SUMMARY REPORT OF THE 10TH MEETING OF THE MCS SUB REGIONAL (TIMOR & ARAFURA SEAS) GROUP VIRTUAL – VIA MICROSOFT TEAMS

7 OCTOBER 2020

I. INTRODUCTION

1. Due to the current global COVID-19 pandemic, the 10th Monitoring, Control, and Surveillance (MCS) Sub-Regional (Arafura and Timor Seas) Group meeting was convened virtually, via Microsoft Teams, facilitated by Australia on 7 October 2020. This was in follow up to the 9th MCS Sub-Regional (Arafura and Timor Seas) Group meeting held in Cairns, Australia in April, 2019.

2. The meeting was attended by delegates from all of the four member countries: Australia, Indonesia, Papua New Guinea (PNG) and Timor-Leste. The list of participants appears as **Annex 1**.

3. Mr. Brendan Rayner, Manager of International Compliance Operations, Australian Fisheries Management Authority, as Chair of the meeting welcomed the delegates, and thanked everyone for embracing the current need for a virtual meeting during the Covid-19 environment. Mr Rayner expressed AFMA's condolences to Indonesia on the passing of former Sub-Regional delegate Mr. Adi Wicaksono. The Chair acknowledged the challenges that COVID-19 is presenting, including limited capacity for training and patrols, though emphasised the importance of continued collaboration and information sharing.

4. The meeting discussed and agreed to adopt the agenda. The agenda appears as **Annex 2**.

II. CURRENT SITUATION IN THE REGION

AUSTRALIA

5. Mr Rayner delivered a presentation updating the Group on current activities occurring in Australia waters. The presentation appears as **Annex 3**.

Key issues from Australia include:

- Continued incursions by Indonesian fishing vessels into Australian waters
- Positive information sharing practices with all Sub-Regional Partners
- An overview of Abandoned, Lost or Discarded Fishing Gear in Australia's northern waters
- Strong cooperation between Australia and PNG in the management of a PNG Banana boats fishing illegally in Australia
- The Dogleg area has a significant increased illegal fishing activity in the area
- Ongoing coordinated patrols between Australian and Indonesian authorities
- Regional Cooperation through the NTS

TIMOR-LESTE

6. Mr Pedro Rodrigues delivered a presentation updating the Group on current activities occurring in Timor-Leste waters. The presentation appears as **Annex 4.**

Key issues from Timor-Leste include:

- Timor-Leste has revised the National Fish Strategic Plan which includes updated Fisheries Legislation. It was noted that there has been some issues with translation.
- Pilot project of the Pelagic Data System (PDS) devices continues
    - 434 installed and another 151 to be installed on small scale fishing canoes. This has been embraced by fishers, though there has been some belief that it is a Search and Rescue (SAR) application, which is not their primary function.
- Public Information Campaign (PIC) delivered on new Fisheries Legislation to local fishers in Bikeli, Atauro Island.
    - Small scale fishers from both Indonesia and Timor-Leste continue to operate in both jurisdictions. This is due to family linkages between the islands
    - Timor-Leste are looking at conducting a patrol, utilising Arafura and Timor Seas (ATSEA) funding to address this issue
- Continuing to utilise Global Fishing Watch data for Indonesian vessels in Timor-Leste waters
- They identified the IUU fishing actions within the different municipalities ,these include:
    - Turtle
    - Destructive methods like poison (though still consumable for humans)
    - Hookah (illegal) - Indonesia
    - Coral exploitation
- Jako Islands - 14 fishers including Vietnamese fishers were stranded there after what is believed to have been undertaking illegal fishing using blast fishing methods
    - The fishers, and their hookah gear, were detained by the Navy and Police
    - This activity demonstrating good interagency collaboration between the Navy, Police
- Looking to undertake more Joint operations
- Establishing a National Maritime Security Authority
    - This is being developed by the Defence force and the concept will be presented to the Timorese President shortly.

PAPUA NEW GUINEA

7. Ms Martina Ragagalo delivered a presentation outlining the current situation in PNG waters. The presentation appears as **Annex 5.**

Key issues from PNG (PNG) include:

- COVID-19 impacting operations and enforcement activity
- Good and effective information sharing continued

- Education and awareness around respecting maritime boundaries has been delivered to 12 maritime provinces
- MCS effort in the Arafura Sea and Torres Strait Protected Zone (TSPZ) has continued. This has been achieved through:
    - Licensing
    - Two surface patrol operations and two aerial surveillance operations
- IUU activity in the Dogleg area
    - Sighted nine Indonesian fishing vessels in Dogleg area in a single day of surveillance
    - This activity was supported by the Pacific Islands Forum Fisheries Agency (FFA) and Australia
- Monitoring and enforcement has remained possible through:
    - Continued information exchange with Australia
    - Cooperation with Police and Navy and provincial fisheries
    - Support from Provincial administrations - Fisheries
- Finalising Memorandum of Understanding (MOU) with Indonesia's Ministry for Marine Affairs and Fisheries (KKP) to enable a structured working relationship on fisheries matters
- PNG continue efforts to ratify the NTSA
- Seeking Indonesia to provide investigation outcomes of the identified incursions by PNG and Australia in the Dogleg area.

INDONESIA

8. Mr Didik Suwarsono delivered a presentation updating the Group on current activities occurring in Indonesian waters. The presentation appears as **Annex 6**.

Key issues from Indonesia include:

- Completed National legalisation review and ratification of international instruments to fisheries Management
- Strengthen flag and port State controls
    - Ratification of PSMA
        - 4 designated ports – Padang, Jakarta, Bitung and Benoa
        - Trained 83 Enforcement officers including 11 certified trainers
        - 109 FFVs inspected in 2019/20 - mostly in Benoa
    - Ratified International Labour Organization (ILO) Convention No.188 (Work in Fishing Convention)
    - Regularly monitoring and evaluating of Indonesian fishing vessel, fisheries violations in neighboring countries
    - Implemented administrative sanctions to improve compliance program
        - These provide notifications for fishing vessels above 30GT (i.e. those vessels with VMS installed).
            - 1st notification is a warning to the owner
            - 2nd Notification is provided if the first notification is ignored
            - If a 3rd notification is provided this may result in enforcement actions

        - A total of 70 cases were identified in 2020
    - Law enforcement in IUU fishing
        - Apprehensions of FFVs (Oct 2019 - Oct 2020)
            - 17 Indonesian
            - 27 Vietnam
            - 13 Malaysia
            - 16 Philippines
            - 1 Taiwan
    - Strengthening cooperation to combat IUU fishing
        - Continued collaboration with ATSEA-2 project to prevent, deter and eliminate IUU fishing
    - Delivered Public Information Campaign (PIC) in Wakatobi, South East Sulawesi and PICs will continue
    - Fish Aggregating Devices (FADs)
        - Amendment of Regulations on FADs, requiring:
            - Location of setting FADs
            - Marking of FADs
            - Numbers and restriction of FADs
        - Operation to remove 40 FADs in 2020 - including Operation Gannet (coordinated operation between Australia and Indonesia)
    - Bilateral Cooperation with PNG
        - Joint communication to develop an MOU

General Discussion

There was extensive discussion regarding sighting of Indonesian fishing vessels in PNG, Timor-Leste and Australian waters and efforts undertaken by Indonesia to address this. Indonesia noted that some of the matters are being investigated further, and noted the implementation of their administrative sanction process to manage some this unlawful fishing activity. There were questions around how the notification process works.

Further discussion was had relating to:

- expertise around seaworthiness of fishing vessels and the need to align with ILO Convention No.188
- the need for delegates to exchange up to date contact officers
- efforts to better coordinate assets and improve information sharing in a COVID-19 environment
- determining the legality of fish catch (catch traceability)

III. ATSEA-2 PROJECT

9. Mr Handoko Susanto, as the Project Coordinator, delivered a presentation outlining ATSEA-2 Project (2019-2024). The presentation appears as **Annex 7.**
   Key messages include:
    - This is the second phase under the Global Environmental Finance (GEF) funded and United Nations Development Programme (UNDP) supported program

    - This is funding of US$9.5M to enhance biodiversity protection and improve the quality of life through conservation and sustainable management of marine-coastal ecosystems in the ATSEA region
- Participating countries are Indonesia, Timor-Leste, PNG and supported by Australia
- Expected achievements:
    - Address 5 priority transboundary environmental problems
        - Unsustainable fisheries
        - Habitat loss and degradation
        - Marine and land based pollution
        - Species decline and loss
        - Climate change
- Support for the implementation of the Regional Plan of Action (RPOA) actions
- Conducting MCS training in collaboration with Sub-Regional Group
- Indonesia
    - Conduct a study of estimated IUU fishing (quantitative in tonnes) in Fisheries Management Act (FMA) 718
    - Conduct assessment of IUU fishing (mostly unreported catch)
- Timor-Leste
    - Facilitate the implementation of the National Plan of Action (NPOA) of IUU fishing and conduct study on estimated level of IUU
    - Conduct training to promote capacity building on surveillance by sponsoring fisheries training
- PNG
    - Working with the Treaty Villages Council, Ward Development Committees, the Western Province Fisheries Officer and National Fisheries Authority (NFA) to strengthen capacity building in MCS.

10. Mr Arie Afriansyah, as the Project Consultant, delivered a presentation outlining ATSEA-2 Project (2019-2024). The presentation appears as **Annex 8**.
    Key messages include:
    - ATSEA considered one of the world's most over-exploited region
    - Research output
        - Strengthen the RPOA MCS system
        - Regional capacity building program
    - Establish baseline estimates of IUU fishing
        - This has been submitted though data is very difficult to get
        - Problems have arisen and the formula needs to be revised
    - Review national policies and regulations regarding IUU (ongoing)
    - Supporting efforts in developing tools to complete the global record initiative
    - Compiling and reviewing community-based surveillance best practices and lessons learned

IV. ACTION ITEMS

11. **Action Item 1:** Australia to distribute lessons learnt document for PICs based on learnings from the Vietnamese PIC to members.

    Action Item 2: Indonesia to provide Sub-Regional Group members the list of documentation required to be carried by Indonesian fishing vessels that are both above 10GT and below 10GT.

V. 2019 ACTION PLAN REVIEW AND UPDATE

12. The Group reviewed and updated the 2019 Action Plan resulting from the 9th RPOA MCS Sub-Regional (Arafura and Timor Seas) Group meeting, held in Cairns, Australia, to reflect what was done in the past year this appears as **Annex 9.**

VI. DEVELOPMENT OF 2020 KEY ISSUES AND ACTION PLAN

13. Due to the virtual meeting the development of the 2020 Key Issues and Action Plan was agreed to be developed out of session and circulated to the Sub-Regional Group members for input and final approval.

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

14. PNG, Indonesia and Timor-Leste requested that Australia continue in the role as the RPOA MCS Sub-Regional (Arafura and Timor Seas) Group Secretariat. Australia has agreed to hold the position for another year.

15. The next meeting will be on a date close to April 2021. The Secretariat to provide a date to the group.

16. The meeting report is to be provided out of session.

VIII. CLOSING OF THE MEETING

17. Mr Rayner as Chair thanked all participants for their active contribution and continued support during this challenging time. Mr Rayner as Chair wished everyone well and hope they remained safe and declared the meeting closed.

Annex 1 – List of Participants
Annex 2 – Agenda
Annex 3 – Australia Presentation
Annex 4 – Timor-Leste Presentation
Annex 5 – Papua New Guinea Presentation
Annex 6 – Indonesia Presentation
Annex 7 – ATSEA-2 Project Handoko Susanto’s Presentation
Annex 8 – ATSEA-2 Project Arie Afriansyah’s Presentation
Annex 9 – 2019 IUU Issues and Action Plan