



MARITIME BOUNDARIES AND TRADITIONAL FISHING RIGHTS: A LEGAL ANALYSIS OF THE RAMESWARAM FISHERMEN DISPUTE

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ABSTRACT

The maritime boundary dispute affecting fishermen at Rameswaram in India and Northern Province of Sri Lanka represents one of the most complex intersections of International law, traditional fishing practices, economic survival and regional diplomacy in South Asia. The delimitation of maritime boundaries in the Palk Bay and the Gulf of Mannar particularly following the Indo-Sri Lankan agreements of 1974 and 1976, transformed what had historically been a shared fishing zone into a heavily regulated and contested maritime space. This paper examines the historical background of fishing communities in the region, the legal framework governing maritime boundaries and traditional fishing rights, the socio-economic and environmental dimensions of the conflict and the diplomatic and policy measures undertaken to address the issue. It argues that while international law provides mechanisms for maritime delimitation, the Rameswaram fishermen dispute demonstrates the limitations of legal frameworks when traditional livelihoods and ecological sustainability are not adequately considered. The study concludes by suggesting cooperative fisheries management, phased transition to sustainable fishing methods and institutionalized bilateral mechanisms as potential pathways to long-term resolution.

KEYWORDS

Maritime boundaries, Traditional fishing rights, Palk Bay, Rameswaram fishermen, Indo-Sri Lanka relations, UNCLOS, Fisheries conflict.

INTRODUCTION

Maritime boundary disputes are often perceived primarily as conflicts over sovereignty, territorial control or natural resources. However in many regions of the world such disputes directly affect back communities whose livelihoods depend on access to the sea. The dispute involving fishermen from Rameswaram, Tamil Nadu and their Sri Lankan counterparts is a compelling example of how geopolitical agreements can reshape centuries-old patterns of livelihood. The Palk Bay, a narrow stretch of water separating India and Sri Lanka has historically functioned as a shared ecological and cultural space. Fishing communities on both sides developed similar fishing techniques shared kinship ties and seasonal migration patterns. The formal demarcation of maritime boundaries in the 1970s however redefined this shared space into distinct national jurisdictions.

In recent decade arrests of Indian fishermen by the Sri Lankan Navy, allegations of illegal fishing, destruction of fishing gear and environmental degradation have intensified tensions. The dispute has become a recurring issue in Indo-Sri Lanka diplomatic relations, raising questions about sovereignty, humanitarian considerations and sustainable fisheries management. This paper explores the Rameswaram fishermen dispute from historical, legal, socio-economic and environmental perspectives, emphasizing the need for a balanced approach that integrates law with local realities.

CONCEPT OF MARITIME BOUNDARIES IN INTERNATIONAL LAW

Maritime boundaries play a central role in international law by defining the spatial limits within which coastal states exercise sovereignty, sovereignty rights and jurisdiction over marine resources. The modern legal framework governing maritime boundary delimitation is largely derived from the United Nations Convention on the Law of Sea (UNCLOS), 1982 which established rules for



determining territorial seas. Contiguous zones, exclusive economic zones and continental shelves. Under UNCLOS, a coastal state is entitled to a territorial sea extending up to twelve nautical miles from its baseline within which the state exercises full sovereignty subject to the right of innocent passage. Beyond this zone lies the contiguous zone which may extend limited control necessary to prevent or punish infringements of its customs, fiscal, immigration or sanitary laws. Further seaward, coastal states may claim an exclusive economic zone extending up to two hundred nautical miles within which they possess sovereign rights for the purpose of exploring, exploiting, conserving and managing natural resources.

Maritime boundary delimitation becomes particularly significant where the maritime claims of two states overlap as is often the case between states situated opposite or adjacent to each other. UNCLOS provides general principles to guide delimitation in such circumstances, Article 15 of UNCLOS addresses the delimitation of territorial sea between states with opposite or adjacent coasts and emphasizes the use of the median line or equidistance principle unless historic title or special circumstances justify another boundary. Similarly Articles 74 and 83 of UNCLOS govern the delimitation of the exclusive economic zone and continental shelf requiring that boundaries be established by agreement in order to achieve an equitable solution. The principle of equity has emerged as a key element to maritime boundary jurisprudence. International courts and tribunals including the international Court of Justice and arbitral tribunals have repeatedly emphasized that delimitation should result in an equitable outcome rather than a strictly mathematical division factors such as the length of coastlines, geographical configuration, the presence of islands and socio-economic considerations may influence delimitation decisions. International courts have consistently emphasized equitable solutions in maritime delimitation. In *Maritime Delimitation in the Black Sea (Romania v. Ukraine)*, the International Court of

Justice clarified the modern three stage approach to maritime boundary delimitation.

In addition to treaty law, customary international law also plays an important role in maritime boundary disputes. State practice and judicial decisions have contributed to the development of principles such as equidistance, proportionality and the consideration of relevant circumstances. Historic usage and traditional fishing practices have occasionally been raised as relevant factors although their legal status remains complex and often depends on specific bilateral agreements or regional arrangements. Maritime boundaries not only determine control over marine resources but also affect the livelihoods of coastal communities that have historically depended on shared fishing grounds. In many regions fishing activities predate the formal delimitation of maritime boundaries by centuries. Consequently the establishment of rigid maritime borders has sometimes disrupted traditional practices creating tension between the legal rights of states and the economic and social rights of local populations.

The Palk Bay region between India and Sri Lanka provides a notable example of these challenges. The maritime boundary agreements concluded between the two states in the 1970s were intended to provide legal clarity and prevent disputes over sovereignty. However these agreements also altered long standing fishing patterns, raising important questions about the extent to which international law accommodates traditional fishing rights after the delimitation of maritime boundaries.

Thus while international law provides a comprehensive legal framework for maritime delimitation, it does not always fully address the human and historical dimensions associated with maritime resource use. The gap has contributed to recurring disputes in several parts of the world, including the Rameswaram fishermen dispute which illustrates the tension between the enforcement of maritime boundaries and the recognition of traditional fishing practices.



TRADITIONAL FISHING RIGHTS AND CUSTOMARY INTERNATIONAL LAW

Traditional fishing rights have long been recognized as an important but complex aspect of international maritime law. These rights generally refer to fishing practices carried out over long periods by coastal communities in particular maritime areas often predating the establishment of modern maritime boundaries. While international law does not provide a universally binding definition of traditional fishing rights such practices have been acknowledged in treaty law customary international law and judicial decisions in certain contexts. Customary international law is formed through consistent state practice accompanied by *opinio juris* or the belief that such practice is legally obligatory in some regions. States have historically tolerated or formally recognized the continued fishing activities of neighboring communities even after maritime boundaries were established. Such practices have sometimes been incorporated into bilateral agreements or local arrangements reflecting recognition of the economic dependence of coastal populations on shared marine resources.

The United Nations Convention on the Law of Sea (UNCLOS) contains limited but significant references to historic and traditional fishing practices. For example Article 51 recognizes traditional fishing rights in archipelagic waters requiring archipelagic states to respect existing agreements and traditional fishing rights of immediately adjacent neighboring states in certain circumstances. Although this provision applies specifically to archipelagic states it demonstrates that international law acknowledges the relevance of historic usage in maritime resource management. Judicial decisions have also addressed the issue of historic or traditional fishing rights, international courts and tribunals have occasionally considered historic fishing activity as a relevant circumstance in maritime delimitation or resource sharing arrangements. However such rights are not automatically recognized their validity often depends on clear evidence of long standing practice, mutual

recognition and the absence of explicit legal restrictions. The relevance of historic fishing practices has been recognized in International jurisprudence. In *Eritrea v. Yemen*, the arbitral tribunal acknowledged that traditional fishing activities of local communities may continue even after maritime delimitation.

Despite these limited recognitions traditional fishing rights often remain subordinate to the sovereign rights of coastal states over their territorial seas and exclusive economic zones. Once maritime boundaries are formally delimited, coastal states generally possess the authority to regulate, restrict or prohibit foreign fishing activities within their jurisdiction. As a result, traditional fishing communities may face significant hardship when legal boundaries restrict access to historically used fishing grounds. The tension between sovereign control and traditional livelihood rights has led to various cooperative mechanisms in different parts of the world. Some states have negotiated access agreements, seasonal fishing arrangements or joint management regimes to mitigate conflicts. These arrangements illustrate that while traditional fishing rights may not always be legally enforceable under general international law they can be recognized through diplomatic and regulatory frameworks.

In the context of the Palk Bay region fishermen from the coastal districts of Tamil Nadu including Rameswaram historically fished in areas that now fall within Sri Lankan maritime jurisdiction following the bilateral agreements of 1974 and 1976. The absence of explicit provisions guaranteeing traditional fishing access in these agreements has contributed to recurring disputes, arrests and humanitarian concerns. This situation highlights the limitations of existing international legal frameworks in balancing territorial sovereignty with the economic and cultural practices of coastal communities.

Therefore the question of traditional fishing rights remains one of the unresolved challenges in international maritime law. While the law recognizes the importance of equitable solutions and regional



cooperation the protection of traditional fishing practices largely depends on political will, bilateral negotiations and the development of cooperative fisheries management regimes rather than on clearly defined universal legal norms.

UNCLOS AND THE REGULATION OF FISHERIES

The United Nations Convention on the Law of Sea (UNCLOS), 1982, provides the primary legal framework governing the conservation, management and utilization of marine living resources. As a comprehensive treaty regulating maritime zones and the rights and duties of coastal states, UNCLOS establishes clear principles regarding fisheries jurisdiction, conservation obligations and the equitable use of maritime resources. Under UNCLOS, coastal states enjoy sovereign rights for the purpose of exploring, exploiting, conserving and managing natural resources within their Exclusive Economic Zone (EEZ) which may extend up to two hundred nautical miles from the baseline. Article 56 confers upon coastal states the authority to regulate fishing activities and adopt measures necessary to ensure the sustainable use of marine resources. These rights include determining allowable catch issuing fishing licenses and enforcing conservation measures.

At the same time UNCLOS imposes certain responsibilities on coastal states. Article 61 requires states to ensure that living resources in the EEZ are not endangered by overexploitation and to maintain or restore populations at sustainable levels. This provision reflects the broader principle of conservation and responsible fisheries management which has become a central objective of international maritime law. Article 62 further provides that coastal states shall promote the objective of optimum utilization of living resources and where they do not have the capacity to harvest the entire allowable catch, they may give other states access to the surplus under agreed conditions. Although this provision primarily addresses commercial fishing arrangements between states it also demonstrates that access to fisheries

resources may be regulated through cooperative arrangements.

UNCLOS also emphasizes cooperation between states sharing marine resources. Article 63 and 64 address the management of shared or highly migratory fish stocks requiring states to cooperate directly or through regional organizations to ensure effective conservation and management. These provisions recognize that marine ecosystems do not conform to political boundaries and that unilateral regulation may be insufficient to prevent disputes or resource depletion. Despite these regulatory mechanisms UNCLOS contains limited explicit protection for traditional or small scale fishing communities operating across maritime boundaries. The Convention primarily focuses on the rights and obligations of states rather than individuals or local communities. Consequently the protection of traditional fishing practice often depends on domestic legislation or bilateral agreements rather than direct treaty provisions.

In regions such as the Palk Bay the regulatory powers granted to coastal states under UNCLOS have enabled the enforcement of maritime boundaries and fisheries vessels operating without authorization. While such enforcement actions are legally permissible under the Convention they may also give rise to humanitarian and diplomatic concerns when they affect economically vulnerable fishing communities that have historically depended on shared fishing grounds. Furthermore, modern concerns about environmental sustainability have intensified regulatory efforts in many coastal regions. Practices such as bottom travelling which are common in certain fishing communities have been criticized for causing significant ecological damage to marine habitats. These environmental considerations have influenced both national policies and bilateral negotiations adding another layer of complexity to disputes involving traditional fishing rights.

Thus UNCLOS establishes a comprehensive legal regime for fisheries regulation that balances sovereign



rights, conservation obligations and the need for international cooperation. However the Convention leaves significant discretion to states in determining how fishing access is managed and it provides only limited mechanisms for addressing conflicts involving traditional fishing practices. This gap has contributed to continuing disputes in regions such as the Palk Bay where legal jurisdiction, environmental concerns and livelihood interests intersect.

INDIA-SRI LANKA MARITIME BOUNDARY AGREEMENTS (1974 AND 1976)

The maritime boundary between India and Sri Lanka in the Palk Bay and the Gulf of Mannar was formally established through two bilateral agreements signed in 1974 and 1976. These agreements were intended to provide legal certainty regarding sovereignty, prevent jurisdictional disputes and regulate the exploitation of marine resources in the region. However, their implementation has had significant implications for traditional fishing communities particularly fishermen from the coastal districts of Tamil Nadu including Rameswaram.

The First agreement signed in 1974 delimited the maritime boundary in the Palk strait and recognized the island of Katchatheevu as falling under Sri Lankan sovereignty, Katchatheevu had historically been used by fishermen from both India and Sri Lanka for resting, drying nets and attending the annual St. Antony's Church festival. Although the agreement permitted Indian fishermen and pilgrims to visit the island for specific purposes it did not explicitly grant fishing rights in the surrounding waters. This omission later became a major source of dispute and legal debate.

The Second agreement concluded in 1976 further extended maritime boundary delimitation into the Gulf of Mannar and the Bay of Bengal. This agreement reinforced the principle that each country would exercise exclusive jurisdiction and sovereign rights over the waters seabed and resources within the designated maritime zones. It also provided that

fishing vessels and fishermen of one country should not engage in fishing in the waters of the other effectively restricting cross border fishing activities that had previously been common practice.

These agreements were negotiated at a time when mechanized fishing and trawling were expanding in the region increasing pressure on marine resources and intensifying competition between fishing communities. While the agreements succeeded in clarifying legal boundaries they did not incorporate comprehensive mechanisms to protect traditional fishing practices or to provide alternative livelihood arrangements for affected communities. As a result fishermen who had historically operated across the Palk Bay found themselves subject to new legal restrictions and enforcement measures. From the perspective of international law, the Indo-Sri Lanka agreements are consistent with the principles set out in UNCLOS which encourages states with adjacent or opposite coasts to delimit maritime boundaries through mutual agreement in order to achieve equitable solutions. However the agreements also illustrate the limitations of boundary delimitation processes that focus primarily on state sovereignty without adequately addressing the socio-economic realities of local populations.

In the decades following the agreements incidents involving the arrest and detention of Indian fishermen by Sri Lankan authorities have occurred frequently. These incidents have periodically strained diplomatic relations between the two countries and have prompted calls for renegotiation, joint fishing arrangements, or the establishment of cooperative fisheries management mechanisms. Despite several rounds of bilateral talks a durable and mutually acceptable solution has remained elusive. The legal and humanitarian issues arising from these agreements highlight the broader challenge of reconciling maritime boundary enforcement with the protection of traditional livelihood practices. While the agreements remain legally binding and continue to govern maritime jurisdiction in the region their implementation underscores the need for



supplementary arrangements that balance sovereign rights with the economic and cultural interests of fishing communities.

Accordingly the Rameswaram fishermen dispute must be understood within the framework of these bilateral agreements which form the immediate legal basis for the regulation and enforcement of fishing activities in the Palk Bay. An analysis of the dispute therefore requires not only an examination of international legal principles but also a consideration of how these agreements operate in practice and affect the lives of coastal communities.

LEGAL ANALYSIS OF RAMESWARAM FISHERMEN DISPUTE

The Rameswaram fishermen dispute represents a complex intersection of maritime boundary enforcement, traditional fishing practices and humanitarian considerations. Although the legal framework governing the region is defined by the Indo-Sri Lanka maritime boundary agreements and the broader provisions of the United Nations Convention on the Law of Sea (UNCLOS) the practical realities of enforcement have created recurring tensions and legal challenges. From a strictly legal perspective Sri Lanka possesses the sovereign right to regulate and control fishing activities within its territorial sea and exclusive economic zone. UNCLOS recognizes the authority of coastal states to enforce fisheries laws including the boarding, inspection, arrest and judicial proceedings against foreign vessels engaged in unauthorized fishing. Accordingly the detention of Indian fishermen who cross the maritime boundary may be considered legally permissible under international law.

However the dispute cannot be fully understood through a narrow interpretation of sovereignty alone. The fishermen of Rameswaram have historically relied on fishing grounds in the Palk Bay for their livelihood and many of these practices predate the maritime boundary agreements of the 1970s. The

sudden transformation of historically shared waters into strictly regulated national zones disrupted long standing economic and cultural patterns. This raises important legal and ethical questions regarding the treatment of traditional fishing communities and the extent to which historic usage should be considered in enforcement practices. Another significant issue in the dispute is the method of fishing employed by certain segments of the fishing community particularly mechanized bottom trawling Sri Lanka has expressed strong objections to trawling on environmental grounds, arguing that such practices damage marine ecosystems, destroy fish breeding habitats and threaten the livelihoods of small scale Sri Lankan fishermen. These environmental concerns provide an additional legal justification for stricter enforcement measures as UNCLOS places an obligation on states to conserve marine living resources and protect the marine environment.

The dispute has also raised concerns relating to humanitarian principles and human rights. Prolonged detention of fishermen, seizure of fishing vessels and the economic hardship faced by affected families have drawn attention from policymakers, civil society organizations and international observers. While international maritime law primarily regulates state conduct, broader principles of international human rights law emphasize the importance of protecting the right to livelihood and ensuring humane treatment or detained individuals. Diplomatic engagement between India and Sri Lanka has periodically resulted in the release of detained fishermen and vessels indicating recognition by both states of the humanitarian dimension of the issue. Nevertheless such measures are often temporary and do not address the underlying structural causes of the dispute including declining fish stocks, limited listing areas and the absence of a comprehensive bilateral fisheries management frame work.

The Rameswaram fishermen dispute therefore illustrates a broader challenge in international law balancing the sovereign rights of traditional fishing communities and the need for environmental



sustainability. The existing legal framework provides clear rules regarding jurisdiction but offers limited mechanisms for addressing the socio-economic consequences of boundary enforcement. As a result long term resolution of the dispute is likely to depend not only on legal principles but also on cooperative arrangements, policy innovation and sustained diplomatic dialogue.

In the context the dispute serves as a significant case study demonstrating the limitations of existing international maritime law in addressing conflicts involving traditional fishing rights. It highlights the need for greater integration of livelihood concerns, environmental protection and regional cooperation within the legal and policy framework governing shared marine resources.

CHALLENGES IN BALANCING SOVEREIGNTY, LIVELIHOOD RIGHTS AND ENVIRONMENTAL PROTECTION

One of the most significant difficulties in resolving the Rameswaram fishermen dispute lies in balancing three competing considerations: the sovereign rights of coastal states, the livelihood needs of traditional fishing communities and the obligation to protect marine ecosystems. Each of these factors is recognized, either directly or indirectly, within the framework of international law, yet reconciling them in practice remains a complex challenge.

The principle of state sovereignty over maritime zones is well established in international law and is reinforced by the provisions of the United Nations Convention on the Law of Sea (UNCLOS) coastal states possess the authority to regulate fishing activities, conserve marine resources and enforce laws within their territorial sea and exclusive economic zone. In the context of the Palk Bay, Sri Lanka's enforcement of the fisheries laws is consistent with these principles particularly in relation to unauthorized fishing by foreign vessels. At the same time the livelihood rights of traditional fishing communities cannot be overlooked coastal population

in regions such as Rameswaram have depended on marine resources for generations and fishing constitutes not only an economic activity but also a cultural and social practice. Restrictions on access to traditional fishing grounds have led to economic hardship, increased indebtedness and social instability among fishing communities. Although international maritime law primarily regulates relations between states, broader principles of international human rights law emphasize the importance of safeguarding the right to livelihood measures remain proportionate and humane.

Environmental sustainability represents a third and increasingly important dimension of the dispute. Overfishing destructive fishing techniques and the depletion of marine resources have intensified competition in the Palk Bay region. Bottom trawling in particular has been widely criticized for damaging seabed ecosystems and reducing fish stocks thereby affecting both Indian and Sri Lankan fishermen. International law including UNCLOS obliges states to conserve living marine resources and to adopt measures necessary to prevent environmental degradation. These obligations provide a legitimate basis for stricter regulation and enforcement of fisheries laws. Another challenge arises from the limited institutional mechanisms available for cooperative fisheries management in the region. While bilateral talks between India and Sri Lanka have been conducted periodically the absence of a permanent joint management authority or a comprehensive regulatory framework has hindered the implementation of long term solutions. Without sustained cooperation enforcement actions and diplomatic negotiations tend to address only immediate incidents rather than the structural causes of the conflict.

The dispute is further complicated by technological and economic disparities within the fishing sector. Mechanized trawlers are capable of travelling longer distances and harvesting larger quantities of fish compared to traditional small scale fishing vessels. This disparity does not only contribute to



environmental degradation but also creates tensions between different segments of the fishing community both within and across national boundaries. In addition legal awareness and access to alternative livelihood opportunities remain limited among many fishing communities. The absence of effective rehabilitation or transition programs has made it difficult for fishermen to shift to sustainable fishing methods or alternative occupations. As a result, many fishermen continue to cross maritime boundaries despite the risks of arrest and vessel seizure.

These overlapping challenges demonstrate that the Rameswaram fishermen dispute cannot be resolved solely through legal enforcement or diplomatic negotiations. A durable solution requires an integrated approach that recognizes the legitimacy of state sovereignty protecting the economic security of coastal communities and ensures the long term sustainability of marine resources. Addressing these competing priorities remains one of the most pressing policy and legal challenges in the governance of shared maritime spaces.

RECOMMENDATIONS AND CONCLUSION

The continuing dispute involving fishermen from Rameswaram demonstrates the limitation of existing legal and police frameworks in addressing conflicts arising from maritime boundary delimitation. Although international law provides clear rules regarding jurisdiction and sovereign rights it offers limited practical guidance for reconciling these rights with the economic dependence of traditional fishing communities and the growing need for environmental protection. A long term and sustainable resolution therefore requires a combination of legal, institutional and policy measures. One important step toward reducing conflict would be the development of a bilateral fisheries and management frame work between India and Sri Lanka. Such a framework could include regulated access arrangements, seasonal fishing permissions or the establishment of designated fishing zones in specific areas of the Palk Bay. Cooperative mechanisms of this kind have been used

in other regions of the world to balance resource sharing with conservation objectives.

Another significant measure would be the gradual transition from destructive fishing practices to more sustainable methods. Programs that support the modernization of fishing techniques provide financial assistance and promote alternative livelihoods could reduce pressure on marine ecosystems and lessen the incentives for crossing maritime boundaries. Greater investment in marine conservation and responsible fisheries management would benefit fishing communities on both sides of the border in the long term. Strengthening institutional cooperation is also essential. Regular joint working group meetings, improved communication between maritime enforcement agencies and the creation of a permanent bilateral monitoring mechanism could help prevent misunderstandings and ensure that enforcement measures are carried out in a humane and proportionate manner. Rapid repatriation procedures for detained fishermen particularly those engaged in small scale fishing would also help mitigate humanitarian concerns.

In addition greater awareness among fishing communities regarding maritime boundaries, high risks and sustainable fishing practices is necessary. Educational and outreach programs conducted in coastal regions could play a significant role in reducing accidental boundary crossings and encouraging compliance with fisheries regulations. From a broader legal perspective the Rameswaram fishermen dispute highlights the need for the continued development of international legal norms relating to traditional fishing rights. While UNCLOS provides a comprehensive framework for maritime governance future regional agreements and state practice may contribute to the evolution of more explicit standards that recognize historic usage and livelihood considerations alongside sovereign rights.

In conclusion, the Rameswaram fishermen dispute illustrates the complex relationship between maritime boundary delimitation, traditional fishing practices and environmental sustainability. The enforcement of



maritime boundaries though legally justified has significant socio-economic consequences for coastal communities whose livelihoods depend on shared marine resources. A durable solution requires sustained bilateral cooperation, responsible resource management and policies that address both humanitarian and environmental concerns. By adopting cooperative and forward looking approaches India and Sri Lanka can work towards reducing conflict in the Palk Bay on promoting the equitable and sustainable use of shared maritime resources.

RESEARCH METHODOLOGY

In this research I have adopted a doctrinal and analytical methodology to examine the legal issues surrounding maritime boundaries and traditional fishing rights, with particular reference to the Rameswaram fishermen dispute. The study is primarily based on secondary sources, including international treaties, judicial decisions, scholarly books, journal articles and official reports.

The doctrinal approach has been used to analyze the relevant provisions of the United Nations Convention on the Law of Sea (UNCLOS), bilateral agreements between India and Sri Lanka, and principles of customary international law relating to maritime delimitation and fisheries regulation. Judicial decisions of international courts and tribunals have also been examined to understand the interpretation and application of legal principles concerning maritime boundaries and traditional fishing practices. In addition, the research employs an analytical method to evaluate the practical implications of maritime boundary enforcement on traditional fishing communities in the Palk Bay region. The study assesses the interaction between legal norms, environmental concerns, and livelihood issues and it explores possible police measures for resolving conflicts through cooperative fisheries management and bilateral mechanisms.

The research is descriptive as well as analytical in nature, aiming to provide a clear understanding of the

legal framework governing maritime boundaries while critically examining the limitations of existing international law in addressing disputes involving traditional fishing rights.

LITERATURE REVIEW

The issues of maritime boundary delimitation and traditional fishing rights have been widely discussed in the field of international maritime law. Scholars have examined the legal principles governing maritime zones, the role of customary international law, and the socio-economic implications of boundary enforcement, particularly in regions where coastal communities depend heavily on maritime resources.

Churchill and Lowe, in their work on the law of sea, provide a comprehensive explanation of the legal framework governing maritime zones and delimitation. They emphasize that the evolution of modern maritime law, particularly after the adoption of the United Nations Convention on the Law of Sea (UNCLOS), has significantly strengthened the sovereign rights of coastal states over marine resources. However, they also acknowledge that delimitation process often overlook the interests of local fishing communities whose traditional practices predate modern legal regimes.

Similarly, Malcolm N. Shaw discusses the increasing importance of equitable principles in maritime boundary disputes. Shaw argues that international courts and tribunals have consistently emphasized fairness and relevant circumstances when delimiting maritime boundaries. Nevertheless, the primary focus of such adjudication remains the rights and obligations of states rather than the protection of small scale fishing communities.

A number of scholars have specifically examined the concept of historic or traditional fishing rights. Treves notes that historic usage has occasionally been recognized in international law, particularly where long standing fishing practices were acknowledged by neighboring states. However, he observes that the legal status of such rights remains uncertain and often



depends on bilateral agreements rather than universally applicable rules.

Research relating to fisheries conflicts has also highlighted the growing tension between conservation measures and livelihood concerns. Studies published by the Food and Agriculture Organization (FAO) emphasize that overfishing, declining fish stocks, and the expansion of mechanized fishing have intensified competition in coastal regions around the world. These studies underline the need for cooperative fisheries management and sustainable fishing practices in order to prevent conflicts and ensure long term resource availability.

In the South Asian context, several scholars have examined the fisheries conflict in the Palk Bay between India and Sri Lanka. Vivekanandan research identifies multiple causes of the dispute, including mechanized trawling, depletion of marine resources and the absence of effective bilateral regulatory mechanisms. He argues that the problem cannot be resolved solely through law enforcement and requires coordinated management of shared fish stocks and gradual transition to sustainable fishing methods. Sathesh Shenoi also analyses the Palk Bay dispute from a police perspective, highlighting the economic dependence of fishing communities in Tamil Nadu and northern Sri Lanka. His work emphasizes that repeated arrests of fishermen have humanitarian and diplomatic consequences and suggests that joint fishing arrangements and licensing mechanisms could help reduce tensions.

Other scholars have focused on the environmental dimension of fisheries conflicts. Studies on bottom trawling have shown that destructive fishing methods contribute significantly to the degradation of marine ecosystems and the reduction of fish breeding habitats. These findings support the argument that stricter regulation of fishing practices may be necessary to ensure the long term sustainability of marine resources, even though such measures may create short term economic challenges for fishing communities.

Judicial decisions and arbitral awards have also contributed to academic discussion on maritime boundaries and fishing rights. Cases such as the *Eritrea v. Yemen* arbitration have been widely cited in the legal literature for recognizing the relevance of traditional fishing practices in maritime delimitation. Similarly, judgments of the International Court of Justice in cases involving maritime boundaries have reinforced the importance of equitable solutions and cooperation between states.

Despite this substantial body of scholarship, a significant gap remains in the literature regarding the interaction between maritime boundary enforcement and the socio economic realities of traditional fishing communities in developing regions. Many studies focus primarily on legal principles or environmental concerns, while fewer works provide an integrated analysis that considers legal, humanitarian and policy dimensions together.

The present study seeks to address this gap by examining the Rameswaram fishermen dispute through the combined lens of international maritime law, traditional fishing rights and fisheries governance. By analyzing treaty provisions, judicial decisions and regional developments, this research aims to contribute to a more comprehensive understanding of how international law can respond to conflicts involving shared marine resources and vulnerable coastal communities.

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