

## **KIARA: Slack on Fish Theft, the President Must Reprimand Minister of Maritime Affairs and Fisheries**

Jakarta, June 7, 2013. Illegal, unregulated, and unreported (IUU) fishing practices have become a concern for many countries, including Indonesia. Throughout the year 2013, at least 39 foreign vessels entered Indonesian waters and fished illegally. KIARA Data and Information Center (June 2013) found that these vessels were from Malaysia, China, Philippines, Korea, Thailand, Vietnam, and Myanmar. This practice is clearly detrimental to the state in terms of preserving the marine ecosystem and sustainability of fisheries as a food source.

The practice of illegal fishing in Indonesian waters increases year upon year. Between 2011 and 2013, there were 6,215 cases of illegal fishing (see Table 1). Of that amount, 60 percent or 3,782 cases occurred since November 2012. Ironically, the Minister of Maritime Affairs and Fisheries passed rules that allowed transshipment. It is stated in Article 69 paragraph 3 of the Regulation of the Minister of Marine Affairs and Fisheries Law No. 30 of 2012 on the Fisheries Industry, "(3) In the exercise of transshipment, fish landed at ports shall conform to SIPI or SIKPI and shall not be taken out of the country, except for fishing vessels using purse seine fishing gear measuring over 1000 (one thousand) GT which are operated singly".

Table 1. Figures for theft of fish in Indonesian Waters

<b>No</b>	<b>Year</b>	<b>Number of cases</b>
1	2001	155
2	2002	210
3	2003	522
4	2004	200
5	2005	174
6	2006	216
7	2007	184
8	2008	243
9	2009	203
10	2010	183
11	2011	104
12	2012	3.782
13	2013 (Mei 2013)	39
	<b>TOTAL</b>	<b>6.215</b>

*Source:* KIARA Data and Information Centre (2012)

In addition to conflicts with Law No. 31 of 2004 in conjunction with Law No. 45 of 2009 on Fisheries, it is contrary to the rules of the Decree of the Minister of Marine Affairs and Fisheries of the Republic of Indonesia No. KEP.50/MEN/2012 on the National Action Plan for Prevention and Control of Illegal, Unreported, and Unregulated Fishing 2012-2016, namely: (1) removal of the catch in the middle of the ocean or sea transshipment without being recorded / reported to the authorities; (2) failure to report catch in order to avoid payment of fees; (3) fishing vessels and fish transport vessels failing to report to the harbor to have the appropriate permissions granted, and (4) direct transfer of fish to foreign nation. The fourth point underlines how counterproductive the transshipment clause is in relation to efforts to counter fish theft.

Furthermore, cooperation forged by the Ministry of Maritime Affairs and Fisheries (MMAF) with the FAO in addressing IUU fishing practices would not be useful if the State actually loosened the rules on fishing.

Given the lack of state capacity to monitor marine resources and fisheries, KIARA urges the President to reprimand the Minister of Maritime Affairs and Fisheries and to revise regulations that could potentially harm the State and communities, as well as interfere with the availability of food from fisheries in the country. \*\*\*

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