

Press note no: 59

24/6/08



**M. KARUNANIDHI**  
CHIEF MINISTER

SECRETARIAT  
CHENNAI - 600 009

Date: 23.6.2008

D.O. letter No.5375/Fs 6/2008, dated: 23 .06.2008

Dear Sir,

It is a historical fact that from time immemorial, the fishermen of Tamil Nadu from the Districts of Thanjavur, Pudukottai, Ramanathapuram and Tirunelveli have been fishing in the sea between India and Sri Lanka, particularly near Katchatheevu, and earning their livelihood. As you are aware the Government of India and the Government of Sri Lanka, signed an agreement on 26.6.1974 with a view to determining the boundary line between the two countries in the waters between Adam's Bridge and Palk Strait. According to Art.5 and 6 of Agreement, the traditional rights of Indian Fishermen, including the right to fish near Kachatheevu were accepted and conceded. In fact, Art 6 of the Agreement stipulated categorically that "the vessels of India and Sri Lanka will enjoy in each others' waters such rights as they have traditionally enjoyed therein".

A second agreement was signed on 23.3.1976 for demarcating the boundary between the two countries in the Gulf of Mannar. This Agreement sought only to define the boundary line in the area not covered by the earlier Agreement. All other provisions of 1974 Agreement remain valid and have not been superseded.

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However, at the suggestions of Government of India in April 1976, wide publicity was given to the 1976 Agreement and fishermen fishing in these areas were asked to confine their fishing operations within the territorial waters of India. It was also stated that Indian fishermen could dry their nets in Katchatheevu if necessary. They were however prohibited from fishing in the Sri Lankan Territorial Waters around Katchatheevu. These were Executive Instructions and they did not flow from the 1974 or 1976 Agreement. As they were Executive Instructions they cannot also supersede the provisions of the legally valid Agreement entered into by the two countries.

However the implementation of these executive orders have caused untold misery and damage to our fishermen over the years. The traditional rights enjoyed by them to fish around the Katchatheevu have been denied. Time and again our fishermen have been arrested, attacked and shot dead in these waters. Each one of these incidents have shocked the people of the State and rocked the Legislative Assembly. Successive Chief Ministers have written to the Government of India to undo this great injustice to the fishermen of Tamil Nadu.

Consequent to my Government coming to power, a D.O. letter was sent to the then Foreign Secretary, Ministry of External Affairs by my Chief Secretary on 17.8.2006. He had, on behalf of the State Government, requested Government of India to take up the issue and suggested the following:-

1. To get the Island of Katchatheevu and adjacent seas on 'lease in perpetuity' for fishing, drying of nets and pilgrimage while holding Sri Lanka's Sovereignty over it.
2. To permit duly authorized fishing by the Indian fishermen in Sri Lankan waters up to 5. N.M.

3. To enter into bilateral agreement to ensure that fishermen straying into each others territory are released immediately and are not subjected to harassment by the authorities of either country.

Following this, I have also personally written to you on 22.9.2006 requesting you to resolve this long pending issue and restore the traditional fishing rights of Indian fishermen in the waters of Katchatheevu. However, the arrests, as well as the arbitrary shooting incidents of the innocent fishermen have continued unabated, terrorising the Indian fishermen, and causing deep anguish to me and every citizen of the State. I have already brought this to your notice.

In view of the serious nature of the issue and the agony it causes to the fishermen of Tamil Nadu, the Sri Lankan Government may be told in clear terms about the legitimate rights of India in this issue. The rights and privileges of the Indian fishermen to carry on their normal occupation of fishing in these waters must be recognised and restored. I urge the Government of India to take necessary steps to protect the precious lives of Indian fishermen and also to ensure their livelihood.

Kind Regard

Yours sincerely,

*M. Karunanidhi*

(M.KARUNANIDHI)

To  
Dr. Manmohan Singh  
Hon'ble Prime Minister of India,  
New Delhi

வெளியீடு, இயக்குநர்  
செய்தி, மக்கள் தொடர்புத் துறை,  
தலைமைச் செயலகம், சென்னை-9

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