



Hong Long Fisheries, Lda: Krime Transnasiona Halu Infiltrasaun iha Timor-Leste

Mahein Nia Hanoin Nú. 15, 22 Novembru 2017



The M/V Ocean Warrior with the Fu Yuan Yu fleet off the coast of East Timor. Photo Jake Parker/ Sea Shepherd.

Fundasaun Mahein (FM)
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Sumariu ezekutivu

Empreza Hong Long Fisheries, Lda hanesan ramu husi empreza Fuzhou Honglong iha Xina ne'ebé funda iha tinan 1995 no hala'o negosiu iha setor peska ho nia kuantidade ró peska hamutuk 100. Empreza ne'e halo mos atividade negosiu seluk hanesan manutensaun ba ró, prosesamentu ikan, distributor ikan iha merkadu lokal no internasional. Empreza Hong Long Fisheries, Lda ho nia diresaun Rua Motael Vera-Cruz, Dili Timor-Leste, hetan lisensa peska husi Ministériu Agrikultura no Peska durante tinan 1 hahu husi 15 Novembru 2016 to'o 15 Novembru 2017 ho kuantidade ró peska unidade 15 no tipu lisensa peska industrial.

Hong Long Fisheries, Lda hanesan ró peska estranjeiru ne'ebé hetan lisensa peska iha Timor-Leste ho investimentu ne'ebé boot ba faze primeiru ho kapital millaun US\$ 20. Espetativa oin-oin katak sei hatama reseita ne'ebé boot ba Timor-Leste maibe liu deit fulan tolu ninia atividade peska iha area tasi-mane Timor-Leste nian kaer espesie sira protejidu hanesan tubaraun. Governu Timor-Leste hola medida imediatamente ba pratika ne'e no kria ekipa konjunta ida hodi halo investigasaun hasoru Hong Long Fisheries Lda. Rezultadu husi investigasaun ne'e la fo sai públiku no la iha transparansia ba prosesu sira hasoru empreza refere. La kleur deit Hong Long Fisheries, Lda fila fali ba tasi-mane hodi halo atividade peska no la kleur deit mos komete kazu ne'ebé hanesan kaer espesie tubaraun ho tonelada 225 husi ró 15 Hong Long Fisheries, Lda nian. Prosesu ba kazu daruak nian dadaun ne'e la'o hela no suspende tiha ona atividade peska empreza Hong Long Fisheries, Lda nian no to'o agora seidauk iha desizaun final lolos.

Polêmika seluk relasiona ho lisensa peska ba empreza Hong Long Fisheries, Lda ne'ebé tuir lisensa ba empreza refere na'in maka sidadaun nasional ida maske empreza ne'e rasik nia estatutu hanesan ró peska estranjeiru. Nune'e la iha ona dúvida kona-bá tranzasaun ba lisensa entre parte sira ne'ebé involve iha prosesu ne'e. Ida ne'e hatudu momos ona kona-bá violasaun hasoru Dekretu Lei Governu N^o. 6/2004, 21 Abril 2004, Baze Jeral Rejime Juridiku ba Jestaun ho Ordenamentu Peska ho Akikultura, artigu 30 katak lisensa peska komersial labele alienadu ka sai objetu atu aluga, ka hamonu obrigasaun ruma ka hamosu direitu seluk ne'ebé fo benefisiu ba ema seluk (*third parties*).

Empreza Hong Long Fisheries, Lda iha relasaun ne'ebé besik ho empreza Pingtan Marine Enterprise Ltd. Portantu ró sira ne'ebé utiliza husi empreza Hong Long Fisheries, Lda nu'udar propriedade Pingtan Marine Enterprise nian. Nune'e mos empreza Hong Long Fisheries, Lda hanesan instrumentu ba Pingtan Marine Enterorise, Ltd hodi hetan lisensa peska foun. Tamba empreza Pingtan Marine Enterprise Ltd hanesan empreza ida ne'ebé nia istoria nakonu atividade kriminal iha nasaun sira ne'ebé empreza ne'e hala'o nia atividade peska. Nasaun viziñu Indonézia duni sai ona husi nia teritoriu tamba empreza refere involve iha atividade kriminal.

Ida ne'e hatudu momos Ministériu Agrikultura no Peska falla ona hodi buka hatene empreza Hong Long Fisheries, Lda nia istoria no antes fo lisensa ba empreza refere. Nune'e mos empreza Hong Long Fisheries, Lda la fo lolos informasaun kona-bá empreza ne'e nian. Ikus mai empreza Hong Long Fisheries, Lda la'os deit halo peska ba ikan sira ne'ebé autoriza tuir



lisensa ne'ebé fo ba empreza ne'e maibe peska mos spesie sira protejidu. Ida ne'e duni maka empreza ne'e nia intensaun tamba nia historia rasik nakonu ho atividade kriminal. Prova barak maka hatudu iha relatóriu ida ne'e katak empreza Hong Long Fisheries, Lda ho Pingtan Marine Enterprise la'os deit involve iha peska ilegal maibe involve mos iha fraude investidor sira, fase osan, trafiku umanu, servisu forsadu no kazu omesidu ida iha tasi. Iha kazu fraude de investidores ne'ebé akuza ona husi Tribunal Federal Estadu Unidus Amerika nian iha loraon 24 Novembru 2014. Nune'e mos involve iha kazu omesidu ida iha tasi Fiji nian iha tinan 2015. Inklui ró Hong Long Fisheries no Pingtan Marine Enterprise prende tamba deskonfia halo peska ilegal ba ikan tubaraun iha Galapagos Marine Reserve iha loraon 13 Agustu 2017.

Portantu Timor-Leste iha limitasaun ba kapasidade hodi halo patrulla no proteze tasi no menus kapasidade ba ró patrulla ne'ebé sustentavel, nomos peritu iha jestaun peska nian hodi regula no kontrola peska komersial (domestika no internasional).

Ba Timor-Leste atu dezenvolve kapasidade soberanu hodi proteje ninia riku-soin iha tasi no garante ninia seguransa maritima, tenke hola medida oin-oin. Tamba dadaun ne'e menus kapasidade tantu iha jestaun ba peska nomos seguransa ba tasi, rekomendasaun diak ba Timor-Leste buka integra ba iha Regional Fisheries Management Organisations (RFMOs) hodi aproveita kapasidade rejional nomos dezenvolve no implementa estratejia ba tempu naruk hodi dezenvolve kapasidade soberania nian ba jestaun peska no seguransa maritima.

Tamba ne'e Timor-Leste presiza mellora nia kapasidade hodi halo jestaun ba peska nian, lisenasiamentu, regulamentu, kontrolu no kapabilidade seguransa maritima nian hodi aseguara riku soin sira iha tasi. Ida ne'e potensia ida ba Timor-Leste tenke koloka hanesan prioridade ba dezenvolvimentu nasional hodi hetan benefisiu ekonômiku ida sustentavel.



Introdusaun

Iha inisiu tinan 2017, Fundasaun Mahein (FM) relata ona atividade peska husi Hong Long Fisheries Lda ne'ebé kaer spesie sira protejidu hanesan tubaraun. Hong Long Fisheries Lda hanesan empreza Xineze ida ne'ebé hetan lisensa peska husi Ministériu Agrikultura no Peska iha tinan 2016. Liu deit fulan tolu atividade peska husi empreza ida ne'e nian sai polêmika boot iha sosiedade Timor-Leste tamba kaer spesie sira protejidu tuir lei Timor-Leste nian hanesan temi dadauk iha leten ne'e. Governu Timor-Leste hola medida imediatamente ba pratika ne'e no kria ekipa konjunta ida hodi halo investigasaun hasoru Hong Long Fisheries, Lda. Rezultadu husi investigasaun ne'e la fo sai ba públiku no la iha transparansia ba prosesu sira hasoru empreza refere. La kleur deit Hong Long Fisheries, Lda fila fali ba tasi-mane hodi halo atividade peska no la kleur deit mos komete kazu ne'ebé hanesan kaer spesie tubaraun ho tonelada 225 husi ró 15 Hong Long Fisheries, Lda nian.¹

Parte oin-oin husi Timor-Leste reazen maka'as ba pratika ne'e no halo ona investigasaun hasoru Hong Long Fisheries, Lda no hetan kobertura ida ne'ebé intensivu husi media nasional no internasional sira. Resposta husi Ministru Agrikultura no Peska Estanislau da Silva dalaruma oin seluk ho faktu sira ne'ebé deskobre ona husi ativista ambiental sira husi Australia no Polícia Nacional Timor-Leste (PNTL) durante sira nia operasaun katak spesie tubaraun ne'ebé kaer husi Hong Long Fisheries, Lda la'os protejidu. Resposta ida ne'e dalaruma konfirma ho diploma ministerial konjunta ne'ebé hetan revizaun iha fulan Abril 2017 ba diploma anterior nian (ne'ebé spesie hotu-hotu tubaraun protejidu) no ho diploma foun spesie balu deit maka protejidu. Investigasaun la'o tiha ona no atividade ró peska husi Hong Long Fisheries, Lda dadaun ne'e suspende hela. Maibe to'o agora seidauk iha desizaun final ba kazu ne'e.

Iha sorin seluk, hafoin tubaraun fila fali sai hanesan asunto interasante iha diskusaun sira ofisial no iha media. Hetok sai polêmika liu kona-bá se maka na'in lolos ba empreza Hong Long Fisheries, Lda. Dokumentu ka lisensa peska ba Hong Long Fisheries, Lda naklekar iha media sosial konfirma faktu kontroversial ida no alega katak iha buat ruma ne'ebé bele deskonfia antes no durante Hong Long Fisheries Lda hetan lisensa peska nian. To'o agora seidauk iha informasaun ofisial ruma hodi hato'o katak na'in lolos ba empreza refere. Maske ema hotu hatene katak empreza refere husi Xina.

Iha ne'e, relatóriu ida ne'e buka deskobre na'in lolos ba empreza Hong Long Fisheries Lda tuir dokumentu ka lisensa peska nian, ligasaun empreza refere ho empreza seluk, propriedade sira husi Hong Long Fisheries, Lda, atividade sira antes empreza ne'e halo atividade peska iha Timor-Leste no pratika kriminal sira ne'ebé dokumenta ona durante tinan hirak ikus ne'e iha nasaun seluk.

Metodolojia

Peskiza ida ne'e hala'o durante fulan rua husi fulan Setembru to'o Novembru 2017 hodi dokumenta dadus sira relasiona ho peskiza ida ne'e nian tantu husi media nasional no internasional, nomos relatóriu sira husi organizasaun nasional no internasional sira relata kona-bá atividade peska Hong Long Fisheries, Lda nian durante hala'o atividade peska iha

¹NotisiaGrupu Media Nasional TV, Ioron 2 Outobru 2017.



tasi Timor-Leste. Nune'e mos pratika sira ne'ebé viola lei Timor-Leste nian no konvensaun sira ne'ebé nia fokus ba peska spesie protejidu sira no atividade kriminal sira seluk ne'ebé komete husi Hong Long Fisheries, Lda no ligasaun ho empreza seluk.

Ikus liu, prosesu sira iha leten ne'e ramata, hodi konklui relatóriu ida ne'e liu husi metodu ne'ebé FM adopta maka *Security Sector Discussion* (SSD). SSD hanesan metodu diskusaun ida ne'ebé involve peskizador sira husi FM rasik hodi halo diskusaun no análiza ba dados ne'ebé rekolla no hamosu rekomendasaun sira.

Empreza Hong Long Fisheries, Lda

Empreza Hong Long Fisheries, Lda hanesan ramu husi empreza Fuzhou Honglong iha Xina ne'ebé funda iha tinan 1995 no hala'o negosiu iha setor peska ho nia kuantidade ró peska hamutuk 100. Empreza ne'e halo mos atividade negosiu seluk hanesan manutensaun ba ró, prosesamentu ikan, distributor ikan iha merkadu lokal no internasional.²

Empreza Hong Long Fisheries, Lda ho nia direasaun Rua Motael Vera-Cruz, Dili Timor-Leste, hetan lisensa peska husi Ministériu Agrikultura no Peska durante tinan 1 hahu husi 15 Novembru 2016 to'o 15 Novembru 2017 ho kuantidade ró peska unidade 15 no tipu lisensa peska industrial.³

Prosesu sira empreza Hong Long Fisheries, Lda hodi hetan lisensa tuir Ministériu Agrikultura no Peska hato'o katak prosesu ida la'o rigorozu tebes, iha ne'ebé involve entidade nasional no internasional sira hodi análiza no fo sira nia pareser. Entidade sira ne'ebé involve iha prosesu ne'e maka Komisaun Avaliasaun Investimentu Privadu no Exportasaun Timor-Leste nian no *Sub Regional Arafura and Timor Seas* kompostu husi Australia, Papua Nova Guinea (PNG) no Indonézia. Iha prosesu ne'e Ministériu Agrikultura no Peska komvida mos péritu sira husi Australia halo inspesaun ba ró no ekipamentu sira ne'ebé utiliza husi empreza Hong Long Fisheries, Lda. Nune'e, instrumentu ka arte peska ne'ebé utiliza husi empreza Hong Long, Lda ba ró unidade 15 maka redi *malhas 3 (trammel-nets)* no redi *emalhar (gill-nets)*. Iha lisensa peska ba empreza Hong Long Fisheries, Lda define mos área sira ba peska nian maka kosta-sul parte lorosa'e no loromonu Timor-Leste nian ho zona proibida ka bandu peska iha área sira menus millas nautiku 18 husi kosta teritoriu nasional nian⁴ no zona protejida sira tuir lei ka planu jestaun nian. Nune'e mos portu baze ka *port of checking point* iha Cairavela Munisipiu Baucau no Com Munisipiu Lautém. Tripulante sira ka *Crew* ba ro unidade 15, Timor-oan hamutuk 75 no kada ró unidade 1 ema na'in 5, no ema estranjeiru hamutuk 120 no kada ró unidade 1 ema na'in 8.

Empreza Hong Long Fisheries, Lda apresenta mos planu investimentu ba Governu Timor-Leste liu husi Ministériu Agrikultura no Peska iha Timor-Leste ho total investimentu US\$ 110 miloens. Planu investimentu husi empreza Hong Long Fisheries Lda haree iha tabela kraik ne'e.

²Ministériu Agrikultura no Peska Timor-Leste. Loron 24 Feveirei 2017.

³Ministériu Agrikultura no Peska Timor-Leste. Loron 24 Feveirei 2017.

⁴Hareemos Diploma Ministerial Konjuntu: Diploma Ministerial N°. 01/03/GM/I/2005 kona-báDefinisaunZonaPeska. Aritgu 2, n°. 1, e.



Tabela 01: Planu Investimentu Hong Long Fisheries, Lda

Planu Investimentu	Atividade	Total Investimentu (US\$)
Faze I	Peska ho ró unidade 15	20 milloens
Faze II	Harii baze apoiu, portu ho kámara frígorífiku	15 milloens
	Instala baze akuakultura ba 100 – 150 hektares	22 milloens
	Halo ka hola ró peska kiik unidade 20	8 milloens
Faze III	Halo ró peska unidade 35	45 milloens
Total		110 milloens

Fonte: Ministériu Agrikultura no Peska, Fevereiru 2017

Estatutu Hong Long Fisheries, Lda tuir lei Timor-Leste nian

Tuir Dekretu Lei Governu N^o. 6/2004, 21 Abril 2004, Baze Jeral Rejime Juridiku ba Jestaun ho Ordenamentu Peska ho Akikultura define ró peska sira ne'ebé halo atividade peska iha teritoriu tasi Timor-Leste nian iha kategoria tolu maka ró peska nasional, ró peska estranjeiru no ró estranjeiru bazeadu nasaun laran.

Dekretu Lei Governu N^o. 6/2004, 21 Abril 2004, Baze Jeral Rejime Juridiku ba Jestaun ho Ordenamentu Peska ho Akikultura, artigu 40 hatete katak ró peska nasional maka:

- a) Ró peska nasional katak ida ne'ebé maka propriedade públiku ka orgaun korporativu públiku nian;
- b) Ida ne'ebé maka propriedade eksklusivu ema nasional ida ka orgaun korporativu nasional nian;
- c) Ida ne'ebé maka nia valor pelu-menus 51% pertense ba sidadaun nasional;
- d) Ida ne'ebé maka pertense ba orgaun korporativu ho kapital sosial pelu-menus 51% husi ema singular ka kolektivu nasional, bainhira sira ne'e komulativamente prenxe rekezitu sira tuir mai ne'e:
 - i. Iha sira nia sede sosial iha nasaun laran (rai laran);
 - ii. Nia Prezidente Konsellu Administrativu nasionalidade Timor-Leste
- e) Ne'ebé maka aluga ba ema singular ka kolektivu nasional karik sira rejistu iha rejistu maritimu ró ahi iha nasaun ho rejistu iha empreza peska ho ró iha Ministériu.

Enkuantu ró peska estranjeiru tuir artigu 41 konsidera hanesan ró hirak ne'ebé la'os ró peska nasional tuir termu artigu 40. Nune'e mos ró peska estranjeiru bazeadu iha nasaun laran tuir artigu 42 hatete ida ne'ebé refere iha artigu 41 maka hala'o atividade husi portu nasional ho dezenbarka iha ne'eba ka liu husi ne'eba hala'o komersiu pelu-menus 50% husi kapturas iha nasaun laran, inklui pelu-manus 50% sidadaun nasional nu'udar nia tripulante ho kumpri kondisaun ho rekezitu seluk tuir regulamentu aplikável sira.



Husi artigu sira ne'ebé define kona-bá estatutu ró peska nian iha leten ne'e no nia operasaun define iha artigu 45 n^o. 1 hatete ró peska nasional bele halo deit atividade peska komesa husi:

- a) Metru 200 husi liña kosta, ba ró peska artesanal;
- b) Milhas nautika 3 husi liña kosta, ba ró peska semi-industrial
- c) Milhas nautika 12 husi liña kosta, ba ró peska industrial.

Ba ró peska estranjeiru bazeadu iha nasaun laran (rai laran) tuir artigu 46 aplika mos artigu 45 n^o. 1 nia dispozisaun. Nune'e mos ró peska estranjeiru ne'ebé hetan lisensa atu kaer ikan iha be maritima nasional tuir artigu 47 alinea b hatete halo deit nia atividade iha millas nautika 18 husi liña kosta, ba peska industrial.

Dispozisaun artigu 47 alinea b verifika katak area operasaun peska ró empreza Hong Long Fisheries, Lda tuir lisensa ne'ebé hasai ba empreza ne'e katak area ne'ebé proibida ka bandu ró empreza Hong Long Fisheries Lda labele halo operasaun peska menus husi millas nautika 18 husi tasi teritoriu nasional nian.

Verifika mos katak, kapital sosial empreza Hong Long Fisheries, Lda ho total investimentu US\$ 20 milloens iha faze primeiru (atual) no planu investimentu faze segundu US\$ 45 milloens no faze terseiru US\$ 45 milloens. Haree husi kapital sosial ida ne'e, enkuantu ró peska nasional tenke aplika tuir dispozisaun artigu 40 nia haruka ka total kapital sosial pelu-menus 51% husi ema singular, orgaun korporativu ka kolektivu nasional husi sidadaun nasional. Bainhira ró peska estranjeiru ka ró peska estranjeiru bazeadu iha rai laran aplika tuir dispozisaun artigu 41 no 42 nia haruka ka hala'o komersiu pelu-menus 50% husi nia kaptura iha nasaun laran no inklui nia tripulante pelu-menus 50% husi sidadaun nasional.

Husi total investimentu ida ne'e, nia estatutu hanesan ró peska estranjeiru hala'o tuir Dekretu Lei Governu N^o. 6/2004, 21 Abril 2004, Baze Jeral Rejime Juridiku ba Jestaun ho Ordenamentu Peska ho Akikultura artigu 41 nia dispozisaun katak kapital sosial 100% partensia ba empreza Hong Long Fisheries, Lda. Nune'e mos ninia area operasaun peska labele menus husi millas nautika 18.

Enkuantu empreza Hong Long Fisheries, Lda hanesan ró peska nasional hala'o tuir Dekretu Lei Governu N^o. 6/2004, 21 Abril 2004, Baze Jeral Rejime Juridiku ba Jestaun ho Ordenamentu Peska ho Akikultura artigu 40 nia dispozisaun katak ninia kapital sosial partensia ba sidadaun nasional tenke ho valor pelu-menus 51% husi total investimentu. Ho ida ne'e kapital investimentu empreza Hong Long Fisheries, Lda iha faze primeiru ho total millau US\$ 20 signifika katak kapital sosial husi sidadaun nasional pelu-menus millau US\$ 11. Nune'e mos ninia area operasaun halo deit iha millas nautika 12 husi liña kosta nian.

Faktu interasante ida ne'ebé FM hetan iha lisensa peska empreza Hong Long Fisheries, Lda nian katak na'in ba empreza refere maka sidadaun nasional ka Timor-Leste maka Delio Asunção Ximenes Texeira. Nune'e mos lisensa peska ba empreza refere ho tipu peska komersial.

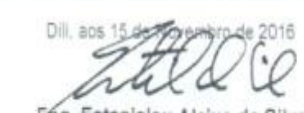


Lisensa peska ba empreza Hong Long Fisheries Lda



REPÚBLICA DEMOCRÁTICA DE TIMOR-LESTE
MINISTÉRIO DA AGRICULTURA E PISCAS

LICENÇA DE PESCA COMERCIAL/COMMERCIAL FISHING LICENCE
PESCA INDUSTRIAL/INDUSTRIAL FISHING
N.º : LC.HLFE-A0019-B004-TL

Licença de Pesca Comercial/ Commercial Fishing License : INDUSTRIAL (1)		Ref: 1. Carta Pedido 26/03/2016 2. Relatório Inspeção No. 164/DNIP/XI/2016	
Empresa/Company/Owner : Delio Asunção Ximenes Texeira		Espécies cuja captura é autorizada/Authorized accompaniment fauna	
Nome da Empresa/Name of the Company : Hong Long Fisheries, Lda. Rua Motael Vera-Cruz, Dili Timor Leste		Percentagem de fauna acompanhante autorizada/ Percentage of authorized accompaniment fauna: (Diploma Ministerial N.º 03/05/GM/I/2005)	
Identidade do Capitão em Anexo/ Vessel Master Identification Attach :		Espécies cuja Captura é Proibida/Prohibited Species: (Diploma Ministerial Conjunto N.º.11/GM/VII/2015)	
Identificação da Embarcação/Vessel Identification :		Tamanhos e Pesos Mínimos de Espécies a Capturar/Size and the Minimum Weight of Species Caught Allowed: (Diploma Ministerial Conjunto N.º.12/GM/VII/2015)	
1 Nome da Embarcação/Vessel Name : Fu Yuan Yu 9621	1. Área de Pesca/Fishing Area:		
2 Porto de Registo da Embarcação/ Port of the Vessel Registration : Fuzhou China (RPC)			
3 N.º de Registo/Registration Number : 350100100060402	Cordenados/Cordinates		
4 Indicativo de Chamada/Call Sign : 412440476	1. Costa Sul	Oeste: Lat/Long: 09°44' 00"S - 125°22'00"E	
5 Com Pavilhão de/Flag of Country : Timor-Leste (3)		11°19' 00"S - 126°13' 00"E	
6 Sinal de Identificação da Embarcação/ Vessel Identification Signal : HLFE 15 TL		Leste: Lat/Long: 08°49' 00"S - 127°34'00"E	
		10°16' 00"S - 128°24' 00"E	
7 Artes de Pesca Autorizadas em Anexo/ Authorized Fishing-gears (Attach) :	2. Zona Proibida/Prohibited Area		
	1. E proibido pescar nas áreas menos de 18 NM da Costa/Not authorize to fishing below then 18 NM from coastal area. 2. Zonas protegidas, nos termos da lei ou dos respectivos planos de gestão/Prohibited areas, based on law or respective management plan.		
8 Tipo/Type : Rede Tres malhas (Trammel-net)	Porto Base/Port of Cheking Point: Cairaveia (Baucau) e Com, (Lautém)		
9 Número/Number : Anexo/Attach	Tripulantes/Crews :		
Notar/Note	1. Leste-timorese/East Timorese 5 Pessoas/Persons		
Distribuição de Cópia para/Copies Distributed to :	2. Estrangeiros/Foreigners 8 Pessoas/Persons		
1 Direcção Nacional de Alfândega/ National Directorate of Custom,	Número de Transmissão/Transmission Number : Um (1)/One		
2 Autoridade Portuária/ Port Authority;	Período de Validade da Licença/License Validity Period :		
3 F-FDTL (Componente Naval)/ Timor-Leste Navy;	Um (1) ano/One (1) year		
4 PNTL (Unidade Polícia Marítima)/ Timor-Leste Marine Police,	Validade da licença/This license is Valid from :		
5 Chefe Capitania do Porto de Dili/ Dili Harbour Master,	15 de Novembro de 2016		
6 Porto de Pesca Com/ Com Fishing Port	Até /Until :	15 de Novembro de 2017	
7 Arquivo da Empresa/ Company Archives;	<p>Dili, aos 15 de Novembro de 2016</p>  <p>Eng. Estanislau Aleixo da Silva Ministro</p>		
8 Direcção Nacional de Quarentena e Bio-Segurança/ National Directorate of Quarantine and Bio-security;			
9 Direcção Nacional de Emigração/ National Directorate of Emigration.			

Fontes: Ministério Agricultura no Pesca, 2017

FM identifika katak empreza Hong Long Fisheries, Lda hanesan ró peska estrangeiru la'os ró peska nasional nomos la'os ró peska estrangeiru bazeadu iha nasaun laran (rai laran). Portantu atividade peska husi empreza Hong Long Fisheries, Lda proibidu ka bandu peska iha area sira menus husi millas nautika 18.



Nune'e lisensa peska ne'ebé Ministériu Agrikultura no Peska fo ba empreza Hong Long Fisheries, Lda, potencia boot kona-bá tranzasaun lisensa peska entre parte sira ne'ebé involve iha prosesu ne'e. Ida ne'e hatudu momos ona kona-bá violasaun hasoru Dekretu Lei Governu N.º. 6/2004, 21 Abril 2004, Baze Jeral Rejime Juridiku ba Jestaun ho Ordenamentu Peska ho Akikultura, artigu 30 katak lisensa peska komersial labele alienadu ka sai objetu atu aluga, ka hamonu obrigasaun ruma ka hamosu direitu seluk ne'ebé fo benefisiu ba ema seluk (*third parties*).

Relasaun entre Hong Long Fisheries, Lda ho Pingtan Marine Interprise Ltd

Husi total ró peska 15 empreza Hong Long Fisheries, Lda nian, FM identifika ona lisensa peska ba ró 3 husi ró 15katak identifikasaun embarkasaun nian hanesan deskreve iha tabela tuir mai ne'e.

Tabela 02: Ró peska empreza Hong Long Fisheries, Lda

Nú.	Lisensa Peska Komersial	Naran Embarkasaun	Portu Rejistu ba Embarkasaun	Flag of Country	Area ba Peska nian
1.	Peska Industrial, N.º: LC.HLFE-A0019-B004-TL	Fu Yuan Yu 9621	Fuzhou China (RPC)	Timor-Leste	Kosta sul, no proibidu peska iha area sira menus husi MN 18.
2.	Peska Industrial, N.º: LC.HLFE-A0005-B003.2-TL	Fu Yuan Yu 9607	Fuzhou China (RPC)	Timor-Leste	Kosta sul, no proibidu peska iha area sira menus husi MN 18.
3.	Peska Industrial, N.º: LC.HLFE-A0018-B004-TL	Fu Yuan Yu 9620	Fuzhou China (RPC)	Timor-Leste	Kosta sul, no proibidu peska iha area sira menus husi MN 18.

Fontes: Lisensa Peska Komersial Empreza Hong Long Fisheries, Lda

Ró tolu ne'ebé identifikadu iha tabela leten ne'e nu'udar na'in ba empreza Hong Long Fisheries, Lda tuir dadus ne'ebé relata iha lisensa peska empreza ne'e nian. Maske nune'e, FM hetan mos faktu seluk komprova katak ró hirak ne'e nu'udar propriedade empreza Pingtan Marine Enterprise Ltd nian no hanesan dokumentu públiku ida ne'ebé públika tiha ona iha situu empreze ne'e nian rasik.



Sitiu Pingtan Marine Enterprise Ltd ne'ebé rejista kona-bá ró hirak ne'ebé nu'udar propriidade empreza ne'e nian.



ABOUT PINGTAN MARINE FISHING OPERATIONS NEWS IN THE MEDIA INVESTORS CONTACT

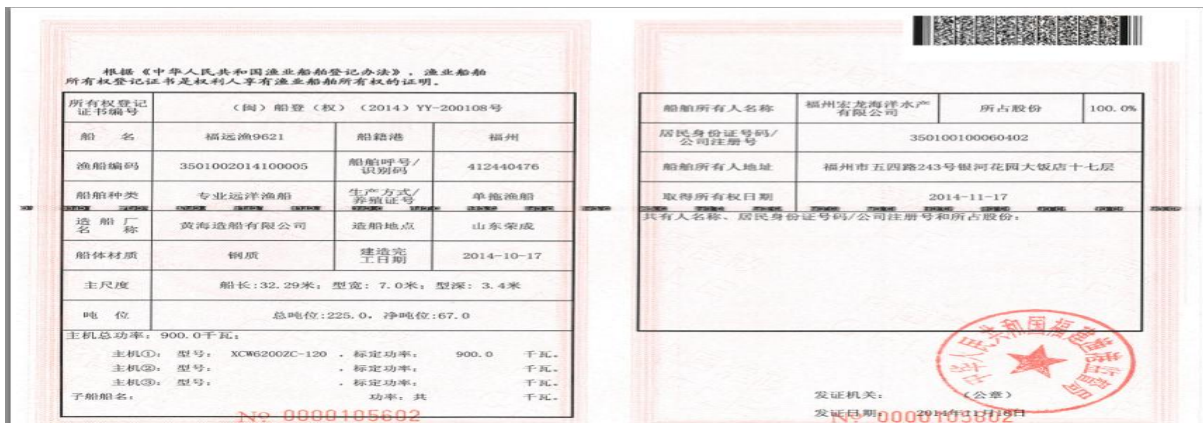


Our Vessels

Vessel Name	Former Name	Fishing Method	Area of Fishing	Completion Date	Gross Tonnage	Net Tonnage	Current Ownership Status	Ownership Certificate	Valuat Report
FU YUAN YU 9620	FU YUAN YU 776	Drift Net	Indo-Pacific waters	10/17/2014	225	67	In the process of transfer	Ownership Certificate	Valuat Report
FU YUAN YU 9621	FU YUAN YU 777	Drift Net	Indo-Pacific waters	10/17/2014	225	67	In the process of transfer	Ownership Certificate	Valuat Report
FU YUAN YU 9607	FU YUAN YU 761	Drift Net	Indo-Pacific waters	08/25/2014	225	70	In the process of transfer	Ownership Certificate	Valuat Report

Fontes: Pingtan Marine Enterprise Ltd. Disponivel hane'e: <https://www.ptmarine.com/fishing-operations/our-vessels>

Iha siti ne'e mos fo sai mos kona-bá sertifikadu hanesan na'in ba ró hirak ne'e nian ne'ebé partensia ba empreza Pingtan Marine Enterprise Ltd. Sertifikadu ne'ebé FM asesu partensia ba ró Fu Yuan Yu 9621 no sertifikadu sira seluk asesu iha siti ne'e rasik.



Fontes: Fontes: Pingtan Marine Enterprise Ltd. Disponivel hane'e: <https://www.ptmarine.com/fishing-operations/our-vessels>



Faktu sira iha leten ne'e prova lolos ona kona-bá relasaun empreza Hong Long Fisheries, Lda ho Pingtan Marine Enterprise Ltd. Ida ne'e la iha ona dúvida kona-bá empreza Pingtan Marine Enterprise Ltd utiliza Hong Long Fishereis, Lda hodi hetan lisensa peska foun iha Timor-Leste. Tamba empreza Pingtan Marine Enterprise Ltd nia istoria nakonu ho atividade kriminal durante peska iha rejiaun.

Atividade Kriminál sira Pingtan Marine Enterprise Ltd.

Parte husi failansu ne'ebé mensiona iha leten kona-bá empreza Hong Long Fisheries, Lda hodi fó sai ninia relasaun ho Pingtan Marine Enterprise Ltd no proibisaun ka bandu ikus nian husi Governu Indonézia, Pingtan Marine Enterprise Ltd mos involve ona iha atividade kriminal sira, hanesan fraude ba investidores, na'ok, trafiku umanu no servisu forsadu (eskraidaun) ba benefisiu finanseiru presidente Pingtan Marine Enterprise Ltd nian.⁵ Atividade hirak ne'e sei halo analiza kritiku ida, hodi foka iha determinasaun no implikasaun sira ba Timor-Leste karik investigasaun ne'ebé hala'o dadauk husi Prokurador Jeral Repúblika, Komisaun Anti-Korupsaun (KAK) nomos Ministru Agrikultura no Peskas nian (MAP) la rezultadu iha prosesu sira no kansela lisensa peska ba Hong Long Fisheries, Lda iha Timor-Leste.

Fraude Investor husi Pingtan Marine Enterprise Ltd

NASDAQ lista ona peska jigante Xineza, Pingtan Marine Enterprise Ltd, hanesan segundu maior ró peska iha tasi Xina nian. Maibe Pingtan Marine Enterprise Ltd iha nia istoria naruk kona-bá atividade sira hodi lohi ninia asionista no kliente sira, ninia propriedade, tranzasaun ho parte sira relasionadu, fahe valor sira, lisensiamentu no ninia estatutu ba peska. Inklui kazu sira ba asaun kolektiva iha Estados Unidos Amerika kontra Pingtan Marine Enterprise Ltd ne'ebé lista ona iha NASDAQ, husi investor sira ba fraude de investor ho eskala ne'ebé boot – hato'o iha loraon 24 Novembru 2014⁶ no 23 Juñu 2017⁷.

Preokupasaun dahuluk hato'o husi investor sira kona-bá Pingtan Marine Enterprise Ltd iha Estados Unidos Amerika iha fulan Juñu 2014, tuir análise finanseira detallada ida husi analista merkadu, Michael Sarcodote;⁸

“To the unwary, Pingtan Marine Enterprise (PME) appears to embody the best of the Chinese economic miracle: rapid growth, low valuations, and seemingly limitless future possibilities. Unfortunately, the shining growth story is clouded by worrisome bookkeeping, a corporate structure that seems designed to circumvent investors' legal claims, and huge related-party transactions that seem to transfer assets from shareholders to the CEO's family. While management has gotten rich from Pingtan Marine Enterprise, American investors will probably end up losing most or all of their money.”

⁵ Aurelius Value, *Pintang Marine: Fraudeidane'ebeFinansiaTrafikuUmanu no Na'ok*, 2017, Ba bukaiha 4/10/2017, <http://www.aureliusvalue.com/research/pingtan-marine-fraud-finances-human-trafficking-poaching/>

⁶ Prosesu Legal hasoru Pingtan Marine Enterprises, Fosaiiha 24 Novembru 2014 -

http://www.rosenlegal.com/media/casestudy/201_2014-11-24-PingtanComplaintWEB.pdf

⁷ Prosesu Legal hasoru against Pingtan Marine Enterprises, Fosaiiha 23 June 2017 -

http://securities.stanford.edu/filings-documents/1062/PMEL00_05/2017623_f01c_17CV03807.pdf

⁸ Seeking Alpha, Michael Sarcodote – Fishy Business at Pingtan Marine Enterprise (13 June 2014), <https://seekingalpha.com/pro/checkout/2265463?notice=pro>



Tradusaun la oficial:

“Ba sira ne’ebé lakuidadu, Pingtan Marine Enterprise Ltd parese enkorpora mellor milagre ekonomia Xineza nian: kresimentu lalais, avaliasaun natoon no possibilidade futuru ne’ebé maka la iha limitasaun. Infelizmente, istoria kresimentu brillante ne’e kauza husi kontabilidade preokupante ida, estrutura korporativa ida ne’ebé parese projetada hodi hasees husi reklamasan legais nian ba investidor sira no tranzasaun boot ho parte relasionadu sira ne’ebé maka transfere propriedade husi asionista sira ba familia CEO nian. Enkuantu administrasaun sai riku ho Pingtan Marine Enterprise Ltd, investidor Amerikanu sira karik sei lakon maior parte ka lakon hotu sira nia osan”.

Relatóriu husi Sarcodote ne’e tuir kedas ho prosesu asaun kolektiva ida kontra Pingtan Marine Enterprise Ltd husi investidor sira, hato’o ba Central District Court of California iha loron 24 Novembru 2014, tamba viola lei seguransa federal nian, alega (entre asaun sira seluk):

“(4) Defendant Xinrong Zhou’s wife, Ping Lin, is the majority shareholder of Fuzhou Honglong Ocean Fishery Co. Ltd. (“Hong Long”). Pingtan and Hong Long engaged in many improperly disclosed related party transactions.

(5) Due to the failure to properly report these related party transactions, Pingtan’s financial statements during the Class Period were materially false and misleading.”

Tradusaun la oficial:

“(4) Akuzadu feen husi Xinrong Zhou, Ping Lin maka maioria asionista husi Fuzhou Honlong Ocean Fishery Co. Ltd. (Hong Long). Pingtan no Hong Long involve iha tranzasaun barak hoparte relasionadu sira ne’ebé la hato’o ho lolos ka hato’o ho laru.

(5) Tamba falla hodi hato’o relatóriu ne’ebé los iha tranzasaun ho parte relasionadu sira ne’e, relatóriu finanseiru Pingtan nian durante ne’e uza sala no falsu.

Iha loron 10 Maiu 2017, fulan haat (4)investigasaun finanseira detallada ida realiza husi analista finanseiru, Aurelius Value (hala’o husi peskizador Indonézia no Xineza) alega fraude de investidores iha eskala ne’ebé boot (estimasaun to’omilaun US\$910) no atividade kriminozu relasionaduinklui servisu forsadu, peska ilegal no trafiku umanu.⁹Deklarasaun kontraditoria husi investigasaun Pingtan Marine Enterprise Ltd relasiona ho identidade ninia presidente no CEO, na’in rua ho nasionalidade Hong Kong “Xinrong Zhuo” nomos iha dokumentu sira Xina nian hanesan “Longxiong Zhuo”¹⁰ hatete ona katak *“presidente no ninia familia hanesan sindikatu emprezarelasionadu ne’ebé involve iha krime internasional ba fraude, naok no trafiku umanu”*.¹¹

Tuir mai, relatóriu finanseiru ne’ebé maka submete ba *US Securities and Exchange Commission* (SEC) husi Pingtan Marine Enterprise Ltd no análise husi Aurelius Value,

⁹ Aurelius Value, *Pintang Marine: A Fraud That Finances Human Trafficking and Poaching*, 2017, Retrieved 4/10/2017, <http://www.aureliusvalue.com/research/pingtan-marine-fraud-finances-human-trafficking-poaching/>

¹⁰ Ibid

¹¹ Ibid



hato'o katak Pingtan Marine Enterprise Ltd "uza tiha ona hanesan mekanismu finansiamentu ne'ebé maka uza ona milaun US\$910 husi investidor ba sindikatu, maske tranzasaun ho parte relasionadu sira lolos kuaze barak maka falsu." Análiza ne'e ba tranzasaun entre empreza familiares Zhou ne'ebé financia husi Pingtan (rezumu iha kraik ne'e) ajuda deskobre eskala atividade Pingtan Marine Enterprise Ltd nia fraude (nia bosok) ne'ebé kondus kontra interese ninia asionista sira, ba benefisiu finanseiru Xinrong Zhou no membru familia sira.

Key Zhuo Family Companies Financed By Pingtan

Related Party	Comments	Ownership Disclosure
Fuzhou Honglong Ocean Fishery Company Limited	Received \$720 million from Pingtan through fraudulent ship transactions.	Majority owned and controlled by "Xinrong Zhuo's" wife.
PT. Dwikarya Reksa Abadi	Indicted for serious crimes including human trafficking	Controlled by Zhuo Family, domiciled in Indonesia
PT. Avona Mina Lestari	Charged with forging documents and illegal fishing	Controlled by Zhuo Family, domiciled in Indonesia
Hai Yi Shipping	Owner of the MV Hai Fa which received an Interpol Purple Notice	An affiliate controlled by "Xinrong Zhuo"
Fuzhou Haoyouli Fisheries Development Co., Ltd	Recipient of poached fish and sharks registered to Pingtan's address	Controlled by a Zhuo Family Member, Sunqiang Zhuo
Hong Fa Shipping Limited	Has Received roughly \$60 million in payments for shipping services	Owned by "Xinrong Zhuo"
Haifeng Dafu Enterprise Co. Ltd.	Has received roughly \$10 million in payments for shipping services	Controlled by "Xinrong Zhuo"
Fuzhou Yishun Deep-Sea Fishing Co., Ltd	Has engaged in ship transactions with Pingtan	Owned by "Xinrong Zhuo"

Fontes: Pingtan SEC Filings

Signifikante tebes, investigasaun finanseru hala'o husi analista seguransa Aurelius Value lori ona (dala-ida tan) prosesu asaun kolektiva ida husi investidores ba Pingtan Marine Enterprise Ltd kontra título Pingtan Marine Enterprise Ltd ne'ebé lista ona iha NASDAQ no ninia funsionariu balun kona-bá fraude de investidores, ne'ebé arkiva ona iha District Court of California iha loron 23 Juñu 2017.¹² Rosen Law Firm, firma advokasia mundial ba direitu investidores, hato'o ona exigensia *em-nome* sosa-na'in (compradores) ba valor mobiliariu sira Pingtan Marine Enterprise Ltd, hodi rekopera "danos" investidores Pingtan Marine Enterprise Ltd kona-bá alegasaun violasaun husi Pingtan Marine Enterprise Ltd ba lei segurans federal Estados Unidos Amerika nian.

Tuir prosesu legal ida ne'e¹³, akuzadu sira husi Pingtan Marine Enterprise Ltd "halo deklarasaun falsu ka falla hodi hato'o katak: (1) Pingtan ne'e bandu husi Indonézia; (2) Pingtan uza tiha ona kapital investidor hodi financia ba atividade ilegal; no (3) hanesan rezultadu, deklarasaun pública Pingtan materialmente sala ka falsu iha tempu sira ne'ebé relevante. Iha loron 10 Maiu 2017, Aurelius Value informa katak Pingtan bandu iha Indonézia no nia involvimentu iha atividade ilegal, servisu forsadu, peska ilegal, no trafikumanu. Tuir notisia ne'e, Pingtan nian asaun "saham" tun US\$ 1,16 por asaun ka liu 28% hodi taka ba 2,95 iha loron 10 Maiu 2017, preojudikadu ba investidor sira.

¹²Prosesu Legal hasoru Pingtan Marine Enterprise (Pingtan) & Fuzhou Honglong Ocean Fishery (Hong Long) ba Investidor fraude – <http://www.rosenlegal.com/cases-1125.html>

¹³Prosesu Legal hasoru Pingtan Marine Enterprises, Fósaiha 23 Junu 2017 - http://securities.stanford.edu/filings-documents/1062/PMEL00_05/2017623_f01c_17CV03807.pdf



Falla deskobre iha Timor-Leste

Iha kazu Timor-Leste, lisensa peska ne'ebé fo ba Hong Long Fisheries, Lda husi Ministériu Agrikultua no Peska ne'e kauza seluk husi atividade bosok "fraude" husi Pingtan Marine Enterprise Ltdinklui failansu hodi fó sai identidade no relasaun entre Hong Long Fisheries, Lda ho Pingtan Marine Enterprise Ltd.

Ho da ne'e FM afirma katakPingtan Marine Enterprise Ltd hatudu momos bosok "fraude" Governu Timor-Leste hodi autoriza kaer ikan ilegalmente iha tasi Timor-Leste, ne'ebé hasubar-an iha lisensa legal Hong Long Fisheries, Lda nian.

Hanesan mos ho investidores, Hong Long Fisheries, Lda falla ona hodi fó sai lolos ba Governu Timor-Leste:

- (1) Relasaun negosiu entre Hong Long Fisheries Lda no Pingtan Marine Enterprise Ltd, maka Ping Lin, na'in ba asionista boot Fuzhou Honglong Ocean Fishery Co.Ltd. ("Hong Long") maka fe'en Xingrong Zhuo (CEO Pingtan Marine Enterprise Ltd) husi Juñu 1995 to'o Setembru 2006, Xingrong Zhuo servisu hanesan supervisor iha Fuzhou Hong Long Ocean Fishery Co.Ltd.¹⁴
- (2) Pingtan Marine Enterprise Ltd no Hong Long Fisheries, Lda bandu halo operasaun iha Tasi Indonézia nian (husi Feveireiru 2015);
- (3) Pingtan Marine Enterprise Ltd no Hong Long Fisheries, Lda dadauk ne'e prosesu hela husi Governu Indonezia kona-bána'ok ikan' (Setembru 2015)
- (4) Pingtan Marine Enterprise Ltd no Hong Long Fisheries, Lda sai ona objetu ba asaun kolektiva legal iha Estados Unidos Amerika (loron 24 Novembru 2014)
- (5) Dwikarya, afiliasaun negosiu seluk ne'ebé uza husi Pingtan Marine Enterprise Ltd, mos deklarara ona nia sala husi Indonézia kona-bá peska ilegal no atividade kriminal seluk, inklui negosiu ilegal ba espésie protejidu sira, trafikumu manu no servisu forsadu (Outubru 2015).¹⁵

Signifikativamente, Pingtan Marine Enterprise Ltd nia failansu hodi fó sai maka apezar Governu Timor-Leste, ativu hodi buka no simu garantia eskrita husi Hong Long Fisheries, Lda katak Pingtan Marine Enterprise Ltd la involve iha operasaun peska iha Timor-Leste. Garante ne'e husu tiha ona depois autoridade sira Timor-Leste nian fo hatene katak Pingtan Marine Enterprise Ltdfiar-an asegura ona lisensa peska foun iha Timor-Leste iha komunikadu imprensa ne'ebé pública iha loron 4 Agustu 2016 ba investidor Pingtan Marine Enterprise Ltdsira.¹⁶¹⁷

¹⁴XinrongZhuo, Presidente no CECO, Pingtan Marine Enterprise Ltd - <https://www.ptmarine.com/about-pingtan-marine/board-of-directors>

¹⁵ Tribunal Supremo Indonesia nian, desizaunkonabaMiistra ba Tasi no Peska husi Republika Indonesia vs. PT. Mutuall DwikaryaAbadi - <https://putusan.mahkamahagung.go.id/putusan/d815b0a618b4cdd85adac7d9e96901e8>

12 PR News, 'Pingtan Marine Enterprise hetanasesu ba lisensapeska husi from Timor-Leste - KompaniaKontrolaRóespera halo operasauniha Timor-Leste' – 4 Agustu 2016 - <http://www.prnewswire.com/news-releases/pingtan-marine-enterprise-obtains-access-to-fishing-licenses-from-timor-leste-300309146.html>



Hafoin fo lisensa ba Hong Long Fisheries, Lda iha Timor-Leste husi Governu Timor-Leste (4 Agustu 2016), Pingtan Marine Enterprise Ltd no Hong Long Fisheries, Lda kontinua atu la fo sai informasaun importante ba Governu Timor-Leste inklui:

- (1) Pingtan Marine Enterprise Ltd ho nia empreza sira, inklui Hong Long Fisheries, Lda, antes ne'e akuza involve ona iha peska ilegal no fraude investidor barak no uza kapital investidor hodi finansia ba atividade ilegal sira seluk, inklui na'ok no espesie protejidu sira, trafik u manu no servisu forsadu (Relatório Aurelius 10 Maiu 2017).¹⁸
- (2) Ró Hong Long Fisheries, Lda no Pingtan Marine Enterprise Ltd prende tamba deskonfia halo peska ilegal ba ikan tubaraun iha Galapagos Marine Reserve (13 Agustu 2017).¹⁹ Importante liu makaró Fu Yuan Yu Leng 999 maka ró boot ne'ebé hanesan peska ilegalho Hong Long Fisheries, Lda iha tasi Timor-Leste iha fulan Feveireu 2017. Ró kontentor ne'ebé nakonu ho 6.600 ikan tubaraun fresku (tonelada 300) inklui mos espesie protejidu no espesia ne'ebé ameadu atu lakon. Iha evidensia forte katak tipu ró 4 husi Hong Long Fisheries, Lda no Pingtan Marine Enterprise Ltdkaer tubaraun maka (Fu Yuan Yu 7866, Fu Yung Yu 7861, Fu Yuan Yu 7865 no Fu Yuan Yu 7862) kaer no fornese ikan tubaraun ilegal ba ró hodi lori sai.²⁰ Tripulante sira Fu Yuan Yu 999 hetan kaptura, kastigu iha prijaun ida iha Ekuador no ró ne'e rasik prende (depois fa'an fali). Iha lora 28 Agustus 2017, tripulante xineza na'in 20 hetan kastigu no simu pena prizaun tinan 1-4²¹ no empreza ne'e rasik selu multa millaun US\$5,9ka millaun A\$7,8. Notisia kona-báatake no konviksaun hetan kobertura husi media global.²²²³²⁴

Hafoin insidente Galapagos, Pingtan Marine Enterprise Ltd publikamente nega ka rejitanu'udar na'in ba Fu Yuan Yu Leng 999 no relasaun negosiu ne'ebé metin ho Hong Long Fisheries, Lda.²⁵

Maibe, investigasaun detailas husi Aurelius (10 Maiu 2017) nomos Caixin (4 Setembru 2017)²⁶ fó sai katak Fuzhou Honglong (HLF) iha relasaun ne'ebé besik ho Pingtan Marine

¹⁷ Sydney Morning Herald, *EskalaEkonomia: EstokeforsapeskaihaAseanlabarak ona tama ba tasiAustralia nian*, 25 Febreiru2017, Fósaiiha 5/10/17, <http://www.smh.com.au/national/economy-of-scales-depleted-stocks-force-asian-fishermen-into-australian-waters-20170224-guklc2.html>

¹⁸ Op cit. Aurelius Value

¹⁹ Jeografia Nasional, 'Tikantubaraunrihun ba rihunhetaniharoiha huge ho illegal' - <http://news.nationalgeographic.com/2017/08/wildlife-watch-galapagos-illegal-shark-fishing/>

²⁰ Caixin, 'Ohinsaikantubaraun 6,223 hotuiharolahoekipamentupeska nian?' - <http://www.caixinglobal.com/2017-09-28/101151735.html?cxg=web&Sfrom=twitter>

¹⁷ Reuters, "Ecuador kasigupeskaXinesane'ebebetan 6.000 tubaraun' - <https://www.reuters.com/article/us-ecuador-environment-galapagos/ecuador-jails-chinese-fishermen-found-with-6000-sharks-idUSKCN1B81TS>

²² PeskaXinesakastigukonabaikan illegal boboot no tubaraunihallha Galapagos' - <http://www.news.com.au/technology/science/animals/chinese-fishermen-jailed-for-massive-illegal-fish-and-shark-haul-in-the-galapagos-islands/news-story/6498a0d0fa7d62b808f1383622c87aa9>

²³ <https://www.usatoday.com/story/news/nation-now/2017/08/29/chinese-crew-fined-jailed-after-ecuador-finds-thousands-protected-galapagos-sharks-onboard/600769001/>

²⁴ <http://www.independent.co.uk/news/world/americas/china-poachers-galapagos-islands-illegal-fishing-hammerhead-sharks-thousands-ecuador-prison-sentence-a7920361.html>

²⁵ <https://qz.com/1060639/galapagos-shark-fishing-bust-who-are-the-ghost-poachers-who-supplied-the-fu-yuan-yu-leng-999/>

Enterprise Ltd no parte interesante empreza boot rua maka membru husi familia ne'ebé hanesan. Caixin depois hetan Fu Yuan Yu 7862 rejista iha lista hanesan ró peska Pingtan Marine Enterprise Ltd nian, iha komunikadu imprensa²⁷ iha loron 11 Maiu 2017 husi empreza. Autoridade sira iha provinsia Fujian mos halo ona konfirmasaun katak Fu Yuan Yu Leng 999 partensia ba Fuzhou Honglong Ocean Aquatic Products.²⁸

Pingtan Marine Enterprise Ltd no trafiku umanu

Pingtan Marine Enterprise Ltd liu husi nia afilasaun iha Indonézia, Dwikarya, deklara ona husi Tribunal Supremu Indonézia nian tamba komete “krime boot sira hanesan servisu forsadu no trafiku umanu”.²⁹ Tradusaun ofisial dokumentu Tribunal Supremu Indonézia nian hetan husi Aurelius Value verifika ida ne'e, bele hetan iha kraik ne'e.³⁰

3. The boats conducted illegal transshipment;
4. The boats violated the fishing territorial area line (catching fish outside their territorial sea);
5. The physical condition of the boats is not in compliance with the Fishing Permit Requirement such as the boats conducted a mark down and used fishing equipment which is not according to the Fishing Permit Regulation (based on the findings during the field verification);
6. The boats are indicated to have committed major crimes among which are forced labor and human trafficking practice (based on the findings during the field verification and interview with the company);

Fontes: Certified Translation Page 5

Ameasa ba Timor-Leste

Mezmu Pingtan Marine Enterprise Ltd la akuza hasoru imediatamente husi dokumentu hirak ne'e, Ministra Susi Indonézia nian indika ona katak “na'in, akordu, komersiu no jestaun” Pingtan Marine Enterprise Ltd ho Dwikarya, Avona no afilasaun rua seluk husi Indonézia nian “viola ona lei ho seriu”.³¹

Konsidera evidensia ne'ebé dokumenta ona no akumulá husi Associated Press no New York Times kona-bá relasaun entre IUU, trafiku umanu, droga, fase osan no oho iha tasi,³² FM kontinua preokupaduho faktu IUU ne'ebé halo husi Hong Long Fisheries, Lda/Pingtan Marine Enterprise Ltd iha tasi Timor-Leste possibilidade involve iha atividade hirak ne'e, no iha futurulu IUU iha Timor-Leste bele involve atividade sira husi organizasaun ne'ebé involve iha krimi organizadu no transnacional.

22 Caixin, 4 Setembru 2017, Ró Xina akuzakonabana'okikantubaraun Ekuador ligahopeska Fujian <http://www.caixinglobal.com/2017-09-04/101140487.html>

²⁷ Empreza Pingtan Marine fornese informasaun konabaninia operasaun - <https://www.prnewswire.com/news-releases/pingtan-marine-enterprise-provides-update-on-its-operations-300456083.html>

24 Caixin, 28 Setembru 2017, Ohinsatubaraun 6,223 hotuiha Rólaho ekipamentupeska? <http://www.caixinglobal.com/2017-09-28/101151735.html?cxg=web&Sfrom=twitter>

²⁹ Op cit. Aurelius Value

³⁰ Ibid

³¹ Ibid

³² Ibid



Sitasaun tuir mai ne'e husi Aurelius Value destakapotensia amesa reais ba direktus umanus no seguransa nasional Timor-Leste ne'ebé bele hato'o husi operador IUU (hanesan Pingtan Marine Enterprise Ltd) ne'ebé involve iha servisu transnasiona ka krimi organizadu no operasaun iha tasi Timor-Leste nian:

Men and children from poor families are tricked by traffickers with false financial promises and then “drugged, kidnapped, and enslaved” on fishing boats with “horrific violence; the sick cast overboard, the defiant beheaded, the insubordinate sealed for days below deck in a dark, fetid fishing hold.” Similar accounts of sea-slavery, including “fellow workers shot and killed by the captain” have been reported by the South China Morning Post and The Guardian³³.

Tradusaun la ofisial:

Mane no labarik husi familia kiak sira lohi husi trafikante sira ho promesa finanseiru falsu no depois “drogadú, na'ok no sai atan” iha ró peska nian ho violasaun estranu; “ema ne'ebé soe ba tasi, ida ne'ebé maka kontra sei halo aliza tiha, ema ne'ebé aliza sei taka metin husi lora ba lora iha ró nia okos ne'ebé nakukun no laseguru.” “Hanesan atan ba tasi nian, inklui kolega servisu ne'ebé tiru husi kapitaun ro nian”hato'o ona husi South China Morning Post no The Guardian.³⁴

Signifikamente, Hong Long Fisheries, Lda no Pingtan Marine Enterprise Ltd dadauk ne'e labele ona rejeita katak sira nia involvimentu iha atividade krime transnasiona ne'ebé seriu, krime organizadu, no violasaun ba direktus umanus.

Tuirmai, iha ona kazu omesidu ida iha tasi ne'ebé maka dokumenta ona iha ró Hong Long Fisheries, Lda iha Fiji iha tinan 2015, ho investigasaun detalla husi Forsa Polisia Fiji bele hetan tuir mai ne'e.³⁵ FM fiar metin ba iha investigasaun kontinuasaun ne'e sei fó sai evidencia kona-bá Hong Long Fisheries, Lda no Pingtan Marine Enterprise Ltd kona-bá atividade krime transnasiona no abuzu ba direktus humanus.

Police opens murder case

Mere Naleba
Thursday, August 20, 2015

POLICE have confirmed the Asian national whose body was rescued from the Chinese fishing vessel **Fu Yuan Yu #557** was murdered.

The deceased was with 63 other crew members of the vessel that was grounded on Mabalica reef in Gau last Thursday.

The suspect was also on board the vessel and was taken in by police soon after the crew members arrived in Suva on board the MV Lomaiviti Princess II late Friday afternoon.

Police spokeswoman Ana Naisoro confirmed police had established the **deceased was killed**.

FU YUAN YU 557

Owner Name: **FUZHOU HONGLONG OCEAN FISHING CO.,LTD**

Owner Address: 17, GalaxyGardenHotel, 243WusiRd, Fuzhou

Master Name: Chen Qing Tan

Master Nationality: China

Reg Port: Fuzhou

Built in Country: Japan

Built in Year: 1997

Crew: 31

Fontes: Fiji Times, WCPFC

Insentivu finanseru hodi kansela lisensa peska Hong Long Fisheries, Lda

³³ Ibid

³⁴ Ibid

³⁵ Ibid



Lisensa peska ne'ebé fó ba Hong Long Fisheries, Lda husi Ministériu Agrikultura no Peska ho deit US\$ 312.450 ba periodu fulan 12 ne'ebé maka possibilidade to'o ikan tonelada 1.500 ne'ebé kaer husi ró 15 Hong Long Fisheries, Lda nian.³⁶ Maibe Pingtan Marine Enterprise Ltd rasik fiar katak kada ró husi ró 15 ne'ebé halo operasaun iha Timor-Leste bele hetan rendimentu to'o milaun US\$ 3 kada tinan.³⁷ Alem-de Pingtan Marine Enterprise Ltd halo ona peska ilegal no la regula iha Timor-Leste, demonstra husi sira nia tarjetu ba spesie protejidu sira, uza *rede arrasto* no *gill nets*no uza bandeira falsu, lakon finanseira ba Timor-Leste ne'ebé labele kalkulu nomos lahetan impaktu ba ida ne'ebé iha forneseменту ikan iha Timor-Leste, no seguransa ai-han ba nasaun ne'ebé sofre nivel ass liu ba malnutrisaun.³⁸

Hodi halo komparasaun rejional ida kona-bá oinsa nasaun ki'ik sira seluk regula no proteje sira nia peskaria sira, ita bele haree deit *Vessel Day Scheme* (VDS) ne'ebé maka implementa ona husi membru nasaun ualu (8) husi *Parties to the Nauru Agreement* (PNA).³⁹ VDS hanesan "sistema jestaun peska nian hodi conserva rekursu no garante benefisiu ekonômiku sira ba nasaun partisipante sira liu husi dezvoltimentu sustentavel".⁴⁰ VDS estabelese número spesifiku ida kada loron ba operador ne'ebé hetan ona lisensa peska hodi kaer ikan tuna ho total minimu kada ró idak-idak ho montante US\$8000 ba diretu kaer ikan iha tasi Estadu membru sira PNA nian.⁴¹ Koloka iha kontekstu Timor-Leste nian, VDS ne'ebé hanesan ba ró 15 kada loron sei rezulta US\$120.000 kada loron ne'ebé reprezenta liu dala tolu husi rendimentu anual ne'ebé maka hetan husi lisensa Hong Long Fisheries, Lda/Pingtan Marine Enterprise Ltd dadauk ne'e suspende hela. Sukat fila-fali to'o loron 30 rendimentu total US\$ 3.600.000 no durante loron 90 ho montante US\$ 10.800.000. Ida ne'e la'os deit halo Timor-Leste hetan finanseiru barak husi lisensa ró peska estranjeiru ka Foreign Fishing Vessels (FFV), maibepermite tempu barakba Timor-Leste hodi rekopera hikas ekosistema tasi nian.

Maibe, tenki konsidera katak nivel estragus ba ekosistema tasi Timor-Leste nian ne'ebé tur IUU iha tasi Timor seidauk determina no dalaruma persiza tempu hodi bele rekopera fali-fali. Exempu makaeskema VDS uza ona hodi bele ilustra komparasaun falta benefisiu ekonômiku ne'ebé maka Timor-Leste hetan husi nia lisensa ba Hong Long Fisheries, Lda/Pingtan Marine Enterprise Ltd, enkuantu ilustra mos potencia benefisiu ekonômiku no ekolojiku sira ne'ebé Timor-Leste bele hetan husi implementasaun planu hanesan ne'e.

Alem-de, modelu negosiu husi Pingtan Marine Enterprise Ltd hatudu tambasa Hong Long Fisheries, Lda/Pingtan Marine Enterprise Ltd falla implementa planu investimentu parte 2 no 3 husi total millaun US\$110 ne'ebé hato'o ba Ministériu Agrikultura no Peska,⁴² ho deklarasaun Pingtan Marine Enterprise Ltd nian ne'ebé indika katak estratejia Pingtan

³⁶Ministru Agrikultura, Floresta no Peska, Timor-Leste, Febreiru 2017

³⁷ Op cit. Sydney Morning Herald

³⁸Edyvane, Karen, *Shifting the Problem: Peska legal iha Arafura no Tasi Timor*, Aprentasaun iha Universidade Nasional Timor-Leste, 4 Outubru, 2017.

³⁹Membru estadu PNA sira inklui estadu federasaun husi Micronesia, Kiribati, Ilha Marshall, Nauru, Palau, Papua New Guinea, Solomon Islands and Tuvalu.

⁴⁰ Republic of Kiribati, Lisensa Peska ba rendimentu iha *Kiribati, Relatoriu 2015*, Ministru Finansa no Dezenvolvimentu Ekonomia no Ministru Peska no Rekursu tasi, Dezenvolvimentu, 2015. P.9

⁴¹ Ibid, p.13

⁴² Op cit. MAFF, February 2017.



Marine Enterprise Ltd maka atu dezenvolve korrenti negosiu tomak la inklui parte seluk husi partisipasaun no lukru.⁴³

Potensia diresaun no mekanismu sira hodi proteje Timor-Leste nia rekursu marinu

Ba Timor-Leste atu dezenvolve kapasidade soberanu hodi proteje ninia riku-soin iha tasi no garante ninia seguransa maritima, tenke hola medida oin-oin. Tamba dadaun ne'e menus kapasidade tantu iha jestaun ba peska nomos seguransa ba tasi, rekomendasaun diak ba Timor-Leste buka integra ba iha Regional Fisheries Management Organisations (RFMOs) hodi aproveita kapasidade rejional nomos dezenvolve no implementa estratejia ba tempu naruk hodi dezenvolve kapasidade soberania nian ba jestaun peska no seguransa maritima. Inisiativa akordu konjunta husi Australia no Indonézia iha tinan 2007 kuiñesidu ho naran *Regional Plan of Action (RPOA)* hodi promove pratika peska ne'ebé responsavel inklui kombate peska ilegal, *Illegal, Unreported and Unregulated (IUU)* iha Sudete Aziatiku (RPOA-IUU) no Timor-Leste hanesan membru ida, fornese kuadru ida hodi kombate IUU.

The Arafura Timor Sea (ATS) sum-forum iha âmbito RPOA-IUU fornese ba Timor-Leste hanesan oportunidade aprende susesu sira husi Australia no Indonézia iha kombate IUU, no aproveita suporta no treinamentu iha inspeksaun, monitorizasaun no kontrola ró sira, husi nia viziñu sira. Liu husi RPOA-IAA, Australia no Indonézia dezenvolve ona parseiru seguransa maritima sivil ida entre Australia no Indonézia iha Civil Maritime Enforcement no Security Partnership (CMESP) nia okos (asina iha 29 Setembru 2015). Parseiru ida ne'e inklui treinamentu no assistensia ba dezenvolvimentu; fahe informasaun no intelijensia; nomos kooperasaun operacional nian. Rezulta ona iha primeira patrulla konjunta Australia no Indonézia ba peska ilegal sira, ne'ebé hala'o iha fulan Agustu 2016.

Tamba Timor-Leste iha limitasaun ba kapasidade hodi halo patrulla no proteze tasi no menuskapasidade ba ró patrulla ne'ebé sustentavel, nomos peritu iha jestaun peska nian hodi regula no kontrola peska komersial (domestika no internasional). Portantu, Timor-Leste tenki preparadu hodi simu assistensia husi ninia viziñu sira, enkuantu dezenvolve kapasidade soberania iha tempu naruk. Ba objetivu ida ne'e, FM rekomenda Timor-Leste dezenvolve kooperasaun maritimano seguransa ida ho Australia no ka ho Indonézia, hodi utiliza modelu CMESP ne'ebé susesu ona.

Aleinde ne'e, ho ligasaun ne'ebé klaru entre peska ilegal sira (partikularmente peska tubaraun no komersiu tubaraun) no krimi transnacional seluk hanesan trafikku umanu, servisu forsadu, kasa ilegal, nokomersiu spesie protejidu sira husi ajensia internasional sira hanesan Interpol, CITES bele fornese ba Timor-Leste ho apoiu no treinamentu espesializadu no nesesariu ba kombate kriminalidade peskaria internasional (hanesan lisensa, inspeksaun, levantamentu informasaun, investigasaun).

Hodi halo investigasaun ba insidenti peska ilegal ne'ebé dadaun ne'e husi Hong Long Fisheries, Lda iha tasi Timor-Leste, FM fiar metin katak asuntu fó lisensa no kualker violasaun ba peska ne'e asuntu rua ne'ebé lahanesan. Exemplu husi Ministériu Agrikultura no Peska hodi fó lisensa ba Hong Long Fisheries, Lda tenki investigano prosesatuir lei ne'ebé vigor. Hanesan empreza ne'ebé nia baze iha Xina, República Popular China (RPC)

⁴³ *Pintang Ocean in the Ocean: Ocean deep sea aquatic products market growth: The future space is very Large*, Chinese Shark Product Cooperatives. 2017



tenke hakbesik hodi hetan apoiu ba investigasaun no prosesa violasaun sira hasoru Hong Long Fisheries, Lda (no ka Pingtan Marine Enterprise Ltd).

Importante liu, RPC hatudu tiha ona nia komprimisu forte (no asaun lalais) iha luta kontra peska IUU iha tasi. Foin tinan kotuk ho suporta husi Sea Shepherd investiga no halo akuzasaun ne'ebé hanesan ba ró peska ida ne'ebé nia baze iha Fuzhou (Fu Yuan Yu 076) hodi kaer ikan tubaraun ilegal iha Oceano Índico, liu husi operasaun Driftnet.⁴⁴

Estratejia edukasaun no treinamentu ba tempu naruk mos importante ba seguransa maritima no jestaun peska sira ne'ebé efetivu iha Timor-Leste. Ba objetivu ida ne'e, iha nesiedade urjenti ba edukasaun no formasaun nivel aas iha jestaun peskas ne'ebé sustentavel, siensia ba tasi nian, lei maritima nian no jestaun ba oseanu.

Ho inseguransa alimentar ne'ebé kritiku ba Timor-Leste no aumentu ba konsumu doméstiku ba hahan tasi nian identifikadu hanesan prioridade importante ba dezenvolvimentu peskaria doméstika Timor-Leste nian (eskala kiik no industrial) tenke sai prioridade ida ba dezenvolvimentu nasional. FM fiar metin katak rekursu peskeirus vale tebes maibe limitadu, ba Timor-Leste tenke sai hanesan prioridade, bele dezenvolve no fornese alimentasaun ba habitante sira iha Timor-Leste – la'os fornese alimentasaun baratu ba merkadu klase mediu sira iha Xina no rejiaun Azia Pasifiku. Ho ida ne'e, dezenvolvimentu peskariahanesan industria exportasaun internasional ida (liu husi kooperasaun ba dezenvolvimentu peska no akordu estranjeiru, hanesan Hong Long Fisheries, Lda) maka sai hanesan ameasa boot ba seguransa alimentar Timor-Leste no la sai hanesan prioridade ba Governu no dezenkorazadu.

Rekomendasaun

1. Lisensa peska husi Hong Long Fisheries, Lda tenke kansela permanente, tamba Hong Long Fisheries, Lda la onestu no falla hodi taka ninia relasaun besik ho “*parent company*”, Pingtan Marine Enterprise Ltd (no sira nia afiliasaun ba empreza sira) nomos sira nia istoria kriminal. Ida ne'e inklui ho failansu hodi fó sai no bandu Pingtan Marine Enterprise Ltd husi tasi Indonézia nian, akuzasaun husi Governu Indonézia no istroia kona-bá kaer ikan tubaraun ilegal, no atividade krime internasionalseriu sira seluk (hanesan fraude de investidor eskala ne'ebé boot, trafiku umanu, servisu forsadu, nomos kasaespesie protejidu sira).
2. Ró 15 husi Hong Long Fisheries, Lda ne'ebé maka kaer ikan tenke prende no hapara hodi uza iha Timor-Leste ba dezenvolvimentu peska industrial domestika. Ró sira ne'e nia arte peska tenke destroi (maka hanesan *trammel nets*, ne'ebé destroi habitantes bentônicos) tenke soenomos sasan peskador sira ne'ebé kompletu hodi uza kaer ikan iha tasi. Além ida ne'e, Timor-Leste tenke buka apoiu dezenvolvimentu no formasaun ba dezenvolve ba nia rekursu tasi sira iha negosiu domestika) iha âmbito RPOA-IUU no ka liu husi kooperasaun bilateral internacional. Konsidera mos hodi bele estabelese fila fali ró balun hanesan ró patrullaprovizoriu hodi halo operasaun ba setor seguransa Timor-Leste nian.
3. Timor-Leste tenke buka kooperasaun urjenti no assistensia dezenvolvimentu no treinamentune'ebé dadaun ne'e hala'o husi Australia no Indonézia iha âmbito RPOA-IUU, hodi dezenvolve *Civil Maritime Enforcement and Security Partnership*(CMESP)

⁴⁴ Operation Driftnet - <http://www.opdriftnet.org/>



hodi mellorania kapasidade maritima no kapabilidade seguransa, no rekursu maritima, no hanesan mos prioridade dezenvolve kapasidade iha lisensamentu ba peska, regulamentu sira, fiskalizaun, no kontrolu (nasiona, internasiona, peska IUU).

4. Ba dadauk ne'e, sai prioridade, setor seguransa Timor-Leste tenke kompleta ho kapasidade ró patrulla no vijilânsia ka fiskalizaun ne'ebé adekua no sustentavel hodi premite protesau soberania tasi Timor-Leste nian.
5. Timor-Leste tenke buka urjenti dezenvolvimentu no assistensia treinamentu espesializadu husi Interpol hodi buka solusaun ba krime peska internasiona (hanesan lisensa, inspeksaun, intelijensia, investigasaun). Atividade ida ne'e mos bele hetan apoiu no koordena husi RPOA-IUU no CMESP.
6. Ministériu Agrikultura no Peska ne'ebé fó lisensa ba Hong Long Fisheries, Lda tenke investiga no prosesa tuir lei. Hanesan empreza ne'ebénia baze iha Xina, Republik Popular China (RPC) tenkeaproxima hodi hetan assistensia kona-bá investigasaun no prosesa kualker violasaun peska hasoru Hong Long Fisheries, Lda (no ka empreza boot, Pingtan Marine Enterprise Ltd).
7. Dezenvolvimentu no formasaun kurikular nivel tersiaru iha jestaun sustentavel ba peska, siensia maritima, lei maritima nomos jestaun oseanu tenke introdus no suporta husi Ministériu Edukasaun, hanesan prioridade nasional edukasaun ida hodi aseguara estratejia efikas ida ba tempu naruk.



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