

Statement by the Alliance of Climate Frontline Communities on Shipwrecks off India's Kerala coast

A Call for Justice in the Asia-Pacific and Beyond

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As the UN Ocean Conference unfolds in Nice, France underscoring global commitments to ocean health, the Alliance of Climate Frontline Communities stands in unwavering solidarity with the fisherfolk of Kerala. In the span of merely two weeks, their lives and livelihoods have been severely affected by two catastrophic shipwrecks off their coast – the Liberian-flagged MSC Elsa 3, spewing hazardous chemicals and oil, and a Singapore-flagged vessel experiencing a dangerous container explosion. These incidents are not isolated; they are symptoms of a wider pattern of unchecked maritime activity and inadequate regulation that disproportionately burdens frontline coastal communities across the Asia-Pacific region, who are already grappling with the existential threats of climate change. From rising sea levels and extreme weather events to ocean acidification and marine pollution, these communities are on the front lines of an unfolding ecological crisis and shipwrecks only exacerbate their precarious existence.

The continuous onslaught of such maritime disasters, often involving vessels transiting vast distances with hazardous cargo, highlights a critical deficit in accountability and rapid response mechanisms that extends far beyond India's shores. Across the Asia-Pacific, from the vulnerable archipelagos of the Pacific Islands to the densely populated coastlines of Southeast Asia, similar incidents threaten vital fishing grounds, contaminate traditional food sources, and disrupt age-old cultural practices. The slow, often insufficient, national and international responses to these environmental crimes expose a systemic failure to protect the rights of fisherfolk and other frontline defenders who are the first to witness and suffer the consequences of such negligence. Their traditional ecological knowledge and deep connection to the ocean are invaluable, yet they are routinely marginalized in discussions about ocean governance and climate action.

Therefore, we demand that the ongoing UN Ocean Conference and all relevant national and international bodies, particularly those operating within the Asia-Pacific framework, prioritize the rights, safety and livelihoods of fisherfolk and climate frontline defenders with immediate and decisive action.

1. Establishment of a Rapid Response and Remediation Fund:

- Create a robust, regionally coordinated rapid response and remediation fund.
- Fund to be financed by the shipping industry and flag states.
- Purpose: Ensure swift environmental clean-up and long-term rehabilitation for affected communities and ecosystems across the Asia-Pacific.
- Align this fund with financial liability principles in the Nairobi International Convention on the Removal of Wrecks (2007) and MARPOL, to which India is a signatory.

2. Strengthening International Maritime Laws and Enforcement:

- Strengthen international maritime laws and conventions to ensure comprehensive liability.

- Hold polluters (shipping companies or cargo owners) fully accountable for economic, social, and ecological damages.
- Ensure meaningful participation of frontline communities in all stages of damage assessment, planning, and compensation.
- Build upon the legal framework of UNCLOS (1982), ratified by India, which defines states' responsibilities for marine zones and environmental protection.

3. Enhancement of Protection for Fisherfolk:

- Strengthen mechanisms addressing economic fallout for fisherfolk, recognizing their unique challenges compared to general seafarers.
- Urge ratification and implementation of conventions like the Work in Fishing Convention (2007) and the Unemployment Indemnity (Shipwreck) Convention (1920), which India has not yet ratified.
- Continue implementation of the Maritime Labour Convention (2006), ratified by India, with specific focus on fisherfolk.

4. Integration of Local and Indigenous Knowledge:

- Integrate local and indigenous knowledge into all ocean governance frameworks and climate adaptation strategies.
- Recognize frontline communities as essential partners in ocean stewardship.
- Provide resources and protections necessary for these communities to sustain their role in safeguarding marine heritage.
- Ensure full and effective participation of Indigenous Peoples and Local Communities in decision-making, consistent with international human rights instruments and principles such as Free, Prior, and Informed Consent (FPIC).

These points reflect the call for urgent and decisive action at the UN Ocean Conference and related bodies, emphasizing environmental responsibility, legal accountability, social justice, and inclusive governance in the Asia-Pacific region.

In Solidarity,

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