

# Maritime Piracy, Fisheries Crime and Drug Smuggling in Papua New Guinea

*Joelson Maodina Anere & Deon Canyon*

## Introduction

Maritime piracy is a growing issue in Papua New Guinea (PNG) along the coasts of Milne, Bay, Madang and Morobe Provinces. The problem emerged due to the convergence of a lack of government investment, limited employment opportunities, changing demographics, poor maritime security, foreign influence, and foreign exploitation of local fisheries. The most common threats come from armed robbery of goods or fisheries products, and the smuggling of betel-nut, money, drugs and humans.<sup>1</sup>

In an Asian Development Bank assessment of maritime waterway safety in 2012, the only mention of piracy concerned “few incidents of sea piracy, with passengers being held up and robbed.”<sup>2</sup> At that time, the PNG National Maritime Safety Authority (NMSA), with branches in each province, existed under the Department of Transport and Infrastructure to manage maritime safety and the maritime industry. In 2014, the NMSA completed a two-year project that established a coastal monitoring and surveillance system to, in part, mitigate illegal fishing and piracy.<sup>3</sup> It was

1 Magol, Manulizah. 2020. “A Case Study of Sea Piracy in PNG.” MManulizahs Blog (blog). June 19, 2020. <https://mmanulizahs.home.blog/2020/06/19/a-case-study-of-sea-piracy-in-png/?fbclid=IwAR2MU2Tq9ntS0drS7Po-dyZniKUBpL3eqLLUuN4Gle1jGwq0XEzoBtKZsc0>.

2 GHD. 2012. “Papua New Guinea: Preparing the Maritime and Waterways Safety Project.” ADB. Asian Development Bank. <https://www.adb.org/sites/default/files/project-document/74641/44375-012-png-tacr.pdf>

3 “Shipping Bulletin.” *Post Courier Online*. <https://postcourier.com.pg/shipping/>.

not successful, however, as maritime crimes grew rapidly from then on without commensurate action on the part of the government.

For example, in response to parliamentary concerns regarding the murder of a fisherman in 2016, the Police Minister said that, while plans were in place for sea policing, sea policing did not exist because of a lack of funding.<sup>4</sup> Further, “water police boats had been nonexistent for at least 10 years as the dinghies and boats in maritime provinces were pulled out of service due to lack of maintenance and spare parts.”<sup>5</sup>

The same year saw a series of arrests and charges placed against suspected pirates who were in possession of homemade guns and various melee weapons.<sup>6</sup> In the same year, Morobe Province established a Sea Police Command supplied with two new patrol boats that oversaw the capture of several sea pirates.<sup>7,8</sup>

The recent occurrences of maritime piracy in Milne Bay Provincial waters especially from the Rabaraba and Huhu Local Level Government areas, and along the coastline towards Misima, Goodenough island, Dobu Island, and all the way to Rossel Islands, demonstrates an inability of law enforcement agencies to effectively police, search, rescue, and monitor the maritime environment of PNG.

## Driving Forces of Maritime Piracy

This upsurge in maritime piracy has been attributed to outside forces (Western influences, globalization, media, and Hollywood); an undeveloped economy (unemployment); and poor governance (lack of maritime security, funding, and boats).<sup>9</sup> However, it is always easy to blame others

4 Ove, Jr., Stanley. 2016. “Sea Piracy Concern Raised in Parliament.” EMTV, August 2, 2016. <https://emtv.com.pg/sea-piracy-concern-raised-in-parliament/>.

5 Zarriga, Mirriam. 2016. “No Money to Fund Sea Police: Atiyafa”. *Post Courier*, August 25, 2016. <https://postcourier.com.pg/no-money-to-fund-sea-police-atiyafa/>.

6 Hakalits, Fabian. 2016. “16 Piracy Suspects Caught at Border.” EMTV, September 9, 2016. <https://emtv.com.pg/16-piracy-suspects-caught-at-border/>.

7 *Post Courier Online*. “Morobe to Have Sea Police Command”. July 13, 2013.

<https://postcourier.com.pg/morobe-to-have-sea-police-command/>

8 Waide, Scott. 2016. “Morobe Coast Piracy Gang Caught.” EMTV, October 31, 2016.

<https://emtv.com.pg/morobe-coast-piracy-gang-caught/>

9 Magol, Manulizah. 2020. “A Case Study of Sea Piracy in PNG.” MManulizahs Blog (blog). June 19, 2020. <https://mmanulizahs.home.blog/2020/06/19/a-case-study-of-sea-piracy-in-png>

for one's problems and there are other more important driving forces at play that elevate this threat to the level of national security.

Firstly, fishing has become harder and less economical for local fishing communities due to overfishing and illegal, unreported and unregulated (IUU) fishing by foreign fishing vessels. Secondly, growing international drug and human trafficking networks have infiltrated the Pacific Islands to establish midway distribution nodes between the continents. To facilitate this process, they have engaged local criminal networks and initiated dependency on drug-based income. Thirdly, the ports in PNG are basically unregulated with management of port visits from foreign fishing and carrier vessels receiving the lowest score from the IUU Fishing Index.<sup>10</sup>

Overfishing can result from legal fishing but is often associated with IUU fishing, which significantly contributes to declining global fish stocks and undermines local efforts to manage fisheries sustainability. Unreported fishing is when vessels fail to report, misreport, or under-report a catch. Unregulated fishing is when vessels sail without nationality, or when fishing occurs in areas not covered under existing management plans.

Before we turn to these topics in more detail, it is necessary to examine the impact of conservation on piracy because the most recent spate of piracy is blamed by locals on government efforts at maritime conservation.

## **Maritime Conservation**

Sea cucumber fishing in PNG was extensive and provided up to 30% of the annual income to over 200,000 villagers.<sup>11</sup> In 2004, PNG exported over 400 tons of dried Beche-De-Mer sea cucumbers to China, Singapore, Malaysia, Taiwan, and South Korea, but the annual catch showed a steady decline. This led to the creation of a National Beche-de-mer Fishery Management Plan to manage the resource sustainably.<sup>12</sup> The harvesting season runs from October to January, but closes early in each province if the Total Allowable Catch (TAC) has been reached. However, due to crashing

/?fbclid=IwAR2MU2Tq9ntS0drS7Po-dyZniKUBpL3eqLLUuN4Gle1jGwq0XEzoBtKZsc0.

10 <https://iuufishingindex.net/profile/papua-new-guinea>

11 Hair, Cathy, Jeff Kinch, et. Al. . 2018. "Re-Opening of the Sea Cucumber Fishery in Papua New Guinea: A Case Study from the Tigak Islands in the New Ireland Province." *SPC Beche-De-Mer Information Bulletin*, no. 38 (March).

<https://png-data.sprep.org/system/files/Beech-de-mer%20in%202018.pdf>

12 <http://www.fao.org/3/y5501e/y5501e0p.htm#TopOfPage>

populations, a nationwide moratorium on sea cucumber fishing was put in place from 2009 to 2017.

Milne Bay Province is a large maritime province and the local people are heavily reliant on the open Beche-De-Mer season for income. Traditionally, they went out fishing and returned to sell fish at the local markets in Alotau, Padipadi Estates, East Cape, and Divinai. In an average week, local fishermen earned PGK300-400 (US\$85-112). For reference, in 2020, the average monthly wage was PGK 1,593 (US\$460). In Milne Bay, the Beche-De-Mer season is an important life-line for local fishing communities throughout East Cape area with many villagers traveling long distances by dinghy or banana boat to sell their products.

The same holds true for local fishing villagers in the Samarai-Murua Electorate and many other areas where catches are sold at Samarai Island fish market. In the Suau LLG area, local fishing communities and fisherman sell their fish at Fife Bay Local Market.

Eliminating this critical income for nine years created an existential problem exacerbated by food insecurity for the local populations dependent on this resource. Notably, it was when the season restarted in 2018 that seasonal food insecurity was found to persist, and local pirates began to take advantage of the limited harvest opportunity.<sup>13</sup> A growing number of youth armed with guns began to orchestrate maritime holdups and conduct shootouts in Milne Bay Provincial waters.

## **Overfishing and IUU Fishing**

The Eastern Maritime Approaches in Milne Bay's Provincial waters from the border near Oro Bay along the coastline from Mariawarte to Margarida and Mailu in the Central Province are home to some of the finest quality fish stocks in the world. They abound in Bluefin tuna, Yellow-fin tuna, Red Emperor, Sweet-Lips, Barramundi, Goldfish, and many others.

The challenge is that while PNG has a large Exclusive Economic Zone (EEZ), it does a poor job at authorizing foreign fishing vessels that operate in its EEZ, and it has few vessels and fuel for vessels to monitor the EEZ. Thus it is exposed and widely vulnerable to fisheries crime by

13 Barclay, Kate, Michael Fabinyi, Jeff Kinch, and Simon Foale. 2019. "Governability of High-Value Fisheries in Low-Income Contexts: A Case Study of the Sea Cucumber Fishery in Papua New Guinea." *Human Ecology* 47 (3): 381-96. <https://doi.org/10.1007/s10745-019-00078-8>.

foreign entities. PNG is a major stakeholder in the Pacific Island Forum Fisheries Association (FFA), which claimed that US\$616 million is lost to IUU tuna fishing in Pacific Island EEZs each year despite a strategy for regional monitoring, control and surveillance.

For example, in 2018, a Vietnamese fishing vessel with a hold full of illegally harvested Beche-De-Mar was taken into custody by the Samarai Police. Ironically, the impounded vessel was pirated by a crew from a vessel owned by a former high-ranking PNG politician. In what could be perceived as high-level corruption, the media, the Prime Minister, and a follow-up newspaper article all failed to reflect on the foreign fishing vessel committing fisheries crimes, but focused instead on how bad piracy was getting in Milne Bay.

In 2014, the government of PNG was given a “yellow card” warning by the European Commission for being non-cooperative in the fight against IUU fishing.<sup>14</sup> It was asked to make rapid “legal and regulatory changes that will send fishing operators a clear message that they cannot continue to degrade fish stocks, the wider marine environment and the livelihoods of coastal communities.” While advances have been made in some areas, these have largely been ineffective. For instance, PNG has the condition in all foreign access documents that at least 10% of every catch must be landed for processing onshore; however, ‘not one fish has ever been landed for processing.’<sup>15</sup>

The issue here is that overfishing and IUU fishing by foreign vessels are likely major factors in the decline of sea cucumbers and other marine organisms. The gross lack of regulation and enforcement has resulted in fishing vessels being engaged not only by foreign entities, but by entrepreneurs from other Provinces, and even local private business owners to exploit vulnerable and limited maritime resources. The surges in piracy by locals experiencing economic and food insecurity can be directly tied to

14 “EC Warns PNG, Philippines over IUU Fishing.” 2014. Seafood Source (blog). June 10, 2014. <https://www.seafoodsource.com/news/environment-sustainability/ec-warns-png-philippines-over-iuu-fishing>

15 <http://www.fisheries.gov.pg/Portals/0/NFA%20Public%20Notice.pdf>

their communities experiencing declining fish captures as their traditional fishing grounds are increasingly exploited by foreign fishing vessels.

### **Maritime Smuggling Zones**

The potential for maritime piracy throughout PNG and especially in the southern region is high because of inadequate and unsupported law enforcement capacity to monitor, search, evaluate, and report on illegal activities that go beyond fisheries to include illegal immigration and illegal smuggling of banned substances such as cocaine and heroin.

The PNG border in the north is open to a variety of maritime traffic. This includes bulk cargo ships, liners and small boats that pass through PNG's waters on route to other destinations in the Pacific region. General cargo ships and passenger ships typically berth in Port Moresby or Lae awaiting clearance from NMSA. However, ships travelling up and down the coast between these cities remain unmonitored and port facilities conduct little to no searching and monitoring of ships for smuggling. The situation was so bad in 2018 that in preparation for the upcoming Asia-Pacific Economic Cooperation (APEC) summit, the PNG government authorized the US Coast Guard to enforce security zones in Port Moresby's harbor during the summit.

Importantly, the smuggling of IUU fishing captures in northern waters has remained a major problem for PNG since independence in 1975. Compounding this are PNG's own corrupt law enforcement agencies that have been found to smuggle guns and drugs.<sup>16</sup> There is thus little effort being made to effectively and efficiently search all fishing boats, bulk cargo boats, yachts, and passenger ships despite public awareness of a high degree of illegal smuggling taking place on the wharves of Papua New Guinea.

Maritime traffic in the east is especially high from September to December with as many as 50 ships cruising between 20 to 28 knots out at sea, scheduled to arrive at Sanderson Bay in Alotau, Milne Bay Province with an expected Port Traffic Response turn-around time of one day before departure to Lae in the Morobe Province. Given a lack of resources and capacity due to inadequate funding from the Milne Bay Provincial

16 "Papua New Guinea Police Accused of Gun Running and Drug Smuggling by Own Minister." 2020. *The Guardian*. September 18, 2020. <https://www.theguardian.com/world/2020/sep/18/papua-new-guinea-police-accused-of-gun-running-and-drug-smuggling-by-own-minister>.

Administration and the national government, the Milne Bay Provincial Transportation Authority (MBTA) has not been effective in searching all ships, boats, and bulk carrier cargo ships in Provincial waters. The administrative and financial powers of the MBTA are held by the Milne Bay Provincial Administration, which should shift from a budget-support to a sector-wide approach.

## **Weak Seaport Security**

There are a considerable number of sea ports used for both domestic and international traffic. However, different agencies approve these ports for different purposes and the total picture is difficult to establish. The two largest ports are Lae and Port Moresby, attracting the bulk of cargo entering the country. The Motukea International Port Facility in Port Moresby has helped to ease maritime traffic congestion and greatly improved berthing response turn-around time for all shipping vessels transitioning through Port Moresby on route to other international destinations. Additionally, a number of resource ports provide space for bulk cargo.

All ports, particularly the resource ports, provide opportunities for the smuggling of arms, drugs, and people and are widely believed to be used for these purposes. Like many Pacific Islands, PNG has been more of a transit site for the movement of illegal goods and trafficked persons to Australia and other countries. However, as appetites for illegal activities grow locally, transit sites in the Pacific are turning into destinations in their own right.<sup>17</sup>

Port management is basically unregulated. The Department of Transport is the flagship agency for the Transport and Infrastructure sector in PNG. Since the launching of the Transport Sector Plan Volumes 1 and 2, the Transport Sector has undergone little to no significant change since independence. Importantly, the Maritime Subsector comes under the overall jurisdiction of the Department of Transport.

In fact, the Australian Aid Department of Foreign Affairs and International Trade funded Transport Sector Support Program (TSSP) has provided support to various agencies within the Transport Sector including the Department of Works and Implementation, the Department of

17 Butler, Gavin. 2019. Review of A South Pacific Drug Highway Is Causing Big Problems for Island Communities. Vice.com, July 2, 2019. <https://www.vice.com/en/article/3k3wjv/south-pacific-drug-cocaine-methamphetamine-trafficking-smuggling-highway-causing-big-problems-island-communities-fiji-tonga-vanuatu-new-caledonia>.

Transport and Infrastructure, NMSA, the PNG Harbors' Limited, the National Road Safety Authority, PNG Civil Aviation Authority, and PNG Ports Corporation.<sup>18</sup> TSSP was designed to ensure that PNG met obligations under the PNG Medium Term Development Plan 3, PNG Development Strategic Plan 2010 – 2030, and the PNG Vision 2050.

International maritime assistance, however, does not go far and is not sustainable when the Department of Transport and Infrastructure, especially the Maritime Subsector Division, does not apply a regulatory framework for PNG Harbors Limited, and the government is widely known to have an endemic culture of corruption.<sup>19</sup>

### **Relocation of Urban Criminals**

Compounding these criminal activities is the relocation of urban criminals to rural and remote locations as they flee the law or when they have done their time in prison. This is a common problem throughout the Pacific Islands that has strengthened local criminal networks.<sup>20</sup> While this relocation process has detrimental implications for the receiving towns, it also impacts the criminals and ex-criminals who are stigmatized, have difficulty finding work, and struggle to reintegrate into village communities and social networks.

Recently in PNG, Mr. Tommy Maeva Baker escaped from lawful custody in Bomana Maximum Security Prison which resulted in a wave of shootouts with the PNG police. As the wave of inequitable distribution of the benefits of the exploitation of natural resources throughout Milne Bay Province has grown, the Tommy Maeva Baker Gang, a criminal social clique with no clear purpose or objective, has become a popular platform for the expression of youthful resentment.

### **Response of the Royal Papua New Guinea Constabulary**

In preparation for the 2018 APEC Summit, the Milne Bay Provincial Government and the PNG National Government took a broad govern-

18 "TSSP - Transport Sector Support Program, Papua New Guinea." Accessed June 8, 2022. <https://www.pngtssp.com/>

19 "Will Papua New Guinea Get Serious About Corruption?" 2020. Transparency International (blog). February 10, 2020. <https://www.transparency.org/en/blog/will-papua-new-guinea-get-serious-about-corruption>.

20 Pereira, Natalia. 2014. "Pacific Island Nations, Criminal Deportees, and Reintegration Challenges." *Migrationpolicy.org*. November 6, 2014. <https://www.migrationpolicy.org/article/pacific-island-nations-criminal-deportees-and-reintegration-challenges>.



ment approach as they requested assistance from the Australian Federal Police through the PNG–Australia Policing Partnership Agreement between the two Governments. The request was for the establishment and bolstering of the Royal Papua New Guinea Constabulary Water Police Division.<sup>21</sup>

While this development has the appearance of a long-term solution to maritime crime, the Water Police Division requires considerable ongoing funding for personnel, maintenance of equipment, and upkeep of the facility. To act as a credible deterrence, an ongoing commitment is essential to fund training and exercises to build general maritime capacity, anti-piracy capabilities, and lethal weapons proficiency. The Water Police Division also needs to build credible battlefield experience, which it currently lacks.

### **Response of the Milne Bay Provincial Government**

In response to the increase in maritime piracy, the Milne Bay Provincial Government activated the Provincial Law and Order Committee with support from leaders from within Milne Bay Province. The PNG Commissioner of Police, Minister for Police and Member for Madang visited Milne Bay to assist the Provincial Government figure out how to manage escalating criminal activities. This led to a National Executive Council Confidential Brief Submission for the 60 days capture or kill of wanted criminal, Tommy Maeva Baker, and establishment of a police Water Station base in Alotau, Milne Bay Province.

The Royal Papua New Guinea Constabulary, following their internal deliberation, requested the assistance of the Milne Bay Provincial Government for the full and voluntary repatriation of all citizens currently residing in squatter settlements in and around Alotau Town back to their villages in the outer islands. This decision was taken to avoid collateral damage in the event of a shootout between police and the Tommy Maiva Baker Gang.

It remains to be seen if this series of provincial-wide decisions provides a lasting solution to the escalating law and order problems within

21 “Royal PNG Constabulary Launch Water Police Support Equipment.” [www.youtube.com](https://www.youtube.com/watch?v=1Yf9x9nFf4k). August 22, 2017 <https://www.youtube.com/watch?v=1Yf9x9nFf4k>.

Milne Bay Province and to a larger extent, how the lessons learnt are disseminated to other provinces that experience these challenges.

## Foreign engagement and assistance

After independence, the Somare government visited China in 1976 to establish diplomatic relations and welcomed the first Chinese ambassador the following year. In 1981, the Chan government considered China a friend, and PNG became a special observer in the Association of Southeast Asian Nations (ASEAN) and began to adjust its foreign policy to open up selective engagement with other international parties. Given the nation's slow rate of development, the Wingti government initiated the strategic Look North policy in 1994 to limit dependence on Australia and explore more profitable economic engagements with China, Indonesia, Malaysia, Singapore, and Hong Kong.<sup>22</sup>

In a move to expand influence and address corruption in PNG, Australia launched the Enhancement Cooperation Package I in 2004 and ECP II in 2006.<sup>23</sup> This involved the placement of 300 Australian public servants in advisory and line positions in the PNG government and security sector. This evolved into the 2017 Strongim Gavman Program (SGP), which is a whole-of-government engagement program in which executive-level Australian officials are placed in agencies for two to three years.<sup>24</sup> The SGP then changed as the Australian Department of Foreign Affairs and International Trade began to bring the then AUSAID program under its Ministerial Portfolio jurisdiction. The SGP is now under one overarching umbrella known as the PNG-Australia Governance Precinct that does not appear to be related any longer to security.<sup>25</sup>

It is important to note that PNG has been a strong regional player in Oceania and has supported the Aitutaki, Biketawa, and Boe Declaration

22 Mamadeni, Cameron. 2020. "Significance of the PNG Look North Policy." THE VOICE from the EAST (blog). October 1, 2020. <https://yapunenet.wordpress.com/2020/10/01/significance-of-the-png-look-north-policy/>.

23 Sugden, Craig. 2004. "Putting the Enhanced Cooperation Package to the Test." *Pacific Economic Bulletin* 19 (1). [https://openresearch-repository.anu.edu.au/bitstream/1885/157707/1/191\\_putting\\_Sugden.pdf](https://openresearch-repository.anu.edu.au/bitstream/1885/157707/1/191_putting_Sugden.pdf).

24 *Strongim Gavman Program: Management Framework*. 2019. Department of Foreign Affairs and Trade. Australia. <https://www.dfat.gov.au/sites/default/files/strongav-manage-frame.pdf>

25 *Pacific Leadership and Governance Precinct Strategic Review*. 2019. Quality and Technical Assurance Group. <https://www.dfat.gov.au/sites/default/files/pacific-leadership-and-governance-precinct-strategic-review.pdf>.

agreements made collectively by the Pacific Islands Forum and its members on security issues of concern throughout the Pacific region. However, there have always been concerns about how these regional agreements can be used by regional powers such as Australia, France, and the United States of America to influence future activity in the Pacific region.

From 2007 to 2019, Chinese investment and interest in the Pacific grew quite rapidly, catching traditional partners off-guard. After the Australian government announced its “Pacific Step-Up” policy to re-balance China’s growing influence in Pacific Islands states, PNG signed up to the Belt and Road initiative in June 2018. The Pacific Step-up was highlighted in Australia’s 2017 Foreign Policy White Paper and 2016 Defense White Paper as of fundamental importance to Australia.<sup>26</sup>

In addition to assisting the establishment of the Royal Papua New Guinea Constabulary Water Police Division, Australia recently built on its long-term commitment to maritime security in the Pacific by gifting 21 Guardian-class Patrol Boats to 12 Pacific Island countries and Timor-Leste.<sup>27</sup> In 2018, the first of four patrol boats, HMPNGS Ted Diro, was delivered to PNG, followed by HMPNGS Rochus Lokinap in 2021. The other two remain under construction. These boats are supported by a regional surveillance capability and infrastructure upgrades. They came unarmed, but in 2021, Australia agreed to arm them so that they are more effective in protecting the maritime environment, resources and security.<sup>28</sup>

In 2019, PNG’s Deputy Prime Minister proposed that Australia use its coastguard assets to assist PNG in border and coastal surveillance to reduce maritime piracy and drug and arms smuggling that are now frequent in the once peaceful Milne Bay provincial waters.<sup>29</sup> A search for “piracy” and “Papua New Guinea” on the Australian government website for foreign affairs produced no results, which corroborates a statement that the

26 “Stepping-up Australia’s Engagement with Our Pacific Family.” Australian Government Department of Foreign Affairs and Trade. <https://www.dfat.gov.au/geo/pacific/engagement/stepping-up-australias-pacific-engagement>.

27 “Shared Security in the Pacific.” Australian Government Department of Foreign Affairs and Trade. [https://www.dfat.gov.au/geo/pacific/shared-security-in-the-pacific#Pacific\\_Maritime\\_Security](https://www.dfat.gov.au/geo/pacific/shared-security-in-the-pacific#Pacific_Maritime_Security).

28 <https://www.australiandefense.com.au/defense/sea/australia-to-arm-png-patrol-boats>

29 Nicholas, Isaac. 2019. Review of Abel: Coast Guard to Curb Sea Piracy. Post Courier Online, January 10, 2019. <https://postcourier.com.pg/abel-coast-guard-to-curb-sea-piracy/>.

Step-Up has thus far “failed to be a positive enabler of regional security.”<sup>30</sup> Ignoring international security assistance is detrimental to Pacific Island countries in Oceania that are a easy target for maritime criminals. Japan stepped in to fill this gap in a small way by agreeing to provide maritime assistance during a 2020 meeting between defense ministers.<sup>31</sup> A grant of US\$9.3 million pays for three speedboats and telecommunications equipment to be used by PNG’s NMSA. The boats will likely be lodged at NMSA branches in the coastal cities of Alotau, Kokopo and Madang.

## Way Forward

Maritime piracy in Milne Bay Provincial waters was a relatively new phenomenon that reared its ugly head in 2019 following the closure of the Beche-De-Mer Season. The National Fisheries Authority exacerbated the situation by allowing foreign fishing vessels to continue operating in the same traditional fishing grounds that were closed to the local fishing villages throughout the area. This double standard of advising local communities not to fish but allowing foreigners to fish was either the result of incompetent fisheries conservation management or the outcome of corruption and bribery.

In PNG, traditional fishing grounds are reserved for use by local fishing villages, however, the national and provincial governments have failed to protect that right by allowing foreign exploitation and not providing adequate protection from criminal activities. As this problem grows and the region becomes less stable, PNG must face this maritime challenge even as it faced land-based criminal escalation 30 years ago. This emerging security dilemma has grown to the point where it will certainly impact the national economy and the 2022 National General Elections.

Policymakers must understand that maritime piracy is typically “threat-based” rather than “capability-based” and is not restricted to any particular

30 Shoebridge, Michael. 2021. “Australia’s Pacific Step-up Needs to Aim Higher.” *The Strategist*, ASPI, May 6, 2021. <https://www.aspistrategist.org.au/australias-pacific-step-up-needs-to-aim-higher/>.

31 Abke, Tom. “Japan, PNG Team up on Maritime Security, Pandemic Fight” *Indo-Pacific Defense Forum*. July 20, 2020. <https://ipdefenseforum.com/2020/07/japan-png-team-up-on-maritime-security-pandemic-fight/>.

region or country. A regional response to maritime piracy should thus have the following preconditions:

- Be invited by the national government with supporting legislation
- Employ a whole-of-government effort with a multi-level approach
- Have support of the security sector including police and defense
- Have support of local people and village communities
- Contain long-term sustainable solutions

Without these basic provisions, maritime piracy in PNG has the potential to spiral out of control in a similar manner to land-based crime, and even lead to another resource-based succession crisis in the same vein as the Bougainville War.

The national government has yet to learn the lessons of the Enhancement Cooperation Package and the positive gains it may have had to offer at that time in the history of the new nation. Similarly, the government has yet to learn and fully understand the lessons of the Bougainville crisis despite a growing body of literature on the topic since the signing of the Bougainville Peace Agreement. Failing to understand the undercurrent and cross-current lessons from the surge in maritime piracy is compounded by an inability to interpret the myriad of urban to rural developmental challenges that are unique to each province throughout Papua New Guinea.

The inability of PNG's national government to reconcile equitable distribution of the benefits of resource exploitation with the preservation of cultural customary land in accordance with the Customary Land Registration Act of 2000 continues to pose an abject lesson for all citizens. The Eight Point Plan and Directive Principles of the Constitution of the Independent State of Papua New Guinea state that: "Equitable distribution of the benefits of the revenue generated from exploitation of the resources shall be equitably shared to all regions of Papua New Guinea," and yet, the Provinces that generated the income are deprived of an equitable share. This fundamental issue must be understood and remedied from the very beginning if sustainable and equitable development is to occur on any given piece of land throughout Papua New Guinea.

The Milne Bay Provincial Government continues to learn this lesson albeit the hard way given its escalating law and order problems, the growing youth bulge, and the inability of leaders to work together to respond to the concerns of the people in light of the growing new normal environment of compliance to COVID-19 epidemic protocols and procedures. In fact,

the COVID-19 epidemic has increased tensions throughout the southern region particularly in terms of customary landownership, customary land grabbing, customary land mediation that have resulted in dislocation for the customary landowners.

### **Policy Recommendations**

1. Given that the Provinces are inadequately supported by the central government and are unable to make use of income derived from their own natural resources, one solution is for the national government to decentralize by granting greater autonomy and a higher level of self-funding to the Provinces. This would go some way to preventing other states from seceding from the state in the footsteps of Bougainville.
2. A more autonomous Milne Bay Provincial Government would be able to pursue security sector development by overhauling the Milne Bay Provincial Police Command to become the Eastern Papua Policing Command Headquarters under the overall command of the Assistant Commissioner of Police – Eastern Policing Command, covering Eastern Papua Island Region, Eastern Papua mainland, and Eastern Papua Maritime Piracy Administrative Region. Importantly, the Assistant Commissioner of Police – Eastern Papua Policing Command, would have overall oversight of the Royal Papua New Guinea Constabulary in the Province.
3. The national PNG government must provide adequate oversight to ensure that resource management strategies are fair and equitable and do not harm locals while benefiting foreigners.
4. The National Fisheries Authority must prioritize local access to fisheries over foreign access to fisheries to preserve the stability of local economics.
5. The National Fisheries Authority must involve local communities by getting them to play important roles in conservation activities to increase their understanding and ownership of the challenges and solutions.
6. The National Fisheries Authority must cease allowing foreign fishing vessels to operate in the traditional fishing grounds of local fishing villages.
7. Invite the Coast Guard of a “northern” neighbor, such as the United States, to establish a forward operations base on Dioni

Island in the Milne Bay Province to build local capacity to fight maritime piracy.

Sustainable, long-term solutions to maritime piracy in Milne Bay Province of Papua New Guinea must originate with legislation from the Government of Papua New Guinea following a whole-of-society consultation and a multi-agency approach. Such legislation must have the full and complete support of all security forces including the PNG Defense Force and the Royal Papua New Guinea Constabulary, and the support of all fishing village communities.