

Ring of Fire

If it is not substantially changed, Indonesia's Law No. 27 of 2007 will only lead to the commercialization of coastal fishing rights in the archipelago

Over the last few months, a controversy has been raging in Indonesia about Law No.27 of 2007, which deals with the management of coastal and small islands. As the national debate continues, the government's position seems to provide legal surety for business people in fisheries, hoping, in return, that the State will get income from the resultant activities in the small islands and coastal areas. Civil society organizations are hoping that the bad past experiences in management policies from the mining and dredging and forestry sectors will not be repeated in the management of the small islands and coastal areas of Indonesia. The promulgation of Law No. 27 was preceded by the Law of Investment, which offered, as it were, a bargain price for a coastal package offered to investors, including those from abroad. Indeed, considering the provisions in Law No. 27 that would permit the commercialization of coastal zones (classified as HP-3), the public concerns for a thorough review of the law do not seem exaggerated.

Article 16 of Law No. 27 affords the right to commercialize coastal zones for a 20-year period, which, under Article 19, can be renegotiated for an extension. This is the first time in Indonesia that the State has laid a legal foundation for the development of fisheries in coastal and small islands.

There are three fundamental areas of concern with the legislation. The first deals with the critical issue of threats from natural disasters like earthquakes and tsunamis. It is well known that the Indonesian archipelago lies on the Pacific "Ring of Fire", an area of frequent earthquakes and volcanic eruptions that encircles the basin of the

Pacific Ocean. The archipelago is also subject to shifts of the earth's tectonic plates, making Indonesia naturally vulnerable to disasters like tsunamis (as happened in Aceh and Jogjakarta) and floods and tidal waves in nearly all the coastal areas and small islands.

Any law should thus take into consideration, on a priority basis, the principle of special treatment and protection for small islands and coastal areas, keeping in mind the rights of citizens to safety of life and property, while containing losses after natural disasters. The HP-3 provision is counter-productive from the point of view of ensuring the safety of citizens and providing civilians a degree of protection.

Civil society organizations are hoping that the bad past experiences in management policies from the mining and dredging and forestry sectors will not be repeated in the management of the small islands and coastal areas of Indonesia.

Handing over vulnerable coastal areas to business interests will only restrict the ability of the government to fulfill its roles and responsibilities in guaranteeing civil safety. There is no guarantee that the HP-3 licence holders will fulfill their social, economic, cultural and environmental responsibilities, going by the country's experience in other extractive sectors, such as mining and forestry.

Certification process

The second area of concern relates to the HP-3 certification process itself. The predominant poverty and relatively

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KPNPI (NATIONAL PREPARATION COMMITTEE OF INDOONESIAN FISHERFOLK'S ORGANIZATION)



A protest meeting in front of the Marine and Fisheries Department, Jakarta, Indonesia that drew attention to the limitations of Law No. 27 of 2007, which deals with the management of coastal and small islands

low levels of education automatically render HP-3 certificates irrelevant for fisherfolk and traditional cultivators. Only well-off business authorities can handle the bureaucratic culture of the State, and fulfill the technical, operational and administrative requirements needed for HP-3 certification.

Thirdly, conflicts in fisheries are related to property rights in terms of the legal and historical aspects of access and control of resources, and whether they feature open-access, centralized management, rights-based area management, community-based management, individual quotas and/or privatization. HP-3 certification will only exacerbate conflicts related to property rights.

Given these facts and the social and geographical realities of the Indonesian archipelago, it is imperative that the government reviews legislation related to coastal areas and small islands. If, in spirit, the law is meant to protect and secure the sustainable livelihoods of fisherfolk and coastal communities, it should not throw open the coastal waters of the country to the private sector. Without these changes, Law No. 27 of 2007 will be the starting point for the massive destruction of the coastal areas and small islands in Indonesia. ❧

For more



www.eng.walhi.or.id

WALHI (Wahana Lingkungan Hidup Indonesia)
(Indonesian Forum for Environment/
Friends of the Earth Indonesia)

www.dkp.go.id

**Indonesia's Ministry of Marine
Affairs and Fisheries**

Lights, Camera, Action!

The making of the Indonesian film, titled *'Peujroh Laot'*, shows how modern media can be used to revive customary practices in fisheries resource management

The *Panglima Laot* ('Commander of the Sea', in the Acehese dialect) has been the customary institution that has regulated and managed the coastal fishery of the Indonesian province of Aceh. However, in the period following the December 2004 Indian Ocean tsunami and with the opening up of Aceh to new democratic influences, several factors have combined to weaken the role of the *Panglima Laot*. Many of the older *Panglima Laot* died during the tsunami. The new incumbents, who were quickly elected to take the place of their departed leaders, were not fully cognizant of their roles and responsibilities or the procedures to be adopted for conflict resolution. The recent strengthening of the State has also led to greater interference and takeover of the role of conflict resolution in the sea, at times by the police and the navy, and at other times, by the Fisheries Department.

It is important that conflicts over resource and space be settled quickly and effectively if co-management of the fishery is to succeed. In the case of Aceh, this would imply that we need to reaffirm the role of the *Panglima Laot* in continuing to do what they did in the pre-tsunami period. How can this be done most effectively? Traditional advocacy and awareness-raising media tools like brochures, posters, talks, and discussions between the *Panglima Laot* and the State authorities are possible. However, given the general influence of the medium of cinema in Aceh, the use of a film to drive home the role and importance of the institution of the *Panglima Laot* would perhaps be more appropriate.

That realization was the driving force behind the idea to make the film titled *'Peujroh Laot'* (meaning 'Sustain the Sea' in Acehese). First mooted by the Food and Agriculture Organization of the United Nations (FAO)/UN's American Red Cross-funded project in Aceh, the idea of cinema as the apt medium to document the customary and traditional knowledge of the fishers of Aceh came about as a result of collective brainstorming in the group.

Once the medium of cinema was selected, the choice was between making a customary educational

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documentary and a more 'popular' film with a good storyline, believably arresting characterization and a strong message. From discussions and reviews of existing documentaries, it became apparent that the latter option would be more acceptable to the audiences in Aceh and elsewhere in Indonesia. A conventional documentary approach would have been viewed as mere 'preaching', while a storytelling approach, laced with humour and romance, would have been closer to the lives and hearts of the common folk of entertainment-starved Aceh.

History and development

A researcher who had been working closely with the *Panglima Laot* on its history and development was

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commissioned to write the script for the film. When they were shown the final script, Eumpang Breuh (Sack of Rice) Foundation, the well-known Acehese comic film group set up by actors from the poorer, rural sections of the community, was so impressed that

Produced in Acehese, the film draws heavily on the humour and the idiom of the coastal population of the region.

they readily agreed to take up *Peujroh Laot* as the seventh production in their series of very popular and commercially successful films.

The storyline of *Peujroh Laot* takes off from a conflict between two groups in a fishing village over the netting of a shoal of fish. One group sights the shoal and stakes a 'claim' to it by using the customary signal of waving caps. In fact, however, the other group, which is faster in manoeuvring their boat, actually reaches the fishing ground first, encircles the shoal and hauls the fish on board. A conflict erupts around the question: Who has the right to the earnings from the fish catch—the group that caught the fish or the group that first sighted it? Or both?

The film's script seeks to establish that there is an inherent process within the customary rules of the *Panglima Laot* for settling such conflicts. However, the awareness of this mechanism is not widespread. The *Panglima Laot* has special customary court procedures to mete out speedy justice in a manner that does not create animosity or rancour. The film depicts the court procedures involved, and highlights the role and significance of the *Panglima Laot* in the fishery, and the legal and cultural landscape of Aceh.

In the process of the story's unfolding, several messages about responsible fisheries, care for the coastal environment, the good practices that have to be adopted for fish processing, and the importance of co-management, among other issues, are also communicated. The cultural practices of Aceh and the religious significance of protection of marine resources are also showcased.

As a strategy to make the production process more participatory, the producer and the director of the film agreed to call for screen tests, numerous local people who were involved in the *Panglima Laot*, in the fisheries and in the community, including staff from the navy, the police and FAO.

Produced in Acehese, the film draws heavily on the humour and the idiom of the coastal population of the region. Stylistically, the film is the inevitably delectable mishmash of romance, comedy and Bollywood-style songs so greatly appreciated in Aceh. Little wonder then that the film had a huge appeal. Yet, because of the fact that it was set in the context of the larger backdrop of the fishery conflict and its resolution, the film's kitschy style actually served to create greater recall of its message.

Discouraging piracy

In order to discourage piracy of the film video, a marketing strategy was devised that ensured greater monetary returns and wider distribution of the film—and hence its message. Rights were granted to the Eumpang Breuh Foundation to produce and sell additional copies of the film, provided they made no change to its contents. They could sell each

JOHN KURIEN



A love song sequence from the Indonesian film, *Peujroh Laot*. The film depicts the role and significance of the *Panglima Laot* in the fishery, and the legal and cultural landscape of Aceh

Panglima Laot: A Unique Institution

Ever since the devastating Indian Ocean tsunami of 26 December 2004, the popular customary institution in the northern Indonesian province of Aceh known as *Panglima Laot* has gained new recognition by the government, and local, national and international non-governmental organizations (NGOs). *Panglima Laot*, which translates as "sea commanders", is a customary social institution that organizes the nature and modality of fishing in the sea. It is not just a regulatory body, but also a system of leadership for the fishermen community in Aceh.

The origins of *Panglima Laot* can be traced to the reign of Sultan Iskandar Muda (1590-1636), the famous twelfth sultan of the Islamic Kingdom of Aceh. During that era, the main duties of the *Panglima Laot* were to collect tax from those arriving at the harbour and to mobilize the local men, especially fishermen, for warfare.

The history of *Panglima Laot* is replete with interesting incidents. The celebrated traveler from Morocco, Ibn Battuta is said to have had to first meet the *Panglima Laot* before he could meet the reigning sultan. The great Acehnese *ulema* (religious leader), Syaikh Abdul Rauf, needed permission from the *Panglima Laot* to make his home in the river mouth of Syiah Kuala.

Sultan Iskandar Muda is said to have ordered the *Panglima Laot* to provide fish to Marco Polo while he waited in Aceh for six months for favourable winds to take his fleet back to Europe. Incidentally, on that journey Marco Polo was taking along with him the Chinese princess Co-Ca-Chin, from Kublai Khan's Mongolia, to be given in marriage to King Arghun Khan of Persia.

After Indonesia's independence on 17 August 1945, *Panglima Laot's* mandate shifted to organizing fishing in Aceh's coastal areas, and solving the conflicts that took place at sea among fishermen. Each *Panglima Laot* had his own independent base called a *lhok* (bay), which is a socio-ecological unit in which there is usually a *kuala* (river mouth) and a *dermaga* (boat docking centre). In 1982, in Langsa, the capital of East Aceh, a congress for the entire *Panglima Laot* was held. That resulted in the establishment of the District *Panglima Laot* (*Panglima Laot* Kabupaten). This institution used the traditional adat (customary law) court to solve the conflict between two *lhoks* that they could not solve themselves.

In 2000, at another *Panglima Laot* congress, attended by all the *lhok* sea commanders, held on the island of Sabang in Aceh, the provincial *Panglima Laot*, named *Panglima Laot* Aceh, was established. This institution was meant to co-ordinate the *hukum adat laot* (traditional marine law), to liaise between fishermen and the government, and to advocate for a marine and fisheries policy, including legislation, which would advance the prosperity of Aceh's fishing community.

Panglima Laot Aceh played an important role in the post-tsunami recovery and reconstruction phase. It cooperated with international donors such as the United States Agency for International Development (USAID) and the United Nations Development Programme (UNDP). In 2007, the *Panglima Laot* collaborated with the Food and Agriculture Organization of the United Nations (FAO) to run a fisheries co-management programme. In 2008, *Panglima Laot* also became a member of the World Forum of Fisher Peoples (WFFP).

In 2008, after the Helsinki Declaration, which brought peace to Aceh after three decades of conflict with the central government, *Panglima Laot* gained official legal recognition as one of the legitimate customary institutions in Aceh.

In sum, the *Panglima Laot*:

- regulates fishing and days at sea, as well as revenue sharing;
- settles conflicts and disputes among fishermen;
- co-ordinates and implements the customary law, thus enhancing the region's fisheries resource base; and
- advocates for a marine and fisheries policy that will increase the all-round prosperity of Aceh's fishing community.

As the customary repository of leadership for Aceh's fishing community, as the key liaison between the government and the community, and as a partner in the sustainable development of the region's marine and fisheries sector, the *Panglima Laot* plays a very important and strategic role in the province, and can serve as an example, for traditional fishing communities elsewhere, of community-based natural resource management.

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FAO-ARC



5,000 copies of the film were distributed free in Aceh. Overall, retail sales have crossed 20,000 copies

of these videos at IDR15,000, which was IDR 5,000 below the retail market price (US\$1 = approx. IDR10,000). This lower retail price was stamped on the video cover to prevent retailers from cheating customers. From the sales revenue generated, the Foundation would give IDR1,000 per video to the Panglima Laot to fund their own awareness campaigns. The remainder was to be used by the Foundation for fostering arts, acting and dramatic skills among the youth in Aceh.


Shot in different locations in Aceh between January and March 2009, *Peujroh Laot* premiered in Banda Aceh on 6 April 2009 in a coastal settlement. Five thousand copies were distributed free along the coastal districts of Aceh through community motivators and the *Panglima Laot*. Sales of the commercial version of the film, which had exactly the same content, and was titled *Panglima Laot*, began at 6 pm on the same day. By 8 April, all 5,000 copies had been sold out.

By the end of April, the video shops in Banda Aceh had no stocks left. Overall, retail sales have crossed 20,000 copies. This is evident from the IDR20 mn that was paid to the *Panglima Laot* as per the agreement. Factoring in the public distribution, the unit cost of the film to the FAO project would probably work out to only around US\$1 per video. There are reports of the film being viewed by the Acehnese diaspora in Malaysia, and it is regularly demanded for viewing on the long-distance buses plying between Banda Aceh and Medan.

Survey results

An impact assessment survey of about 600 persons along the west and north coasts of Aceh found that about 88 per cent had seen the film. Most men watched the movie in the coffee shops (Aceh has no movie theatres) and most women on their home television sets. On average, each person viewed the film thrice. Some respondents reported seeing it over 15 times. Over 90 per cent of the

respondents have watched the earlier movies of the Eumpang Breuh Foundation, and 55 per cent rate this film as being better than the Foundation's earlier films. As many as 96 per cent recalled the key message of the movie—that conflict in fishery should be first solved by the *adat* (customary law) court. Ninety per cent of the men and 60 per cent of the women in the fishing communities interviewed said that the movie related very closely to the reality of their lives. In the non-fishing communities, this percentage was only about 30 and 25, respectively.

The participatory process of making the film, its commercial success and the fact that its key message was well understood by the viewers provide a good example of how contemporary media can be effectively used to propagate the good aspects of customary institutions in sustainable fisheries management. 

For more

http://en.wikipedia.org/wiki/Panglima_La%C3%B4t

Panglima Laot: from Wikipedia

<http://hendrasiry.wordpress.com/2009/04/09/film-on-indonesian-customary-marine-law-premiered-by-fao/>
Film on Indonesian Customary Marine Law Premiered by FAO

http://74.125.153.132/search?q=cache:uZq9lHrjKlgJ:www.icsf.net/icsf2006/uploads/resources/usefulDocs/docs/english/%253C1178366644302%253Eadli_pl.ppt+Panglima+Laot&cd=1&hl=en&ct=clnk

Who is Panglima Laot?

www.panglima.net
Lembaga Hukum Adat Panglima Laot (in Bahasa)

TRADE AND ENVIRONMENT

WTO and UNEP launch report on trade and climate change

The report on “Trade and Climate Change” published by the World Trade Organization (WTO) and the United Nations Environment Programme (UNEP) examines the intersections between trade and climate change from four perspectives: the science of climate change; economics; multilateral efforts to tackle climate change; and national climate change policies and their effect on trade.

The scientific evidence is now clear that the Earth’s climate system is warming as a result of greenhouse gas emissions which are still increasing worldwide, and will continue to increase over the coming decades unless there are significant changes to current laws, policies and actions. Although freer trade could lead to increased CO₂ emissions as a result of raising economic activity, it can also help alleviate climate change, for instance by increasing the diffusion of mitigation technologies.

The global economy is expected to be affected by climate change. Sectors such as agriculture, forestry, fisheries, tourism and transport infrastructure which are critical for developing countries are more specifically affected. These impacts will often have implications for trade.

For more, see http://www.wto.org/english/news_e/preso9_e/pr559_e.htm

RESEARCH ARTICLE

Management effectiveness of the world’s marine fisheries

Mora C, Myers RA, Coll M, Libralato S, Pitcher TJ, et al. (2009). Management Effectiveness of the World’s Marine Fisheries. *PLoS Biol* 7(6): e1000131. doi:10.1371/journal.pbio.1000131

The research article reports on a survey on the management effectiveness of the world’s fisheries. It found that only 7 per cent of all coastal States in the world carried out rigorous assessments of the stocks and ecosystem effects of fishing, 1.2 per cent also have transparent and participatory political processes to convert scientific recommendations into policy, and less than 1 per cent also provide for an efficient process for the enforcement of regulations. Policy transparency was the prime factor determining fisheries sustainability, while in non-transparent systems, subsidies also had an additional significant toll on sustainability. In 33 per cent of the poorest countries in the world, mostly countries in Africa, Asia and the Pacific, most of their commercial fishing is carried out by the fleets of the European Union, Japan, China, South Korea, Taiwan and the United States.

The paper, published in the *Journal PlosBiology*, is free and can be located at: <http://www.plosbiology.org/article/info%3Adoi%2F10.1371%2Fjournal.pbio.1000131>

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ORGANIZATIONAL PROFILE

KIARA

Koalisi Rakyat untuk Keadilan Perikanan (People’s Coalition for Fisheries Justice)

KIARA was established in 2003 as a non-profit non-governmental organization, initiated by civil society organizations likely WALHI – Friends of the Earth Indonesia, Bina Desa, Federasi Serikat Nelayan Nusantara (FSNN) and individuals concerned with the marine and fisheries sector. KIARA is committed to strengthening the lives and livelihoods of fisherfolk and fishing communities in the coastal areas of the archipelagic State of Indonesia, which consists of around 17,000 islands.

KIARA’s advocacy work focuses on four areas: (1) Women and Fisheries; (2) Shrimp and Aquaculture; (3) Trade and Fisheries; and (4) Community-based Coastal Resources Management (CBCRM). Though primarily concerned with domestic matters, KIARA realizes that due to globalized trade flows, there is also a need to look into the agenda of trade liberalization in the fisheries sector.

A specific focus is the Indonesia-Japan Economic Partnership Agreement (JEPA), which became effective 1 July 2008, and under which as many as 311 fishery products from Indonesia will be eligible for 0 – 15 per cent import tariff into Japan. KIARA believes that the State must

- recognize and protect traditional fishing grounds;
- secure general rights for fisherfolk as

enjoyed by other citizens, and secure particular rights for traditional fishers, namely, the right to fish, to build on traditional practices, to avail of insurance

- and social security protection, and the right to manage their fisheries;
- understand the value and significance of traditional fishery activities, including the role of women; and
- work towards resource sustainability in production, prioritizing domestic consumption needs over export considerations.

For more details: www.kiara.or.id



BUZZWORDS

As the ecosystem approach to fisheries increasingly turns to tools like marine protected areas (MPAs) and private ownership of fisheries, a new discourse is emerging in the world of fisheries. A sampling of fashionable terminology, which some have labelled “linguistic scam” and “doublespeak”:

- COZ = comprehensive ocean zoning
- DAP = dedicated access privilege
- EAF = ecosystem approach to fisheries
- EAM = ecosystem approach to management
- EBFM = ecosystem-based fisheries management
- EBM = ecosystem-based management
- IFQ = individual fishery quota (used particularly in Alaskan fisheries)
- ITQ = individual transferable quota
- LAPP = limited access privilege programme (also known as ‘catch share’)
- MSP = marine spatial planning

EXCERPTS

Trade in fish and fishery products

From the *World Food Outlook: Global Market Analysis, Food and Agriculture Organization of the United Nations (FAO)*:

Global fish trade

According to the FAO statistics (2009), the estimated value of exports of fish and fishery products was US\$98 bn, while in terms of quantity (live weight), it was 52 million tonnes. In terms of value, there was a 1.5 per cent decrease from that of 2008 (US\$99.5 bn), and 0.1 per cent decline in terms of quantity (52.6).

The global fish trade with imports topped US\$100 bn for the first time in 2008, with China confirming its position as the dominant exporter, and Japan regaining its top position among fish importers, helped by a stronger yen. Prospects for 2009 are dominated by overriding concerns over the impacts of the economic crisis on demand and prices. Sales are sluggish in all major markets and prices and margins are under pressure for most seafood products. The only exception is for species facing tight supply situations due to lower catching quotas or production problems in aquaculture.

Per capita consumption

The per capita food fish consumption in 2008 is estimated at 16.9 kg, unchanged from the previous year, of which 8.5 kg came from capture fisheries and the remainder from aquaculture. Lower prices for most fish species have helped sustain consumption, although falling purchasing power is leading consumers in many countries to cut purchases and shop for cheaper alternatives.

Fish prices

According to the FAO Globefish Price Index, fish prices reached an all-time high in September 2008, but have been dropping

ever since, and much more than normal for the season. As a result, in February 2009, prices were 3.4 per cent lower than 12 months earlier, and 10.2 per cent below their September peak. The report highlights that there can be further weakness in price for most species over the next six months in 2009.

Shrimp

In the case of the shrimp sector, there is a weakness in demand, which is tightly linked to demand for food

tuna supplies, there was a decrease in prices in 2008. Frozen skipjack was selling for US\$1,100 per tonne in Bangkok in March 2009, about US\$500 per tonne below the March 2008 price. Similarly, the price of frozen yellowfin fell to US\$1,600 per tonne, compared to US\$2,200 per tonne in March 2008. But the US canned and fresh tuna markets seemed to have stabilized after years of weak consumption arising from concerns over mercury

high prices. However, prices of squids moved downwards, notwithstanding lower catches. Japan's octopus imports fell by 4 per cent in volume and 1 per cent in value (when compared to 2007), while the faltering demand for squids in Spain, the main importer of Argentine squid, shows bleak prospects for the squid trade. A major development in squid markets in 2008 was China taking over as main importer from Argentina, with almost double the figures from 2007.

Fishmeal

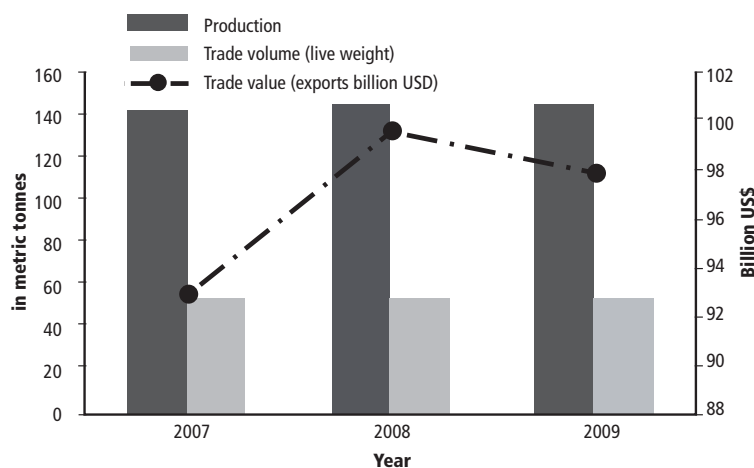
The world demand for fishmeal has been affected negatively by the slowing economic growth, especially in China. However, there has also been a decrease in production of fishmeal by the five world's major exporting countries.

Tilapia

The global economic downturn is depressing demand for tilapia and other Chinese export species, causing the domestic market prices to fall. But demand has been picking up in US and Europe, as lower prices make tilapia more attractive than other fish. In the case of Vietnamese catfish (*Pangasius*), lower prices have made production uneconomic for farmers. While official forecasts state that there could be an increase in production, it is still expected that production could be lower than 2008.

For more, see <http://www.fao.org/docrep/011/a1482e/a1482e10.htm>

World fish production and trade (volume in live weight and value)



services, including restaurants. This demand has been much affected by the economic problems, as consumers reduce consumption of expensive seafood products. This has led to depression in producer prices, leading many farmers to convert to alternative production such as tilapia. Imports decreased by 5 per cent in Japan, 7 per cent in Spain, 2 per cent in France, and 8 per cent in the United Kingdom (UK), whereas they recovered by 1 per cent in the United States (US). The report states that prospects for 2009 still remains downbeat.

Tuna

The demand for fresh and frozen tuna for direct consumption has been falling, while canned tuna demand has increased due to price-sensitive consumers. Despite declining

presence in tuna. Japan's tuna imports have declined every year since 2005. In 2008, they shrank by a further 17 per cent in quantity and 2.4 per cent in value. Only UK increased its imports by 10 per cent, while Thailand's exports increased by over 8 per cent from 2007.

Cephalopods

Trade in cephalopods also increased in 2008, especially octopus, which was traded at

VERBATIM

At its core, resource renewal envisions new priorities: of the livelihoods of small producers over production for profit and of domestic consumption over the rapidly expanding export trade in fish.

—AJANTHA SUBRAMANIAN
IN 'SHORELINES: SPACE AND RIGHTS IN SOUTH INDIA'

INFOLOG: NEW RESOURCES AT ICSF

ICSF's Documentation Centre (DC) has a range of information resources that are regularly updated (dc.icsf.net). A selection:

Videos

Abandoned, but Not Forgotten: The Plight of Burma's Migrant Fishers

A film from the International Transport Workers' Federation that exposes the brutal treatment of migrant workers from Burma employed in Thailand's fishing industry.

Badabon-er Katha: A Tale of the Sundarbans

A documentary film in Bengali that focuses on different communities in Bangladesh who depend on the vast wetlands, largely regarded as uninhabitable and inhospitable, for their lives and livelihoods.

Point Zero

A documentary on the proposed nuclear plant at Haripur, East Midnapur, West Bengal, India.

Terramar - Pela Afirmação da Vida dos Povos do Mar

The video, in Portuguese, which is a dialogue between coastal communities and the staff of Terramar, a non-governmental organization (NGO) based in Ceara, in the northeast of Brazil, records the 15-year history of the NGO and highlights issues of life in the coastal zone of the area.

Publications

COFI Reports

The Committee on Fisheries (COFI), a subsidiary body of the Food and Agriculture Organization of the United Nations (FAO) Council, is the only global inter-governmental forum where major international fisheries and aquaculture problems and issues are examined and recommendations addressed to governments, regional fishery bodies, NGOs, fishworkers, and the international community, periodically on a world-wide basis. COFI has also been used as a forum to negotiate global agreements and non-binding instruments. COFI has held 27 sessions, the first in 1966, and thereafter annually until 1975. Since 1977 the sessions have been held biennially. ICSF's DC has all COFI reports, from 1966 to 2008.

Shorelines: Space and Rights in South India

This work by Ajantha Subramanian argues that the struggle of fishers in southwest India requires a rethinking of democracy, citizenship and environmentalism. Rather than seeing these fishers as non-moderns inhabiting a bounded cultural world, or as moderns wholly captured by the logic of State power, the author illustrates how they constitute themselves as political subjects.

FLASHBACK

A world of double standards

There are two possible perspectives on global fisheries: a pessimistic one and an optimistic one. According to the pessimistic view, we live in a world of double standards, of virtuous yet empty rhetoric. While world leaders pontificate on responsibility and sustainability, industrial fishing fleets are encouraged to strip global fish stocks down to the last shoal, destroying fish habitats, ruining the coastal commons and causing the collapse of fishing communities world-wide.

The optimistic view, on the other hand, is one of a world in transition, where we are moving from an inherently unsustainable industrial model of fishery extraction, towards a new sustainable pattern of resource use and management.

In response to a worsening situation of world poverty, declining

resource bases and environmental deterioration, the last decade has witnessed increasing efforts at the international level to establish a framework and a commitment towards sustainable development. Yet, at the same time, the forces of the free market and commercial interests are being allowed to undermine these efforts.

In 1983, the Brundtland Commission (the World Commission on Environment and Development) received a mandate from the UN General Assembly to formulate a global agenda for change. In their report of 1987, the Commission members were unanimous in their conviction that "the security, well-being, and very survival of the planet depends on a fundamental change towards sustainable development."

Nowhere else is such a change needed as in fisheries. And perhaps more than anywhere else in the world, it is in Europe that the fishery crisis is acute. It has become clear that the Common Fisheries Policy of the European Union (EU) is neither able to address this crisis nor direct the longer-term sustainable development of European fisheries.

The industrial fisheries model, which has sounded the death-knell of European fisheries is now being exported by the EU to the waters of other countries. The redeployment of the EU's surplus fleet capacity can neither be considered responsible nor in the interests of sustainable development.

— from *Comment in SAMUDRA Report No. 13, October 1995*



ANNOUNCEMENTS

CONSULTATION

Technical Consultation to draft a legally binding instrument on port State measures to prevent, deter and eliminate illegal, unreported and unregulated fishing (FI-807-3)
(Third resumed session)

24 - 28 August 2009, FAO, Rome, Italy

The purpose of the Technical Consultation is to elaborate a draft text of a legally binding

instrument on port State measures, based on the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and the 2005 FAO Model Scheme on Port State Measures to Combat Illegal, Unreported and Unregulated Fishing (Model Scheme).

WORKSHOP

Regional Workshop for Africa on the Review of Implementation of the

Programme of Work on Protected Areas 6 - 9 October 2009, Convention on Biological Diversity (CBD), Government of Côte d'Ivoire and the PoWPA Friends Consortium, Abidjan, Côte d'Ivoire

A capacity-building and progress-review workshop for the programme of work on protected areas (PoWPA) to propose ways and means for strengthening the

implementation of the PoWPA for consideration by the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA).

WORKSHOP

13 - 15 October 2009, APFIC, Manila, Philippines

Regional Consultative Workshop on Best Practices for Supporting and Improving Livelihoods of Small-scale Fisheries and Aquaculture Households

The Wisdom of Tradition

A recent workshop in Indonesia focused on customary arrangements and traditional ecological knowledge systems in coastal and fisheries resources management

Sixty delegates from Indonesia, the Philippines, Thailand, Malaysia and India, met at Lombok, Indonesia, during 2-5 August 2009 for the workshop on “Customary Institutions in Indonesia: Do They Have a Role in Fisheries and Coastal Area Management?”. The workshop was organized by the International Collective in Support of Fishworkers (ICSF), in co-ordination with the Ministry of Marine Affairs and Fisheries (MMAF), Indonesia, and the Provincial Department of Fisheries and Oceans (DKP) of the Government of West Nusa Tenggara (NTB).

Indonesia, and other parts of southeast and south Asia, have a long, often centuries-old, tradition of fishing. Not surprisingly, systems of internal governance, including over coastal and marine living resources, have also evolved over the generations. While some of these systems continue to exist, albeit in changed forms, some have disappeared due to a number of factors. Today, as the limitations of centralized, top-down management systems are increasingly evident, co-management and decentralization processes are being put in place across the region. Do customary arrangements and related traditional knowledge systems still have relevance for fisheries and coastal areas management in such a context? It was to explore such issues that ICSF organized the workshop with the following objectives:

- to discuss the role and relevance of traditional knowledge and customary arrangements in fisheries and coastal area management in Indonesia;
- to review how customary rights to resources and arrangements can be better recognized and adapted

to meet fisheries and coastal area management objectives, consistent with national and international obligations; and

- to strengthen understanding and links between customary institutions, policymakers, researchers and others.

Participants from Indonesia included representatives of customary institutions such as the *Panglima Laot*, Aceh; *Sasi Laut*, Haruku, Central Maluku; *Parompong*, Spermonde Islands, South Sulawesi; *Mane’e*, Talaud, North Sulawesi; *Awig Awig*, Tanjung Luar, NTB; and *Awig Awig Lombok Utara*, Gili Indah, NTB, as well as whale hunters from Lamalera,

Indonesia, and other parts of southeast and south Asia, have a long, often centuries-old, tradition of fishing.

East Nusa Tenggara (NTT). Also attending were representatives from community-based management groups, fishermen's unions, non-governmental organizations (NGOs), women's groups, universities and government departments.

Formal recognition

Opening the workshop, John Kurien, co-ordinator of the ICSF Animation Team, welcomed the participants. Ali Syahadan, head of DKP, NTB, pointed out that the NTB government has formally recognized the *awig-awig* system as part of its fisheries

This report has been written by Chandrika Sharma (icsf@icsf.net), Executive Secretary, ICSF

co-management efforts. Chandrika Sharma, Executive Secretary, ICSF, provided a brief introduction to the activities of ICSF.

In his keynote address, Suseno Sukoyono from the MMAF pointed out that Indonesia is one among the few countries in the Asian region to have developed comprehensive fisheries

such as *awig-awig*, *panglima laot*, *sasi*, etc. There is a need to develop nested management systems, with clearly defined roles for national, provincial, district and local stakeholders, especially on rights and responsibilities. The full participation of all stakeholders in developing realistic, successful, co-management programmes is one of the major challenges and opportunities of decentralization, he stressed.

The opening session was followed by presentations by representatives of customary institutions, in a session moderated by Luky Adrianto. Elliza Kissya from Maluku, described the region's *sasi* system. *Sasi*, literally meaning 'ban', determines what people should or should not do, based on traditional social values. The system has been in existence for at least 400 years, Resource use is regulated through open and closed seasons, with the *kewang*, or chief, vested with the authority to implement regulations and impose sanctions on those who violate them. Kissaya made a strong case for government recognition and support of customary law (*adat*) and traditional knowledge for resources management. "If the State does not acknowledge us, then we do not acknowledge the State, because we are truly the ones who make the State", he said. Kissaya

The full participation of all stakeholders in developing realistic, successful, co-management programmes is one of the major challenges and opportunities of decentralization.

legislation—Law Number 31 of 2004—to manage the national fishing industry in its exclusive economic zone (EEZ). The law recognizes the role of customary laws and local wisdom as well as community participation in fisheries management. The change initiated during the Reform Era, especially by the decentralization process, has led to a shift in fisheries governance system from a top-down to a bottom-up approach, which encourages community participation. This has revived community involvement in fisheries management, especially of traditional institutions

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60 delegates from Indonesia, the Philippines, Thailand, Malaysia and India, met at Lombok, Indonesia, for the ICSF workshop on "Customary Institutions in Indonesia: Do They Have a Role in Fisheries and Coastal Area Management?"

also highlighted the problem of coastal erosion, which needs serious attention from the government.

In their presentation, Pieter Tedu Bataona and Bona Beding described the whaling practices of Lamalera, a village in the southern coast of Lembata Island, NTT. Whaling has been practised for centuries, and whales are caught mainly during the May-September period. Elaborate ceremonies to seek ancestral blessings are performed before the whaling season starts. Several customary rules bind the *lama fa* (chief harpooner). On no account, for example, must a pregnant or nursing whale be harpooned. Lamalera's traditional practices ensure that whaling is sustainable and contributes to the food security of the islanders.

Tony Liusanda described the *mane'e* customs in Kakorotan in the Talaud Regency of North Sulawesi. The Kakorotan islands in the easternmost part of Indonesia are rich in coral reefs. Traditional rules that determine when and where fishing is allowed or prohibited (through *ehá* or ban) have served to conserve coral reefs. Elaborate rituals and ceremonies are associated with fishing. The sea and its resources are likened to the milk of a mother. The *kepala desa*, or village leader, is vested with the authority to make and implement rules and impose sanctions.

The presentation on the *parompong* system of Makassar, South Sulawesi, was by Chairil Anwar. *Rompongs* are fish aggregating devices made from natural materials. There are traditional rules that define the rights to fish near the *rompongs*, as well as rules that define the distribution of catch.

The presentation on the *awig-awig* system in North Lombok, NTB, was by Samsul Muhyin of the Lembaga Musyawarah Nelayan Lombok Utara (LMNLU, Fishermen's Forum Institution). The LMNLU, formed in March 2000, presently comprises 32 fishermen's groups, with a total membership of 1,572. The LMNLU functions in the three districts of Pemenang, Tanjung and Gangga. The LMNLU has revived the traditional system of *awig-awig* (meaning

'ban'), based on customary values and institutions. This revival has been supported by local government initiatives towards co-management, which formally recognize the authority of customary institutions to manage resources. Zones have been demarcated, and regulations put in place to prohibit destructive fishing techniques, like dynamiting, especially if they destroy coral reefs. Sanctions for dealing with violations have also been agreed on. Repeated violations would lead to confiscation of fishing gear. As a result of the system, violations have reduced.

Another presentation on the revival of the *awig-awig* system in East Lombok, NTB, supported by the provincial government as part of co-management efforts, was made by M. Saifullah. He described the formation of the Kelembagan Komite Pengelolaan Perikanan Laut (KPPL,

Traditional rules that determine when and where fishing is allowed or prohibited (through *ehá* or ban) have served to conserve coral reefs.

the Marine Fisheries Management Committee), responsible, among other things, for preparation of management plans, monitoring and enforcement of *awig-awig* regulations prepared by communities, and liaison with government. The regional KPPL comprises six persons—five representing villages in the region and one from the government. A system of resolving conflicts, handling violations and meting out punishment has been put in place Saifullah said, adding that such participatory management has proved successful.

State recognition

M. Adli Abdullah provided information on the *panglima laot*, an institution that has existed for several centuries in Aceh. During the early years of Indonesia's independence, the *panglima laot* was relatively dormant. It re-emerged in 1982, and following the Indian Ocean tsunami of 2004

The Lombok Statement

Indonesia is an archipelago with deep historical roots in its maritime affairs and fisheries. The sea is seen by traditional fishing communities not just as a means of livelihood but as a way of life that accommodates the whole social arrangement of the society, its ethics and morals.

WE, representatives of *adat* (a term in Bahasa Indonesia for customary law) communities, traditional fishermen, coastal communities, women in fisheries, environmental and other civil society organizations, and academe, who attended the workshop on "Customary Institutions in Indonesia: Do They Have A Role In Fisheries and Coastal Area Management?" from 2–5 August 2009, in Lombok, West Nusa Tenggara, Indonesia, believe that *adat* law and traditional knowledge make significant contributions to the protection of marine and coastal ecosystems, and the sustainability of marine and fisheries resources, as well as environmental sustainability.

WE have demonstrated that *adat* law, in existence since the 16th century, and traditional knowledge can make a significant contribution towards providing a just and sustainable marine and fisheries resources management regime. We believe that strengthening the social and cultural capital of *adat* law communities, traditional fishermen, women in fisheries, and coastal communities can assist in managing marine and fisheries resources, and be instrumental in addressing the multi-dimensional crisis currently faced by fisheries, and marine and coastal ecosystems.

WE believe that marine and coastal resources management regimes should uphold environmental sustainability, social justice and gender equality, especially of marginalized members of coastal communities, including poor widows, neglected children, the disabled and the permanently ill.

WE have discussed the root causes that adversely impact the livelihood of *adat* law communities, traditional fishermen and coastal communities. We have united and corroborate our voices to:

First, reversing the practice of privatization, monopolization and liberalization of marine and coastal resources, as, for example, in provisions contained in Law No. 27, 2007, on Coastal Area and Small Islands Management, especially the provisions regarding the issue of Coastal Waters Utilization License (*Hak Pengusahaan Perairan Pesisir – HP3*), as well as Regulation No. 5 of 2008 issued by the Minister of Marine Affairs and Fisheries, which has now been revised and reissued as Regulation No. 12 of 2009, on Capture Fisheries, especially its provisions for Cluster Fisheries. It is better to grant priority to the Constitutional rights of *adat* law communities and to harmonize them with the universal principles guaranteed in the 1945 Constitution, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the United Nations Declaration on the Rights of Indigenous Peoples, as well as Law No. 39, 2009, on Human Rights.

Second, in urging prioritization of the interests of *adat* law institutions above the interests of investors and international conservation organizations, through the creation of an *adat* Institution Communication Forum.

In this context, we are seeking strengthening of *adat* law institutions, especially through constitutional recognition of the *adat* law institutions in marine and fisheries resources management, and through undertaking documentation and giving due publicity to *adat* law institutions.

By strengthening of the *adat* institutions, we imply that the State should:

1. Acknowledge and protect *adat* law and traditional knowledge that have been handed down from generation to generation, have become part of our nation's cultural identity and have helped in conserving and managing marine and fisheries resources. This can be achieved by recognizing and integrating *adat* law and traditional knowledge into the

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its role has been recognized by the State through Law No.2 of 2006 on Aceh's administration. The main task of the *panglima laot* is to regulate fishing at sea through customary marine law. Sanctions are meted out to violators by a customary court assembly that meets on Fridays. Regulatory measures include confiscation of boats and prohibition of fishing on certain days, like Fridays, festivals and holidays. At present, the *panglima laot*, along with the local government and the Food and Agriculture Organization of the United

Nations (FAO) is involved in designing and formulating a draft *qanun* (law) on fisheries, guided by Aceh's customary marine law. The *panglima laot* has also established the Pangkai Merurenou Aneuk Nelayan Foundation (YPMAN) to improve the quality of life of fishing communities. YPMAN received substantial funds in 2001, when the *panglima laot* confiscated a Thai vessel fishing illegally in Indonesian waters, and kept the proceeds from its sale (IDR11.6 bn, or US\$1.2 mn). The *panglima laot* now has IDR60 bn (US\$6.4 mn), which is used

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national legal system, giving due consideration to diversity of value systems, national unity and gender equality.

2. Grant greater preference to sustainability of coastal and fisheries resources, and to the growing domestic fish consumption needs.
3. Adopt an economic paradigm that prioritizes the principles of social justice and environmental sustainability over economic growth; that effectively prevents environmental violations in relation to marine affairs and fisheries, especially from illegal, unreported, and unregulated (IUU) fishing; extractive activities; and various policies at local, provincial, and national levels that threaten the marine ecosystem and the sustainability of living resources.

Last but not least, we invite all members of society, the government, and the international community to lend political recognition to the model of an economy based on the needs of the people, built upon *adat* law arrangements and traditional knowledge that uphold the principles of social justice, equality and environmental sustainability.

Lombok, 5 August 2009

This Statement is hereby endorsed by:

1. Panglima Laot Aceh
2. Sasi Negeri Haruku, Central Maluku
3. Sea-farming of Thousand Islands (Kepulauan Seribu)
4. Ola Nua Lefa Hari, Lamalera, East Nusa Tenggara
5. Parompong Pulau Barrangcakdi, South Sulawesi
6. Mane'e Pulau Kakorotan, North Sulawesi
7. Taluak Impian Women Fisheries Group, Lake Maninjau, West Sumatra
8. Mina Bada Lestari, Lake Maninjau, West Sumatra
9. KIARA (Koalisi Rakyat untuk Keadilan Perikanan—People's Coalition for Fisheries Justice)
10. KPPL (Komite Pengelolaan Perikanan Laut—Marine Fisheries Management Committee), East Lombok

11. LMNLU (Lembaga Musyawarah Nelayan Lombok Utara—North Lombok Fishermen Forum Institution)
12. KNTI (Kesatuan Nelayan Tradisional Indonesia—Indonesian Traditional Fishermen Unity)
13. SNI (Serikat Nelayan Indonesia—Indonesian Fishermen's Union)
14. SNSU (Sarekat Nelayan Sumatera Utara—North Sumatra Fishermen's Union)
15. WALHI (Wahana Lingkungan Hidup Indonesia—Friends of the Earth Indonesia)
16. Centre for Legal Research of Coastal and Marine Resources Management, Faculty of Law, Pattimura University
17. Social Division, Lab. SEPK, Faculty of Fisheries and Marine Sciences, Brawijaya University, Malang
18. JALA (Jaringan Advokasi untuk Nelayan Sumatera Utara—Advocacy Network for North Sumatra Fishermen)
19. Bina Desa Jakarta
20. Fishermen of Negeri Ouw, Saparua, Central Maluku
21. East Lombok Marine and Fisheries Committee

The Workshop was also attended by representatives from:

1. International Collective in Support of Fishworkers (ICSF),
2. Sustainable Development Foundation (SDF), Thailand
3. Sahabat Alam Malaysia (SAM)
4. Jaringan Orang Asal Se-Malaysia (JOAS)
5. CBCRM Learning Centre Philippines
6. YADFON Foundation, Thailand
7. Penang Inshore Fishermen Welfare Association (PIFWA), Malaysia
8. Lanao Aquatic and Marine Fisheries Center for Community Development (LAFCCOD), Philippines
9. Integrated Rural Development Foundation of the Philippines (IRDF) Inc.
10. Centre for Limnology Research (LIPI)
11. Centre for Coastal and Marine Research (Pusat Penelitian Pesisir dan Laut – P3L), Mataram University

primarily for the education of needy children.

The workshop also saw several presentations from non-indigenous organizations in a session moderated by Dede Irving Hartoto. They focused on organizational efforts to improve fisheries management and the livelihoods of fishing communities. The following groups made presentations: Mina Bada Lestari, Maninjau Lake, West Sumatra; Sea Farming group, Provinsi Kepulauan Seribu; coral conservation group from Jambianom, Lombok; the clam

and sea snail collection group from the Saparua community, Ambon, Maluku; the Serikat Nelayan Indonesia (SNI, the Indonesian Fishermen Union); and the Serikat Nelayan Sumatera Utara (SNSU, the North Sumatra Fishermen Union).

On the second day of the workshop, there were two presentations in the session moderated by Adli Abdullah. The first, by Luky Adrianto, on "Constructing the Role of Customary Institutions in Fisheries Management in Indonesia", was based on the background study prepared for the

workshop. Adrianto said that current community institutions for fisheries management can be categorized as ancient (*sasi*, *panglima laot*, *mane'e* and *lamalera*), pre-modern (*awig-awig*, *rampong*), and modern (*Mina Bada* Lestaria farming group, SNI, SNSU). Institutions differ in their levels of complexity and how they have been modified over time to incorporate different components of fisheries

The relationship between customary institutions and various levels of government under co-management arrangements needs to be based on equal partnership and mutual respect.

management, such as delineation of boundaries, rules, rights, sanctions, monitoring systems and management authority. Indonesia recognizes the role of customary law and local wisdom. The challenge now is to implement effective co-management systems based on this recognition, Adrianto said. Elaborating on this aspect, Arif Satria reflected on how existing community institutions can be strengthened, and how co-management arrangements for coastal and fisheries resources can be put in place.

A presentation by Adrian Lasimbang dealt with the *tagal* system practised in Sabah, Malaysia. *Tagal*, based on age-old customary law or *adat*, means

'prohibition' in the Kadazandusun language, and aims at collective ownership and responsibility for the sustainable use of resources. *Tagal*, also known as *bombon* in some areas of Sabah, has been used by the indigenous Kadazandusun and Murut peoples for generations. A *tagal* is normally governed by the village headman and endorsed by the native chief. The system varies from community to community in terms of rules, proscriptions and management structure, but common to all are the concept of closed and open seasons, equal sharing and sharing of responsibility. The successes of the *tagal* system have been recognized by the Sabah Inland Fisheries and Aquaculture Enactment Act, 2003, which led to the creation of district and State-level *tagal* committees. The fisheries department works closely with NGOs to build up the capacities of *tagal* committees. Lasimbang also dwelt on some of the problems and tensions that have emerged as a traditional system gets adapted to a modern context.

Active discussions followed the various presentations. One issue raised was on women's participation in fisheries. In general, it was pointed out, women are denied any role in decisionmaking within customary institutions. How can positive values of sharing and equity be built up, while ensuring that women are not denied a role in decision-making processes, it was queried. Several workshop participants touched on the need for sensitivity. Customary knowledge and institutions must not be objectified by researchers and others. The relationship between customary institutions and various levels of government under co-management arrangements needs to be based on equal partnership and mutual respect. Otherwise there is the danger of these institutions getting destroyed, along with the knowledge and values they support.

Customary institutions

The second day of the workshop featured group discussions. Participants were divided into four groups representing (i) customary institutions and traditional fishermen;

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Discussions during the field visits to Jambianom village in Lombok. Local authorities and community members described their efforts to protect the region's coral reefs

(ii) NGOs; (iii) academia and government institutions; and (iv) foreign (non-Indonesian) participants. The groups were asked to discuss two questions: (a) Do customary institutions and traditional knowledge systems have relevance in today's context?; and (b) If yes, how can this relevance be better recognized and integrated in fisheries and coastal area management?

In general, there was consensus among all groups that customary arrangements and the traditional knowledge systems associated with them continue to be highly relevant. The group reports stressed various needs: to document and map existing arrangements and knowledge systems, and seek their formal recognition; to develop the capacity of customary institutions, and empower them to become equal partners with the government to carry out coastal and fisheries resources management; to work towards recognition of the rights of communities to use and manage resources, drawing on positive values of social justice, equity and sharing; and to seek recognition of their collective rights over fisheries and coastal resources, given that these rights are being threatened by corporate and other interests. In this context, the need to ensure that the Coastal Area and Small Islands Management Law (No. 27, 2007), especially the provisions regarding the issue of Coastal Waters Utilization Licence (*Hak Pengusahaan Perairan Pesisir-HP3*), does not displace and deny access of traditional communities to coastal and fisheries resources, was highlighted.

On the last and final day of the workshop, participants debated a draft statement that had been prepared based on group discussions on the previous days. The statement (see box) that was adopted reaffirmed the important role of customary law and traditional knowledge in resources management.

Workshop participants were also taken on field visits to two villages, Jambianom and Gili Sulat, to see for themselves how the *awig-awig* systems are being revived in the NTB province. In Jambianom, North Lombok, local authorities and community members

described their efforts to protect coral reefs and transplant corals, drawing on the *awig-awig* system. In Gili Sulat, in East Lombok Regency, the visitors were told about how rules, based on *awig-awig*, have been put in place to protect and manage mangrove forests and coastal resources.

The Lombok workshop was perhaps the first where representatives of customary institutions from various parts of Indonesia had come together with NGOs, researchers, government representatives and fishermen's unions, to discuss coastal and fisheries resources management issues. The final message from the Lombok workshop was unequivocal—customary arrangements and associated knowledge systems can, and should, play a central role in coastal and fisheries resources management. 3

The final message from the Lombok workshop was unequivocal—customary arrangements and associated knowledge systems can, and should, play a central role in coastal and fisheries resources management.

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For more



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ICSF Lombok Workshop

www.dkp.go.id

Indonesia's Ministry of Marine Affairs and Fisheries

This Belongs to Us

The fishers of the Indonesian island village of Lamalera have an age-old tradition of whaling that mixes social, cultural and economic practices to sustain livelihoods

Lamalera village is located at the southern tip of Lembata Island (previously called Lomblen Island) in the Indonesian province of Nusa Tenggara Timur (NTT). The principal occupation of the Lamalera community is fishing, an age-old tradition inherited from ancestral times. The Lamalera fishing community displays a rare and distinctive character, and a lifestyle different from other traditional fishing communities elsewhere in the world. The Lamalera fishing community specializes in catching large fish and marine mammals, mainly whales.

As traditional whalers, the Lamalera people are bound to a series of traditions and customs related to their daily lives, starting with the construction of special vessels for catching whales, known as *pelédang* (also called *téna lamafaij* in the local dialect), backed by unique gear, and a system of rules of engagement, proscription and taboos relating to fishing, as well as special ways of dividing the catch.

As a community that relies entirely on catching fish for a livelihood, going out to fish is a daily routine for the Lamalera people. Traditional factors and seasonal conditions determine how fishing activities are undertaken.

The official fishing season (*mussi léffa* or *léffa nuang*, meaning 'dry season') is from May to September. During this period, many whales and fish appear in the Sawu Sea off east NTT. The *léffa nuang* starts with a ceremonial customary declaration requesting the community from both the villages (*Tétti Leffo* and *Lali Fatâ*) and the landowners (*tana alep*) to gather to discuss the *ola nuâ* (all activities related to earning a living from whaling). This event is called *tobu*

nama fattâ. The Lamalera community always starts the *léffa* season with this ceremony, which is characterized by the following elements:

- a benediction for a satisfactory catch;
- an assessment of all *léffa* activities in the previous year; and
- an absolution of the mistakes and misunderstandings between the *Tétti Leffo* and *Lali Fatâ* communities, between the *méng* (*matros*) and the *téna alep* (vessel owner), between the shareholders (*Ummâ alep*) and those operating the vessel, and between the Lamalera community and the landowners (*lango fujjo*).

The Lamalera fishing community displays a rare and distinctive character, and a lifestyle different from other traditional fishing communities elsewhere in the world.

The unofficial fishing season called *Plaé ba léo*, is marked by Lamalera fishermen yelling, "Ba léo...ba léo...!!" This repeated yelling is meant to urge other fishermen to immediately go out to the sea to chase the whales.

Fewer vessels

Usually, vessels entering the sea during the *Plaé ba léo* are not as many as during the *léffa nuang*, and only those vessels that are in good condition venture out. *Plaé baléo* can occur anytime, depending on when and where the whales show up. The Lamalera fishermen employ a procedure to catch whales. In case a whale breaks through the sea surface, spraying water, the Lamalera fishermen will first lower the sail and the mast of

This article is by **Pieter Tedu Bataona** (glttedu@yahoo.com), Chairman of Lembaga Gelekat Lefo Tanah, Indonesia

the vessel they are in. This is to signal to the people ashore that the vessel is preparing to catch a whale. This period is called *téna mété pérra kotéklema*.

After the sail and mast of the vessel have been lowered, under the leadership of the *lama fa* (the chief member who harpoons the whale),

The Lamalera people's motto of "life and death at sea" imparts a fighting spirit that makes them risk their lives...

all crew members pray together, and then the *lama fa* sprinkles holy water on all the crew members as a symbolic gesture of cleansing body and soul. This constitutes the taboo period during which crew members are forbidden from mouthing rough or unmannered words to one another. They are also refrained from uttering the names of members that are related to locations like *serani*, *kupang*, etc. Should this prohibition be violated, a disaster may occur, so runs the traditional belief.

If unkind words are uttered, the chances of catching a whale are slim, the Lamalera believe. The *lama fa* may find it difficult to harpoon a whale or, if he does succeed, the harpoon may break loose from the whale's body. This condition is called *ikâ nabé tobang liér héna*. In the event of utterance of prohibited names, the whale, it is

believed, will drag the vessel to the location wrongly mentioned.

The *lama fa*, assisted by the *bréung alep*, ties the harpoon to the *lékka* (long bamboo pole). The *lama fa* then starts walking towards the *hâmmâ lollo*, and takes position to harpoon the whale. Before this, he seeks the approval of all crew members. Approval is indicated by the crew members saying "*Ikâ titté*" ("that belongs to us"). In case of disapproval, the crew will say "*Ongaro*".

Once the crew's approval is obtained, the *lama fa* immediately harpoons the whale, while jumping into the sea (*tuba nabé dopâ*). The vessel is now commanded by the *lama uri* (helmsman) and the *bréung alep*. The helmsman's main task is to steer the vessel while it is being pulled by the whale, and the *bréung alep*'s duty is to pay out the rope attached to the harpoon. The safety of the vessel and its crew depends very much on the skills of these two persons. In case the *lama uri* is unable to manoeuvre the vessel, it could capsize or crash on to other vessels, endangering the lives of the *lama fa* and the other crew members. The Lamalera people's motto of "life and death at sea" imparts a fighting spirit that makes them risk their lives for the sake of the *lefo tana* (homeland) and *atta kiddé knuka* (widows and orphans).

Whale's resistance

It is difficult to imagine the physical resistance that a whale can put up. However, experience shows that a whale will surrender after being harpooned thrice. Once the whale's spittle gets mixed with blood, it is a sign that it has surrendered. The crew then have to only haul in the giant mammal to the shore. Slowly, the powerless whale is pulled near the vessel and several crew members jump on its body to knife it with the *duri* (a long knife) and *beladda* (bayonet), while other crew members stick the *ganco* (*kenaté*) into its nose and rear fins. Then the dead whale is fastened to one side of the vessel and taken to shore. As a token of gratitude, all the crew members then pray to the gods for their blessings. They oar out to the

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Fishermen prepare their boats for the nights' catch at the harbour of Lewoleba, capital of the Indonesia island of Lembata, east of Flores and north of Timor

shore with the catch, singing happy songs like “*Ribu lefo golé, tubo béra raé mai*” (“All the people of the village, let’s quickly pull the whale to the shore”).

It is the *lama fa*’s duty to choose the right type of whale to be caught. According to the Lamalera tradition, certain types of whales should not be harpooned to avoid potential danger to the vessel and the crew. Among these are :

- whales in puberty, which are ferocious and do not easily surrender when harpooned;
- female whales who have just given birth, also known to be ferocious; and
- mating whales, of which the male will defend his partner to the death in case she is caught.

Both the meat and the skin of the whale are dried to extract oil. They are also bartered for food from the hinterland, while the whale oil is used as fuel for lamps. The whale’s teeth are used to make souvenirs, like rings and cigarette holders. The bones are burnt and used, along with crushed rocks, for building construction. *Mudu* is the whale’s fat preserved by salting, which maintains its quality for two or three years. *Mudu* can be consumed as such or used as an accompaniment to vegetables. Another part of the whale, called *ika napung*, which is the meat remaining stuck to the bones, is dried and preserved for hard times or to go with the palm tree drink.

Ola nua or catching the whale is a way of life that supports the spirit of the Lamalera community. This longstanding practice reflects many aspects of life and living among the Lamalera people, including theological, spiritual, social and cultural dimensions, and not just economic aspects. 📖



Crew preparing the boat to go whaling in Lamelara, Indonesia. The Lamalera fishing community specializes in catching large fish and marine mammals, mainly whales

For more



sciencestorm.com/award/0514559.html

Food Sharing in Lamalera, Indonesia: Tests of Adaptive Hypotheses

www.joshuaproject.net/peopctry.php?rog3=ID&rop3=211103

Lamalera of Indonesia: People-in-Country Profile

www.therai.org.uk/film/volume-ii-contents/the-whale-hunters-of-lamalera-indonesia/

The Whale Hunters of Lamalera, Indonesia (synopsis of film)

Beyond Paper

The annulment of inequitable provisions in an Indonesian coastal area management act spells victory for fishers

At its plenary session on 26 June 2007, Indonesia's House of Representatives (DPR) passed the Management of Coastal Areas and Small Islands (PWP-PPK) Act, 2007 (No. 27). It was meant to make a breakthrough in resolving the conflicts that resulted from sectoral regulations in coastal areas and small islands. Another aim was to ensure that the State protects the interests of families of fishers and indigenous peoples. It was assumed that this legislation would lead to

Development Bank (ADB) and the World Bank.

Though there was a prolonged process involving discussions with different experts, it is unfortunate that the final legislation passed did not have an integrated coastal management approach. The legislation, as adopted in 2007, did not correct the inequality of control of coastal and small island resources, nor did it address the growing complexity of overlapping pieces of legislation governing the areas (as there are over 20 laws governing coastal areas and small islands). Instead, the legislation puts more emphasis on the investment aspect and is pro-business in approach, not leaving much space for communities, especially traditional fisherfolk and indigenous peoples, to participate and propose management plans.

The legislation (as adopted in 2007) had provisions whereby concessions could be granted to coastal waters. The PWP-PPK Act legally promoted the granting of concessions (HP-3) to the private sector, including from other countries, for aquaculture, tourism and mining in coastal waters and small islands.

Concessions

More specifically, the concessions can be granted for the sea surface, and the water columns down to the seabed valid for a cumulative period of 60 years. Moreover, the concessions can be transferred, routed and used as collateral for bank loans. This kind of commercialization and privatization model has been applied earlier for the management

...the 2007 legislation puts more emphasis on the investment aspect and is pro-business in approach, not leaving much space for communities...

maximum development of coastal areas and small islands.

It is essential to note that the process for drafting the legislation took a long time, and involved a number of stakeholders, and it was more than seven years before the process was complete. The process, initiated in 2000, involved academics, legal practitioners, non-governmental organizations (NGOs), as well as a number of foreign experts, especially from the University of Rhode Island, United States (US), besides public policy activists from the US. There was also foreign funding involved, either directly or indirectly, in the form of funds from organizations such as the United States Agency for International Development (USAID), and banks such as the Asian

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of forests and mineral resources over the last four decades, and have proved a failure, resulting in increased poverty and ecological disasters in Indonesia.

The access to coastal and small-island resources are then open to be controlled by investors with financial muscle since only such investors can meet all the requirements stipulated in the law to obtain the HP-3 certificate, namely, administrative, technical and operational qualifications. Often, coastal communities do not have the capacity (financial, technical, access to information and technology) to compete with the investors and local government, thus leaving no space for the coastal communities, especially the fisherfolk. The social, economic and cultural activities of fisherfolk, and coastal cultivators will be drastically affected by such investments, leading to further exacerbation of their poverty.

In essence, HP-3 legalizes the revocation of the rights of families of fishers, indigenous and coastal communities to access resources in coastal and marine areas, and small islands.

The degradation of the ecosystems of the islands, the allotment of marine areas, and the eviction of fishers from their traditional spaces are continuing. The People's Coalition for Fisheries Justice (KIARA) notes that during the span of four years, no less than 42 ecologically important areas along the coast and in small islands have been 'excavated' by the mining industry for the extraction of coal, oil and gas.

Furthermore, over 20 islands, including in Nusa Tenggara Barat, Kalimantan Timur, Kalimantan Selatan, North Maluku, South Sulawesi, Papua and Nusa Tenggara Timur (NTT), have been earmarked by foreign parties for the industry; around 50,000 ha of aquaculture area have been handed over as concession for foreign exploitation, and are being 'adopted' by oil, gas and mining companies.

Around one million ha of coastal area have been converted to facilitate the expansion of palm oil plantations

and beach reclamation. All these developments potentially increase the pressure of poverty on the families of fishers.

Based on these considerations, a civil society grouping, called the "Reject HP-3 Coalition", filed a petition with the Constitutional Court on 13 January 2010 for the judicial review of the articles related to HP-3 in Act No. 27 of 2007. The coalition, consisting of nine civil society organizations (CSOs) and 27 leaders of fisherfolk organizations, was also supported by various experts from the academic community, as well as three representatives from among artisanal fisherfolk and indigenous peoples.

While the practice of privatization of the management and exploitation of natural resources in Indonesia is shifting from land to marine areas, the Constitutional Court of Indonesia annulled, on 16 June 2011, the provisions of the HP-3 concessions as stipulated in the PWP-PPK Act of 2007. On paper, the policy of privatizing the living spaces of traditional fishers and indigenous peoples in coastal waters and small islands has been revoked.

The review procedure of the Constitutional Court focused on two major questions:

1. Does the granting of the HP-3 concession regulation contravene the principle of



The Reject HP-3 Coalition in front of the Constitutional Court of Indonesia, campaigning for the rights of communities to access resources

KIARA



The Constitutional Court of Indonesia in session to discuss the annulment of HP-3 concessions

State power/ownership over natural resources for the greatest welfare of its people; is it in conflict with the constitutional guarantee regarding the right to life and livelihood for the coastal community (socioeconomic rights), and with the principle of non-discrimination and the principle of legal certainty and justice?

2. Is the design/development of the Strategic Plan for Coastal Regions and Small Islands (RSWP-3-K), Zonal Plan for CR & SI (RPWP-3-K), Management Plan for CR & SI (RPWP-3-K) and the Action Plan for CR & SI (RAPWP-3-K) not in contravention with the constitutional rights of the petitioners (Reject HP-3 Coalition) since no representative of the people participated in the consultation procedures?

The Constitutional Court discourse resulted in several interesting elaborations.

First, the sentence “to be used for the greatest welfare of the people”, as mentioned in the Constitution (UUD 1945, Article 33/3), implies that the greatest welfare of the people is the main criterion for the government to determine the policies, regulations and management regarding land and water resources and the natural richness that is part of them.

Second, the State power over land and water resources and their natural richness has to consider the already

existing rights, be it individual rights or collective rights of traditional groups, communal rights and other constitutionally granted rights of the people, such as the rights of passage for access and right to a healthy and clean (aquatic) environment.

Third, the HP-3 concession regulation will result in a loss of the rights of traditional communities that have been handed down over generations. These traditional community rights have a specific characteristic, that is, they cannot be revoked as long as the traditional community still exists.

Fourth, HP-3 will lead to an exclusion of traditional communities as HP-3 concession holders, due to their lack of working capital, technology and knowledge. However, the State—in this case, the government—has the duty to promote the general welfare and social justice of all its people (UUD 1945, Intro. And Para. 34/2).

Fifth, the purpose of Act 27 of 2007 is the legalization of concessions in coastal areas and small islands, that is, to establish private ownership and closed ownership for individuals, legal entities or certain communities, so that a major part of the coastal areas and small islands can be managed by the above mentioned entities through concessions as regulated by HP-3. Thus, the aim is to promote the privatization of management and exploitation of the coastal waters and small islands by private companies and businessmen.

Last, the design/development of the Strategic, Zonal, Management and Action Plans, which only includes regional governments and the business community, constitutes unequal treatment, and neglects the rights of individuals for personal advancement and the collective development of the community, the people and the State.

Small-island resources

Based on the abovementioned elaborations, the means to privatize and commercialize the coastal areas and small-island resources are proven to be in contravention of the provisions of the Constitution. The relevant paragraphs of the HP-3

concession regulation does not have any legal sanctity.

In examining the ruling document, which is 169 pages long, at least three breakthroughs by the Constitutional Court can be discerned, which strengthen the essence of the struggle of fisher communities and indigenous peoples.

First, in assessing how far HP-3 benefits the greatest welfare of the people, the Constitutional Court used the following benchmarks: (i) the benefit of natural resources for the people; (ii) the level of distribution of the benefits of natural resources for the people; (iii), the level of public participation in determining the benefits of natural resources, and; (iv) the respect for people's rights in utilizing natural resources from generation to generation.

Thus, the Constitutional Court, in its ruling on HP-3, has provided and defined a constitutional instrument to measure the operational meaning of "for the greatest welfare of the people" regarding the often-debated management of natural resources.

Second, the Constitutional Court contributed to the awareness and articulation of the existence of constitutional rights, which also apply for traditional fisherfolk, among which are the rights of passage (access); the right to manage resources in accordance with cultural principles and traditional wisdom handed down over generations; and the right to exploit resources, including the right to a healthy and clean aquatic environment. All these rights of the traditional fisherfolk are inherent individually and collectively, and cannot be exchanged (read sold). In areas where the fishers are not dominant, it depends on their customary rights, not on the number of people.

There is no need to wait. Technically, the government and parliament need to revise all rules, both national and regional, that still foster the spirit of privatization reflected in HP-3, and 'clean' the coastal, marine and small-island areas of various forms of impoverishing commercialization. In North Sumatra,


for example, a Local Regulation No. 5 of 2008 on the Management of Coastal Areas and Small Islands clearly holds commercial provisions regarding coastal water concessions.

In line with the annulment of HP-3 by the Constitutional Court, the State has the duty to reinstate the constitutional rights of the fisherfolk, including the guarantee not to pollute the sea (read living environment and livelihood of the fishers). For the fisher families who have been 'driven out' from their marine environment, the annulment of HP-3 is a conscious effort to strengthen their living as

...the means to privatize and commercialize the coastal areas and small-island resources are proven to be in contravention of the provisions of the Constitution.

traditional fisherfolk and also to seize their rights in a constitutional way. At the same time, the dignity of the State must be upheld by preventing its apparatus from exercising misguided policies that are contradictory to the Constitution.

Furthermore, the decision of the House of Representatives to insert a bill on the protection of fishers into the National Legislation Programme (Prolegnas) for the period 2009 to 2014 should be followed up by ensuring the involvement and participation of organizations of fishers and indigenous peoples in its formulation process.

If this can be achieved, the constitutional victory of fishers, indigenous peoples and their families will not remain on paper. 

For more



www.kiara.or.id/

Koalisi Rakyat Untuk Keadilan Perikanan

www.un.org/Depts/los/nippon/unff_programme_home/fellows_pages/fellows_papers/nurhidayah_0910_indonesia_PPT.pdf

Towards Integrated Coastal Zone Management in Indonesia: Framework Assessment and Comparative Analysis

Flying Fishermen

The fishermen of Lamalera village in Indonesia catch whales in a time-honoured tradition of a subsistence way of life

His sinewy body wrapped in a grey-and-maroon striped *lungi* (a wraparound sarong used by men in south India), he stands out in the crowd of suits and boots at the 11th meeting of COP to the CBD in Hyderabad's Hitech City, the swanky venue for the global bash. He is usually found hovering around a venue where discussions about issues faced by coastal communities are held, and it is easy to place him at first glance as a fisherman. But Bona Beding is no common fisherman. He is one of those 'flying' types, who jumps into the sea with a harpoon to catch big fish. Bona, as he is fondly called by people who know him, is a whaler from Indonesia.

Not being fluent in English does not stop Bona from smiling invitingly at curious passers-by. Though he has Riza Damanik of KIARA, the Indonesian non-governmental organization (NGO), to help with translations, Bona is not intimidated by the English speakers as most non-English-speaking people usually are. In his broken English, he intervenes to correct the speaker if he is referred to as a 'hunter': "I do no hunting. This is not a game." Bona understands the nuances of language, even of a language foreign to him, and will not yield easily. "It is not hunting like it is in Japan or Taiwan. It is a giving from God." That is what the people of his village Lamalera, who catch whales "only to consume within the village and never to earn profits" believe.

Lamalera, situated in the southern part of Lembata Island in the East Nusa Tenggara Province of Indonesia, is populated by around 4,000 indigenous

people. Damanik says, "Many have filmed Lamalera. Its whaling traditions are famous." True to his words, a deluge of websites on the village pop up in any Internet search. One of them is from the pages of the famous National Geographic magazine—a striking picture of a fisherman jumping headlong into sea, caught midair against a coruscating blue noon sky, in a process labelled 'subsistence hunting'. "I don't yet jump

"Fishing is not just an activity. It is a way of life," says Bona.

like that. But my father does. But one day I will overtake my father," says Bona on seeing the picture.

Handover tradition

Bona's father, Stephanus Beding, 74, is the *lamafa*—the captain of the fishing boat. The *lamafa* tradition, akin to monarchy, involves the son taking over the captaincy of a boat from the father. But *lamafa* is not just a leader but also the general. He is the one who takes the plunge into the sea, to battle with the sperm whale. "Fishing is not just an activity. It is a way of life," says Bona. As Damanik ends his interpretation with that brief line, Bona nudges him to add: "It is a philosophy." Listening to Bona outline the tenets of this philosophy, it is difficult not to be convinced that it indeed is a philosophy of living.

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BONA BEDING



Members of the whale fishing community of Lamalera, Indonesia, setting out to sea at the start of the region's whaling season

The fishing community of Lamalera believes that the sea and the land have an intimate connection. Therefore, before the May-October whaling season sets in, the community members begin with a ritual that starts on the top of a hill. Bona claims the existence there of a naturally shaped stone that resembles a whale. The community members offer prayers in front of the stone, and carry a bunch of produce such as fruits and rice from the land to the sea. They drown them as an offering to the sea, which, symbolically for them, is the mother of their village. "We believe that we take from the sea to the land and hence must give from the land to the sea," says Bona.

The fishermen have strict rules about whaling: They do not catch a baby whale or a female whale. They do not go whaling on Sundays, most of them being Christians. Most interestingly, they do not chase a whale beyond a particular point at sea. Bona is unable to pinpoint this in terms of a measure of distance, but he and his clansmen know the boundary by sight, and whales are not to be chased once they cross that limit.

Lamalera's relationship with the sea might seem merely ritualistic, but it runs deeper than that. It has a rather strong correlation with conserving what gives life to the community. Though there are two kinds of

whales in the region—sperm and blue whale—the Lamalera fishermen hunt only the sperm whale because only this species "breeds a lot." The blue whale is considered an endangered species by the international environmental community. But that does not concern the people of Lamalera. They believe they understand their sea better. "But the international community always looks at us from the outside. They never try to get into our community and understand what the sea means to us," says Bona.

In 2009, Lamalera waters were declared a part of the Sawu sea conservation area. The decision was followed by a prohibition on traditional whale capture, which has sustained the community since the 13th century. But strong opposition from the Lamalera community persuaded the government to withdraw the Lamalera waters from the Sawu Sea conservation area.

Mere ruse

"We consider ourselves the owners of the sea. We know that the quality or quantity of whales has not declined. Why would we destroy something we depend upon?" asks Bona. "This marine protection is only a ruse to allow privatization. We will not let that happen in Lamalera," he says. Damanik, whose organization, KIARA, has worked with coastal communities,

adds that the declaration of protected areas throughout the country has been followed by privatization and tourism in those areas.

Damanik puts the process of marine protection in Indonesia in context. To date, 15 mn ha of marine area has been brought under protected areas. By 2020, the Indonesian government aims to increase this to 20 mn ha. Damanik claims that this expansion is mindless as it does not take into consideration the valuable traditional knowledge available with indigenous communities. Sometimes fishermen, who accidentally venture into protected areas, are shot down by coastal guards.

All around the world, the issue of rights over sea territory has seen conflicts. Indian fishermen languishing in Pakistani jails or fishermen from Tamil Nadu shot dead by the Sri Lankan Navy are examples. The situation in Indonesia is no different. The irony, however, is that often the human massacre is the result of a rather contorted battle waged by the State to conserve some species. Since the Aichi Targets adopted by COP10 aims to bring 10 per cent of the earth's coastal areas under protection, governments have been clamouring to reach that number, often overlooking huge losses to livelihoods, and sometimes even life.

Bona opens a digital image on his Macbook. It is of near-naked children lying on the beach, covered in sand. If only they had slightly protruding bellies, and snot or rashes—instead of smiles on their faces, the image would fit the perfect stereotypical caricature of poverty. Bona knows that. He asks: “Do you think these children are poor?” He is not being rhetorical, he demands an answer. “They are happy. In Lamalera everybody is happy. Nobody is rich or poor. I want to be a fisherman. I want my son to be a fisherman. Why do you oppose?”, he asks the conservationists and governments ridden with a development agenda.

Bona is unable to indicate the average income of the Lamalera villager

nor is he able to say if everybody in Lamalera can afford a Macbook like his. A closer look at the village might reveal inequalities, or it might not. Bona says that the Muslims in the village do not fish. Christians and Muslims have different days assigned to sell produce in the market. It is convenient to momentarily forget divisions along religious lines. Utopia does not exist, either in the developed urbanscape or in the romanticized countryside. But that is not reason enough to not give people a choice. Lamalera wants to fight for that choice, asserts Bona.

Primarily a barter community, the women in the village go to the markets to sell their produce. Fish is traded for other agricultural products. Lamalera seems the idyllic example of a community that sustains itself. From Bona's wraparound sarong to the boat's sail, everything is made from locally available material. Bona hands out a visiting card and says, “The paper is made from a local tree.” It is this way of life that people like Bona want to defend.

In the last three years, spearheaded by Bona, a local festival called *Baleo* (a fisherman's chant when out at sea to catch a whale) is being celebrated as a symbol of the contentment of the community members with their lives.

As part of the cultural programme, a compact disc is handed out to all outsiders, which contains songs about Lamalera—a village whose very name is musical and rolls off the tongue in four syllables, La - ma - le - ra. One of the songs, whose tune is reminiscent of the sway of boats on a calm sea, goes “La, La for Lamalera, the plate of the sun”, a song about the traditions and customs of the village.

Bona plays the song at a seminar and considers it self-contained and sufficient to make the critical point that the villagers of Lamalera know how to respect the sea, what it gives back to them, and how to find contentment in their relationship with it.

For more



vimeo.com/1937097

A Whale Hunt in Lamalera – Indonesia

www.bbc.co.uk/learningzone/clips/sustainable-fishing-lamalera-whale-hunters-in-indonesia/11954.html

Sustainable Fishing: Lamalera Whale-hunters in Indonesia

www.twofourdigital.net/Insight/whale_hunters.wmv.aspx

Indonesia: The Whale Hunters

Seize the Opportunity

The newly elected president of Indonesia, Joko Widodo, enjoys an unprecedented opportunity to tackle the issues facing the country's fishing villages

The year 2014 was particularly meaningful for all Indonesians, including the 13.8 mn families who depend on the fisheries sector for a livelihood. There are two principal reasons for this. First, like most Indonesian citizens, fisherfolk welcomed the 2014 presidential elections in anticipation of an unprecedented betterment of their lives. Despite the problems in inaugurating into office the elected president Joko Widodo ("Jokowi", as he is universally known in the country), pending the final decision

of fishers' welfare in their campaign. The aim was to eradicate illegal fishing, support boat repairs, develop ports and provide special banks for fishers. These measures implied a larger presence for the state in Indonesia's fishing villages.

Of the country's population, 13.8 mn rely on fishery activities for their livelihoods, in capture fisheries, aquaculture, and fish processing or marketing. Most of the 2.8 mn capture and small-scale fishers could catch, on average, only 2 kg of fish daily. If all the fish they caught were sold directly in the markets, the average daily income of an Indonesian fisher would be only Rp20,000–30,000 (US\$1.67–2.5). The low income cannot be attributed to a paucity of fish; rather, the low capture was due to ineffective intervention by the state.

There are several inequalities in Indonesia's fisheries. First, there is a marked inequality in the management of fisheries resources. The state allows large ships to freely fish in the waters of the archipelago or operate at less than 12 nautical miles from the coastline.

In fact, 99.5 per cent of the Indonesian fishing fleet, including ships weighing 30-100 gross tonnage (GT), fish in the waters of the archipelago. This has led to great competition between the small-scale boats and large fishing vessels, and also among the large vessels themselves.

Fishing fleet

The fact that only a small number of the national fishing fleet operates in the Indonesian exclusive economic zone (12-200 nautical miles) has given huge opportunities to foreign

...99.5 per cent of the Indonesian fishing fleet, including ships weighing 30-100 gross tonnage (GT), fish in the waters of the archipelago.

of the Constitutional Court, the enthusiasm of fisher families remained high. This was mainly because this was the first election in the history of the republic that focused on maritime and fisheries issues.

The second factor that contributed to the 2014 election's significance was that on 10 June, the Food and Agriculture Organization of the United Nations (FAO) adopted the first international instrument dedicated to protect and promote the important role of small-scale fishers—the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines).

Jokowi and his running mate, Jusuf Kalla, currently the Vice President, had included the agenda

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vessels to plunder the wealth of the Indonesian sea.

Second, there is also a noticeable inequality in the development of fisheries infrastructure. There are about 1,300 fishing ports in Indonesia, comprising sea ports, archipelago ports, beach ports, fish landing centres, and private ports. Over 68 per cent of them are located in western Indonesia. Not only is the geographical spread unbalanced between the east and the west, but the infrastructure facilities also generally do not meet the minimum requirements for fishing ports, as revealed by the lack of data and integrated information on fisheries, poor training facilities, and the unavailability of safety tools for fishermen. Consequently, to date there are unresolved problems related to the accuracy of subsidized fuel distribution, efficiency of production, the setting of selling prices, and the safety at sea of fishers.

Third, there is inequality in the chains of fisheries management. This stems from the definition of fisher, which is limited to those who capture fish in the sea. In other words, all activities other than fish capture, such as fish processing and marketing, are defined as irrelevant (to fishermen). Accordingly, the economy of fishers is very dependent on sales of non-processed fish, which has no added value. This has led to a proportional decline in the performance of fish-processing businesses in Indonesia. In 2013, of the 19.5 mn tonnes production of capture and aquaculture fisheries, only less than 20 per cent ended up as processed products. The number of workers in the fish-processing sub-sector is limited to under 1.4 mn or about 10 per cent of the total fishworker population.

These conditions of inequality that illustrate the problems associated with poverty and environmental degradation in the fishing villages are not separate

issues. They are inter-related and offer an opportunity for President Jokowi.

To start with, a focus on the SSF Guidelines would be appropriate. The SSF Guidelines positions the world's small-scale fishers as part of the solution to overcome global hunger and poverty. The Guidelines may help the Government of Indonesia to continue to maintain and increase subsidies for fishermen and small-scale fish farmers. This is especially relevant in the context of questions raised by industrialized countries on the subsidies granted to the fisheries sector, as in the lawsuit filed against the Indonesian government in 2012.

At the time, the Government of the United States (US) questioned the policy of the Indonesian Ministry of Maritime and Fisheries, which gave various forms of incentives to fishers and shrimp farmers in some integrated fisheries areas (called Minapolitan cities or areas). The US lawsuit argued that subsidies for fishermen and small farmers in Indonesia were part of the national export subsidy that disrupted shrimp prices in the world market.

In the context of the 1945 Constitution, the Fisheries Law and the ground realities in Indonesia's fishing villages, it is impossible for an Indonesian small-scale fisher to



Most of the Indonesian fishing fleet, including ships weighing 30-100 gross tonnage, fish in the waters of the archipelago, leading to great competition between the small-scale boats and large fishing vessels

NOOR AIDA



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Of Indonesia's population, 13.8 mn rely on fishery activities for their livelihoods, in capture fisheries, aquaculture, and fish processing or marketing

produce highly competitive products without the support and facilitation of the government. The SSF Guidelines also opens up access to international financing for the implementation and monitoring of the instruments needed to protect small-scale fishing in Indonesia.

On the national scale, the SSF Guidelines may help future governments in two ways—first, by measuring the effectiveness of national policies in protecting small-scale fishers; and second, by accelerating the formulation of policy to protect fishers in more comprehensive ways, and ensuring that fishing boats weighing more than 30 GT do not operate in the archipelago waters. At the village level, the SSF Guidelines instrument may strengthen the recognition of the strategic role of Indonesian small-scale fishing and the traditional knowledge of communities in managing coastal and marine resources.

The SSF Guidelines also encourage access to education and training

to improve the competitiveness of Indonesian small-scale fishermen in local, national and international markets, as well as increasing their resilience in facing climate change. All these are opportunities for President Jokowi to take the expectations for change from behind the negotiation table and transplant them into prospects for prosperity in the fishing villages of Indonesia. 3

For more

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Jokowi Wants KPK to Focus on Fisheries, Forestry

www.radionz.co.nz/international/programmes/datelinepacific/audio/20165774/indonesia-leads-explosive-new-wave-of-fisheries-protection

Indonesia Leads Explosive New Wave of Fisheries Protection

No Turning Back

Despite official legislation, Indonesia is yet to institute processes to curb illegal, unreported and unregulated (IUU) fishing

“We have far too long turned our back on the seas, the oceans, the straits and the bays. It’s time to restore everything so that Jalesveva Jayamahe, a slogan used by our ancestors, will echo again.”

—Ir. Jokowi, the President of Indonesia, at his presidential inauguration

The public in Indonesia was surprised by the investigation of the Associated Press into the enslavement of hundreds of foreign nationals in Indonesia. In remote Benjina, in the Maluku Islands, PT Benjina Resources enslaved people who work up to 22 hours per day with no days off, locked up and forced to drink dirty water. The produce from PT Benjina Resources is sent to Thailand, from where it spreads out into international trade via seafood retailers in the US, Asia and Europe. These illegal fish catches are sold to either restaurants or as pet food.

In May 2015, the Indonesian government repatriated 659 workers of PT Pusaka Benjina Resources, comprising 419 Thais, 202 Burmese and 38 Cambodians. Five years before the Benjina case became public, the Supreme Audit Agency on 19 March 2009 published a report on licensing, non-tax revenues, processing and control of fishing for the period 2007–2009. The report reveals violations in industrial relations, including the fact that there are 98 vessels that employ foreign nationals.

In 2014 *MV Hai Fa*, a freighter vessel of 4,306 GT (gross tonnes) linked up with PT Avona Mina Lestari to transport fish to China. *MV Hai Fa* transported as much as 800,658 kg of frozen shrimp, valued at 70 bn Indonesian rupiahs (INR). *MV Hai Fa* also carried 15,000 kg of

oceanic whitetail sharks (*Carcharhinus longimanus*) and hammerhead sharks.

Nonetheless, the captain of *MV Hai Fa* was prosecuted merely for violation of rules related to trade in prohibited fish species and charged with a fine of 200 mn INR and a six-month imprisonment. *MV Hai Fa* was a Panamanian-flagged vessel captained by foreign nationals, whose operation in the waters of Indonesia is a violation of law. *MV Hai Fa* also violated many other rules and regulations (see table below).

Table 1: Violations by *MV Hai Fa*

Article	Provision	Sanction
Article 16 para (1), Fisheries Act	Ban on selling harmful fish, and endangering fish resources and the environment.	Imprisonment of six years and maximum fine of INR 1,500,000,000
Article 29 para (1), Fisheries Act	Only citizens of the Republic of Indonesia or other legal Indonesian entities can operate in the fisheries of Indonesia.	None
Article 35A para (1), Fisheries Act	It is compulsory for the captain and crew of the vessel to be of Indonesian nationality.	None
Article 41 para (3), Fisheries Act	It is compulsory to land the fish catch in assigned or designated ports.	None
Article 41 para (4), Fisheries Act	The fish catches should be loaded and unloaded in the assigned or designated ports.	None
Article 21 Para (2), Conservation of Natural Resources and Ecosystems Act	Fishing of oceanic whitetail sharks and hammerhead sharks is prohibited.	Imprisonment of five years and a fine of INR 100,000,000

There are three modes of illegal, unreported and unregulated (IUU) fishing in Indonesia. The first is the illegal use of foreign nationals as crew. The second is manipulation of permits for vessels, including those related to tonnage. The third is violation of provisions for landing and processing of fishery products.

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Indonesia comprises 13,466 islands with the total area for fisheries, including the exclusive economic zone (EEZ) and the continental shelf, amounting to 6.32 mn sq. km. The land area is 1.91 mn sq. km. Fisheries resources are regulated under Article 33, Para (3) of the constitution, which states: “The earth, water and natural resources contained therein are controlled by the state and used for the greatest prosperity of the people”.

It is estimated that there are 5,400 foreign fishing vessels operating illegally in the sea of Indonesia. Each year one to two mn tonnes of fish are stolen, landed and traded illegally. The foreign vessels that fish illegally come from the following six ASEAN countries, namely, Thailand, Philippines, Vietnam, Malaysia, Cambodia and Myanmar), and from the following non-ASEAN countries, namely, China, Korea, Taiwan and Panama. Most of the illegal fishing occurs in eighteen locations to the west and thirteen to the east.

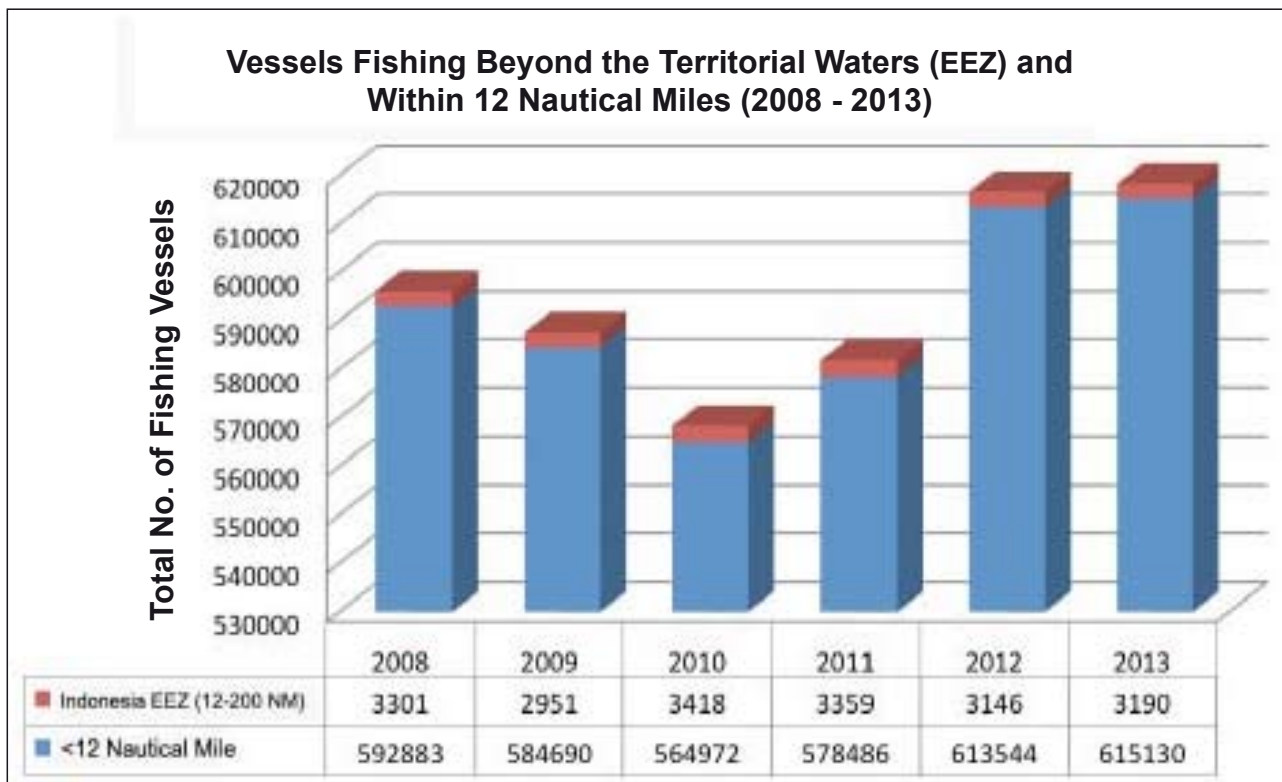
In 2011 the Minister of Marine Affairs and Fisheries identified Indonesia’s annual potential fish catch

at 6.5 mn tonnes. However, considering the level of overfishing, this seems to be an underestimate. At present, there are 615,130 vessels with permits to fish in the waters below 12 nautical miles and 3,190 with permits to fish in the EEZ.

In the past, Indonesia suffered from a large imbalance in overall socioeconomic development, including in fisheries. Of the total of 1,375 fishing ports, 68 per cent were in western Indonesia, while 25 per cent were in the central region and only seven per cent in eastern Indonesia.

However, under the new Indonesia fisheries act, fishing industry operations can be conducted in the Republic of Indonesia only by its citizens. Exceptions are allowed for foreign entities engaged in fishing in the EEZ, subject to provisions of Article 62.2 of the United Nations Convention on the Law of the Sea (UNCLOS), 1982. Indonesia-flagged vessels are allowed to go fishing in the sea waters of Indonesia, including in the EEZ, but foreign-flagged vessels can fish in the EEZ provided they have licenses.

Figure 1. Distribution of fishing vessels: 2008-2013



Source: KNTI (2014)

Indonesian regulations on foreign investment adopt the negative list system with licences or permission required for foreigners. Under the Presidential Regulation No. 39 of 2014, foreign investment in fisheries in the EEZ is permitted only for those who use fishing vessels of 100 GT or more. There are three principal permits needed to operate in Indonesia’s fisheries—the fishery business licence for fisheries and aquaculture, the fishing license and the fishery transport business licence.

Foreign-flagged vessels caught for illegal fishing may be subject to severe penalties, including the sinking of the vessel. Indonesian-flagged vessels are required to engage captains and crew of Indonesian nationality. Foreign-flagged vessels that fish in the EEZ should have a minimum of 70 per cent Indonesian citizens as crew.

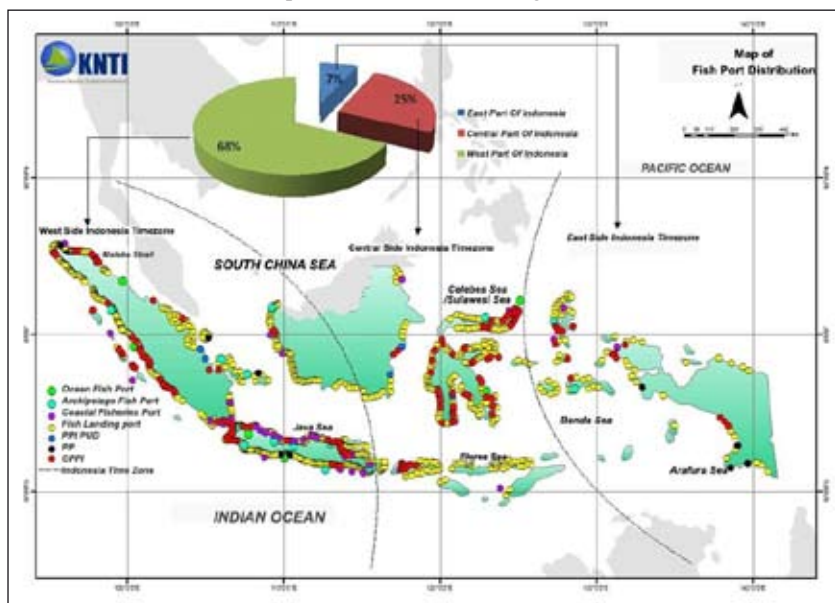
There are several other policies related to IUU fishing in Indonesia, ranging from the prohibition of transshipment at sea, a moratorium on the termination of licensing of vessels built abroad and a ban on trawling in the waters of Indonesia. Violations can attract administrative sanctions such as warnings, suspension and/or revocation of licences.

According to a new regulation of the Minister of Maritime Affairs and Fisheries, those who land above 2,000 tonnes are required to process the catch by building a fish processing unit.

Monitoring, control and surveillance (MCS) activities are covered under the Fisheries Act of 2014, by which the Maritime Security Agency has been replaced by the Maritime Security Coordinating Board, which is a multitasking agency that coordinates with thirteen other government agencies for supervision against IUU fishing.

The fishing vessel registration system in Indonesia is divided sectorally between the Ministry of Transportation and the Ministry of Maritime Affairs and Fisheries. Vessel measurements are regulated by the Ministry of Transportation,

Map: Distribution of Fishing Ports



Source: KNTI, 2014

Table 2: Distribution of Fishing Vessels and Fish Processing Units

Indonesia's EEZ area	No. of companies	No. of vessels	Total gross tonnage	Total production (tonnes)	Existing fish processing units	Permitted fish processing units
Arafura EEZ	54	659	251,591	524,829	15	125
Sulawesi and Pacific Ocean EEZ	31	199	28,931	27,626	6	14
Indian Ocean EEZ	55	187	26,309	42,385	6	13
Indian Ocean EEZ	21	57	13,626	12,822	5	6
South China Sea	26	73	7981	15125	1	3
Total	187	1,175	328438	622787	33	161

Source: KNTI, 2014

Table 3: Results of examinations conducted on vessels by the Ministry of Maritime Affairs and Fisheries

No.	Document details				Physical checks results	
	Name of vessel	Owner	Fishery Permit No. SIPI/SIKPI	GT	GT	
1	<i>Ulang Ulie XI</i>	PT. Arabikatama Khatulistiwa F.I.	17.09.0028.27.22800	24	60	
2	<i>Cilacap Maluku Jaya Enam</i>	PT. Cilacap Samudera F.I.	17.08.0027.27.20169	78	153	
3	<i>Samudera Maluku Jaya Enam</i>	PT. Cilacap Samudera F.I.	15.09.0028.16.22478	60	157	
4	<i>S&T Samudera Jaya 6</i>	PT. S&T Mitra Mina Industri	26.09.0028.03.22648	398	442	

Source: KNTI, 2014

FERRY LATIEF



Home workers and their families in Indonesia. MCS activities will work well only with the involvement of fisherfolk

locals. This problem can be addressed by facilitating the fisherfolks to access the resources so the EEZ will be secured by locals fishers.

In our view in Indonesia, MCS activities will work well only with the involvement of fisherfolk, as per the provisions in the National Fisheries Act (Article 67), needs to be implemented properly and strengthened. 3

while licensing of fishing vessels comes under the Ministry of Maritime Affairs and Fisheries. However, there are complaints that this division leads to manipulation of weight measurement of vessels to evade tax and levies.

Manipulation of the gross weight of fishing vessels is becoming a major source of corruption in the fisheries sector, which is worsened by the division of authority between the central and local governments in issuing permits. Under Law No. 23 of 2014 on Regional Government, regulation of vessels between 5 and 30 GT falls under the authority of the provincial government. According to the findings of the Corruption Eradication Agency, which audited the tax liabilities of vessel owners, of the 1,836 fishery businesses that obtained licences, 632 do not yet have a tax identity number.

According to data from *Kesatuan Nelayan Traditional Indonesia* (KNTI), in 2013 there were 615,130 vessels that fish in waters below 12 nautical miles. The 3,190 vessels that fish in the EEZ could easily deplete the fishery resources which ought to be accessed by the locals. The fishery stock resources in the territorial waters tends to be overfished and overexploited. Meanwhile the 3,190 vessels that fish in the EEZ could easily deplete the fishery resources which ought to be accessed by the

For more

faolex.fao.org/docs/pdf/ins51065.pdf

Law No. 31 of 2004 on fisheries

faolex.fao.org/docs/pdf/ins97600.pdf

Law No. 45 of 2009 and Amendment to Law No. 31 of 2004 on fisheries

bigstory.ap.org/article/b9e0fc7155014ba78e07f1a022d90389/ap-investigation-are-slaves-catching-fish-you-buy

Are slaves catching the fish you buy?

Built on Historic Success

WTO members should build on the recent Nairobi meeting to tackle the urgent challenges facing the WTO in 2016

In his speech at the University of the West Indies in Jamaica on 18 January Azevêdo said WTO members should build on the historic success of the recent Nairobi to tackle the urgent challenges facing the WTO in 2016, including trade negotiations. This is what he said...

Let me explain in a bit more detail what was delivered in Nairobi. The Nairobi Package contained a number of important decisions—including a decision on export competition. This is truly historic. It is the most important reform in international trade rules on agriculture since the creation of the WTO. The elimination of agricultural export subsidies is particularly significant in improving the global trading environment... For many years global trade negotiations yielded few results. But, as you can see, we are changing all that. The WTO has delivered a huge amount over the last few years. We are getting into the habits of success. The WTO's 162 members monitor each other's practices and regulations against those rules in order to improve transparency and avoid protectionism. In Nairobi ministers formally acknowledged their differences about our future work. This was a very significant moment. But, despite those differences, there is some convergence. For example, there is a clear openness to advance negotiations on the remaining Doha issues, and to keep development at the centre of our work. These issues include domestic support and market access for agricultural goods, market access for industrial goods, services, fisheries subsidies, and a number of other areas. So clearly these are important issues, which members want to address through negotiations. The question, given the differences I have mentioned, is how?

At the same time, some members want to explore the possibility of discussing and eventually negotiating on other issues. Certainly, all members believe that the WTO can do more — and that we can do it at a faster pace. So the challenge before us is very significant. It is not limited only to the question of what happens to the Doha issues, it is about the negotiating function of the WTO. It is about what members want for the future of the Organization as a standard and rule-setting body. It has wide systemic implications for trade multilateralism, and for multilateralism at large. And the challenge is urgent.

The world won't wait for the WTO. Other trade deals will keep advancing. The WTO cannot stop delivering. The wider the gap between regional and multilateral disciplines, the worse the trade environment becomes for everyone, particularly businesses, small countries and all those not involved in major regional negotiations. But the outlook is not bleak. I said at the outset that 2016 was full of promise. I truly believe that—because, while we face real challenges, there are also real opportunities before us. The conversation that is already getting underway in Geneva will determine the future direction of global trade negotiations—and the future direction of the WTO. It is an opportunity to find solutions that have long eluded us.

It is an opportunity to ensure that trade delivers more—and that it supports growth and development for all.

So I trust members will rise to this challenge — and seize this opportunity. I have no doubt that Jamaica will play an active and central role in that debate.

Thank you.



*This is excerpted from **Roberto Azevêdo's** speech at the University of West Indies in Jamaica, on 18 January 2016, available at: www.wto.org/english/news_e/spra_e/spra109_e.htm*

Strong Pillars

The fisheries and coastal resources policy of Indonesia requires a specific operational and regulatory framework to ensure the the protection of traditional small-scale fishers

Joko 'Jokowi' Widodo, the President of Indonesia, mentioned in a speech on 13 November 2014 that "the second pillar (of the Global Maritime Axis) is a commitment to maintain and manage marine resources with a focus on building marine food sovereignty through the development of the fishing industry by positioning fisherfolk as the main pillar".

The emphasis on fisherfolk as the main pillar of food sovereignty cannot be separated from the strategic role played by small-scale traditional fishers, for several reasons. First, around 86 per cent of domestic

Small-scale fishers are defined as people who earn their livelihood in fishing, without using fishing vessels or using only those vessels under 10 gross tonnes (GT). Fish farmers have been divided into three categories: freshwater fish farmers, brackish water fish farmers and marine fish farmers.

Although women have an important role in the fishery sector, they are not acknowledged as fishers, fish farmers or as post-harvest fishery actors. Women are placed as part of the households of the fishers' family, as described in Law No. 7 of 2016. The lack of recognition of women manifests as an absence of political recognition and an absence of protection of women's special rights, such as those related to sanitation and the right to participate in fisheries management.

The freedoms granted to small-scale fishers under the Fisheries Law range from: freedom to fish in all areas of fisheries management in the Republic of Indonesia; exemption from complying with the provisions of the fishing vessel monitoring system; exemption from licensing obligations including SIUP (licence for doing business in fisheries), SIPI (licence to capture fish) and SIKPI (licence to transport fish); and (c) exemption from fishery charges. But these freedoms do not ensure secure access to, and control over, fishery resources, nor do they prevent parties from outside the small-scale fisheries subsector gaining access to the resources.

Fisheries legislation

The Government of Indonesia has specified 11 fisheries management areas, which determine utilization

Small-scale fisherfolk have to compete for resources with fishing vessels above 10 GT.

fish supply comes from small-scale fisherfolk. Second, their local wisdom shapes a conservation ethos which values wise, fair and sustainable exploitation of coastal and marine resources. Third, most Indonesian fishers—up to 90 per cent of the total fisher population—are from the small-scale traditional sector.

This article attempts to assess the fisheries and coastal resources policy, which is regulated by three principal legal regimes, namely, (i) the Fisheries Law, (ii) the Coastal and Small Island Management Law, and (iii) the Ocean Law. Later, in 2016, the Government of Indonesia published the Law on Protection and Empowerment of Fishers, Fish Farmers and Salt Farmers.

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arrangements under fisheries management plans. However, the process of formulating the fisheries management plans does not involve small-scale traditional fishers and fisheries management institutions or their representatives.

Utilization of coastal resources and small islands within 12 nautical miles from the shore is permitted under the Law on the Management of Coastal Zone and Small Islands. Coastal utilization is regulated under four coastal and small island management plans, namely, (a) RSWP-3-K / Strategic Plan for Coastal Zone and Small Islands; (b) RZWP-3-K / Zoning Plan for Coastal Areas and Small Islands; (c) RPWP-3-K / Coastal Area Management Plan and Small Islands; and (d) RAPWP-3-K / Action Plan for the Management of Coastal Areas and Small Islands. The latter Action Plan establishes spatial structures and patterns in area planning, and delineates activities that may be allowed or prohibited, including those that may be undertaken only after obtaining a licence.

Law No. 7 of 2016 provides Business Assurance Guarantees towards the livelihood spaces and

access rights of small-scale traditional fisherfolk, small-scale fish farmers, and small-scale salt farmers. The 'livelihood spaces' are defined to include fishing zones, or capture fishery zones, fishing harbours, and the habitations of small-scale fisherfolk, traditional fisherfolk, small-scale fish farmers and small-scale salt farmers. Article 25 paragraph (5) of Law No. 7 mandates the provision of livelihood spaces and access to small-scale fisherfolk, traditional fisherfolk, small-scale fish farmers and small-scale salt farmers in every spatial plan, both in relation to the land spatial planning (RTRW) and in relation to the coastal and small islands' zonation plans (RZWP3K).

The RZWP3K regulates the allocation of space within the coastal and small island zones below 12 nautical miles from shore as: (i) the general utilization area, (ii) the conservation area, (iii) certain national strategic areas, and (iv) sea lanes. The utilization of marine space within two nautical miles is prioritized for the livelihood of small-scale fisherfolk, traditional fisherfolk, small-scale fish farmers and small-scale salt farmers. However, in the general utilization area, there

EMIL MISBACH



Father and son is placing traditional static fishing gear (locally called as *pasang*, *tadah arus* and *pertorosan* smiliar to stow nets) at Surabaya, East Java Province, Indonesia

EMIL MISBACH



Small-scale fishers are defined as people who earn their livelihood in fishing, without using fishing vessels or using only those vessels under 10 gross tonnes (GT)

Small-scale fisherfolk have to compete for resources with fishing vessels above 10 GT. Slack monitoring, control and surveillance throws open to other parties access to resources. Small-scale fishers have no exclusive rights and their strategic role has not been recognized in terms of sufficient protection of their tenure rights to fishery and land resources.

Although the Law No. 7 of 2016 is basically a good legal instrument, it requires a more specific operational and regulatory framework to be truly effective. What has been stipulated in Article 25, paragraph (5) of the Law can be the foundation to ensure the protection of tenure for small-scale fisherfolk. The protection of fisherwomen warrants a specific action plan, especially since there is no comprehensive national gender-disaggregated data in fisheries. A comprehensive gender analysis of women working in the fisheries sector as fishers, fish farmers, fish processors and fish marketeers is urgently required.

Alternative measures for the protection of fishing community tenure can be done by integrating the FAO Tenure Guidelines and the FAO Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (the SSF Guidelines) as the guidance framework for the implementation of the 2016 Law. At the level of the Association of Southeast Asian Nations (ASEAN), a regional action plan to secure small-scale fisheries needs to be developed by the Southeast Asian Fisheries Development Center (SEAFDEC). 3

is no exclusive fishing zone for small-scale fishers. In this area, small-scale fishers face competition from other sectors like conservation, marine protected areas, tourism and even from public infrastructure.

With respect to land use for housing, any person who has occupied a piece of land in good faith (for example, after paying relevant taxes) for at least 20 years is protected by the provisions of Article 1963 and Article 1967 of the Civil Code and Article 24 paragraph (1) and paragraph (2) of Government Regulation No. 24/1997 on Land Registration. This provision recognizes the right of occupants who have occupied the land to register their land; if the occupation period has exceeded 30 years, the right to the land shall not be granted to a third party. However, there are obstacles to the registration and certification of land due to rampant corruption and the absence of provisions for the government to actively register land for fishing communities in coastal areas and small islands. The responsibility of providing land in coastal areas and small islands for habitations lies with the Ministry of Agrarian and Spatial/National Land Agency. However, the responsibility of registering fishers lies with the Ministry of Marine Affairs and Fisheries.

For more

<http://knti.or.id/>

Traditional Fisherfolk Union of Indonesia (KNTI)

<http://extwprlegs1.fao.org/docs/pdf/ins97600.pdf>

Amendment To Law No. 31 Year 2004 Concerning Fishery

Reclaiming Rights

Problems of access and control over food, and changes in consumption and distribution patterns are behind the poor nutritional intake in Indonesia's coastal communities

In 2016, five infants in Aru Island, Maluku, Indonesia, suffered from malnutrition. The five had to be intensively treated in the Regional Hospital of Cendrawasih Dobo, the capital city of Aru Island Regency. The patients were from poor families who suffer from poor nutritional intake.

One of the causes of malnutrition in Indonesia is limited access to food in several regions. Problems related

According to this definition, the wide range of the meaning of food includes not only food but also beverage. Based on the above Law, the origin of food is not limited to land-based (agriculture and forestry) sources, but also waters, both freshwater (river, pond and lake) and salt water (sea).

The Food and Agriculture Organization of the United Nations (FAO) estimates that fish provides about 3.2 bn people with almost 20 per cent of their average per capita intake of animal protein. In the Indonesian context, seafood consumption, in particular from wild sources, is growing constantly, according to available data with Koalisi Rakyat untuk Keadilan Perikanan (KIARA). In 2015, the domestic fish consumption was around 38.14 kg per capita per year, and it has increased to 41.11 kg in 2016, showing a growth of 7.79 per cent.

Behind the significant increase in people's need for seafood and fish consumption lie several big challenges threatening the sustainability of marine fishery resources in Indonesia. There are serious challenges originating from some of the government policies that threaten the sovereignty and sustainability of seafood, related to reclamation, mining, coastal tourism and conservation. This article examines the impact of reclamation and mining on coastal communities.

Development policy

KIARA records that, of late, the development policy of marine and coastal areas is directed toward more industry, tourism, extractive businesses, property, infrastructure and

Nutritious food not only comes from the paddy fields, of ladangs or forests, but also from the sea and coastal areas.

to access and control over food, and changes in consumption and distribution patterns are behind the poor nutritional intake.

Meanwhile, the dependency on a certain commodity such as rice also places further limitation on access to local food. Nutritious food not only comes from the paddy fields, of *ladangs* or forests, but also from the sea and coastal areas.

The article 1 paragraph 1 of Law no. 18/2012 on Food defines food as anything that originates from biological sources as products of agriculture, plantation, forestry, fishery, livestock, waterworks and water, both processed and unprocessed which are intended as food and beverage for human consumption, including food additives, raw materials, and other materials utilized in the process of preparing, processing, and/or making of food or beverage.

This article is by **Susan Herawati Romica** (guisusan98@gmail.com or kiara@kiara.or.id), General Secretary of KIARA (Koalisi Rakyat untuk Keadilan Perikanan), Indonesia

blue carbon. The development trends basically point to a grab of marine space. Today, the coastal and fishery resources are at a nadir due to the extractive and exploitative nature of development. Indonesia's coastal, marine and small island areas are subject to capitalization by interested parties that are keen to control and extract benefits from these areas. An increasing trend in coastal area reclamation projects between 2015 and 2016 is a source of worry. In 2015, there were 16 coastal areas that were reclaimed. These have jumped to 160 projects in 2016, spread between Sumatra and Papua Island.

The sea reclamation projects pose a serious threat to the future of Indonesian coastal and marine fisheries. Reclamation is an irony in this nation, blessed with more than 17,000 islands. The reclamation projects are destroying, instead of improving, the lives of coastal communities along Indonesian waters.

From a legal perspective, the reclamation projects are clearly contrary to the 1945 Constitution that says Indonesia is an archipelagic State with 'Nusantara' as the main characteristic with boundaries and rights of the territory to be established by law. The Indonesian identity as an archipelagic country militates against the concept and practice of artificial islands.

Besides contradicting the 1945 Constitution, the reclamation projects are also inconsistent with the Law No. 5/1960: Basic Regulation on Agrarian Principles, which observes that the Indonesian people are united as the Indonesian nation and the earth, water and airspace, including the natural resources contained therein, in the territory of the Republic of Indonesia, constitute the wealth of the nation (Article 1). The water includes the territorial sea of Indonesia. We are of the view that reclamation separates the long-lasting relationship of the Indonesian coastal communities with the waters or sea which serve as their locus of existence. It is a violation of the substance of Law No.5/1960.

Besides reclamation, the practice of marine spatial grabbing, which has been done in a structured manner, can



Dolulung reclamation project in Indonesia. Sea reclamation projects pose a serious threat to the future of Indonesian coastal and marine fisheries

be seen in coastal and marine mining projects. KIARA has recorded (in 2017) that 18 coastal areas have been shifted to mining sites. These projects violate the constitutional rights of coastal communities, who are also losing their healthy and clean coastal areas to mining activities.

In the Indonesian coastal areas, the expansion of coastal mining is spreading on a massive scale. In Bangka Belitung, off the east coast of Sumatra, there are 1,085 mining business licences (called, Izin Usaha Pertambangan or IUPs), comprising 947 IUP metallic mineral mines and 138 IUP non-metallic mineral mines. The impacts on Bangka Belitung waters from heavy pollution, abrasion, limitation of livelihood, damages to the marine ecosystem and the mangrove belt, are severe. Besides, there are other issues such as the forced eviction of local communities from their livelihood sources, decreasing fish stocks and the crisis of freshwater shortage.

Mining projects

Besides Bangka Belitung, coastal mining projects also damage the eastern part of Indonesia. In early 2016, villages located in Buli Bay, East Halmahera Regency in North Maluku, which is known as the 'Teri' (anchovy) village, were damaged once a nickel mine started operating

there. Besides Halmahera, coastal mining is also taking place massively in Sulawesi, East Nusa Tenggara and Papua provinces. A particular example of extensive authority enjoyed by a mining company is PT Freeport – a subsidiary of Freeport-McMoRan, a leading international mining company with headquarters in Phoenix, Arizona, the United States – in Papua, which seems to be far above law, despite practices of dumping huge amounts of copper and gold mine waste into rivers that empty into the Timika Sea.


KIARA would urge the Indonesian government to fulfill the right to food as part of the constitutional rights of coastal communities...

the future of the coastal community which relies on the sustainability of coastal and marine resources.

Due to the magnitude and seriousness of the issues facing the Indonesian coastal communities, KIARA would urge the Indonesian government to fulfill the right to food as part of the constitutional rights of coastal communities, which is also a basic human right. The government, both at the national and regional level, is urged to enforce legislation to prohibit actors from damaging the coastal and marine ecosystems, which are harming the livelihoods of coastal communities. The government, in this context, should evaluate all permits issued to companies that have been proven to damage marine and coastal ecosystems. In cases where supportive evidence is presented, the government should immediately withdraw the company's permit to operate. The government is also requested not to renew or issue new permits to extractive and exploitative industries that destroy marine and coastal resources.

Last but not least, the government should employ the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) as a reference in the making of sovereign, just and sustainable policy to benefit coastal fishing communities.

Constitutional rights

We believe the State should ensure the fulfillment of the constitutional rights of the fisherfolk. These are their rights to access, manage and utilize the coast and the living resources, and the right to enjoy a healthy and clean aquatic environment. 

The traditional community of Mimika Wee in Papua is one of the many communities affected by PT Freeport Indonesia's waste that pollutes their waters and causes sedimentation and harmful contamination. It is reported that a few endemic species of fish have disappeared from the waters.

KIARA records that there are 6,081 coastal villages whose waters are heavily polluted from mine wastes. If the destructive projects are not stopped immediately, there will be more damage to coastal villages from pollution. We believe there are no developed and wealthy countries that rely on destructive mining that kills the communities' livelihood. The Indonesian government is urged to immediately close all exploitative projects that have a negative impact on coastal communities and the ecosystem.

In 2017, KIARA also recorded 979 coastal villages suffering from freshwater pollution, 204 coastal villages from land pollution and 125 villages from air pollution. Most of the pollution is from factory emissions, or from companies that explore and exploit marine and coastal resources. Multiple sources of pollution have been lowering the quality of Indonesian waters. Not only is the ecosystem damaged, but there are also threats to

For more

<http://www.kiara.or.id/>

The People's Coalition for Fisheries Justice (KIARA)

<http://knti.or.id/>

Kesatuan Nelayan Tradisional Indonesia (KNTI)

Hooray for Manta Rays

Lamakera, a tiny village in Indonesia, is a centre for the global trade in manta rays, which are listed as vulnerable by the International Union for Conservation of Nature (IUCN)

The IUCN Red List of Threatened Species – a critical indicator of the health of the world’s biodiversity – has assessed 93,500 animal species since it began its work in 1964. Its research found that over 26,000 species are threatened with extinction – that is, 27 per cent of all assessed species. Sharks and ray, or *Chondrichthyes* – characterized by their cartilaginous skeletons – are under intense pressure. There are 1,041 known *Chondrichthyes* species and, of these, 181 (17.4 per cent) are classified as threatened: 25 (2.4 per cent) are assessed as Critically Endangered (CR), 43 (4.1 per cent) Endangered (EN), and 113 (10.9 per cent) Vulnerable (VU). Within this group are the manta rays (*Manta birostris* and *Manta Alfredi*), charismatic, filter-feeders found in tropical and sub-tropical waters around the world. Sadly, both species are listed as vulnerable to extinction. Threats to manta ray populations have been directly attributed to the development of a market for their body parts (specifically, their gill plates), which began growing in the 1990s.

In the far reaches of eastern Indonesia is a small village named Lamakera, which is known by some as one of the locations for the biggest manta fisheries in the world. The Lamakerans have hunted mantas for centuries; in their words, since ancestry (*sejak nenek moyang*). In the past, Lamakerans hunted manta rays in dugout canoes and sailboats and this fishery was a small-scale subsistence fishery, and the Lamakerans only used the meat for local consumption; the remaining body parts (including the gill plates) had no value and were thrown away. However, over the last two decades, increased demand and enhanced technology have

transformed the fishing from a modest source of sustenance to a barbaric pursuit of profit. China’s demand for manta gill plates – which are used for bogus, pseudo-medicinal purposes – has turned Lamakera into one of the centres of the global trade.

The Lamakera manta ray fishery landed an estimated 975 mobulid rays in 2002. Catch comparisons across a 12-year period (2002 to 2014) revealed a 75 per cent decline in manta ray and mobula catch, despite an increased fishing effort. Interviews conducted in 2011 and 2014 revealed that fishers found it increasingly difficult to locate mantas,

...over the last two decades, increased demand and enhanced technology have transformed the fishing...

further suggesting that populations may have declined significantly due to fishing pressure. Despite recognizing the fact that stocks may be depleted, there was no effort from the fishermen to reduce hunting efforts.

CITES

In 2013, a momentous announcement changed everything. Member countries of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) voted to include both species of manta ray under Appendix 2, thus regulating the trade in these animals’ body parts. In January 2014, Indonesia went a giant step further by banning all hunting of manta rays in national waters. The regulation, issued by the Marine and Fisheries Ministry Regulation (Kepmen KP No. 4 2014), banned the hunting,

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selling and distribution of both species of manta ray. Violation of this regulation can incur a punishment of a maximum prison sentence of six years and a fine of approx. US\$100,000. This new regulation provided a catalyst for a coalition of non-governmental organizations (NGOs) and passionate individuals, which included Misool Foundation, Reef Check, Indonesian Manta Project, Blue Sphere Media and Wild Aid, to begin work in Lamakera. Their goal was to end manta ray hunting in the region, redirect villagers' focus to new sources of income, and create a model that could be used to transform the practices of other communities.

In 2014, this coalition, led by Misool Foundation, began working with the Indonesian Ministry of Marine Affairs and Fisheries, local government and coastal villages to introduce a comprehensive community-based conservation programme designed to collect scientific data, influence marine policy and diversify livelihoods within the community. In 2016, realizing the need for a local enforcement component to complement the community development and research, the Wildlife Crimes Unit (WCU) of the Wildlife Conservation Society (WCS) was bought in to begin a local patrol initiative.

In January 2014, Indonesia went a giant step further by banning all hunting of manta rays in national waters

The first step was to set up several meetings with the local community and the Indonesian Ministry of Marine Affairs and Fisheries, local government departments and NGOs. These meetings aimed to provide clarity about the regulation, provide a forum for community members to raise their concerns or share their perceptions, and start discussions about possible alternative livelihood options. These discussions were met with mixed feelings from the community. Some felt their incomes were threatened, while others understood the law and were keen to seek alternative options. Misool

Foundation responded by developing new income streams that are decoupled from manta hunting. The team engaged ex-manta hunters and those community members who were ready to change. The goal was to give them the option to stop hunting in exchange for NGO and government support. The Foundation's team gathered those people and asked them to sign an agreement to state that they would stop hunting mantas, an agreement which was ratified by the local government departments. In return, and with the consultation of fishermen, surveys were conducted to understand how to best address the communities' needs.

A Rapid Assessment on the Potential for Sustainably Focused Programme Development, conducted by Yayasan Masyarakat dan Perikanan (MDPI), concluded that most of the Lamakera fishermen are opportunistic, and take multiple gears with them on their fishing trips. This assessment showed that fishermen were open to new methods, therefore giving potential to explore other options such as the development of new supply chains of high-value species like skipjack tuna and high value demersal fish.

In 2016, a fishermen's co-operative was created as an economic device to support the fishermen's transition away from hunting manta rays. By September 2018, 32 ex-manta hunters and a total of 105 community members had joined the co-operative. The main stipulation of co-operative membership is that all members should sign the official agreement to stop hunting.

Training support

This co-operative is registered with the Department of Co-operatives and is a legal entity. This means that members receive support and training, and are eligible for grants from the local government. Based on interviews with the community and survey results, five small business units were established within the co-operative framework, as also microfinance opportunities, a community mini-market, ice production facilities, seaweed farming, and a mini purse-seine boat.

The business units are structured to enhance existing incomes, lower

SHAWN HEINRICHS

household costs and – in the case of the mini purse-seine fishing boats – provide a higher income by using alternative fishing methods. Good-quality ice and storage, for example, means that fishers can easily increase the value of their existing catch, without having to increase catch numbers.

In addition to working directly with the Lamakeran community, the team began working with the coastal communities surrounding Lamakera. They planned to reinstate multiple groups of community rangers (POKMASWAS) and provide them with knowledge and tools to protect and preserve their own marine environments. These groups were encouraged to take pride in these areas and their efforts were celebrated in monthly publications. In September 2018, the POKMASWAS members increased in number to 324 people across 33 villages.

A call centre was launched to provide a mechanism to report incidents of illegal, unreported and unregulated (IUU) fishing, bycatch and animal strandings. A rapid response team was put in place to respond to these reports. As a result, the team released 27 large, vulnerable marine animals, including manta rays and whale sharks this year.

It is now four years since the programme's inception, and there have been a number of exciting achievements. Without doubt, the most significant of these achievements is a 97 per cent decrease in mantas caught by the targeted fishery between 2015 and 2017. Increased interest in, and membership sign-up to, the fishermen's co-operative proves that behaviour change is occurring at a local level, and community members have an increased understanding of the need to transition to new fishing practices. These encouraging results provide evidence that the two-pronged approach to enforcement and livelihoods development is working.

Lamakera is a lynchpin to emboldening the Indonesian government to continue the process of national conservation of manta rays and sharks. Success here – proving that even the most ardent community can buy-in and even prosper from



Indonesian Lamakera manta ray hunters in action. Stories like Lamakera demonstrate that with passion, dedication and strong partnerships, our marine environment has a bright future ahead

national marine legislation – sets the stage for even more aggressive implementation of the manta hunting regulations. Indonesia is defined by its coastline and its rich marine assets. Stories like Lamakera demonstrate that with passion, dedication and strong partnerships, our marine environment has a bright future ahead. ♣

For more 

<https://www.misoolfoundation.org/>
Misool Foundation

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Indonesia / Illegal Fishing: No Turning Back

Their Decision, Not Ours

The Darawa community in the Wakatobi National Park, Southeast Sulawesi, Indonesia, manages their octopus fishery by working tirelessly with community-based organizations

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It was a beautiful and sunny Sunday. The Darawa village community in the Wakatobi National Park, in Indonesia's Southeast Sulawesi, was preparing to celebrate. The occasion was the first opening of Fulua Nto'oge, the 50 ha fishing site off One Mbiha beach which had been closed for three months. White steam billowed from four large cooking pots, stacked neatly over the fires. There were intoxicating aromas of lapa-lapa (rice cakes wrapped in coconut leaves) and seafood stews made from the most recent catch of crabs, squid, clams and snappers.

While the women were busy preparing this feast, young girls from the local schools were chatting enthusiastically as they finalized their colourful costumes for the traditional dance performance they were about

management method has been quite successful in the Western Indian Ocean because the life cycle of an octopus is short. An octopus typically lives for 15-18 months and grows very quickly during the first six months, almost doubling in weight every month during this period. Large octopus command a higher price.

All fishing activity in the closure area is prohibited but people can continue to fish at 13 other sites nearby. These alternative locations mean that the closure does not significantly limit the fishing activity of Darawa's fishers. Darawa octopus fishers usually fish from morning until afternoon. As an export-oriented fishery, fishers will take the octopus to the seafood buyer and sell it between Indonesian Rupiah (IDR) 10,000 per kg (for octopus of less than 0.5 kg) to IDR35,000 per kg (for octopus weighing more than 1.5 kg). Through a series of middlemen and buyers, these octopus are sent towards bigger cities in Sulawesi, where they are processed and prepared for export to consumers abroad.

"We are very proud to be undertaking this temporary fishery closure in our village. This whole process has proved that the Darawa community can work together as a team when it comes to monitoring our fishing sites and managing our fisheries," said Pak Jumani, the village head.

"We have also been successful in encouraging neighbouring communities to follow our example. We will continue to use temporary fishery closures and will make it part of our village programme," he added.

This rousing speech moved the proud crowd of community members to applause. Thanks to the participatory fisheries monitoring system, Darawa villagers learned that they had landed

The members of the community largely rely on the ocean for their livelihoods through octopus fishing or seaweed farming.

to give. Generally, Darawa women are in charge of household chores and taking care of the kids, while men are the breadwinners. Some inspiring older women fishers have proved the exceptions to this rule.

Darawa village is a community of 775 people, 105 of them are octopus fishers. The members of the community largely rely on the ocean for their livelihoods through octopus fishing or seaweed farming. For fishers, temporary fishery closures serve to give the octopus time to increase in size and reproduce, generating larger and more profitable catches and improved livelihoods. This

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Forkani's Nusi disseminates the closure data at the feedback session and Forkani facilitated many community meetings in order to reach a consensus about the closure timing, location and regulations

up to five tonnes of octopus in 2018. For small-scale fishing communities with limited or no available data on their fishery resources, this information was key to enabling informed decision making. Recognizing the potential and importance of octopus fishing, the community agreed to close this fishing site for three months. The initial closure was a chance to learn how to manage their fishery resources, acting to protect them for future generations. "Our hope lies in the sea," said Pak Jumani.

From community to community

Forum Kahedupa Toudani (Forkani), a community-based organization in Wakatobi, has been supporting the community in Darawa village to start managing their own marine resources.

"We started by working with the community to ignite their curiosity and to help them gain a better understanding of their octopus fisheries," said Mursiati from the organization. "Forkani doesn't need the octopus data, it's theirs. They are the ones who will use and manage their natural resources to ensure that the octopus fishery will

last for generations. That's why raising awareness is important," Mursiati said. She spoke from her heart with a shaking voice, recalling what they had been through before Darawa became the first village in Indonesia to declare the first temporary octopus fishery closure led by their own community.

Forkani facilitated many community meetings in order to reach a consensus about the closure timing, location and regulations. They also assisted in conversations and agreements with four neighbouring villages to ensure that they understood and respected the Darawa community's closure rules. "The idea of the temporary octopus fishery closure developed through community discussions on how to preserve their octopus resources," said Mursiati. "The challenge was that the closure area is an open-access fishing site for all fishers. It's quite difficult for the Darawa community to monitor the area. An additional complication was that the area is under the authority of the Wakatobi National Park, not Darawa village. So, the co-ordination among us was very important," she added.

Participatory monitoring and feedback sessions

Once the community agreed that they wanted to have better knowledge of their octopus resources, they began participating in octopus fishery monitoring. They started to collect data on their octopus fishery: the fisher's name, total catch, weight of individual octopus, sex of octopus and the fishing site. Taking a participatory approach to fisheries monitoring can provide fishers with meaningful opportunities to understand and participate in fisheries management. However, this process needs to be complemented by discussion platforms where the interpreted data can be regularly presented back and made accessible to communities through feedback sessions.

Forkani wanted the communities to understand the information they themselves had collected. So the data was presented in simple infographics to make it easier to understand. The data was patiently explained in the local language, so that the communities understood what the data represented. The Forkani team periodically receives the octopus catch data from their local data collectors. Its members have thought creatively about the many ways in which they can convey the data, once analysed, back to the fishing communities.

These feedback sessions were the entry point to further discussions about fisheries management with the community. During all these feedback sessions, Forkani and the community discussed the results of the closure and the next steps for furthering their octopus fishery management. For example, through the session, women octopus fishers expressed dissatisfaction about unequal opportunities to benefit from the village's first temporary octopus fishery closure, due to the depth of the closure site.

Male fishers go fishing using a small boat made from wood or fibreglass. They anchor the boat in the fishing area that has one-two metre-deep water. The men then put on swimming masks, swim and wade around the reef to fish for octopus using a metal spear. Female fishers go in the same kind of boat as the men, but they only

fish for octopus during the low tide on areas exposed by the tidal cycle. They walk on the reef and fish, using a metal spear. Following this feedback at the community meeting, all the fishers decided to close an additional site next year. Importantly, they decided to prioritize women's access from the opening, using community-collected catch data, disaggregated by gender, to guide their planning.

Revival of a customary institution

Involvement from various stakeholders is fundamental in building community awareness from the beginning of the process. During the planning, closure, re-opening and data processing, Forkani engaged not just the community but also the village government, traditional leaders and national park authorities.

This first closure has led to stronger bonds of trust within the community, between neighbouring communities, with the government and with Forkani. These bonds have led to increased collaboration between all parties and the establishment of robust monitoring systems. This collaboration proves that the community has the capability for effective and sustainable management of their marine resources.

This first closure was a success and the Darawa community further organized three more temporary fishery closures—June-August 2018, January-March 2019 and June-August 2019. Building on these experiences, the Darawa community is now heading towards developing a broader plan for fisheries management through strengthening the role of a customary institution called 'Barata Kahedupa'. It consists of a structure, an institution and a customary area.

Barata Kahedupa has nine customary territories within Kaledupa District and nine areas outside. According to the history of Buton Kingdom, Barata was traditionally the point for the unification of autonomous territories. Each of the autonomous regions pays tax to the Central Kingdom of Buton. In each autonomous region of Barata, there is an authority with responsibility for overseeing environmental management, called 'Pengaksel (Wati)'.

Historically, Barata Kahedupa has a sea management policy which tells us that marine resource management practices have existed since long ago. For instance, in Kaledupa Island, nine Limbos (traditional villages) have their own sea management areas. People of the Limbo traditionally used natural signs to manage sea boundaries. If people in one community wanted to fish in another's waters, they had to give a part of their catch as payment.

Long ago, Barata Kahedupa also regulated the use of fishing gear and applied temporary fishing closures (hereafter called Namonu Sara) in the Laguna area. For managing the sea area, the central value underlying the management policies was called ambil sebagian, simpan untuk hari esok (it means 'take some, keep some for tomorrow'). Furthermore, the principles of good governance were built into the institution and its practice. For example, the head of the Limbo was elected by the conference of people through deliberative discussion.

The role of customary institutions governing resources is not limited to the ocean; forests are also being managed by traditional bodies. In Nusara, people divided the forest into two functions: production and protection. If people gathered resources within the forest, they would be fined in gold or were obligated to plant another tree.

Forkani and the community fought for legal recognition of this long-lost customary institution to help manage the ocean. It was successfully brought back to life through the regency regulation on the recognition of Wakatobi customary community law in 2018. The regulation is the first step in raising awareness of the importance of customary institutions. This will strengthen the body and its responsibilities over the marine resources that communities like Darawa depend on.

This recognition ensures that the early marine resource management efforts of the Darawa community can be embedded in legally recognized institutions with a clear mandate. Forkani's approach is to advise and support the community with a view to gradually step back from the active



Larangi, the traditional dance of Kaledupa Island. Now, together with all stakeholders, the Darawa community is rebuilding their fisheries for future generations

planning and organisation of fisheries management efforts. The community in Darawa is well supported to succeed.

The decision is theirs, not ours

Forkani's approach and values are a clear demonstration of what makes community-based organizations (CBOs) such effective advocates. This way of working ensures that small-scale fishing communities fully understand their rights in managing their natural resources and are equipped to exercise them.

"Every member of a community is responsible for the protection of their environment and the management of their resources, so it is vital that everyone works together. Only when you are confident in how to protect your environment can you truly show other communities in neighbouring villages that your regulations are worth respecting," said La Beloro, head of Forkani.

Natural resource management is effective when the community that relies on this fishery for their livelihoods take a leading role in the management decisions. Forkani works tirelessly in equipping coastal communities with the skills they need to manage their natural resources sustainably. Now, together with all stakeholders, the Darawa community is rebuilding their fisheries for future generations. ♣

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Whose Threat Counts? Conservation Narratives in the Wakatobi National Park, Indonesia

Dried, Tried, Tasted

At the core of the unique flavours and tastes of the East Java cuisine of Indonesia is the traditional artisanal fish processing technique of *pindang*

Sumenep Regency is located at the eastern end of the Madura Islands in Indonesia's East Java province. It is known for its large fishery and marine potential. Several types of fishing gear exist in Madura, mainly the *payang*, a type of seine net, very common and essential among fishermen. The *payang* resembles a trawl net. By design, it has wings and a 'cod end' on the upper part of the net, supported by floats, and weights that secure the lower end. The second type of gear, introduced by the Indonesian government in Madura in 1976 to promote efficiency, is the purse seine. The purse seine fishery is characterized by high productivity and a larger scale, compared with the *payang* seine.

significant capital investment. Fish is an everyday food for the Sumenep community and is always present, in one form or another, in every kitchen as a source of staple protein.

Several local artisanal methods are used in processing fish as a part of post-harvest activities. These are linked to the limited cold storage facility in the local fish supply chain in rural Sumenep. The fish-processing practices have been sustained for decades through the local knowledge of the Madurese community. Take the case of a woman trader who sells various food items, travelling to eight different villages on a motorcycle each day from dawn to noon. She never sells fresh fish due to its perishability. In tropical conditions, fresh fish is particularly difficult to preserve, not only due to climatic and environmental conditions, which contribute to fish spoilage within a few hours, but also because of the lack of adequate equipment for refrigeration. To ply her trade in such conditions, she uses methods specific to each of the processed fish products she sells.

The fish-processing practices have been sustained for decades through the local knowledge of the Madurese community.

Besides these two types of gear, the gillnet fishery has also played an essential part in the Madurese fishing community. Artisanal fishers used to operate gillnets around the island, where it is classified into three types: drift, shrimp, and set gillnets. Most of the artisanal fishers use the *bagan*, a fixed engine gear operated during a fishing season. The net is lowered using a roller. When a large number of fish have been gathered, the net is lifted; this process is repeated until sufficient catches are obtained.

Most of Sumenep's marine products are utilized for food. They can be classified into fresh fish and artisanal processed fish—dried, salted, boiled and smoked. There are also frozen fish, canned fish and fishmeal, which require

Traditional techniques

Five forms of fish products are in high demand in the local market here. First is the famous *pindang* fish. The term refers to the cooking process under which the ingredients are boiled in salt together with certain spices. In Sumenep, the *pindang* fish is usually cooked with salt only. However, as *pindang* is common not only in Sumenep, there are different ways of boiling the fish throughout other parts of Indonesia. These techniques are traditional in the communities of Java and Sumatra, where various preserved types of *pindang* are available in traditional markets. Some of the people might use shallot skins, guava leaves,



A smoked-fish seller at the Gapura Market, Gapura District, Sumenep Regency. Several artisanal methods are used in processing fish due to limited cold storage in the local fish supply chain in rural Sumenep.

teak leaves, tea, or other spices common in Southeast Asia. This gives the gravy a yellowish to brown colour; it also helps the fish last longer compared to plainly boiled fish.

In Sumenep's local market, it is common to find women vendors selling *pindang* from their baskets. They are usually skipjack tuna or mackerel in various sizes. The centres for making *pindang* are scattered throughout Sumenep, some in the northern areas such as Pasongsongan, Slopeng, Ambunten or Dungkek. The processing centres have begun to shift to the proximity of traditional markets, for example, the *pindang*-making stall located in Pasar Anom in downtown Sumenep. Most *pindang* traders are looking for means of cutting down the production and distribution cost.

The mothers in rural areas of Sumenep are the outstanding patrons of *pindang*. One reason they like the boiled fish is the familiarity – the taste produced by boiling with salt leaves a distinctive flavour. It also makes it easy to cook, usually deep-fried or cooked with a little sauce. The most famous *pindang* recipe is the *palappa*

koneng. In Madurese *palappa* means spices and *koneng* means yellow. *Sothis* means yellow spices. The boiled fish is cooked with various spices, including garlic, onion, candlenut, turmeric, chillis, tamarind, pepper, ginger, salt and sugar. *Pindang* is then boiled with all the spices that have been mashed together. The seasoned fish is then deep-fried just before it is served. Without a refrigerator or access to a chiller, the women rely on spices to preserve the fish.

Fish paste

The second product high in demand is the fish paste called *petis*. It is made by processing by-products, usually from boiled fish, mussels, or shrimp. These are heated until the liquid broth thickens into a sauce. In Sumenep, *petis* comes from the soup left over from the boiled *pindang*. *Petis* comes in various types and flavours. The Madurese *petis* made in Sumenep has a unique character. It tends to be salty and looks bright, with a brownish-red colour. Many Madura *petis* are produced in Pasean, Pasongsongan and Ambunten, the main locations for *pindang*-making centres.

Petis is often served with chilli sauce, which also accompanies rice, fried fish, and fried tofu or vegetables like chopped cucumber or sprouts. *Petis* is usually sold in the traditional markets or by mobile traders who visit the villages. For small-bag sizes, *petis* are sold at low and affordable prices. The locals believe that *petis* has given Sumenep's food a distinct identity that sets it apart from among other East Javanese foods.

The third fish product high in demand is smoked fish. Besides boiling, smoking is another artisanal technique to process fish in Sumenep. The fresh fish is smoked immediately on arrival. The processing activity is usually handled by women; they work together to smoke the fish by burning corn cobs and coconut fibre. The hot smoke produced by the combination of corn cobs and coconut fibre lends the fish a distinctive aroma. The heat from the smoke gives the fresh fish a shiny black colour. The smoking cooks the fish slowly so that it lasts longer without need of refrigeration.

products made on the island are sent out to many places in Indonesia. The most expensive ones are readied for export, while the cheaper ones are usually sold in the local markets. Since dried fish has more bones than meat, the more well-off consumers tend to shun it. 3

... thanks to its long shelf life, dried fish is the staple food during times of hardship, when other kinds of fish are too expensive.

Two other forms of processed fish are popular: sun-dried fish and salted fish. Both rely on a similar drying technique, with sea salt being added in the latter case. Most of the workers are women; they manage various kinds of jobs from cleaning and drying the fish, adding salt, to packaging the fish to sell in bulk. The women fish workers mostly work in pathetic conditions in the processing units and get low wages.

The selling price of dried fish depends on the size and the quality of fish. In Sumenep and its surrounding rural areas, dried fish is available at affordable prices. Those with deeper pockets usually don't prefer it.

Export demand

The dried fish industry in Sumenep is well-known in East Java, and the

For more

<https://edepot.wur.nl/238229>

The Indonesian seafood sector: A value chain analysis

http://www.gbgindonesia.com/en/agriculture/article/2014/indonesia_s_aquaculture_and_fisheries_sector.php

Indonesia's Aquaculture & Fisheries Sector

Lack of Transparency

While small-scale fishers in Indonesia have not been hit by COVID-19 infections, the lockdown measures and economic policies have left them more vulnerable

The novel coronavirus (SARS-CoV-2) has forced changes across the world. After cases spread rapidly outside Wuhan, China since January 2020, the World Health Organization (WHO) declared COVID-19 as a global pandemic on 11 March 2020. As the number of confirmed cases of infection crossed 31 mn in September, with more than 1 mn deaths, the pandemic has spread to about 200 countries. The United States, Brazil, India and Russia have recorded the greatest numbers.

Indonesia's first COVID-19 case was confirmed on 2 March 2020, although epidemiologists had reportedly mentioned that the virus had entered Indonesia in late January. The WHO urged Indonesia, in a letter, to immediately take concrete steps

country had the capacity to test only 1,976 persons per million population, neighboring Malaysia had reached 20,391 people tested per million, and Singapore's testing capacity was 98,519 per million.

A large island nation, Indonesia faces several challenges in dealing with the COVID-19 pandemic. What makes it worse is the attitude of the authorities who deny the gravity of the threat. In fact, economic activities were the focus, rather than the handling of the pandemic. Since the first COVID-19 cases began to emerge, there has been a lack of transparency regarding the number of cases.

This can be gauged from the absence of government strategic actions and efforts to take necessary action. The NDMA established the status of 'Certain Emergency Situations' from 28 January to 28 February. On 31 March, President Joko Widodo (Jokowi) declared COVID-19 a 'Public Health Emergency'. Eventually, he declared it a National Disaster on 13 April.

Social restrictions

The Health Quarantine Law gives the government several options during a 'Public Health Emergency'. These include home quarantine, regional quarantine, hospital quarantine and large-scale social restrictions. The government opted for large-scale social restrictions (called PSBB) with a minimum of three forms of action: (i) closing schools and workplaces; (ii) restrictions on religious activities; and (iii) restrictions on activities in public places or facilities. These must also take into account meeting the basic needs of the population, such as healthcare, food and other daily requirements. Health quarantine actions can be carried out by the regional government with the approval of the Minister of Health. These include large-scale social restrictions or restrictions on

Although the food deficit announcement does not mention fisheries as a staple food, the pandemic has had a significant impact on Indonesia's fisheries sector.

to slow the spread of the virus and declare a national emergency. In early September, Indonesia ranked 23rd in the list of affected countries, with about 194,000 confirmed cases, and over 8,000 recorded deaths. The number of COVID-19 positive cases has increased since 16 June, when the COVID-19 Accelerated Handling Task Force of the National Disaster Management Authority (NDMA) confirmed 1,106 new cases in Indonesia. That figure was based on the Polymerase Chain Reaction (PCR) test of 339,309 people. At the time, 15,703 people had recovered and were declared free of COVID-19.

These figures indicate that Indonesia is not testing up to the requirements, and that the country's COVID-19 testing capability is still very low. When the

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Besides being a fishing village, Pari Island, Jakarta, is also a community-based tourism spot, with small-scale fishers earning additional income as tour guides.

movement of people and goods to a certain province, district or city.

After establishing large-scale social restrictions in mid-April, the government issued several additional policy packages, including:

- **Electricity cost relief:** As a form of assistance to the community, the government waived the charge for electricity for the months of April, May and June.
- **Prohibition of homecoming:** The government formulated regulations for the festival of Id-ul-Fitri.
- **Credit relief:** A number of groups, such as online motorcycle taxi drivers, fishermen, and taxi drivers, were offered credit facilities for one year, starting 1 April.
- **Budget allocation:** To meet a number of needs in the midst of the COVID-19 outbreak, the central government issued a budget of Rp 405.1 trillion (US\$ 24.5 bn) through the 2020 state budget. This policy has been established through a Government Regulation in Lieu of Law on Economic Stability during the Pandemic.

In the midst of an uncertain situation with a high rate of new

infections, President Jokowi announced a food deficit in a number of areas. One reason for this is the inter-regional logistics distribution getting hampered by the restrictions. Although the food deficit announcement does not mention fisheries as a staple food, the pandemic has had a significant impact on Indonesia's fisheries sector.

In the midst of large-scale social restrictions imposed by each local government, in general, fishers have continued operations. In certain areas, the harvest season has begun. A majority of operators in Indonesian fisheries are in the small-scale subsector; the country has 523,903 small vessels under 10 gross tonnage (GT). The government still does not have comprehensive data on all workers in the small-scale fisheries subsector in the pre-harvest stage. The post-harvest operations include both men and women.

Since the announcement of restrictions, most fishers have experienced significant impacts, although the fish catches are not affected, in general. The availability of fisheries commodities—processed food products in the service sector such as restaurants, hotels and tourism—decreased significantly. The top fish

M. ROOSMAN



Fishing harbour in Indramayu, West Java. In the midst of large-scale social restrictions imposed by local governments, in general, fishers have continued operations.

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commodities for export and import were also affected due to the trade restrictions imposed by several countries. This has a direct impact on how the fish catches are absorbed in the market. The market now finds it difficult to absorb the catches because of restrictions on many community activities, from fish auctions at the village level to the distribution of fish at the provincial and cross-provincial levels. Fishers, especially small-scale fishers, catch fish daily as their only source of income and livelihood.

Quarantine

Fishers in Pari Island, Kepulauan Seribu Regency in the Greater Capital of Jakarta Province face the same problem. Edy, a fisherman from Pari Island, said his income has decreased dramatically since COVID-19 began to spread in Indonesia. Fishermen of Pari Island also imposed a quarantine independently. Everyone is prohibited from traveling outside the island. Access to this community from outside also remained closed up to the time of writing. Only fishing activity is permitted. Besides being a fishing village, Pari Island is also a community-based tourism spot, with small-scale fishers earning additional income as tour guides. They were forced

to close these tourism operations. “For approximately three months we did not travel out of the island. Income from fishing has decreased by 50-70 per cent. If there is tourism, there is extra money, but now there is no extra money because we have closed the tourism business,” Edy told a news reporter on 15 June.

The Jakarta provincial government was the first to implement concrete measures in response to the pandemic, with the governor on 25 February issuing instructions on increasing risk awareness. The Jakarta government also decided to provide various stimulants for meeting the basic needs in a month; one of them was a package of staple food. “For three months the government provided assistance in the form of 5 kg of rice. Residents still lack essential food, but try to survive by fishing every day to meet their food needs. At present, although the restrictions have been revoked, the residents have deliberately decided to close the area to outsiders,” Edy said.

In Tarakan City of North Kalimantan Province, a fisherman named Rustan has been feeling the heat of the pandemic. “Fishers’ incomes have decreased dramatically due to the many restrictions on activities. Fish can only

be sold in local markets, whereas the catches were always sold as an export commodity before the pandemic. The price of fish has dropped almost 90 per cent. Fishers have felt this since March. Moreover, the government's social assistance programme is not evenly distributed," Rustan was quoted as saying in a news report.

He said fishers have limited social activities and still use masks when going to sea. Yet about 10 fishermen contracted the virus in the area of Gowa in South Sulawesi. This, however, did not have anything to do with fishing activities but occurred during the religious festival of Tabligh Akbar.

Fishers face similar conditions in areas such as Karanghantu, Serang-Banten; Lamongan, East Java; Surabaya, East Java; Sumenep, East Java; and Indramayu, West Java. They can still engage in fishing activities even though they know the price of fish is low. The catch produced is used to meet daily needs and buy fuel. Fishers are also looking for alternatives. For example, in the Lamongan area of East Java, fishers go out to sea using loan capital from investors. The catches are sold to the investors as a form of instalment or return of capital. On Pari Island, Thousand Islands and Surabaya, fishers convert catches that are not sold into salted fish. This, in turn, is sold to a co-operative in Pari Island. In Surabaya salted fish is sold to collectors at low prices. "Fish that is not bought by collectors, we usually try to sell it around the house. They don't always buy it but, who knows, if someone wants to buy. We must be proactive to survive," said Serang Banten, a fisherman from Karanghantu. In Sumenep, East Java, fishers have reduced the number of workers on vessels to both cut costs and maintain physical distancing while fishing.

In general, the problems faced by fishermen include both declining fish prices and restrictions on social activities. Small-scale fishers who depend on daily income are forced to stay at sea even though they know the prices of fish have dropped dramatically. Others choose alternative jobs that are inadequate in meeting their daily needs.

The government's financial stimulants and aid packages are not accessible to all fishers. The lack of data on the small-scale fisheries sub-sector—from the national to the regional level—handicaps all efforts to help the fishers.

They still find it difficult to access capital.

With the enforcement of physical distancing and social restrictions in Indonesia, fish markets, restaurants and hotels are experiencing a shortage of customers. The resulting decrease in fish demand and consumption has, in turn, reduced incomes in the fishing sector.

When certain regions restrict access to their territory, the problems for the fisheries sector are multiplied due to increasing transportation costs. At the same time, this unprecedented situation has resulted in innovative practices that could affect the way the sector functions in the future. It is unfortunate that the authorities are entrenched in business as usual, denying scientific advice and a data driven approach to

The deficit in food availability was not addressed by the government with a specific strategy that encouraged small-scale food producers as important elements of the food-value chain.

policy making. This has led to chaos in addressing problems in the field, even as the number of people infected with the coronavirus increases.

Food-value chain

The deficit in food availability was not addressed by the government with a specific strategy that encouraged small-scale food producers as important elements of the food-value chain. Indonesia already has a legal instrument that could have played a key role in this: Law No 7 of 2016, concerning Protection and Empowerment of Fishermen, Fish Cultivators, and Salt Farmers. Among other things, it calls for ensuring the certainty of business for small-scale fisheries. In particular, it paves the way for creating conditions that produce favourable fish prices and encourage the development of fish commodity marketing systems through storage, transportation, distribution and promotion. 3

For more

<http://extwprlegs1.fao.org/docs/pdf/ins159362.pdf>

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<https://news.mongabay.com/2020/04/sinking-feeling-for-indonesian-fishers-as-covid-19-hits-seafood-sales/>
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https://www.ilo.org/jakarta/info/public/pr/WCMS_748037/lang--en/index.htm
ILO teams up with trade unions to protect fishers from COVID-19 pandemic and human trafficking

Backs to the Wall

Through a mix of downplaying, intransparency and undertesting, the largest archipelago nation in the world paid little heed to its vulnerable fishers during the COVID-19 pandemic

Edy, a fisherman on Indonesia's Pari island said: "For almost three months we did not travel outside the island. Earlier, we got additional income from tourism during the holiday season. This time around, there was no supplementary income because our tourist attractions were closed. And then our income from fishing, too, dropped by 50-70 per cent."

It took the Indonesian government more than two long months last year to negotiate and categorize the COVID-19 pandemic a 'national disaster'. By then, the country had registered 4,557 cases of infection and 399 deaths due to the pandemic. Before establishing any health safety protocols and mitigation measures, the government established quarantine measures at three major

a statement only served to push under an already drowning industry.

Breach in income

The timing couldn't have been worse. The pandemic countermeasures were implemented in the country right at the start of the fishing season. Economic difficulties caused by the pandemic meant a lot of fishers chose to simply stop going to fish. "The price of fish has fallen to half of the normal price. It is very difficult to get a return on investment, even to meet daily needs," said a fisherman in East Lombok.

Simply put, fishermen did not have the capital to go to sea. In many cases they had only enough to buy fuel oil for the boats. The situation was unprecedented. Even during famines and cyclones, fishers had continued to find employment and go to sea, despite the dangers and the high risk of death. COVID-19 changed that. It became impossible to earn an income to meet their daily needs.

Uneven distribution

"The income from catch decreased drastically due to many limiting activities like social distancing," said Rustan, a fisherman from the island of Tarakan, in June last year. "Fish is only sold at local markets. In fact, catch commodities are usually sold as export commodities. Fish prices have fallen by almost 90 per cent from the normal prices. Fisherfolk have gone through this in the past three months, from March to May. In addition, the social assistance programmes planned by the government are not evenly distributed. Out of 1,000 people consisting of fishing labourers, fisherfolk, seaweed farmers and others, only 300 people got help."

In East Java, one way fishers chose to curtail the spread of the pandemic was to reduce the number of crew on each boat. It was also a way to reduce costs of operating at sea.

The income from catch decreased drastically due to many limiting activities like social distancing.

entry and exit points of the country: ports, airports and national land border posts. Panic ensued almost immediately. Lockdowns, restrictions on movement and reduction in number of workers meant an economic slowdown like the rest of the world.

As the rate of infections kept rising, the country's president, Joko Widodo, announced a food deficit in a number of regions of the country. The fisheries sector, already reeling under restrictions on movement and lack of adequate planning for transport, was hit hard. To compound matters, the president made an additional, ill-advised statement on the lack of scientific evidence on fish improving immunity. For a country that had anyway shifted to eating instant food in the midst of the pandemic, such

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Fishers in Batubara, North Sumatra, Indonesia selling clamshells in the market. Fisher families began pawning possessions to make ends meet and these practices were adopted only in times of famine earlier

Even as fishing continued in one way or another, fish prices plummeted. Fish that went for Indonesian Rupiah (IDR) 250 before the pandemic was barely fetching half that value in the market during the pandemic. Fishermen were salvaging what they could just to buy back fuel oil. Moreover, in certain areas like East Java, fisherfolk went to sea using loan capital from investors—the skippers. They sold their catch to the investor as a form of instalment or return on capital.

Fisher families began pawning possessions to make ends meet. These practices were adopted only in times of famine. The only difference was that in times of famine earlier, many fisherfolk sought, and often received, alternative employment as construction labourers or repair workers. The pandemic changed that, leaving them stuck at home, with nothing to do and no way out.

Domestic consumption wasn't the only segment affected. Many countries imposed strict regulations on the movement of goods to places outside during the pandemic; some of these had been destinations of exports or import for Indonesia. Export prices for fish

dropped by 50 per cent. According to the Central Statistics Agency, Indonesia's exports in May 2020 were US\$10.53 bn, a decrease of almost 29 per cent compared to the last year. Cumulatively, Indonesia's export value from January to May 2020 was at US\$64.46 bn, a decrease of almost 6 per cent compared to the same period in 2019.

Quality improvement

Despite these dropping numbers, the Minister of Marine Affairs and Fisheries said that exports in the fisheries sector recorded an increase of 6.9 per cent in the first semester of 2020. Unfortunately, the news was tempered by the fact that the cost of fish processing and raw material standards rose, making it tougher on fishermen to operate in the ways of the past. The ministry asked fishers to improve the quality of produce to keep the demand up, but failed to provide them with solutions to counter the outflow of income due to higher standards being put in place regarding production itself.

Impact of government interventions

In a special effort to alleviate the impact of COVID-19 on the fisheries sector, the

Civil society organizations as well as independent community interventions played a big part in rehabilitating fisherfolk during the pandemic.

government put forth an eight-point agenda. One of its first interventions was to purchase all fish catch without prejudice. The idea was to maintain prices during the pandemic through supportive purchase. Efforts were made to steward the various stakeholders of the sector—suppliers, retailers, fisheries associations—in the same direction.

Additionally, the government worked on curtailing the red tape for transport of fish cargo, and prepared cold storage units at ports to help aid the process. The preparation of cold storage units served as a way to ensure quality of fish for transport as well as to maintain stock in the off-season, especially during the months of Ramzan.

The government made some social interventions among fisher communities with a view to rehabilitate them. In most cases, however, the services never reached the people it was intended to

benefit; in many cases, such efforts were undone by the social distancing norms that had already been put in place. “We recently received social assistance of 5 kg of rice and several other foodstuffs from the government,” said a fisher in Medan. “We also stood in line for the collection system. Even though there’s a pandemic going around, how come we were ordered to queue up?”

Complaints also ranged around how the quality of assistance was not adequate. Enquiries revealed that fisherfolk felt they were insufficiently compensated for their daily needs. In Medan, for example, an average family has four to five members. The government provided each family with 5 kg of rice, 1 kg of sugar, eggs, and some packs of instant noodles. A rough estimation suggest the provisions would last them a maximum of two weeks.

Integrated social welfare data further showed that fisherfolk made up a mere 0.9 per cent of the total recipients of the social safety networks. According to the research by Zakariya Anwar and Wahyuni, about 90 per cent of fisherfolk in Indonesia—that is 14.58 mn out of a


total of 16.2 mn—live below the poverty line.

Civil society organizations as well as independent community interventions played a big part in rehabilitating fisherfolk during the pandemic. The Matahari Fisherfolk Network took fish directly from small-scale fisherfolk and fisheries to distribute for free to the wider community affected by the outbreak. The network also collaborated with religious institutions to raise donations and public assistance.

On Kodigareng island, the pandemic caused a drop of 50 per cent in fish prices. The area was struggling with catch even prior to the COVID-19 outbreak due to fishing grounds sustaining damage from sand mining. Fishermen’s wives took the initiative to add on to their family income by shredding mackerel for sale in the area.

In Bintan island, wives of fishermen started planting hydroponic vegetables in existing yards to supplement the family income. They planted mustard, lettuce, soup leaves and other vegetable crops and ended up selling the produce online as well as in community stalls.

Tight regulations

Despite the varied aid responses to the crisis, it was clear that little was done to help fisherfolk get back to sea and recover their business. Although many businesses opened up, fish markets, restaurants and hotels remained tightly regulated. Fish consumption is yet to recover to pre-pandemic levels. The government is going about its business as usual, denying scientific and database-driven approaches for policy. Chaos has ensured greater suffering for the work force. 

For more

Lack of Transparency

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A Top-Down Mirage

The Indonesian government's increasing focus on the Blue Economy should not be at the cost of the knowledge gained from long years of customary or traditional management, says Susan Gui of the conservation NGO KIARA. Edited excerpts

On KIARA's current work

KIARA still does advocacy. The Indonesian government is focusing on the Blue Economy, with emphasis on massive expansion of production from marine resources, affecting the community. We have also been working on the climate crisis, especially as it relates to the sinking and drowning villages in central Java and many other parts of Indonesia. The climate crisis has led to decreased fish capture, hitting the economics and livelihoods of fishers. It is getting worse.

On the differential impact of climate change on women facing socio-economic difficulties

Over the past decade, climate change has already affected Indonesia's fisherfolk. It has worsened over the past five years. The fishers talk of losing their customary knowledge in discerning weather conditions and tides; they cannot 'smell' the ocean now. Due to changes in the ecosystem, they now have to go farther out to sea to fish. They face a lot of issues related to poverty. Children in coastal communities get forced into early marriages. Women have the double burden of earning and managing the household, ensuring nutrition and education for their children. Many fishing families are trapped in debt. Flooding from the sea drowns all the facilities. Migration has also been affected.

On the government's quota-based management for industrial fisheries

Neither the government nor the fisherfolk are ready to implement quota-based management. We do not actually have the base data of the resources available in our ocean. About

three or four years ago, the Indonesian government tried to introduce quota for lobster exports but the scheme only led to corruption. There are no tools for monitoring, despite the huge potential for transshipment at sea. Some of Indonesia's waters are already over-exploited and implementation of transshipment would be problematic.

On the likelihood of positive impacts of quotas

If you consider revenue a positive impact, we don't see how this will benefit us. For example, now in Indonesia, the government's focus is on developing infrastructure like big ports and cold storage facilities. These, however, will facilitate only large vessels. Small-scale or traditional fisherfolk cannot sell fish in the big ports because they sell in small volumes. We see a lot of gaps in the government budget. Protection and empowerment are still far away. So, the tax revenue only benefits those who have control to access it; but there's no way this can happen for the fisherfolk.

On the impact of quotas on community-based management structures

Looking at the quotas given to big vessels that get big catches, there is definitely going to be an impact on the value chain. The ocean is like a bowl connected from side to side. If you overexploit one side, it could affect the other side. So it's not just the production perspective, the holistic perspective must also be considered. For example, the relationships among the indigenous community, artisanal fisherfolk and fisherwomen, as also their relationship with the coast. This is the missing connection.

This interview with Susan Herawati Romica (guisusan98@gmail.com), General Secretary of KIARA (Koalisi Rakyat untuk Keadilan Perikanan), Indonesia, was conducted by N. Venugopalan (icsf@icsf.net), Programme Manager, ICSF, on 3 November, 2023

ASIAN DEVELOPMENT BANK



Fishermen unloading buckets of fish from their boats in Makassar, South Sulawesi, Indonesia. Some fish are going to disappear because of over-exploitation from catch-based quotas

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On the competition between trawlers and artisanal fishers

Under the new regulations, there will be foreign fishing vessels in our waters. That means our traditional fisherfolk are going to use larger fishing gear to face the big foreign vessels. The big will grab the most, while the smaller players will get only

On reaching the quotas when catches are dwindling

I'm not really sure. The quotas given are based on the data that we have. Take the case of export of baby lobster. A certain quota is given to one company; if it cannot meet it, it can smuggle fish from another area. There is also the potential for corruption.

There is no mechanism for the control and monitoring of foreign fishing vessels

the last of the remainder. That is not just. There is no mechanism for the control and monitoring of foreign fishing vessels. Our government says there will be logbooks and VMS. It doesn't realize that not every fisher has the necessary tools; some can't even read and write.

On the total available catch (TAC)

Government maps show only the red, yellow and green parts of our waters. Red indicates over-exploitation; yellow warns of near over-exploitation; and green indicates plentiful resources. But no data exists for the exact catch availability. This is also part of our criticism: On what basis will the government decide on the quota when it doesn't have a clue about the available catch?

On the declining numbers and status of artisanal fishers

The past five years have been the worst for Indonesia's ocean management. No

wonder the numbers are decreasing. Exploitative and destructive practices are rampant. Many foreign fishing vessels enter Indonesian waters using trawl and seine gear; their use is not prohibited under any clear regulation. Incidents of conflicts between traditional fisherfolk and those using disruptive fishing gear are much too frequent. Indonesia now allows the export of sand. Who will monitor it? The sand could be coming from the waters that have good resources; its mining could hit the catches. Under the Blue Economy schemes, the government is expanding aquaculture, especially for shrimp. This is likely to destroy our mangrove forests.

On small-scale artisanal fishing sector's contribution

It accounts for about 20 per cent of the total production. Although the government claims an increase in GDP, the economic parameters do not really capture the real issues of migration and poverty along the coast. There is no precise demographic data on the existing fisherfolk, especially the traditional or artisanal ones.

On governance of marine fisheries

Indonesia's fisheries regulation programme is not bottom-up. It arises at the top and then goes down. As long as the government doesn't make it hard for the fisherfolk to get access to subsidized fuel, there shouldn't be problems with registering all the traditional fishing boats. But if the idea is to only collect data of how many traditional fishing boats Indonesia has, the traditional fisherfolk are unlikely to benefit in any way. In Malaysia, the government compiles data of the traditional fishing boats but, at the same time, they provide insurance. In Indonesia, it's the fisherfolk who have to pay for insurance.

On controlling IUU fishing

Over the past five years, we have not moved forward on illegal, unreported and unregulated (IUU) fishing. The government has now opened up our waters for fishing vessels through quotas, but it has made little effort to solve the problem of destructive

fishing. Logbooks are hard to monitor mid-sea. Hence IUU fishing goes largely undetected. The government does not have a large budget for monitoring, control, and surveillance. Even if those caught stealing our fish are taken to court, they are likely to get away with minimal punishment. Even then, only the captain of the boat is prosecuted, not the investor who pumped in money for the boat.

On the best management of fisheries areas

Our government assigns the red, yellow and green labels on the map to indicate resource health. But in customary or

Incidents of conflicts between traditional fisherfolk and those using disruptive fishing gear are much too frequent

traditional regimes, several indigenous communities already manage their waters in the best way possible. But these communities now have to face the issues of quota and IUU fishing, of mining and reclamation. ↴

For more

KIARA

<http://www.kiara.or.id/>

Hot Water Rising: The Impact of Climate Change on Indonesia's Fisheries and Coastal Communities

<https://openknowledge.worldbank.org/bitstreams/f7eea193-6e04-4875-9787-058167df2410/download>

Reclaiming Rights

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Lack of Transparency

https://www.icsf.net/wp-content/uploads/2021/06/4422_art_Sam_83_art01_Indonesia_Marthin.pdf

Beyond the Blue Economy

When it applies a Blue Economy approach to protect and strengthen its small-scale fisheries subsector, Indonesia must encourage economic incentives for fishing communities

Indonesia's national planning agency, BAPPENAS, published *The Indonesian Blue Economy Roadmap* in 2023. The document holds up the Blue Economy as the "pathway towards a diversified and sustainable maritime economy". It is defined as "an approach to enhance sustainable marine management and conservation of marine and coastal resources and ecosystems in order to realize economic growth with the principles of community involvement, resource efficiency, minimizing waste and generating multiple revenues" (Paragraph 1 of Article 14, in Law Number 32 passed in 2014). The aim is also to decrease the potential economic, social and environmental risks of ocean ecosystem sustainability.

The roadmap for the Blue Economy identifies two categories of projects. One: those in already established sectors; and two, those in new emerging sectors. The first category focuses on four subsectors, namely: marine capture fisheries and aquaculture; marine-based industry (including marine-based food processing, shipbuilding, and salt and chemical industries); maritime trade, transportation and logistics; and tourism.

The new emerging sector will be focused on renewable energy, biotechnology and bio-economy, research and education, and marine conservation and sustainable management of ecosystem services. The intention is to exploit more of marine and coastal resources, and invite actors to be part of the multi-stakeholder set-up under the flagship of Blue Economy initiatives.

The Ministry of Marine Affairs and Fisheries (MoMaF) has proposed five

programmes: one, expansion of marine protected areas (MPAs); two, quota-based/measured capture fishing; three, development of sustainable marine, coastal and inland aquaculture; four, supervision and control of coastal areas and small islands; and five, cleaning plastic waste in the ocean through fisher participation, also called the monthly Loving Ocean agenda.

... small-scale fisheries (SSF), which forms the backbone of the national fisheries sector, remains marginalized

Meanwhile, small-scale fisheries (SSF), which forms the backbone of the national fisheries sector, remains marginalized. It confronts several issues like minimum protection for tenure rights, competition with industrial fishing vessels and trawlers, limited access to social protection and markets, coastal development and environmental degradation, as well as policy challenges. The new legislation offers a broader and more general definition of a fisher as a person who engages in capture fishing for subsistence, whether in a vessel or otherwise.

A study on the impact of Indonesia's Blue Economy policies on SSF focused on three projects: capture fishing and the quota system; industrial-scale shrimp aquaculture in the Central Java province; and the premium luxury tourism project in Labuan Bajo in South East Nusa province. The research aimed to understand the impacts of

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Traditional fishing craft at Labuan Bajo fishing town, Indonesia. The Labuan Bajo Premium Tourism Site, designated as a National Tourism Strategic Area (KSPN), is one of the government's five Super Priority KSPNs

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these projects on small-scale fishers comprising the majority of actors in Indonesia's fishery business.

Government Regulation No. 11 of 2023, concerning measured capture fishing (MCF), was enacted as a policy to control, limit and restrict certain fishing zones and quotas of capture fishing in marine waters. The regulation will control the output efforts of capture fisheries in three types of quota in the MCF zone, namely: industrial quota; local fishers' quota; and quota for activities not for commercial purposes. MCF also opens up foreign investment in the form of limited liability companies and co-operatives that utilize industrial quotas in zones one, two, three and four. SSF access to industrial quota is limited to individual business persons, while priority is given to small-scale fishers who had joined co-operatives.

There are also other specific provisions for SSF to deal with special situations. The shrimp estate programme for large-scale upstream and downstream processes in shrimp aquaculture is a case in point that

uses modern technology. Other Blue Economy projects tend to undermine SSF due to lack of public consultation and participation, corporate control of shrimp farmers, and the issue of environmental impacts of aquaculture.

After the job creation law was passed, there have been setbacks in environmental safeguards, especially related to the environmental impacts of shrimp or crustacean farming. The Labuan Bajo Premium Tourism Site, designated as a National Tourism Strategic Area (KSPN), is one of the government's five Super Priority KSPNs. The Labuan Bajo area includes the Komodo National Park as a conservation area for the komodo (*Varanus komodoensis*), designated even before Indonesia's independence.

Long before the Labuan Bajo area was designated as a KSPN, in the 1970s the residents of the Loh Liang indigenous community were forced to move for conservation purposes. In fewer than 30 years, the people of Komodo Island have had to change their livelihoods several times. They

used to hunt and gather food, and work as traditional fishers; now they have become sculptors and sellers of souvenir merchandise. The establishment of a national park as a nature conservation area that maintains the original ecosystem through a zoning system, was meant to be supported by science, research, education, cultivation, tourism and recreation. However, these so-called benefits have been achieved at a high cost—human activities in the area are limited and largely forbidden.


Any effort to protect SSF and help it go beyond the Blue Economy perspective needs to fully identify and recognize the principal actors and subjects of the subsector. Once that is done, it is necessary to collect data on them, an activity that should not be left to the government. Otherwise many SSF actors will remain unregistered; the data generated by the government may be invalid, which will affect efforts to protect the basic rights of SSF actors.

Indonesia has accepted the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (the SSF Guidelines). However, its implementation is still to take off. Neither the MOMAF nor the government has yet issued a national action plan on the implementation of the SSF Guidelines, as mandated. A law concerning the protection and empowerment of fishers, fish aquaculture and salt farmers was enacted in 2016, two years after the SSF Guidelines were endorsed in 2014. However, no directives on implementation have been issued. The 2016 law has been criticized for not recognizing gender justice and equality.

Tenure protection is fundamental to avoiding agrarian conflicts between SSF and other actors who also access and utilize coastal land and water, as well as marine and fisheries resources. Tenure rights in the form of access rights, control and participation in the utilization of marine and fisheries resources, are still limited. Even where access rights are granted, the rights to control and participate in the

management and utilization of marine and fisheries resources are still non-existent.

Social protection and insurance for SSF are crucial, considering that fishing activities themselves are considered dangerous. Added to that are other social problems such as the right to access services and programmes designed for health, education, food and nutrition, and land for housing. The employment insurance scheme covers only 486,000 fishermen and crew members, without any specific preference for SSF.

The SSF subsector needs economic incentives for its activities, considering that it plays a strategic role as an economic and social engine, guaranteeing food and nutritional security, and employment, apart from providing other multiplier effects to the local economy, while supporting the livelihoods of coastal communities. Nonetheless, fishermen's access to equipment and fuel is still limited and not easily obtained. Also, the working population in fishing communities is not being regenerated adequately, mainly because SSF is not considered an economic solution to community problems. Most of the youth do not want to fish or work in the SSF subsector because they do not see it as a viable economic path to a secure future. One way out of this dilemma may be to encourage the absorption of fishery products from small-scale fishers. Such market intervention can provide sufficient and stable incomes, while also increasing the fishing communities' personal consumption of their catches. 

For more

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