



Darwin Initiative Main Project Half Year Report (due 31 October 2015)

Project Ref No	22-008
Project Title	Diversifying Indonesian fisheries to protect elasmobranchs and alleviate poverty
Country(ies)	Indonesia
Lead Organisation	Wildlife Conservation Society – Indonesia Program
Collaborator(s)	Ministry of Marine Affairs and Fisheries (MMAF), Indonesian National Police – Criminal Investigation Division, Panglima Laot Aceh, KuALA Network, Imperial College London.
Project Leader	Dr Tom Clements
Report date and number (e.g., HYR3)	HYR1 - September 30 th 2015
Project website/Twitter/Blog/Instagram etc	programs.wcs.org/Indonesia
Funder (DFID/Defra)	DFID

1. Outline progress over the last 6 months (April – Sept) against the agreed baseline timetable for the project (if your project has started less than 6 months ago, please report on the period since start up to end September).

Note: In parallel, under DEFRA-IWT Project 016, WCS is supporting the Ministry of Environment and Forestry (MoEF, the CITES Management Authority) with efforts to reform the legal and policy framework for terrestrial species and to combat illegal trade for terrestrial species. Achievements for marine species (under MMAF) are reported in this report, and achievements for terrestrial species (under MoEF) are reported in the IWT half-year report.

Output 1: Regulations for CITES-listed sharks and mantas have been developed or revised to ensure enhanced legal protection for at least four species

1.1 Assessment of existing government regulations and development of a strategy to strengthen regulations for CITES-listed sharks and rays.

In the first six months, WCS focused on reviewing laws and regulations relevant to protected-listed species in Indonesia, including sharks and rays, such as Conservation Law Act No. 5/1990, Government Regulation (PP) No. 7/1999, Marine and Fisheries laws and regulations, and other related regulations from different sectors. A key obstacle to management of trade in marine species in Indonesia is that the Ministry of Environment and Forestry (MoEF) is the CITES Management Authority, but MoEF only has jurisdiction over terrestrial species, with MMAF responsible for marine species. With co-finance support from USAID, WCS prepared a comprehensive overview of species laws and implementing regulations in Indonesia, including CITES, analyses of existing loopholes or inconsistencies in rules and practices, and gaps in enforcement (*Wildlife Trade, Wildlife Crime and Species Protection in Indonesia: Policy and Legal Context*¹). From April to May 2015, the report has been distributed to all government

¹ Available from USAID at:

<https://dec.usaid.gov/dec/content/Detail.aspx?q=KERVY3VtZW50cy5Eb2N1bWVudF9UaXRzZTood2lsZGxpZmUpKs>

agencies who partner with WCS in combating wildlife trade, crime and protection. Key recommendations relevant to marine species include:

- 1) The protected species list (PP No.7/1999) should be urgently updated in line with CITES through a ministerial decree, with additional attention paid to mechanisms which enable automatic legal updates in the future to reflect CITES revisions. This will both increase the number of sharks and rays listed for protection and guarantee legal protection in perpetuity.
- 2) MMAF should be given responsibility for marine species under CITES through the formation of a new marine CITES Management Authority, alongside MoEF's terrestrial responsibilities. This would require modifications to the existing CITES implementation regulations in order to remain compliant.

Activity 1.2 Hold meetings to align MMAF's, MoEF's, and LIPI (Scientific Authority) policies on the protection of marine species and implementation of CITES for marine species.

Building on the recommendations from Activity 1.1, WCS heavily supported MMAF and MoEF to explore revisions to the legal framework for species protection to close loopholes and reduce enforcement gaps. Activities focused on three key areas: (1) providing technical advice and supporting MoEF to urgently revise the GR No. 7/1999 protected species list (see Activity 1.5); (2) providing revisions to Conservation Law Act No.5/1990, the overarching environmental protection law; and (3) helping to develop National Plan of Action (NPOA) for sharks and rays (see Activity 1.4).

WCS worked with and resourced the CSO coalition POJKA Kebijakan (the Conservation Policy Working Group) to lead technical discussions on the review of Conservation Law Act No. 5/1990, as well as directly facilitating discussions with MMAF, MoEF and LIPI. From March to September 2015, in collaboration with POKJA, WCS supported and participated in a series of 10 meetings and one high level working group meeting which has resulted in Act No. 5/1990 being prepared revised for presentation to parliament. The new revision will incorporate the existing CITES list for sharks and rays which will increase the number of shark and ray species under protection in Indonesia and provide a legal basis for automatic updates to the protection list, following changes to CITES as they occur.

Activity 1.3 Hold meetings to strengthen policies and establish the protection status of CITES-listed Indonesian sharks and rays.

WCS also actively participated and facilitated the development of the National Plan of Action (NPOA) for Sharks and Rays through a series of meetings and workshops in late 2014 with finalization of the draft occurring in February 2015. The first consultation on the final draft of the NPOA for Shark and Rays (2015-2019) was conducted on April 10, 2015, where inputs on the draft from a range of government and NGO stakeholders were gathered. The revised NPOA draft was submitted to the Legal Bureau of MMAF in June 2015 for endorsement from Minister of Marine Affairs and Fisheries, but to date this has not been endorsed. WCS also contributed to the development of the NPOA for Manta Rays (2016-2020). A series of meetings was conducted in August 2015, and the draft NPOA was finalized on September 15, 2015.

Activity 1.4 Facilitate the development of species regulations and policies by MMAF, which identify management actions or changes to trade regulations (e.g. size restrictions).

Activities 1.1 and 1.2 have helped prepare the policy and regulatory framework for the two NPOAs to be implemented and development of specific management actions or changes to trade regulations over the next five years and the management objectives required for Indonesia to comply with its CITES obligations. The government is likely to endorse the NPOA

for Sharks and Rays once a change or extension is made with PP No. 59/2014, a government regulation banning exports of CITES-listed shark products, and to be modified or a new regulation developed in late 2015.

Activity 1.5 Facilitate changes in the protection status of CITES-listed species, through changes to the national protected species list (PP.7/1999), Ministerial Decrees, or changes to regulations under the fisheries law.

WCS ensured the findings from Activity 1.1 were well communicated to national policy makers, Government of Indonesia (GoI) agencies and Civil Society Organisation (CSO) partners. A series of meetings, focus group discussions, and workshops were held to communicate the recommendations. This resulted in a process to update the national protected species list (PP.7/1999). WCS continues to lead the process and provide technical support for the revision of this regulation, which will update and separate terrestrial and aquatic species for ministerial decree by MoEF and MMAF respectively. Species of sharks and rays will be included in the updated list, and LIPI and MoEF are now planning to issue the updated list soon after a public consultation meeting in November 2015.

Output 2: Local government officials, traders and fishers have sufficient awareness and training in the new regulations and the applied management actions required to adequately manage shark and manta fisheries.

Activity 2.1 Create awareness-raising materials and distribute regulations on CITES-listed shark and ray species in landing areas for sharks and rays. Identify key persons including traditional leaders, village chiefs, and local MMAF officers as frontline leaders to disseminate the materials to fishers, fisheries middlemen, and exporters.

WCS has organized trainings for Indonesian management and law enforcement agencies (i.e. MMAF, Indonesian National Police, Customs) and the Financial Transactions Analysis and Reporting Center, Indonesia's anti-money laundering agency, to build their knowledge and capacity regarding issues and laws concerning CITES-listed shark and ray species, that can be used effectively for prosecution of selling or trafficking of these species, the identification of species and their parts. Awareness-raising with village leaders and local MMAF officers has so far occurred through dissemination of information of the issues and laws through meetings at field sites by WCU staff.

Activity 2.2 Initiate regular joint meetings, workshops and training with MMAF local agencies, police, customs agencies to develop and implement regulations on CITES-listed shark and ray species.

To address issues of detection and investigation of the illegal trade in sharks and rays, a key responsibility of MMAF, on August 4, 2015, we assisted MMAF to organize a training session specifically for the Technical Implementation Unit of Aquatic Species and Area Conservation. The training was attended by 50 participants from provinces and districts in Indonesia responsible for investigating illegal trade in marine species. WCS's Wildlife Crimes Unit (WCU) staff shared their knowledge and skills with MMAF investigators on the detection of manta plates and shark products, and in understanding the modus operandi of approaches to combat illegal international trade in CITES-listed species, and illegal domestic trade in protected species.

Activity 2.5 Publish and disseminate law enforcement achievements, to promote the importance of abiding by shark and ray regulations among the wider community, and to create a deterrence effect. Emphasis will be placed on Indonesian websites, newspapers, TV or radio and social media, as well as regional and international press.

All cases that have resulted in the apprehension and prosecution of traders have been communicated in a range of media including websites, newspapers, TV or radio and social media, as well as regional and international press. A total of 95 articles have been produced focusing on enforcement of regulations regarding trade in shark and ray species, the majority in

the Indonesian press.

Output 3: A new “Marine Wildlife Crimes Unit” (marine WCU) has been established and is focusing on high-profile prosecutions of major manta/shark traders.

Activity 3.1 Create informant network to monitor shark and ray trafficking in key areas. Produce an assessment of the current trade networks.

An informant network has been established and has investigated shark and ray landing sites in Java, Aceh, Bali, West and East Nusa Tenggara. Surveillance of domestic and export traders at key trade hubs at Cilacap, Indramayu, Surabaya, Bali, Lombok, and Sidoarjo has resulted in the arrest and prosecution of a number of exporters. The surveillance of existing traders is ongoing and an up to date assessment of the current trade network is currently being finalised.

Activity 3.2 Provide technical assistance and information for law enforcement officers in intelligence, surveillance, apprehension and processing of evidence.

The WCU has targeted the trade in manta rays and other protected marine species through investigations that have uncovered more than 30 major manta traders across Indonesia. The WCU has directly assisted the collection of large amounts of evidence, including up to 1.4 tons of manta bones, up to 500 kilograms of manta plates, whale shark fins, and 2 sawfish snouts. Nine traders were apprehended and arrested between November 2014 and October 2015, four of which were arrested from April to September 2015.

Activity 3.3 Assist the law enforcement officers to complete legal documents for each trafficking case, and maintain strong communications with prosecutors and judges to ensure that all cases are processed and adjudicated promptly and in accordance with law.

All four illegal marine wildlife trafficking cases that occurred during the first six months of this Darwin Initiative project, are currently being processed through the Indonesian legal system. WCU legal and policy advisors are presently providing ongoing assistance to law enforcement officers and agencies in the legal procedures involved in prosecuting these cases.

Activity 3.4 Support MMAF and the Attorney General’s Office to develop a tracking database, to record information on marine species crime cases, action taken by Indonesian law enforcement agencies, and the results (arrests, prosecutions, fines, etc.).

The WCU have initiated the database with all information on marine wildlife crimes being updated on the database.

Output 4: At least 100 manta/shark fishers have transitioned to alternative sustainable fisheries or other livelihood practices, and support structures are in place to help other manta/shark fishers to make the transition.

Activity 4.1 Produce an assessment report on the opportunities for manta/shark fishers to transition to sustainable fishing and other livelihoods.

We have established a team to investigate opportunities for local shark and manta ray fishers to transition to other livelihoods. The team have conducted a series of focus group discussions with fishing communities and village leaders at Tanjung Luar in Lombok, to identify possible livelihood intervention options. A report is currently being produced.

Output 5. The conservation and social outcomes of the project are evaluated.

Activity 5.1 Conduct monthly shark and manta fisheries catch surveys at target sites.

Shark and ray fisheries catch surveys have been ongoing at Tanjung Luar in Lombok on a daily basis each month, during the Darwin Initiative project period.

Activity 5.2 Undertake surveys, analyse and assess changes in shark and ray catch landings, prices and demand in response to changes in stakeholder knowledge and capacity, law enforcement and awareness raising activities

Fisheries landing surveys document shark and ray catch landings, fishing effort, fishing ground locations, fishing operational costs and prices received by fishers for shark and ray parts including fins, meat, livers and gill rakers. Over the past 6 months we have found that shark landings have decreased by about 30% and shark meat prices have increased by about 20%. We are continuing to investigate the main drivers of these changes. Due to the enforcement by fisheries officers of the Indonesian wide ban on manta ray fishing and trading, traders at the Lombok site have ceased to purchase manta rays landed. In response, fishers are now targeting devil rays with the use of spears, although some manta rays are still caught by gill nets, and these are being traded through illegal trade routes under investigation by the WCU.

Activity 5.3 Design socio-economic surveys to examine fisher behaviour, attitudes, social norms around fishing and other livelihoods, and household well-being and occupational status, in partnership with Imperial College.

The WCS team are finalising the design of the first baseline study of fisher households to examine the demographics, wealth, occupational diversity, attitudes/perceptions, behaviour, economic incentives, and support for regulations that may influence fishing behaviour and the capacity of fishers to transition to other livelihoods. A research plan is being developed which will target approximately 350 households in the baseline study. The study will be used to identify households targeted for livelihood interventions and the selection of control households.

2a. Give details of any notable problems or unexpected developments/lessons learnt that the project has encountered over the last 6 months. Explain what impact these could have on the project and whether the changes will affect the budget and timetable of project activities.

Widespread delays in restructuring of MMAF and MoEF after the Presidential Election in October 2014, affected some of the policy-based work. Many meetings and discussions on opportunities for enhancing the legal protection of sharks and rays were often rescheduled and delayed awaiting new government structures and senior-level staff to be appointed. The new draft structure of MoEF was finalized in early July 2015, and for MMAF, restructuring and appointment of high-level senior positions is still being finalized. WCS successfully met these challenges, which have not negatively impacted the project to date.

To achieve policy changes, we have learned that intensive communication with partners is critically important to maintain interest and momentum in tackling barriers to policy change. Formal and informal approaches are also needed. We also realized that the identification and building of collaborations with new key partners were pivotal to investigating and prosecuting wildlife trafficking. For example, working closely with the national Financial Transactions Analysis and Reporting Center allowed financial transactions from trafficking to be linked with money laundering operations and provided evidence for prosecution using criminal law (e.g., Money-laundering Law Act No. 8/2010), as well as fisheries laws.

Awareness, knowledge, and skills of law enforcement officers, prosecutors, and judges needs to be continually improved, especially with more transparent understanding of the value and importance of sharks and mantas for marine ecosystems, and the economic loss incurred to Indonesia from illegal fishing and trading. Corruption among law enforcement agencies also needs to be addressed. Strong monitoring of legal processes is also required to ensure that corruption through bribery or protection does not exist, as this can inhibit cases from being processed by civil investigators and/or reduce the severity of charges recommended by prosecutors. To address this issue, the WCU policy and legal advisor is working with KOMJAK (Policy Commission) at the Attorney General Office to monitor prosecutors' performance

related to wildlife crimes cases. Through monitoring of these legal processes, WCU will be able make timely reports to KOMJAK if evidence of corruption is found.

The impact of the Indonesia wide ban on manta ray fishing and trading appears to be having a positive impact on reducing the trade in manta products, although there are reports of mantas being landed and their parts being traded through illegal supply routes, that avoid main fishing ports. As a result our fisheries catch surveys at the Tanjung Luar port in Lombok detected only 1 manta ray over the past 6 months. To adapt to this situation we are continuing to monitor and track the trade in manta rays through WCU investigations and surveillance at multiple key locations.

2b. Have any of these issues been discussed with LTS International and if so, have changes been made to the original agreement?

No changes are anticipated.

Discussed with LTS: Yes/No

Formal change request submitted: Yes/No

Received confirmation of change acceptance Yes/No

3a. Do you currently expect to have any significant (e.g., more than £5,000) underspend in your budget for this year?

Yes No Estimated underspend: £

3b. If yes, then you need to consider your project budget needs carefully as it is unlikely that any requests to carry forward funds will be approved this year. Please remember that any funds agreed for this financial year are only available to the project in this financial year.

If you anticipate a significant underspend because of justifiable changes within the project and would like to talk to someone about the options available this year, please indicate below when you think you might be in a position to do this and what the reasons might be:

4. Are there any other issues you wish to raise relating to the project or to Darwin's management, monitoring, or financial procedures?

None

If you were asked to provide a response to this year's annual report review with your next half year report, please attach your response to this document.

Please note: Any planned modifications to your project schedule/workplan can be discussed in this report but **should also** be raised with LTS International through a Change Request.

Please send your **completed report by email** to Eilidh Young at Darwin-Projects@ltsi.co.uk. The report should be between 2-3 pages maximum. **Please state your project reference number in the header of your email message e.g., Subject: 20-035 Darwin Half Year Report**