

CHAPTER II

THE CONDITION OF IUU FISHING IN INODONESIA

Before discussing about the dynamics of cooperation between both states, it is better to understand the condition of each country before the cooperation is held. In order to make a better understanding, this chapter will be divided into two sub-chapters. The first will describe a little about the IUU fishing condition in Indonesia. Meanwhile, the second will describe about the combating against IUU fishing during Joko Widodo era.

A. The IUU fishing condition in Indonesia

Pacific Ocean is an area that the offense level high enough compared with other regions. The violations were mainly carried out by the foreign vessel which comes from various countries including Thailand, Vietnam, China, and the Philippines. Illegal Fishing activity most often occurs in the area of fisheries management Indonesia is illegal fishing by foreign fishing vessels that originating from neighboring countries. Although it is difficult to map and estimate the level of illegal fishing is happening in the Indonesia, but the results of monitoring conducted so far, (2005-2010) concluded that illegal fishing by foreign vessel mostly in EEZ (exclusive Economic Zone) and also quite many occur in the archipelago waters. In general, the type of fishing gear used by foreign vessel or ex-Foreign vessels illegally in Indonesian waters are productive tools such as purse seine fishing and illegal fishing trawl.

Indonesia is an archipelago in Southeast Asia consisting of 17,000 islands (6,000 inhabited) and straddling the equator. The largest islands are Sumatra, Java (the most populous), Bali, Kalimantan (Indonesia's part of Borneo), Sulawesi (Celebes), the Nusa Tenggara islands, the Moluccas Islands, and Irian Jaya (also called West Papua), the western part of New Guinea. Its neighbor to the north is Malaysia and to the east is Papua New Guinea.

Indonesia, part of the “ring of fire,” has the largest number of active volcanoes in the world. Earthquakes are frequent. Wallace's line, a zoological demarcation between Asian and Australian flora and fauna, divides Indonesia. (infoplease, 2010)

Due to its geography, Indonesia has long enjoyed access to a diverse range of marine environments and resources. Since 1980, Indonesia has had jurisdiction over an Exclusive Economic Zone (EEZ) of about 3.1 million km, the fifth largest in the world. From 1950 to 2006, total wild capture fisheries production grew at about 4.5 percent per annum or just over double the population growth rate. In 2004, Indonesia accounted for about 5 percent of the world's total wild capture fisheries production of 86 million tones. By 2006, Indonesian wild capture fisheries production totaled about 4.8 million tones, the fifth largest in the world after China, Peru, the USA and Chile. While total production is still growing, there are increasing signs of depletion of fish stocks, especially in the Java Sea and Malacca Straits. (Tull, 2009)

Indonesia's fish resources can be classified into three main ecosystems. The first is Sunda shelf, Sunda Shelf are a stable continental shelf, or platform, a southward extension of mainland Southeast Asia. Most of the platform is covered by shallow seas including the southern South China Sea, the Gulf of Thailand, and the Java Sea which average depths is less than 330 feet (100 metres). Most of the Sunda Shelf's total area of 1,800,000 square km is occupied by the Indonesian islands of Borneo, Java, and Sumatra. The shelf is separated from the Sahul Shelf (southeast) by the volcanic (and volcanically active) Lesser Sunda Islands and associated deeps. To the west and south, its limit is defined by the Java Trench, a deep and seismically active subduction zone. A massive earthquake in 2004, centred in this zone, west of Sumatra, generated a large tsunami that devastated coastal areas in the region. (Encyclopædia Britannica, 2005)

The second is Sahul Shelf, The Sahul is the Australia-New Guinea continent, which is exposed during glacial maximums. If one was to take a satellite photograph of the Sahul during an ice age, we will see more or less a complete island in the picture, one that spans from New Guinea to Australia and Tasmania. (Kamrani, 2008)

The last one is the Indian Ocean and other deep seas. The Indian Ocean is the third largest of the world's five oceans (after the Pacific Ocean and Atlantic Ocean, but larger than the Southern Ocean and Arctic Ocean). Four critically important access waterways are the Suez Canal (Egypt), Bab el Mandeb (Djibouti-Yemen), Strait of Hormuz (Iran-Oman), and Strait of Malacca (Indonesia-Malaysia)

Indonesian has fisheries resources is very large volume in marine capture fisheries production in 2010 amounted to 5,039,446 tons with production value of 59 trillion rupiah. (Capture Fisheries Statistics Indonesia, 2011) Not only just 62% of Indonesia in the form of sea and half of them are the Exclusive Economic Zone (EEZ). Indonesia's marine area is located between two continents and two oceans has long been the main line of world trade.

Foreign vessel still operating in Indonesian territory without permission, for example in 2010 there are 108 cases of illegal fishing in the territorial waters of Natuna with a total loss of IDR 30 trillion. This caused of entering the foreign vessel is lack of regulation and control of foreign vessel from Indonesian government itself. In addition, the waters in the Sulawesi Sea, the Malacca Strait, Natuna Sea, South China Sea and the Sea of Arafuru are the area of illegal fishing. It shows the vulnerability of the border region of Indonesia to security threats at sea. The border region bordering Malaysia, Singapore, the Philippines, and Australia is often the entry point for crimes at sea. The perpetrator of this illegal fishing also was derived from ASEAN members, such as Malaysia, Thailand, Vietnam and the Philippines. This is certainly contrary to the spirit of ASEAN Maritime Cooperation and the essence of the vision of the ASEAN Political-Security Community in 2015 which was initiated in 2009.

Offshore waters and the eastern part of Indonesia were less intensively exploited, at least until the early 1980s. Since then large numbers of foreign trawlers have legally and illegally exploited eastern waters, taking a heavy toll on fish stocks. (Tull, 2009)

In 2012, Indonesia's fishery production reached approximately 8.9 million tonnes, of which inland and marine catch accounted for about 5.8 million tonnes and aquaculture 3.1 million tonnes in addition to 6.5 million tonnes of seaweeds. About 95 percent of fishery production comes from artisanal fishermen. In 2012, around 6.4 million people were engaged in inland and marine fishing and fish farming. The marine fishing fleet comprised 620 830 vessels in 2012, with 28 percent of non-powered boats and 39 percent of out-board engine. An additional 184 900 vessels (of which 23 percent had engine) composed the fleet operating in inland waters. But every year, Indonesia suffers from IDR 8.7 trillion losses due to illegal fishing conducted by foreign fishing vessels. *"Illegal fishing practice has also stolen 670,000 tons of fish in Indonesian waters every year. Maritime and Fishery Ministry (KKP)'s Research and Development Agency Head"*, Ahmad Poernomo, said the calculation of loss was based on the sample of 60-GT vessel's average catch. (Nusantara maritime news, 2015)

The following constraints affect fisheries management and aquaculture development: overfishing in both marine and inland fisheries waters; low income and standard of living for fishers and fish farmers; lack of financial support in terms of credit schemes; weak fisheries management, particularly concerning monitoring, surveillance and enforcement (MCS). Illegal, unreported and unregulated (IUU) fishing is a major problem in the country. To address these issues the National Mid Term Priority Framework (2010-2014) has set the following priorities: community development and empowerment through

programmes for small-scale fishers and fish farmers in coastal and small island areas; mitigation and adaptation strategies to climate change for the marine and fisheries sector; improvement of the quality and profitability of fish products for small-scale fishers; improvement of fishery-related infrastructure; strengthened MCS systems to improve management and combat IUU fishing; strengthening human resource capacity. (Department of Fisheries and Aquaculture of Indonesia, 2014)

B. The combating IUU fishing during President Joko Widodo

Indonesia has found itself drawn into a number of serious maritime disputes with its neighbors. As the writer mention before that Indonesia loss 30 trillion rupiah (about 3.11 billion dollars) annually of costs the country from illegal fishing.

After the end of Susilo Bambang Yudhoyono era and replace Joko Widodo as the new president of Indonesia the IUU fishing has seriously fighting by him. He reaffirmed his earlier campaign commitments to make Indonesia into a regional “maritime axis” power in the Indo-Pacific region, reflecting the country’s archipelagic identity; the need to develop marine resources, fisheries, ports and other maritime infrastructure; and boost maritime defense of its territorial waters, outer islands and EEZs to address illegal, unreported and unregulated (IUU) fishing, piracy and other threats. Indonesian government appointment Susi Pudjiastuti in November 2014 as Minister of Ministry of Marine Affairs (KKP) was a headline item for the country’s fisheries sector. Minister Pudjiastuti, a former businesswoman, quickly emerged as one of the most well-

known and popular ministers in Joko Widodo's administration. At the same time, she has made no shortage of critics who oppose her major reforms. (David and Lucile Packard Foundation , 2015)

Minister Pudjiastuti has made combating foreign illegal fishing and operated vessels her top priority. The administration's sinking of more than 150 illegal foreign-flagged vessels has received widespread media coverage. Though the minister's efforts have made illegal fishing an inherently riskier activity in Indonesia, the actual extent of progress from the efforts is difficult to estimate. President Widodo assigned Minister Pudjiastuti as head of the newly established Presidential Anti-illegal Fishing Taskforce.

The boat was the latest casualty of Indonesia's new policy of publicly sinking illegal fishing vessels operating in its waters under president Joko "Jokowi" Widodo what some have dubbed the "sink the vessels" policy. Since coming to power last October 2014, Jokowi has vowed to toughen Indonesia's approach as part of his broader vision of turning the country into a "global maritime fulcrum" between the Indian and Pacific Oceans.

In Jokowi's view, Indonesia can no longer tolerate a situation where over 5,000 ships operate illegally in its waters every day, making a mockery out of Indonesian sovereignty and resulting in annual losses of over \$20 billion. Over the past month or so, his administration has sunk vessels from Vietnam, Thailand, the Philippines and Malaysia, seized dozens more and even suggested that the approach could be extended to include larger nations like China. While the

practice of sinking vessels itself is not new, it has been conducted in a much more high-profile and expansive manner under the Jokowi administration than it has in the past. (Parameswaran, 2015)