

# STUDY ON COLLECTION AND ANALYZING FISHERIES CONFLICTS CASE IN INDONESIA



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# 1. INTRODUCTION

## 1.1. Background

Fisheries has been known as the important activity throughout the world, produces more than 100 million tones of fish and fishery products and contributes to human welfare by providing a livelihood for about 200 million people, as well as providing protein supply for billion people. However, with the line of declining stocks as well as several evidences related to fisheries, sustainability issue became very important and has been discussed as the central topic in fishery sciences and industries. This condition is mainly encouraged by the unfortunate reality that many fisheries are in a state of crisis, and the some of them considered urgent attention (Cochrane, 2000) In global level, fishing industry is a highly adaptive, market-driven and dynamic internationalized sector within world economy.

Its pressure on resources is still increasing, owing to a persistent worldwide upward trend in fish consumption, in concert with human population growth, especially in coastal zone. Global efforts are increasing and limited the capacity of individual government to control over fishing pressure. This problem was associated with a variety of environmental and ecosystem problems including wastage through discards, loss of critical habitats, impact on endangered species, etc [Cochrane, 2000]. Furthermore, problems of fisheries is then not only dominated by natural uncertainties but also driven by the anthropogenic uncertainties such as conflicts between fishers. From this point, fishery management itself are progressively switching their attention from single species to ecosystem approach, from micro to macro perspectives, increasing the need for measuring the impact of fishing on natural and human systems (Charles, 1998). Consequently, as Cochrane (2000) argued that the problems currently experienced in fisheries management throughout the world occur in four realms, namely biological, ecological, economic and social crises.

In the context of Indonesia, national government has enacted the new national act on fisheries by the Act No. 31/2004. By this act, the national fisheries policy has shifted from fisheries production-oriented policy to fisheries management-oriented policy. In this case, a set of strategic management measures to cope these problems of fisheries described above (biological, ecological, economic and social crises) is therefore needed. One of the important

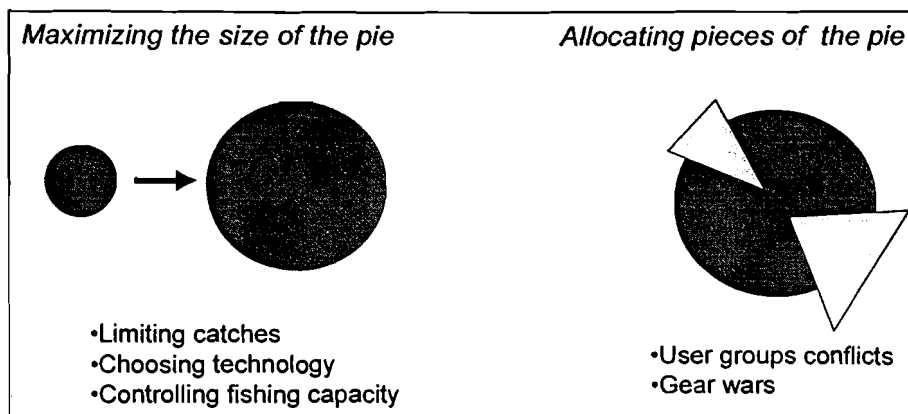


Figure 1. General Understanding of Fisheries Conflicts (after Charles, 2000)

From Figure 1, it can be revealed that at least there are two sights of fisheries conflicts. First, maximizing the size of the pie. This sight deals with the conflicts of limited catches, choosing technological conflicts and fishing capacity conflicts. The conflict is raised from the intention to maximize the fish harvest. Meanwhile, the second sight, allocation pieces of the pie, deals with the user group of conflict and gear wears due to its root of intention to catch fish in a limited resources.

Charles (2000) furthermore distinguished the fisheries conflicts into 4 (four) types i.e. (1) jurisdiction conflicts; (2) management mechanism conflicts; (3) internal allocation conflicts; and external allocation conflicts. Table 1 below describe the types of fisheries conflicts.

Table 1. Fisheries Conflicts Typology

No	Type of Conflict	Decription
1.	Jurisdiction	Conflict related to issues of resources ownership and access to respective resources
2.	Management mechanism	Conflict related to confusion of management measures on resources utilization such as conflicts on fish quota
3.	Internal Allocation	Conflict related to interaction among fishers such as industrial versus traditional fishers, etc
4.	External Allocation	Conflict related to interaction between fishers and other parties such as tourism, mining, mariculture, etc

Source : Charles (2000)

From the conflict reasons point of view, Buckles and Rusnak (1999) in Pameroy and Rivera-Guieb (2006) report that the use of natural resources (including fisheries resources) is susceptible to conflict for a number of reasons. First, fisheries resources are embedded in an environment or interconnected space where actions by one individual or group may generate effects far off-site. Second, natural resource (fisheries resources) are embedded in a shared social space where complex and unequal relations are established among a wide range of social actors including fishers, fish traders, boat owners, government agencies, etc. These actors with greatest access to power are also best able to control and influence natural resources decisions in their favour. Third, fisheries resources are subject to increasing scarcity due to rapid environmental changes, increasing demand, and their unequal distribution. Fourth, fisheries resources are used by people in ways that are defined symbolically. Aquatic resources are not just material resources people compete over, but are also part of a particular way of life, an ethnic identity and a set of gender and age roles.

### **3. SOCIAL CONFLICTS AMONG FISHERS IN INDONESIA (A CASE STUDY IN BALIKPAPAN, EAST KALIMANTAN)**

#### **3.1. Introduction**

Social conflicts among fishers in Indonesia have been taking place since decades ago. In seventies and early eighties, for example, "traditional fishers" often engage in severe and violent conflicts with the modern fishers using trawl (Bailey 1988, Betke, 1988). Often violent conflicts between these two classes of fishers eventually forced the government to take a strong measure by issuing Presidential Decree No. 39 year 1980 which banned the operation of trawl in most of Indonesian waters.

Nowadays, conflicts among fishers often happen in many parts of Indonesia (see Adhuri, 2002; Adhuri dan Wahyono (eds), 2004; Adhuri (ed), 2005; Hidayat, 2006; Kinseng, 2007; Kusnadi, 2002; Shaliza, 2004; Yamin dan Dhe, 2004). It seems that social conflicts among fishers in Indonesia even more often in the future due to the diminishing of the fishery resources. Actually, this phenomenon is in line with the tendency in the world as stated by MacNeill et al who contended that: "Conflict based on climate change, environmental disruption,

and water and other resource scarcities could well become endemic in the world of the future" (MacNeill et al., 1991).

Based on these facts, it is very important to manage social conflicts among fishers in order to avoid destructive conflicts, which eventually will impoverish and even destroy fishers' life. The need to manage conflicts among fishers is even greater because conflicts in fishery may increase not only quantitatively (frequency) but also "qualitatively" (intensity and violence) due to the fishery resource scarcity in the future. This is in line with Homer-Dixon's prediction that *"...in coming decades the world will probably see a steady increase in the incidence of violent conflict that is caused, at least in part, by environmental scarcity"* (Homer-Dixon, 1999).

To be able to manage social conflicts among fishers, it is very important to understand as many aspects as possible of the fishers' conflicts themselves. Without proper understanding about the "nature" of the conflicts, it is very unlikely that we could manage them "properly". In this paper I will describe and analyze fishers' conflict in one place in Indonesia, namely in Balikpapan, East Kalimantan. It is hoped that this information and analysis will enhance our understanding about social conflicts among fishers in Indonesia.

### **3.2. Types of Fishers Conflicts**

First of all, there are two general types of fishers' conflicts; first internal and second external conflicts. Internal conflicts refer to the conflicts that take place among fishers themselves, while external conflicts mean conflicts between fishers and non-fishers such as mining industry, transportation, tourism, developer, government, etc. In this paper I will describe the internal conflicts first, and then the external conflicts.

#### **A. Internal Conflicts**

##### **A.1. Conflict between gill-netters and mini trawlers**

Mini trawl was known by few fishers in Manggar, Balikpapan, started in around late seventies. At that time, several trawlers operated near traditional fishers' fishing ground in Balikpapan waters, especially near Manggar. In around 1978, one trawl ship was captured by traditional fishers in Manggar. The local fishers got a small trawl from that captured trawl ship and then tried to use it in the nearby waters in Manggar. This "trial" was successful, that is, they caught a

lot of shrimps within a short time. From that on, mini trawls were quickly adopted by several fishers in Manggar. However, as mentioned earlier, in 1980 the Suharto's government issued Presidential Decree No. 39 that banned the operation of trawl in most of Indonesian waters, including in Balikpapan.

Because the mini trawl was banned, a new fishing gear, namely "*dogol*" (Danish seine) was introduced by the local Fishery Office in Balikpapan in 1981. However, the appearance and operation of the *dogol* was very similar with the mini trawl, and in fact, for some fishers it was just different name for the same gear. The operation of *dogol* or mini trawl in Balikpapan forged severe and violent conflicts among fishers there around early up to mid-eighties. The conflicts mainly took place between fishers using *dogol*/mini trawl and fishers using gill net. Since mini trawl was banned, official (police personnel) often conducted operations (*razia*) to catch the mini trawlers. Many mini trawls and *dogols* were burnt down at that time.

One of the fishers' leaders who used mini trawl/*dogol* was arrested in around 1983/84, and since then, several other fishers were also arrested. At that time, the most respected and feared fishers' leader, namely Daeng Polo, stepped forward to take the responsibility of the use of mini trawl/*dogol* by fishers in Manggar. He was arrested and detained several days by police but then released. The conflicts lasted up to 1990s. During that time, some fishers using *dogol* started to operate in the night, a strategy to avoid conflict with gill netters and arrested by police. That was how the night operation of *dogol* gears started in Balikpapan, which is still in practice until now. In the 1990s, many fishers using gill net thought that it would be better if they also used *dogol*. Since then, serious conflicts between the two groups basically never happened again.

However, latent conflict between these two fisher groups actually still exists. Conflict potency is especially great during what they call the "South Season" (*Musim Selatan*), where the weather is usually not good. At this season, the *dogol* fishers are operating closer to the beach, which means entering the gill-netters' fishing ground. Fortunately, until now they still can manage their relationship in such a way to avoid conflicts.

#### **A.2. Conflict between *pejala* and *pebagan* (boat lift net fishers)**

*Jala-rumpon*, that is the use of net to catch fish around fish aggregating device (FAD) called *rumpon*, has been known for long time among the Bugisnese

fishers, including in Balikpapan. Until now quite many fishers in Balikpapan using the *jala-rumpon*; these fishers are called *pejala*.

Starting in 1998, a new fishing gear, namely *bagan perahu* (boat lift net), was brought to Balikpapan by a successful fisherman there. The adoption of this new technology is quite slow, and now there are just about 16 or 17 units. The boat lift net is also equipped with lights, which range from 40 to 70 lights, each 400 watt.

Relationship between the *pejala* and *pebagan* has not always been harmony. There is latent conflict between these two groups of fishers. Some times the conflicts are quite open, even though not violent. Conflicts usually take place when the boat lift net fishers operating close to the *rumpon*. According to the *pejala*, if a boat lift net is operated near a *rumpon*, fish would be attracted by the lights from the boat lift net, so it is difficult for the *pejala* to get fish. The *pejala* often complain and express their anger in words if they found or suspicious that a *pebagan* has operated near their *rumpon*. They would threaten to take a strong measure, for example, physical contact or destroy the boat lift net if *pebagan* operating near their *rumpon*. So far, violent conflicts have not taken place because the *pebagan* then would operate quite far from *rumpons*. In October 2006, for example, a violent conflict or physical contact almost burst between the *pejala* and *pebagan*. Fortunately, with the involvement of fisher leaders and Fisheries Official, this conflict could be resolved. However, latent conflict between these two groups remains great.

### **A.3. Conflict between *pejala* and purse seine fishers**

The most recent conflict among fishers that taken place in Balikpapan was conflict between *pejala* and purse seine fishers. In this case the *pejala* were local fishers in Balikpapan and purse seine fishers were from Central Java. However, although the main local fishers in conflict here were the *pejala*, but a broad alliance was developed among almost all local fishers in Balikpapan and even the local merchant class was also joined them in opposing the purse seine fishers from Java. This conflict is called as conflict between the traditional fishers in Balikpapan with modern fishers or purse seine fishers from Java. The conflict will be described more detail below.

On January 13, 2006, 19 purse seine fishing boats from Juwana, Central Java, were coming to Kampung Baru, West Balikpapan, while another four

fishing boats from Juwana have already anchored there. Thus, altogether there were 23 fishing boats from Juwana, Central Java on that day. According to these fishers, they came to Kampung Baru, Balikpapan mainly for two reasons; first, they need to get more provisions for their operation (including food, fuel, etc), and secondly, the weather was bad so they can not operating.

On the other hand, local fishers, especially the *pejala* and their "patrons" (merchants), have resented for long time toward purse seine fishers from Central Java. According to them, since around 2003, every time purse seine fishers from Central Java operating near Balikpapan water, local fishers production drop drastically. This is happen, according to them, because purse seine fishers use very strong lights in their operation. The lights are put above as well as in the sea water to attract fish. Therefore, all fish are "pulled" by the purse seine fishers. Even if there are fish near their *rumpon* (FAD), they are difficult to catch because the fish are affected by the light. They become "wild" and sort of "drunken".

The *pejala* and their patrons have already brought the case several time to local governments (Fishery Office, Municipality Office as well as the local Parliament/DPRD). They asked the local government to prohibit purse seine fishers from Java to operate near their fishing ground in Makassar Strait. For example, in 5 January 2004, several *pejala* and merchants in Balikpapan made a written statement which demanded that purse seine fishers from outside Balikpapan were prohibited to operate around Balikpapan water and Makassar Strait forever. This statement was made in the Fishery Office and signed by The Head of the Fishery Office. Moreover, in December 15, 2005, a small number of purse seine fishers from Pekalongan, Central Java, were more or less forced by the local fishers in a meeting in DPRD Office, to sign an agreement that stated that they (the purse seine fishers) will not operate in Makassar Strait anymore, and were willing to be brought to the court if breaking the agreement. Thus, the coming of 23 purse seine boats to Balikpapan in January 2006 was felt as an agitation by the local fishers. Therefore, the anger of the local fishers toward the purse seine fishers from Central Java (even though this time not from Pekalongan, but from Juwana) was mountainous.

In the night of 15 January 2006, local fishers gathered in the fish landing port (TPI) in Manggar, East Balikpapan, to plan action to be taken to the purse seine fishers. Rumors about plan to attack purse seine fishers spread quickly,



reaching the local police as well as the purse seine fishers themselves. The police informed purse seine fishers about the attack plan, and asked the purse seine fishers to leave Balikpapan immediately. However, due to the low tide, purse seine fishers could not leave Balikpapan immediately. Therefore, several local policemen were assigned to guard the purse seine fishers that night. Early in the morning the next day, namely 16 January 2006, several purse seine boats could leave Balikpapan, but several others still struggling to leave. Early morning January 16, 2006 the Local Chief Police and his staff came to fish landing port in Manggar to talk with local fishers there, persuading them not to attack the purse seine fishers. However, unexpectedly, while the talk was going on, about 10 local fishing boat contained around 10 to 15 fishers each from another location in Balikpapan, namely Markoni, went to attack the purse seine fishers in West Balikpapan.

Even though the police warned local fishers by shutting the gun, they did not afraid. They still came closer and closer to the purse seine boats, and finally "succeed" attacking one purse seine boat by the name Mutiara Sakti. They thrown the Mutiara Sakti with stones etc, and finally climbed into the Mutiara Sakti. They ordered all Mutiara Sakti's crew to get out to their (local fishers) boats. In the mean time, they started to pour out fuel and burnt the Mutiara Sakti from its back parts. In this attack, the Vice-Skipper of the Mutiara Sakti boat was hit near his right eye cause a minor injury. While burning, the Mutiara Sakti was pulled by the local fishers to the Markoni area, and finally sank there at about 8 o'clock in the morning of the 16 January 2006.

#### **A.4. Conflict Resolution**

Resolution process of the conflict between the local fishers and purse seine fishers from Central Java in this case take quite long time and involved many parties. Soon after the burning of the Mutiara Sakti boat, on January 17, its owner representative from Central Java came to Balikpapan and appointed a well known local lawyer to defend the case.

On the other hand, the long tension and conflicts between purse seine fishers from Java and local fishers around the Makassar Strait, especially in Balikpapan (East Kalimantan), Kota Baru (South Kalimantan) and in Sulawesi, force the Department of Marine and Fishery (DKP) to take several actions. One of that actions was to organize a meeting among all parties in 17 January 2006 in

Semarang, Central Java. Although initially the meeting was planned before the 16 January incident, but the 16 January incident was one of the main topic addressed in the meeting.

First point of the "Semarang agreement" stated that the burning of the Mutiara Sakti boat by local fishers in Balikpapan should be investigated and resolved according to the law. The representative of the Mutiara Sakti owner and their lawyer also continuously urge responsible officials to solve the case according to the law. On the other hand, the local fishers strongly against the idea to bring the case to the court. They want the case just be closed. They also strongly opposed the idea of transferring technology from the purse seine fishers to the local fishers, and prohibition for the purse seine fishers to operate in 5-mile distance from their *rumpon*. In their opinion, their existing technology is better environmentally, and 5-mile distance is still too close.

Since the "Semarang meeting" was not succeed in resolving the conflicts among fishers in the Makassar Strait, another meeting was hold in Surabaya, East Java, in 24-25 January 2006. Furthermore, another big meeting was also hold in Makassar, South Sulawesi, in 15-16 March 2006. The participants of this meeting still could not resolve the conflicts. It was "deadlock", according to participants from Balikpapan.

On the other hand, in February 2006, the local police determined four (4) local fishers as suspected burning the Mutiara Sakti boat. After a long process, finally in 27 February 2007 the court verdicts guilty and sentenced to 6 months house arrest only for one person. This verdict accepted by local fishers, because in reality the guilty person is not put to jail, so he still can work as a fisher.

## **B. External Conflicts**

Fishers in Balikpapan also involve in conflicts with several non-fisher forces such as mining industry, transportation, state-owned oil company (PERTAMINA), etc. These conflicts will be described more detail below.

### **B.1. Collision with ships**

Balikpapan water is very busy pass through by many ships, including tugboats. This situation has brought some negative consequences to the local fishers in Balikpapan. One of them is collision between the ships and fishing boats and/or fishing gears. Data shown that from 2002 to 2003, for example,