

Indonesian waters open to poaching, looting

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Indonesia's no-vote for the ILO Convention on Fisheries during the International Labor Conference early in June has sparked confusion among the public, particularly fishing communities and seafarers. The abstention gives the impression the government is turning a blind eye to theft in Indonesian waters and the abuse of thousands of underpaid seafarers.

Labor unions, especially the Indonesian Seafarers' Association (KPI) and fishermen's associations, have protested the government's political stance, questioning its commitment to poverty eradication.

The ILO convention focuses on international core labor standards for seafarers and paid fishermen, including international minimum wages, extra-time payments and social security protections. The ILO set the monthly minimum wage in 2007 at US\$515, almost four times the minimum payment for seafarers and fishermen according to a survey conducted last year. By contrast, a ship owner earns an average of Rp 14 million (\$1,546) per month while the captain around Rp 8 million (\$883).

The KPI and Indonesian Fishermen's Association (HNSI) have questioned the poor labor conditions in the fishery sector, despite the fact that the quality of fish in Indonesian waters is better than that in other countries.

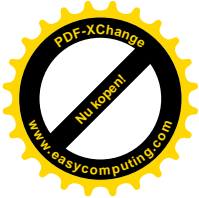
Indonesia failed to vote for the ILO convention on the grounds that it contradicts a government regulation and the culture of fishing communities in Indonesia, which the government says is different from other countries. But the reasons are baseless since no government regulation has been issued to enforce the 2004 Fishery Law and the newly-approved bill on the management of coastal areas and islets.

Ministerial Decree No. 17/2006 issued by the maritime and fishery minister to regulate the issuance permit for fish catches should not be seen as contrary to the ILO convention since the decree requires foreign fishing companies to form partnerships with local companies exploiting Indonesian maritime resources.

Consequently, foreign fishing vessels that partner with locals should comply with the ILO convention to provide decent payment and social security programs to Indonesian seafarers and fishermen.

Access to Indonesian waters is, to some extent, open to public supervision, but, in fact and simultaneously, is limited and accessible to certain sides, including the Navy, the tax and excise office and the Maritime and Fishery Ministry, which all have patrol vessels.

According to Maritime and Fishery Ministry data, illegal, unreported and unregulated fishing activities in Indonesian waters have caused \$2 billion annually in state losses but so far only a few foreign vessels have been captured while many cases have been settled on the spot by corrupt state apparatus.



The fishery ministry has so far collected Rp 100 million in levies from local and foreign fishing companies but have failed to provide an accountability report on the use of the money. Even worse, part of the money has gone to political parties and politicians prior to and after the 2004 general election.

The public awareness of Indonesia's rich resources has come too late as the huge marine resources have been over-exploited while most people who make their living from coastal areas and fishing can not empower themselves and improve their welfare.

Indonesia's maritime sector has been left undeveloped not only because of the late establishment of the Maritime and Fishery Ministry eight years ago, but mainly because of the government's ignorance of the sector. The land-oriented development program has diverted the public eye from the huge economic potentials on seas, let alone the theft of maritime resources and abuses against workers in the fishery industry.

It's better late than never. The newly endorsed bill on management of coastal areas and islets promotes sustainable maritime and fishery development, which is expected to help the country make amends for past mistakes. Over-exploitation of maritime resources has not only impoverished many people, but also is a source of disasters.

The bill defines coastal areas and waters as having strategic purposes, in terms of economy, environment and geopolitics, for all stakeholders, particularly fishing communities and the defense forces. It promotes the economic development of islets to attract people to migrate to uninhibited islets.

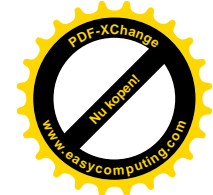
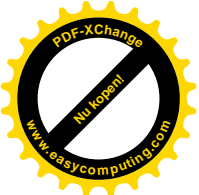
The bill threatens to punish individuals and parties found guilty of damaging the maritime ecosystem with a maximum 10-year jail sentence and/or a maximum Rp 10 billion fine. It also mandates the government and regional heads to determine certain strategic zones for particular purposes and grant businesspeople concessions for exploration of coastal waters.

Fatalities and asset damage in the tsunamis which devastated Aceh and Nias in December 2004, the southern part of West Java in 2006 and the western part of south and central Sulawesi in 1997 and 2004 could have been minimized had mangroves along the country's 95,180-kilometer coastal areas been preserved and developed for the 64 percent of the population that lives along the coast.

Undersea national parks, especially in Bunaken, North Sulawesi, and Arafura waters in Maluku, will not be damaged if the government imposes harsh sanctions against the rampant illegal fishing and illegal mining. The Nipah islet in Riau Islands disappeared following excessive illegal sand quarrying, which has reportedly been exported to Singapore.

Sipadan and Ligitan, off East Kalimantan, would have not gone to Malaysia had hundreds people been resettled there long before the dispute broke out.

The huge number of fish in waters in the country's easternmost region would not have been looted by foreign fishing vessels under the nose of the Navy had the



government introduced customs which now is being implemented by fishing communities in Tual, southeast Maluku.

Australia has long adopted such customs, which declares its waters closed for fishing for a certain period to allow the fish to grow and breed. Offenses are considered crimes.