

Protecting our fishermen beyond borders

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Eighteen fishermen were arrested by Timor Leste's navy on Jan. 19. The news was also later confirmed by the Indonesian Embassy in Dili, which closely monitored the incident.

Interestingly, it was confirmed that the fishermen were selling fish to one of their middlemen in Timor Leste. This is nothing new because it is a tradition that is beneficial to both sides. So, why were they arrested?

When I read the news for the first time, I thought it had something to do with crossing a maritime boundary. This is usually a common reason for arresting someone, but in the case of Indonesia-Timor Leste, the story can take on another dimension. Apparently, crossing the border was not the reason behind the arrests. In addition, it was confirmed that the fishermen had the necessary documents to trade with the middlemen in Timor Leste, so they were not doing anything illegal.

It turns out that the reason they were arrested was because they were caught in possession of compressors and other equipment that, according to Timor Leste law, may not be used to fish in its waters.

After the case was investigated, it was discovered that the fishermen had not carried out any illegal activities using prohibited equipment. At the time of writing, they had been freed but they had to leave the compressors with the authorities to ensure that they would not use them again to fish in Timor Leste's waters.

The case is closed now. However, it is worth noting that there are lessons to be learned from it.

We have to understand that no maritime boundaries have been agreed upon by Indonesia and Timor Leste.

Despite the fact that negotiations of boundaries both on land and at sea between the two countries had started in the early 2000s, no agreement has been reached. One of the reasons is because the two countries have yet to finalize their land boundary in two locations on Timor Island.

The absence of maritime boundaries is the reason why one cannot judge whether or not a fishing vessel has in fact crossed a border. How can one cross something that does not exist?

Maritime boundaries, as one can logically guess, are a continuation or prolongation of land boundaries seaward. Hence, the terminal points of land boundaries will serve as the starting point of maritime boundaries.

Since land boundaries have yet to be finalized, there is no valid reason to introduce maritime boundaries.

Now the question is whether or not establishing a maritime boundary would help Indonesia and Timor Leste deal with fishing issues. The answer is undoubtedly yes. Well-settled maritime boundaries will help law enforcement officials in the field to do their jobs better.

First, maritime boundaries clearly define which maritime areas belong to which country. Second, from its spatial position, it is a lot easier to tell whether or not one vessel is fishing beyond its national border.

Hence, settling maritime boundaries should become a top priority between Indonesia and Timor Leste if they want to better manage fishing activities close to each other's borders.

It is important to note that resource management in border areas is a matter of agreement. The fact that Indonesia's fishermen are allowed to enter Timor Leste's waters to sell their catch is a matter of agreement between the two countries.

It is important to note, however, that "direct sales" from Indonesian fishermen to parties or agents in Timor Leste might make fishing data that is recorded in Indonesia inaccurate. This might eventually lead to bad policies because it is not based on accurate data. One might even now ask whether or not Indonesia and Timor Leste have signed any agreement allowing this "direct sale".

Fishing incidents around borders, at the end of the day, are a diplomatic matter. Swift and smart responses from respective embassies, consulate generals or any representative of both countries are essential. What the Indonesian Embassy in Dili has demonstrated in response to the case involving the fishermen is a good example of diplomacy for the people. It was done to protect them beyond borders.

However, the best way to protect fishermen is to educate them about maritime boundary issues and how to comply with rules and regulations agreed upon by Indonesia and its neighbors.

The best protection is empowerment so that they can protect themselves.

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