong>Hoteliers (tourism): restrict the beach for boat landing</strong></td>
<td>Increased operational cost, loss of alternative income generations, increase post-harvest costs</td>
<td>Less involvement of family labour, loss of a gathering/sharing place – the beach, loss of freedom, loss of community contacts</td>
<td>Helplessness, frustration</td>
</tr>
<tr>
<td><strong>Malpractices of government officers (bribing)</strong></td>
<td>Cost of frequent visits paid to government offices, loss of fishing days</td>
<td>Social exclusion, less community support, conspiracies</td>
<td>Anxiety, frustration, helplessness, loss of trust/confidence</td>
</tr>
<tr>
<td><strong>Order to remove wadi</strong></td>
<td>Increased material transportation cost, increase the cost of re-establishment, labour cost</td>
<td>loss of relatives/friends, inter and intra community fights for space, disputes with relevant government officials</td>
<td>Fear of loss of place, loss of belongingness</td>
</tr>
<tr>
<td>*<strong>Illegal fishing by locals</strong></td>
<td>Loss of income, craft-gear damages, destruction to the ecosystem, loss of job security</td>
<td>Conflicts with local fishermen, disputes with FOs, loss of community harmony, social exclusion</td>
<td>Frustration, mental unrest, loss of dignity, loss of job satisfaction</td>
</tr>
<tr>
<td>*<strong>Restriction on arrival</strong></td>
<td>Reduced income, loss of livelihood, debt</td>
<td>Disputes, riots, loss of community interactions due to debt, social exclusion, dependence on a trader (local)</td>
<td>Anger, frustration, loss of esteem</td>
</tr>
<tr>
<td>*<strong>Dominating middlemen</strong></td>
<td>Reduced income due to lower prices</td>
<td>Loss of freedom, disputes with locals</td>
<td>Helplessness, loss of dignity and autonomy, anxiety</td>
</tr>
</tbody>
</table>

(*International level; **National level; ***local level)

Source: Author

Although the problems affect the material, relational, and subjective aspects of the wellbeing of fishermen, they continue to migrate to the same areas to fish. The wellbeing pursued through migration and motives of migration is discussed in Chapter 7.
5.5 Conclusion

This chapter answered the second and third sub-research questions – What are the multi-scalar fisheries conflicts that affect household and community wellbeing of migrant fishers in northwestern Sri Lanka?; What are the multiple legal systems applied in the region that have affected fisheries conflicts and household and community wellbeing of migrant fishers? The most prominent conflicts in Mannar are local fishers versus migrant fishers; Sri Lankan fishers versus Indian trawler fishers; migrant fishers versus Muslim fish traders, and a latent conflict between local fishers and the defense forces. These conflicts were then analysed based on the conflict typology of Charles (1992) and Bennett et al (2001). Accordingly, access-related conflicts between migrant fishers and local fishers over the landing site and sea (fishery jurisdiction); conflicts due to state, cooperatives, and community-based management mechanisms; conflicts among fisher groups employing different fishing techniques (internal allocation); and the Indian trawler issue and conflicts with hoteliers (external allocation) were recognised. Migrant fishers request freedom for fishing, establishing their temporary camps, and selling fish that maximize their wellbeing, especially by ending illegal fishing techniques, stopping Indian trawlers, establishing fair and open fish selling mechanisms, and building a harmonious environment. Being traditional small-scale fishers, migrants are in a struggle to be “fishers” amidst calamity or restriction. This confirms that the fish resource and place are the most important factors for a successful fishing operation.

Conflicts at different legal regimes were viewed alongside international, national, and local scales as everybody wants to achieve their interests and wellbeing disregarding the impact on other parties. Yet, the Mannar small-scale fishery, especially at the migratory sites, is characterized by legal pluralism. Both state-based legal systems and non-state based legal systems of different communities play a role in the pursuance of wellbeing. Most of the rules and regulations imposed by the state through the MFARD and cooperatives are concerned with resource conservation and sustainability hence obliged to accommodate and/or mutually supported by the fisher communities. The customary laws of local traders, migrant fishers, local fishers, and non-codified rules of NFF continue to confront each other. Hence, all four types of legal relations, accommodation, indifference, competition, and mutual support were identified. The legal relations depend on the interest and wellbeing pursued by the individual fisher, fisher households, and/or communities. Thus, the plural legal systems do not always enlarge the wellbeing of migrant fishers but seem to serve one party at the cost of the rest.