



Threats Posed by Illegal Fishing and Challenges to Prevention

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Photo: (UPM-PNTL)

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Introduction

A report released recently by *Conservation International* shows that the Timor Sea is rich with aquatic wildlife that could bolster Timor's economy in the near future.¹ The concentration of fish and coral reefs in the Timor Sea can be found on the South Coast.² These natural resources, however, are seriously threatened by illegal fishing.³ Fisherman from Indonesia, Thailand, and China frequently travel to the Timor Sea to fish illegally.⁴ The persistence of these illegal fishing operations is reducing the number of fish,⁵ and leading to environmental harm and the destruction of coral reef.⁶

Government security forces do not currently have the resources for capability to effectively combat illegal fishing operations operating in the Timor Sea. A challenge faced by Timor-Leste, is the difficulty of facilitating operational services for frigates and other vessels used by the F-FDTL Naval Component and Maritime Police.⁷ President Taur Matan Ruak has expressed his concern about this issue.⁸

This report is a follow up to FM's previously published report on the "Fragility of Timor-Leste Maritime Security", and aims to analyze the threats posed by illegal fishing. This report also intends to analyze the challenges faced by the government in creating a policy to protect the Timor Sea and its resources.

¹ National Geographic. (02 January 2014). New Type of the First Fish in Timor-Leste. <http://www.wallacea.org/jenis-baru-ikan-laut-pertama-di-timor-leste.html>

² Burke, Laurretta. (2012). Review the Ridge of Rock Exposed at Low Tide coral which is in threaten. http://www.coraltriangleinitiative.org/sites/default/files/resources/RR_CT_Bahasa_low-res_01-14-13.pdf

³ Freitas, Antonio. (9 July 2013). Director of the Institute of Strategic and International Studies. Private Interview.

⁴ A, Mukthar. (08 March 2011). *Stealing Fish RI Timor Leste strengthen the Cooperation*. <http://mukhtar-api.blogspot.com/2011/03/pencurian-ikan-ri-timor-leste-lakukan.html>

⁵ Dos Reis Amaral, Lourenço (23 November 2012). Chief of the General Inspection Department of the Secretary State of Fishery. Private Interviewed

⁶ Reyntar, Kathleen. (2012). Review the Ridge of Rock Exposed at Low Tide coral which is in threaten. http://www.coraltriangleinitiative.org/sites/default/files/resources/RR_CT_Bahasa_low-res_01-14-13.pdf

⁷ Fundasaun Mahein. (21 September 2011). Security Maritime in Timor- Leste; A Fragile Situation. Mahein's Voice No.23. <http://www.fundasaunmahein.org/2011/09/21/siguransa-maritima-timor-leste-iha-situasaun-frajil/>

⁸ May. (03 February 2014). Every Year TL Misses \$25. Media Diariu Nasional.p1-15.

Methodology

The information used in the creation of this report was gathered from discussions led by FM researchers, referred to as “Security Sector Discussions” (SSD), as well as from interviews with authority figures from the Naval Component of the F-FDTL, UPM-PNTL, Ministry of Agriculture and Civil Societies. Information was also gleaned through research about illegal fishing activities along the South Coast at the end of 2013 and the beginning of 2014. Sources included national and international media sources, as well as reports on illegal fishing in Timor-Leste released by the government and Non-Governmental Organizations.

Methods and Impact of Illegal Fishing Operations

Illegal fishermen have been able to move and operate freely in the maritime area of Timor Leste; this has become a national problem and threatens the future of Timor-Leste. The Republic President is deeply concerned about this issue because Timor-Leste has lost millions of dollars in revenue due to illegal fishing.⁹ According to Fundasaun Mahein’s monitoring, illegal fishing in the Timor Sea continues to be conducted at an increasing pace.

It has been identified that illegal fishing in the Timor Sea is mainly perpetrated by non-Timorese fishermen. They use poisons, bombs and other methods to capture large quantities of fish.¹⁰

A report conducted by the Ministry of Agriculture and Fisheries during 2013 calculated that Timor-Leste loses at least 30,600,000 tons of fish (small and big), worth around 214.5 million dollars each year to illegal fishing.¹¹ The following graphic shows the estimation made by the Ministry of Agriculture and Fisheries about the fish lost to illegal fishing.

Graphic of the Illegal Fishing Activities in the Maritime Area of Timor-Leste 2013

No.	Illegal Activities	Unit/ quantity	Period	Total estimation
	Type of the Illegal Fishing			
1	Small fish			
	Illegal Fishing Vessels	30 Units	A day	US\$ 2.00/kg
	The stolen fishes	2.000 kg	A day	
	Total of Missing fish		A year	18,000 Kg (18 T)
	Total of the missing funds		A year	US\$ 36,000/Year

⁹ May. (03 February 2014). Every Year TL Misses \$25. Media Diariu Nasional.p1-15.

¹⁰ Burke, Laretta. (2012). Review the Ridge of Rock Exposed at Low Tide coral which is in threaten.. http://www.coraltriangleinitiative.org/sites/default/files/resources/RR_CT_Bahasa_low-res_01-14-13.pdf

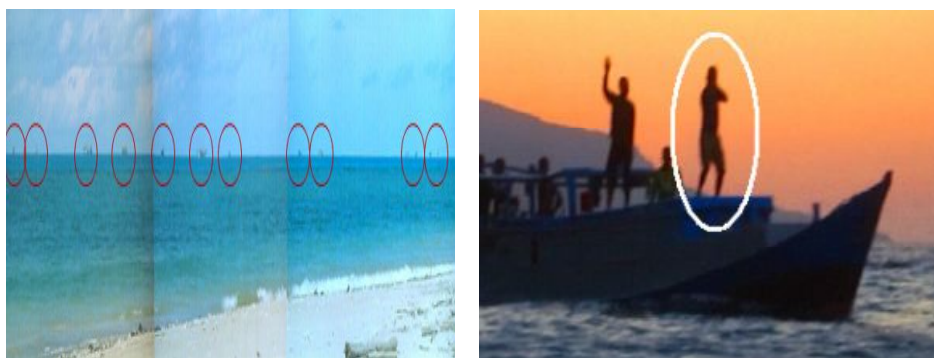
¹¹ Dos Reis Amaral, Lourenço (23 November 2012). Chief of the General Inspection Department of the Secretary State of Fishery. Private Interviewed

2 Large fish				
	Illegal Fishing Vessels	30 Units	A day	
	The stolen fishes	200 kg	A day	US\$ 25.00/kg
	Total of Missing fish		A Year	US\$ 2,100.000 kg (2.100T)
	Total of the missing fund		A year	US\$ 52,500.00/Year
3 “Demersal” fish				
	Illegal Fishing Vessels	30 Units	A day	
	The stolen fishes	1.000 Kg	A day	US\$ 12.00/Kg
	Total of Missing fish		A year	10.500.00 Kg (10.500 T)
	Total of the missing fund		A year	US\$ 126.000.000/ year
Total of the missing fish			A year	30.600.000 tons
Total of the missing funds			A year	US\$ 214.500.000

Source: Documents from the Ministry of Agriculture and Fisheries-MAF 2013

Illegal fishing activities from 2006 to 2008 included the participation of at least 30 boats conducting illegal fishing operation in the Timor Sea, particularly off the South Coast in the areas of Lore, Laivai, Tutuala Lautem, Uatucarbau beach, and Viqueque district. In 2011, between the months of July and August, at least 25 illegal fishing vessels also stole fish in the areas of Iliomar and Uatucarbau.¹² The number of illegal vessels intercepted by naval forces in 2013 has not yet been released.¹³

Illegal Fishing Activities in the Timor Sea



Source: Image of the Ministry of Agriculture and Fisheries - MAF – 2013

¹² Fundasaun Mahein. (21 September 2011). Security Maritime in Timor Leste-A Fragile Situation. Mahein’s Voice No.23

¹³ Horta, Madalena. (16 October 2013). Involved the Illegal Fishing, 3 Foreign people captured by the Naval Component. <http://jornal.suara-timor-lorosae.com/involve-peska-ilegal-sidadaun-estranjeiru-3-naval-kaer/>

Illegal fishing activities in the Timor Sea result not only in the theft of fish, but also in the destruction of other important resources such as coral, small fish, and the oceanic environment. It estimated that illegal fishing activities could lead to the destruction of at least 92% of coral in the Timor Sea.¹⁴

A report released by the World Resources Institute (WRI) indicates that if illegal fishing activities in the maritime area of Timor-Leste are not curbed, coral in the area will be destroyed by the year 2030.¹⁵ At least 70% of the area surveyed by Conservation International was identified to be rich with coral and the abundance of aquatic life that congregates around coral, particularly along the South Coast.¹⁶ Indonesia has also become concerned about the issue of illegal fishing done by foreign nationals around the maritime border between Timor-Leste and Indonesia, which is destroying the oceanic environment.¹⁷

Efforts to Combat Illegal fishing

In 2013, the naval component of the F-FDTL and the Maritime Police Unit of the PNTL were able to successfully detain illegal Indonesian fishing vessel “KM Jaya Samudra, numbered “GT.333 No.11228 MMA”.¹⁸ Another vessel, “KM Masagena”, was detained on 04 December 2011.¹⁹ An illegal fishing vessel was also detained in Mulia-Laga (Bacau) beach in August 2013,²⁰ and another ship from Indonesia was caught in Hera beach in October 2013.²¹ These successes resulted from coordination between police and military authorities to successfully conduct operations. Overall, however, the UPM and PNTL were able to capture only a small

¹⁴ Burke, Laretta. (2012). Review the Ridge of Rock Exposed at Low Tide coral which is in threaten. http://www.coraltriangleinitiative.org/sites/default/files/resources/RR_CT_Bahasa_low-res_01-14-13.pdf

¹⁵ Burke, Laretta & Reytar, Kathleen. (2012). Review the Ridge of Rock Exposed at Low Tide coral which is in threaten. http://www.coraltriangleinitiative.org/sites/default/files/resources/RR_CT_Bahasa_low-res_01-14-13.pdf

¹⁶ National Geographic. (02 January 2014). New Type of the First Fish in Timor-Leste. <http://www.wallacea.org/jenis-baru-ikan-laut-pertama-di-timor-leste.html>

¹⁷ Rare. (2014). Program for the Fishery Continuity in Indonesia and Timor Leste. <http://www.rare.org/id/program-untuk-perikanan-berkelanjutan-di-indonesia-dan-timor-leste>

¹⁸ Fundasaun Mahein. (21 September 2011). Security Maritime in Timor Leste-A Fragile Situation. Mahein's Voice No.23

¹⁹ Bella, Burhanudin. (2012, Novembru 28). [\[Jejak 32\] Nelayan Sinjai Ditangkap di Timor Leste.](http://gerakrudiyanto.wordpress.com/2012/11/28/jejak-32-nelayan-sinjai-ditangkap-di-timor-leste/) <http://gerakrudiyanto.wordpress.com/2012/11/28/jejak-32-nelayan-sinjai-ditangkap-di-timor-leste/>

²⁰ RDTL. (31 August 2013). Detained Boats of the Illegal Fishing. <http://www.peskador.org/index.php?berita.php?judul=Kapturasaun%20Roo%20Pesca%20Illegal>

²¹ Horta, Madalena. (16 October 2013). Involved the Illegal Fishing, 3 Foreign people captured by the Naval Component. <http://jornal.suara-timor-lorosae.com/involve-peska-ilegal-sidadaun-estranjeiru-3-naval-kaer/>

number of illegal fishing vessels, and many of them still continue to conduct their operations in the Timor Sea in 2014, especially in the South Coast in Uatucarbau, Iliomar and Lore beaches.

Some challenges that need to be addressed in the government's agenda include the coordination of activities between security and defense organizations, as well as the formation of a national maritime defense authority. These activities must be undertaken to control the resources of the Timor Sea and combat illegal fishing in all the territories of Timor-Leste. In the future, the government must do more to coordinate with maritime authorities tasked with securing Timor's maritime border. The naval component of the F-FDTL, the maritime police, and any relevant civil institutions must work together to combat illegal fishing?²²

The perspective of the Maritime Police Unit concerning the maritime security system of Timor-Leste, is that the creation National Maritime Authorities (NMA) is necessary in order to facilitate maritime security service operations. The Maritime Police Unit is responsible for maritime security, and is one component of Timor-Leste's maritime authority system. The Maritime Police Unit should receive special training to increase its capacity to patrol Timor-Leste's maritime border, as well as public dominion areas in Timor's maritime area.²³ The naval component of the F-FDTL has also raised a relevant issue by stating the necessity for an executive mandate given by the maritime authority. This would create a ruling mechanism and procedures to govern how security operations are conducted in the Timor-Sea.²⁴

It is clear that Timor-Leste has a strong interest in sustaining the resources offered by the Timor sea such as fish, in order to support economic development in the future. Protecting interests in the Timor Sea must be done to ensure economic growth in the fishing sector. The government's agenda is to increase the quantity of fish caught by legitimate Timorese fishermen. The government will create maps showing the areas in which commercial fishermen should fish, and will also give preferential fishing licenses to local fishermen.²⁵

There is also a need to invest in the development of relevant institutions to increase their operational capacity in terms of both equipment and human resources. State entities have, on numerous occasions, questioned why illegal fishing still continues to occur despite the fact that Timor's military and state institutions are supposed to be securing Timor's maritime resources. This disconnect is a clear indication that the naval component of the F-FDTL and the UPM-

²² Dos Reis Amaral, Lourenço (2012). Interviewed DISIS with the Head of General Inspection and fisheries Department and Published on the Report "the National Defense Management of Timor Leste from Development Dimension Policy of the Maritime Security" Private Interview.

²³ Saldanha, Lino (2012). Interview DISIS with the Commander of Maritime Police Unit-MPU and has been published on the report of "the National Defense Management of Timor-Leste from Development Dimension Policy of the Maritime Security" Private Interview.

²⁴ DISIS (2013). Report of the National Defense Management of Timor Leste From Development Dimension Policy of the Maritime Security. Accessed on 11 February 2013 <http://www.disis-tl.org/wp-content/uploads/2013/10/SECURITY-MARITIMA-PUBLICATION-LOS1.pdf>

²⁵ RDTL. (26 August 2012). Program of the V Constitutional Government Legislature 2012-2017.Pdf.

PNTL still lack the capacity and resources necessary to effectively patrol the Timor Sea. Included in this problem is the fact that the two ships purchased from China for use by these organizations lack the capacity to properly operate in the Timor Sea. Because of such capacity deficits, illegal fishing vessels continue to operate with virtual impunity. Timor's president addressed this issue in his speech at the XIII anniversary of the F-FDTL, and urged the government to invest in the development of the F-FDTL so that it will be able to effectively secure Timor's maritime resources and by extension, secure the economic prosperity of Timor's legal fishing industry.²⁶

Summary of Recommendations

1. Recommend to the National Parliament and government to create legislation for the creation of a National Maritime Authority. This institution would act as an overseeing authority to coordinate and integrate actions to enforce national maritime security laws.
2. Recommend to the government to establish a joint coordination and cooperation mechanism between the Ministry of Agriculture and Fisheries, Ministry of Defense and Security, F-FDTL and UPM (Maritime Police Unit), Port Authority, Criminal Investigation Police, Ministry of Natural Resources, Ministry of Transport and Telecommunication, and the Ministry of foreign Affairs and Cooperation to respond to the illegal fishing problem.

²⁶ May. (03 February 2014). Every Year TL Misses \$25. Media Diariu Nasional.p1-15.

Bibliography

- AFMA. (19 April 2013). AFMA officers work with Timor Leste to Combat Illegal Fishing. <http://www.afma.gov.au/2013/04/25695/>
- Reytar, Kathleen. (2012). Review the Ridge of Rock Exposed at Low Tide coral which is in threaten. http://www.coraltriangleinitiative.org/sites/default/files/resources/RR_CT_Bahas_a_low-res_01-14-13.pdf
- DISIS (2013). Report of the National Defense Management of Timor-Leste From Development Dimension Policy of the Maritime Security. Accessed on 11 February 2013 <http://www.disis-tl.org/wp-content/uploads/2013/10/SECURITY-MARITIMA-PUBLICATION-LOS1.pdf>
- Dos Reis Amaral, Lourenço (2012). Interviewed DISIS with the Head of General Inspection and fisheries Department and Published on the Report “the National Defense Management of Timor Leste from Development Dimension Policy of the Maritime Security” Private Interview.
- ELJB. (22 September 2011). Maritime Security in Timor-Leste – A Fragile Situation - See more at: <http://www.easttimorlawandjusticebulletin.com/2011/09/maritime-security-in-timor-leste.html#sthash.YtIsnu6R.dpuf>
- Freitas, Antonio. (9 July 2013). Director of the Institute of Strategic and International Studies. Private Interview.
- Clark Howard, Brian (2013) National Geographic: Country's First New Species of Fish Discovered. <http://newswatch.nationalgeographic.com/2013/12/11/countrys-first-new-species-of-fish-discovered/>
- Fundasaun Mahein. (21 September 2011). Security Maritime in Timor Leste-A Fragile Situation. Mahein's Voice No.23. <http://www.fundasaunmahein.org/2011/09/21/siguransa-maritima-timor-leste-iha-situasaun-frajil/>
- Fundasaun Mahein. (2013, Setembru 27). Progresu no Dezafiu Kooperasaun Defeza Timor-Leste. <http://www.fundasaunmahein.org/2013/09/27/progresu-no-dezafiu-kooperasaun-defeza-timor-leste/>
- Horta, Madalena. (16 October 2013). Involved the Illegal Fishing, 3 Foreign people captured by the Naval Component. <http://jornal.suara-timor-lorosae.com/involve-peska-ilegal-sidadaun-estranjeiru-3-naval-kaer/>
- Joana. (28 August 2011). Horta Urged the Government led by Xanana to add funds for the Environmental. <http://cjitlnoticias.sapo.tl/nasional/horta-husu-governu-neebe-xanan-238564>

- May. (03 February 2014). Every Year TL Missed 250 \$Million Media Diariu Nasional.
- National Geographic. (02 January 2014). New Type of the First Fish in Timor-Leste.
<http://www.wallacea.org/jenis-baru-ikan-laut-pertama-di-timor-leste.html>
- Rare. (2014). Program for the Fishery Continuity in Indonesia and Timor Leste.
<http://www.rare.org/id/program-untuk-perikanan-berkelanjutan-di-indonesia-dan-timor-leste>
- RDTL. (2013). National Plan Action to Combat Illegal Fishing, undeclared an unregulated in Timor-Leste. Document of the Ministry of Agriculture and Fisheries – MAF.
- RDTL. (31 August 2013). Detained Boats of the Illegal Fishing.
<http://www.peskador.org/index.php?berita.php?judul=Kapturasaun%20Roo%20Pesca%20Illegal>
- RDTL. (26 August 2012). Program of the V Constitutional Government Legislature 2012-2017.Pdf.
- Saldanha, Lino (2012). Interview DISIS with the Commander of Maritime Police Unit-MPU and has been published on the report of “the National Defense Management of Timor Leste from Development Dimension Policy of the Maritime Security” Private Interview.
- Reytar, Kathleen. (2012). Review the Ridge of Rock Exposed at Low Tide coral which is in threaten.
http://www.coraltriangleinitiative.org/sites/default/files/resources/RR_CT_Bahasa_low-res_01-14-13.pdf
- Tanggap News. (28 October 2011). Stealing Fish still become threaten
<http://tanggapnews.com/2011/10/28/pencurian-ikan-masih-jadi-ancaman/>