



**Regional Plan of Action (RPOA) to Promote
Responsible Fishing Practices Including Combating
IUU Fishing in the Southeast Asia Region**

**THE 7TH COORDINATION COMMITTEE
MEETING**

MEETING DOCUMENT

SUMMARY REPORT OF
4TH SUB REGIONAL ARAFURA-TIMOR SEAS

CAIRNS, AUSTRALIA
04-06 NOVEMBER 2014

**SUMMARY REPORT OF
THE 4th MEETING OF THE MCS SUB REGIONAL
(TIMOR & ARAFURA SEAS) GROUP
BALI, INDONESIA**

30 APRIL – 1 MAY 2014

I. INTRODUCTION

1. The 4th MCS Sub-Regional (Arafura and Timor Seas) Group meeting was convened in Bali, Indonesia from 30 April to 1 May 2014 in follow up to the 3rd MCS Sub-Regional (Arafura and Timor Seas) Group meeting held in Port Moresby, Papua New Guinea in February 2013.
2. The meeting was attended by delegates from all four member countries: Australia, Indonesia, Papua New Guinea and Timor-Leste. The list of participants appears as **Annex 1**.
3. Mr Benny P Tambunan as Co-Chair of the meeting and on behalf of the Director General of Surveillance for Marine and Fisheries Resources, Ministry of Marine Affairs and Fisheries, Republic of Indonesia welcomed the delegates and the observer from Arafura and Timor Seas Ecosystem Action Program (ATSEA), Mr Subhat Nurhokin and officially opened the meeting on behalf of Indonesia.
4. Mr Tambunan expressed appreciation to member countries for their time, commitment and cooperation on making this sub-regional group alive, productive and consistent in promoting responsible fishing practices including combating IUU fishing. Key issues identified within the Arafura and Timor Seas region need the Group's attention and commitment collaboratively and intensively, for better fisheries management and sustainable food security within the region.
5. Ms Cindy Bravos as Co-Chair, emphasised the importance of the Group meeting annually to monitor its progress on agreed action plans. She also welcomed Mr Subhat Nurhokin from ATSEA and new delegates from Indonesia's Licensing and VMS sections and stressed the importance of having MCS practitioners at the meeting to provide their expertise and observations of day to day at-sea operations within their region.
6. The meeting discussed the agenda and made minor alterations to the agenda. The agenda was then adopted and appears as **Annex 2**.

II. CURRENT SITUATION IN THE REGION

AUSTRALIA

7. Ms Cindy Bravos delivered a presentation detailing the current situation in Australian waters with Mr John Jones providing details of the issues in the Torres Strait. Their presentation appears in **Annex 3**.

Key issues from Australia include:-

- Vietnamese vessels fishing for giant clam, trepang and turtle in Australia and Indonesian waters;
- PNG banana boats taking BDM from Australian waters and on-selling product to Indonesia buyers;
- Incursions of Indonesian fishing vessels into Australia waters, from Kupang, Benoa and Maginti;
- Large scale operations north of the Australian Fishing Zone in Indonesian, Timor Leste and PNG waters.

INDONESIA

8. Mr Ardiansyah Hasyim delivered a presentation updating the Group on some of Indonesia's current developments in surveillance and law enforcement. His presentation appears in **Annex 4**

Key issues

- Foreign flagged vessels operating in Indonesian waters (including transshipment);
- Indication of fishing vessels conducting transshipment along the Indonesia-PNG border;
- Deliberate VMS deactivation of Indonesian vessels or technical failure;
- Vessels evasion of patrol vessels into other countries waters.

PAPUA NEW GUINEA

9. Ms Donna Asi delivered a presentation outlining the current situation in Papua New Guinean waters. Her presentation appears in **Annex 5**

Key issues

- Illegal poaching of inshore marine resources in areas of Vanimu and Daru
- BDM taken in both local (PNG) and Australian waters being moved through PNG to Indonesia (Merauke);
- Non-installation of VMS on some vessels operating in the dog leg area, 80% of vessels fitted with VMS;
- In areas to the north of PNG, trading at sea occurring, ie, swapping (fish) product for electronic items;
- Verification of fishing vessels sighted during aerial surveillance;

TIMOR-LESTE

10. Mr Pedro Rodrigues delivered a presentation outlining the current situation in Timor-Leste waters. His presentation appears in **Annex 6**

Key issues:

- Large scale fishing and transshipment vessels operating in southern Timor Leste waters, including waters close to Timor Leste coastline;
- Illegal fishing operators deliberately interfering with legal fishing operators (eg. cutting of lines);
- Using Timor Leste as licensing authority for fishing on the High Seas;

- Timor Leste fishers fishing in Indonesian waters (cultural issue).

III. ATSEA PRESENTATION

11. Mr Subhat Nurhakim, Indonesian National Coordinator for ATSEA delivered a presentation on the function and objectives of ATSEA and how it intertwines with the work of the MCS Sub-Regional (Arafura and Timor Seas) Group and the RPOA-IUU. His presentation appears in **Annex 7**

IV. REVIEW OF PREVIOUS MEETING RELATED TO THE MCS SUB-REGIONAL (ARAFURA AND TIMOR SEAS) GROUP

12. A summary of the outcomes and the Action Plan for 2013 resulting from the 3rd MCS Sub-Regional (Arafura and Timor Seas) Group meeting, held in Port Moresby, Papua New Guinea was presented by Ms Cindy Bravos and endorsed by the Group and is included at **Annex 8**

V. RECOMMENDATIONS AND FORWARD WORKING PLAN

17. The meeting had extensive discussions in relation to possible actions for the reduction of IUU activity in the sub-region. As a result of discussions, action agreed to be taken by the Group are detailed in the 'Key IUU Issues and Action' document as it appears at **Annex 9**.
18. It was evident from discussions that issues identified at the 2nd & 3rd MCS Sub-Regional (Arafura and Timor Seas) Group meetings were continuing to occur in the Arafura and Timor Seas.
19. These key issues are -
 - Unlicensed fishing vessels operating in member countries' waters
 - Unauthorised mothership activity including transhipment
 - Duplicate licenses (multiple vessels using one licence and duplicate vessel markings)
 - Double flagged vessels
 - Non-compliant VMS
 - Utilisation of member countries waters to avoid enforcement activities

VII. COORDINATION OF THE MCS SUB-REGIONAL (ARAFURA AND TIMOR SEAS) GROUP

20. Australia kindly agreed to host the 5th MCS Sub-Regional meeting with dates and location to be advised. The Group agreed for Australia to continue as the Sub-Group's Secretariat.
22. The outcomes of this meeting will be reported to the RPOA members through the RPOA-IUU Secretariat. Activities undertaken throughout 2014 will also be reported to the Coordination Committee at the next RPOA Coordination Committee meeting.

VIII. CLOSING OF THE MEETING

23. Mr Benny P Tambunan as Co-Chair expressed his appreciation to all participants for their active participation and contribution, which enabled the meeting to come up with viable outcomes and recommendations.
24. Australia on behalf of all member countries thanked Indonesia for hosting the meeting and the hospitality provided during the meeting.
25. Mr Benny P Tambunan as Co-Chair declared that the meeting had come to an end.

Annex 1 - List of participants

Annex 2 - Agenda

Annex 3 – Australia: Presentation

Annex 4 – Indonesia: Presentation

Annex 5 - Papua New Guinea: Presentation

Annex 6 - Timor Leste: Presentation

Annex 7 – ATSEA Presentation

Annex 8 – Review of 2013 Key IUU Issues and Action Plan

Annex 9 – 2014 Key IUU Issues and Action Plan

MCS Sub-Regional (Arafura and Timor Seas) Group

2014 KEY IUU ISSUES AND ACTION PLAN

Developed at the 4th MCS Sub-Regional Workshop held in Bali, Indonesia 30 April – 1 May 2014

KEY IUU ISSUES	DISCUSSION	ACTION / WORKPLAN
<p>1. Vietnamese flagged vessels operating illegally in both Indonesian and Australian waters targeting giant clam, trepang, turtles and rock lobster</p>	<p>Indonesia would welcome further information regarding the activity of these vessels in Indonesian waters</p> <p>Australia is in the process of making representations to Vietnam about Vietnamese vessels operating in Australian waters</p>	<p>1.1 Australia to provide Indonesia with further information regarding routing and fishing activity occurring in Indonesian waters</p> <p>1.2 Indonesia to assess this information with a view to taking further enforcement action if possible against the master and crew of vessels identified operating in Indonesian waters</p> <p>1.3 Consideration also to be given by Indonesia to making representations to Vietnam regarding the activity of these vessels in Indonesian waters</p> <p>1.4 Australia to provide information on routing and fishing activity to Indonesia on any future apprehended vessels</p> <p>1.5 Indonesia to assess this information with a view to taking further enforcement action if possible against the master and crew of vessels identified operating in Indonesian waters</p> <p>1.6 Indonesia to assess information provided by Australia with a view to undertaking enforcement activity in areas where illegal fishing is identified as having occurred</p>

<p>2. PNG flagged banana boats operating illegally in Australian waters targeting trepang (BDM), returning to PNG and selling product to Indonesian buyers. Product then moved to Merauke by boat, containerised and then exported</p>	<p>Market driven activity. Need to identify the buyers and supply chain.</p> <p>Opportunities to address this issue through at sea joint patrol activity as well as addressing at points along the supply chain.</p> <p>Significant activity levels each month during spring tides.</p> <p>Limited information currently available to identify buyers and exporters of product</p> <p>PNG have previously apprehended both PNG and Indonesian nationals involved in the illegal taking and purchasing of trepang (BDM)</p>	<p>2.1 PNG and Australia to explore possibility of joint patrol activity involving both Australian and PNG surface platforms and Australian surveillance aircraft over a 7 day period during spring tides, every two months</p> <p>2.2 PNG, Indonesia and Australia to nominate one officer from each country by the end of May 2014 to form a working group to collate and analyse current information holdings with a view to formulating an action plan in relation to targeting activities at the export points in both PNG and Indonesia</p>
<p>3. Incursions of Indonesian flagged vessels into Australia waters from Kupang, Benoa and Maginti</p>	<p>This is a continuing issue that is being addressed through the bilateral relationship between Australia and Indonesia which includes measures such as the public information campaign, coordinated patrol activity and on and off water education of fishers</p>	<p>3.1 Nil further action to be taken by the sub-regional group at this stage</p>
<p>4. Large scale illegal fishing operations continuing in area of and Indonesian waters surrounding and including the PNG 'Dog Leg'.</p>	<p>Coordinated sub-regional operational activity is an effective tool to identify and take action against IUU fishing</p> <p>Air surveillance undertaken by Australia as part of its border protection activities can provide opportunities for IUU activity to be</p>	<p>4.1 Possible illegal activity identified by Australia through air surveillance to be referred to the country in whose waters the activity is undertaken</p> <p>4.2 Country to confirm whether vessel is licensed</p> <p>4.3 If vessel not licensed, Australia to compile a referral pack</p>

	<p>identified in all member countries waters</p> <p>Flag state and port state obligations can be used to assist in addressing any illegal activity identified</p> <p>Non-installation of VMS on all vessels operating in the dog leg area. PNG currently working towards having 100 per cent coverage</p>	<p>for use by the member country to take action and/or refer the matter to the flag state requesting that they take flag state responsibility</p> <p>4.4 Member country to advise Secretariat of action taken</p> <p>4.5 Indonesia to nominate 5 x focal points (including an officer from Licensing) as the contact points for sharing of information pertaining to the above</p> <p>4.6 PNG to provide licensing officer contact for obtaining of licensing information</p>
5. Foreign flagged vessels operating illegally in Indonesian waters (including transshipment)	Links into key issue number 4	5.1 Action to be taken as per Action Items 4.1 - 4.6
6. Indication of illegal transshipment at the Indonesian-PNG border	<p>Possible illegal transshipment activity is being identified by the Indonesian VMS unit. This activity is predominantly occurring in the same area.</p> <p>PNG have identified an incident involving illegal transshipment activity involving Indonesian flagged vessel KM Bahari Timur 135 in PNG waters</p> <p>Deactivation of VMS by licensed Indonesian vessels (eg KM Bahari 02) has been detected and need to anticipate that possible deactivation can be done by other vessels</p>	<p>6.1 Indonesia to provide information to Australia through the analysis of VMS information pertaining to target areas thought to be where transshipment activity is occurring</p> <p>6.2 Australia to assess possibility of air surveillance being undertaken in this area</p> <p>6.3 If air surveillance undertaken, PNG to provide information on location of licensed motherships operating in the area</p> <p>6.4 PNG to provide information about KM Bahari Timur 135 to Indonesia for Indonesia to assess what action they can take against the vessel</p>

<p>7. Vessels utilising other member countries' waters to evade patrol vessels</p>	<p>Ongoing issue that is difficult to address unless coordinated patrol activity is underway</p>	<p>7.1 Indonesia to provide Australia with information as to where this has occurred</p> <p>7.2 Australia to utilise that information for targeting purposes for possible air surveillance</p>
<p>Continuation of 2013 Action Plan</p>		
<p>8. Significant IUU activity identified during air surveillance undertaken under the 2012 Action Plan in relation to PNG, Indonesian and Australian waters surrounding and including the area known as the PNG 'Dog Leg'</p>	<p>b) PNG to explore submitting an application to have the WCPFC registered mothership Chang Shun (flagged to Taiwan) placed on the WCPFC IUU List</p> <p>c) Representations to be made to Thailand regarding all Thai flagged vessels identified during the operational activity as operating illegally</p> <p>e) Indonesia to be provided with evidentiary materials (air surveillance evidence from Australia and licence status from PNG) in relation to Indonesian flagged vessels undertaking illegal activity in PNG waters. Indonesia to take necessary flag state responsibility under its national legislation in relation to those Indonesian flagged vessels. (Upon further consideration</p>	<p>8.1 PNG advise verification process still underway and will be completed by May 2014 (NB - Chang Shun licensed by PNG following 2013 action plan agreement)</p> <p>8.2 Indonesia has sent correspondence to the Indonesian Ambassador in Thailand requesting that Thailand investigate and apply appropriate sanctions under Thai law. Correspondence sent on 11 March 2014. Indonesia awaiting response from Thailand</p> <p>8.3 Secretariat provided copy of correspondence utilised by Indonesia and evidentiary material to PNG on 24 April 2014. PNG currently reviewing that correspondence and evidentiary material with a view to taking similar action. PNG to advise Secretariat once a decision is made.</p> <p>8.4 Upon completion of PNG's assessment process which is currently underway regarding these vessels, PNG to either take action directly against these vessels or refer the vessels to Indonesia to take flag state responsibility. PNG to advise Secretariat on action taken.</p>

at the 2014 meeting, the referral of Indonesian vessels operating in PNG to Indonesia should be undertaken by PNG)

f) Indonesia to be provided with evidentiary materials (air surveillance evidence from Australia). Indonesia to take flag state responsibility under its national legislation in relation to Indonesian flagged vessels identified as operating illegally within Indonesian waters during the operational activity

g) PNG to be provided with evidentiary materials (air surveillance evidence from Australia). PNG to take flag state responsibility under its national legislation in relation to PNG flagged vessels identified as operating illegally in PNG waters during the operational activity

h) PNG to explore additional monitoring tools for all licensed vessels operating in the 'dog leg' area

j) Utilising data from the 2012 activity, Indonesia, PNG and Australia to explore the possibility of a joint operation in the area utilising air surveillance and patrol vessels from each country. Australia to analyse the data and suggest optimal operational timings

8.5 Indonesia has issued a warning letter to KM Bahari 02 on 6 May 2013. Indonesia to advise of action taken against remaining Indonesian flagged vessels referred (Australia to again provide Indonesian vessel names of matters already referred)

8.6 PNG verification of information has occurred and is now being considered as to what further action can be taken. PNG to provide advice to the Secretariat once decision is made

8.7 Op Tamelya conducted in May 2013 with 3 breaches identified. PNG to advise Secretariat of action taken by May 2014

8.8 Australia has identified optimal dates and will provide to members by end of May 2014

8.9 Australia to prepare a draft Operational Order for consideration by PNG and Indonesia by end of June 2014

8.10 PNG and Indonesia to provide comment by end of August 2014

<p>10. Unlicensed fishing vessels operating in southern Timor Leste waters</p>	<p>The Group to review and assess targeted activity results and identify actions that can be taken</p> <p>Australia provided details of all vessels sighted during Project Dragon Net. Licensing and VMS data provided by Indonesia on 28 April 2014 in relation to 3 vessels sighted and identified</p> <p>Australia has prepared draft report as information received just prior to Bali meeting. Final report not yet finalised</p> <p>Illegal fishing operators deliberately interfering with legal fishing operators (eg. cutting of lines)</p>	<p>10.1 Australia to analyse information and finalise report by end of June 2014</p> <p>10.2 Timor Leste and Indonesia to explore the possibility of patrol activity occurring utilising an Indonesian patrol vessel with Timor Leste fisheries officers on board to undertake a one to two week patrol in Timor Leste waters</p> <p>10.3 Timor Leste, subject to available funding, will provide fuel for the patrol, nil cost for visa processing and free dockage</p> <p>10.4 Indonesia to provide costings of fuel to Timor Leste by the end of May 2014</p> <p>10.5 Timor Leste to provide formal request to Indonesia</p> <p>10.6 Indonesia to consult with the relevant agencies in Indonesia on implementing the patrol and advise Timor Leste as to the necessary process to enable the patrol to occur</p> <p>10.7 Australia to provide a fisheries officer to participate in the patrol</p>
--	--	--