

Prawn farms, the Supreme Court and IUCN:

on-the-ground impediments to conservation

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Commercial prawn farming in the North West coast of Sri Lanka — particularly in the Puttalam lagoon — took off the ground in the 1980s with another developmental spurt in the 1990s. Some 900 shrimp farms mushroomed in the region, but only about 50% were legal and only a few had carried out the environmental impact assessment required by the law.

Mangroves were clear felled, salt marshes cleared, arable and bare land appropriated in the name of prawn farming. It was estimated that more than 30% of existing mangroves were cleared for this purpose.

Once mangroves are cleared, the coast is made vulnerable to

erosion, and coral reefs and seagrass beds become vulnerable to sedimentation. In order to grow as much shrimp as possible, shrimp farmers add artificial feeds with chemical additives (including chlorine) and insecticides (such as malathion and parathion — which persist in the environment) as well as antibiotics to prevent disease. This chemical soup is often dumped into surrounding land or waterways, harming aquatic life, as well as people, who depend on these waterways. In addition, land that is adapted to the ebb and flow of the tide is now flooded permanently, and this damages the soil.

Prawn farming is rarely sustainable, and, often in about five years, shrimp farms are abandoned as they are no longer viable.

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When the Sri Lanka BMZ team commenced work in the Puttalam lagoon, they began working closely with the North Western Provincial Environmental Authority, who identified restoration of prawn farms to original habitats, as a priority issue and requested IUCN's help. IUCN agreed readily to facilitate restoration of the hydrology in a ten hectare abandoned shrimp farm, to examine how and whether natural regeneration of mangroves occurred and also to set up a low intensity, model shrimp farming pilot site.



Existing constraints

However, despite enthusiasm from the Government Agent of the Puttlama District and support from the Director of the North Western province Environmental Authority, nothing could be done till government land, on long lease to prawn farmers, was released back to the government. Encountering delays, IUCN began a dialogue with prawn farmers, but met with stiff resistance from the prawn farmers.

The Director of the North Western province Environmental Authority took this issue initially to the Planning Secretariat, and next decided to take legal action against the prawn farmers.

To the highest court in the land

Filed for action in 2006, this case against some prawn farmers was taken up by the Supreme Court in late 2008. The Supreme Court ruled against the prawn farmers, ordering the Divisional Secretary of Wanathawilluwa to release two hectares of land in the Wanathawilluwa area to the North Western Provincial Environmental Authority, for the specific purpose of allowing IUCN (named in the judgement) to carry out a pilot project for

a model prawn farm that would educate and instruct prawn farmers in best environmental practices. It requested the assistance of the Grama Seva Niladari of the north western province to assist the police in prevention of any illegal activities.

No action despite the ruling

Nearly a year has passed now since the ruling, and nothing has yet transpired. The Director of the North Western province Environmental Authority has directed the relevant Divisional Secretary to release land vested with the Government Agent in the Wanathawilluwa area for IUCN to begin the pilot project. The Divisional Secretary has asked for a survey order, involving yet another short staffed government agency, the survey department.

The process seems to exemplify Thomas Sewell's quote that '... for bureaucrats procedure is everything and outcomes are nothing.' It also seems to illustrate that challenging the system on an issue through the best possible legal channels has not worked.



What then is the lesson learned from this experience? The key take home message is that while policy and laws are important and essential, the on-the-ground realities reflect a different situation.

While the Supreme Court ruling is there for IUCN to force action from the government, it is taking a different approach.

- It is strengthening its ties and working relationships with the local government authorities.
- It is continuing its facilitation and strengthening of the District Level Coordinating Committee (a unique cross-sectoral committee which includes communities).
- It is focussing on working towards the establishment of Puttalam lagoon as a fisheries management area; and
- It is confident that given time, the pilot project will be done, if not under the BMZ project but under a different project.

Photocredits: Cover: Mechanised aeration of water in prawn farms © Dilup Chandranimal; Reverse left: Mangroves destroyed for establishing prawn farms; right: abandoned prawn farm © Naalin Perera

