INDONESIA’S POLICY REGARDING TO COMBAT WITH IUU FISHING THROUGH THE JOKO WIDODO’S GOVERNMENT SINKING SHIPS POLICY (2014-2019)

Elvina Mesha Nurul Dewi1, Dairatul Maarif2

1Jurusan Ilmu Hubungan Internasional, FISIP Universitas Pembangunan Nasional Veteran Jakarta
2Jurusan Ilmu Hubungan Internasional, FISIP Universitas Pembangunan Nasional Veteran Jakarta

ABSTRACT
This study aims to describe Indonesia’s policies in maritime security related to IUU fishing through the sinking ships policy during the 2014-2019 period of Joko Widodo's administration. The research method used is descriptive qualitative research. In this study, the author uses the theory of foreign policy, the concept of maritime security, and the concept of IUU Fishing to conduct the analysis in this study. The results of this study are the reason why the government's used to issue this policy based on efforts to realizing Joko Widodo's vision to make Indonesia a global maritime fulcrum, in addition to the existence of a national law that regulates the implementation of the sinking ships policy, with the results of research that the implementation of the foreign sinking ships policy was considered quite effective in reducing the number of illegal fishing in Indonesia. See the number of sunken boats has decreased in certain years, and the fisherman's exchange rate during 2015-2019 has increased every year, the average income of fishermen has increased each year during 2015-2019.

INTRODUCTION
IUU Fishing is one of the problems faced by Indonesia related to fisheries. Based on data obtained from FAO which
states that the losses experienced by Indonesia due to IUU fishing reached US$ 23 billion. However, based on the statement submitted by the CEO of IOJI or the Indonesia Ocean Justice Initiative, it is estimated that Indonesia will at least suffer a total loss of US$ 4 billion per year or equivalent to Rp 56.13 trillion (kumparanBISNIS, 2020). According to the 2014-2019 Minister of Maritime Affairs and Fisheries, Susi Pudjiastuti, Indonesia's economic loss per year reaches Rp 240 trillion.

The term illegal fishing actually refers to the 1982 UNCLOS provisions which state that every sailing ship may only fly the flag of one country, so that if it uses two state flags it will be considered a ship that cannot be claimed as part of any country (United Nations, 1982). This is determined to maintain the honor of other countries, and also to reduce the potential for conflict between countries. The Natuna Sea is part of the Karimata Strait, and borders the waters of neighboring countries, such as Malaysia, Singapore and Vietnam. This makes the Natuna Sea a strategic water area to obtain fishery resources because the Natuna Sea also has the potential of diverse fisheries resources (Novianto, Firmansyah, & Pratama, 2020). This causes Indonesia to have problems related to unresolved boundaries because negotiations regarding the boundaries of the Natuna Sea have not yet been completed.

Then the Indonesian government's policy to deal with the practice of IUU fishing during the first term of President Joko Widodo was the policy of sinking fishing vessels. The sinking of fishing vessels is carried out as an effort to protect marine ecosystems, marine natural resources, state sovereignty, and to provide a deterrent effect to foreign vessels and local vessels that carry out illegal fishing activities. In article 69 paragraphs (1) and (4) in Law no. 45 of 2009 concerning Fisheries.

Although Indonesia has a lot of potential in the maritime sector, it does not make Indonesia not have a challenge in exploiting the natural wealth of the sea. The widespread practice of IUU fishing shows that Indonesia still has challenges in realizing the vision of the world maritime axis that was initiated by President Joko Widodo, and can harm the country, especially in the economic sector.

Seeing this, the government took a policy as an effort to handle this IUU fishing case, namely the sinking ships policy. Through this policy of sinking ships, Indonesia gives a firm signal to the international community that any ship with any flag will not be granted waivers if their ship is proven to have entered Indonesian
waters and committed a violation. This research is limited from 2014-2019, it is intended to see the efforts made by Indonesia in dealing with IUU fishing through the sinking ships policy in the first period of Joko Widodo's administration.

Based on this background, what the author wants to examine through the formulation of the problem is how is Indonesia's policy in the field of maritime security related to illegal, unreported, and unregulated (IUU) fishing through the sinking ships policy in the Joko Widodo administration for the 2014-2019 period? To answer the formulation of the problem, the author examines it using the theory of foreign policy, the concept of maritime security, and the concept of IUU Fishing.

CONCEPTUAL AND THEORITICAL FRAMEWORKS

Foreign Policy Theory

According to Jack C. Plano, a series of foreign policies will be formed, structured, and then developed to become a tool that will help the country to realize its national goals (Plano & Olton, 1999). Then according to Joshua Goldstein, foreign policy is the strategies taken by the government in determining their steps in the international world (Goldstein, 1999). Rosenau also explained that the actions and activities contained in a foreign policy are used to benefit from the external environment. Foreign policy is described as something complex in which there are aspects related to internal life, and external needs (Rosenau, Thompson, & Boyd, 1976).

Then according to Webber & Smith, foreign policy is a policy that consists or is formed as a form of effort to achieve the goals, values, decision-making, and actions taken by the state where the government has a large share in taking actions related to outsiders. or external (Webber & Smith, 2002). This explanation is in line with what was conveyed by Howard H. Lentner which states that a foreign policy must include three main things, namely determining the goals to be achieved (selection of objectives), then the existence of resources or instruments that will achieve these goals, and implementation of that foreign policy (Lentner H. H., 1973).

Maritime Security Concept

Maritime security according to Geoffrey Till is a new concept. It is called a new concept because the discussion of maritime security no longer only discusses traditional matters, such as control efforts and activities related to military activities in the sea area, but turns into matters relating to how the sea can be protected. used as a means of producing natural
resources, as a means of transportation, and other important things in the environment (Till, 2004).

Christian Buerger argues through the matrix framework approach that maritime security is related to four concepts (Bueger, 2015), namely national security, marine environment, economic development, and human security.

IUU Fishing Concept

Quoted from the Food and Agriculture Organization (FAO, 2021), IUU fishing is an illegal, unreported and unregulated fishing activity found in all types and dimensions of fisheries, and occurs both on the high seas and in areas under national jurisdiction. Thus, according to Kusumawardhani’s (2020) statement, IUU Fishing in the Indonesian context is an illegal, unreported and unregulated fishing activity in the Fisheries Management Area of the Republic of Indonesia (WPPNRI).

IUU Fishing is an illegal, unreported, and unregulated fishing activity that occurs in the territorial waters of the country and is carried out by vessels without nationality or foreign-flagged vessels. IUU Fishing is also defined as fishing activities carried out by a country and contrary to the country's national law and international law.

METHODS

In this study, the author uses a type of qualitative descriptive research, where this descriptive method is a method that describes an objective situation or a certain event based on the facts that appear or should be followed by efforts to draw general conclusions based on historical facts. The purpose of this descriptive research is to make a description, a description of the facts related to the phenomenon under investigation. Therefore, the authors seek and process data about cases of Illegal, Unreported, and Unregulated Fishing that occurred in Indonesian waters, and how the efforts made by Indonesia to handle cases of IUU Fishing through the policy of sinking ships. Data collection techniques carried out by the author are through field studies and literature studies. Data was collected through interviews as primary data, and secondary data was collected through journals, books, news articles, and reports. The data that the authors managed to collect were then analyzed to be able to answer the problems in the study. The data analysis technique used in this research is by collecting data, then the author reduces the data.
RESULTS

The vast territorial waters and strategic position are certainly a very profitable opportunity where Indonesia gets abundant marine wealth such as fisheries on the one hand but on the other hand it contains threats and challenges for Indonesia's maritime future, one of which is IUU fishing that occurs in Indonesian waters. Illegal, Unreported and Unregulated Fishing is one of the biggest challenges for Indonesia in protecting its territorial waters. The vulnerability of IUU fishing activities in Indonesian waters threatens the sustainability of the Indonesian fisheries sector. Considering that Indonesia is an archipelagic country that has many beaches and makes the majority of people live on the coast of Indonesia to make a living by sea as fishermen. Therefore, along with the emergence of a vision agenda to make Indonesia a Global Maritime Fulcrum by President Joko Widodo, therefore to fight the threat from IUU Fishing is made a top priority.

The Natuna Sea is an area of waters opposite Vietnam, Malaysia and Brunei Darussalam. Each country has its own claim to the Natuna Sea, and the claims between Indonesia and Vietnam overlap. So that many foreign ships belonging to Vietnam are free to enter the Natuna waters. The number of Vietnamese-owned ships passing freely in Vietnamese waters is Vietnam's intention to clarify its claims or the Natuna waters. The overlapping border claims between the two countries make them often face IUU fishing problems. Therefore, certainty in determining the ZEE border is very important, to be used by the state as a reference in efforts to secure the territory under its control.

The Natuna conflict is located around the Natuna waters, which is between the Nine Dash Line border which belongs to China. This shows that Indonesia indirectly has sovereignty over the waters which are part of the South China Sea area. The reason is that the Indonesian Exclusive Economic Zone in the Natuna Islands is included in the South China Sea claim. So that Indonesia has an interest related to security in the region.

The sinking ships policy is one of the efforts made by the Indonesian government in dealing with the practice of IUU fishing. Actually, the sinking ships policy has been implemented since the leadership of President Susilo Bambang Yudhoyono. However, in the form of implementation, it is different from what was done in the Joko Widodo administration. This action is based on the implementation of the 2009 Law on Fisheries contained in Article 69 paragraph (4), which states that "In carrying out the
functions as referred to in paragraph (1), fishery investigators and/or supervisors may take special actions in the form of burning and / or sinking of fishing vessels with foreign flags based on sufficient preliminary evidence” (DPR RI, 2009).

Since the election of Joko Widodo as president of Indonesia, he has focused his priority policies on domestic issues, particularly to improve the maritime sector. The idea of the vision that he conveyed during his initial speech after his inauguration was that President Joko Widodo wanted to make Indonesia the global’s maritime fulcrum. This is because he sees that all this time Indonesia has forgotten its identity as a maritime country, so that so far the wealth of potential that Indonesia has in the marine and fisheries sector has not been used optimally. Therefore, with the idea of this global maritime fulcrum vision, he focused on the Indonesian maritime sector.

One of the problems that Indonesia has in the maritime sector is the practice of illegal fishing. Indonesia has suffered many losses due to the practice of IUU fishing, such as state losses that reach trillions of rupiah due to the large number of illegal and excessive capture fisheries stocks, then damage to marine ecosystems because illegal fishing actors use fishing gear with hazardous materials that can damage the marine environment. marine environment, then local fishermen will experience a loss of competitiveness because local Indonesian fishermen still use boats and limited fishing gear. The widespread practice of IUU Fishing makes it increasingly difficult to realize Indonesia as the global maritime fulcrum. President Joko Widodo has been campaigning to combat IUU Fishing in a conspicuous style with promoting an assertive style to the neighboring countries (Juned, Samhudi, & Lasim, 2019).

If seen based on the graphic above, the number of fishermen's exchange rates from 2015-2019 has increased every year. In 2015, the fisherman exchange rate was 105.80, then in 2016 it increased to 109.58, then in 2017 it increased to 112.51, then in 2018 it increased to 113.53, and finally in 2019 increased to 114.29. The fisherman's exchange rate (NTN) is a measure of the welfare of fishermen, which is obtained from the comparison of the price received
by fishermen with the price paid by fishermen. The increase in the fisherman's exchange rate each year is the impact of the increasing volume and value of capture fisheries production.

In an effort to protect Indonesian seas from IUU fishing actors, the Indonesian government has also implemented regulations for sinking fishing vessels for those who are fishing illegally. According to the Directorate General of Marine and Fishery Resources Development (PSDKP) of the Ministry of Maritime Affairs and Fisheries, the sinking ships policy does not violate any rules because this policy is a form of implementation of Law Number 45 of 2009 concerning Fisheries in Article 69 paragraphs (1) and (4), which states that "(1) Fishery Supervisory Vessels function to carry out supervision and law enforcement in the field of fisheries within the fishery management area of the Republic of Indonesia", and (4) "In carrying out the functions as referred to in paragraph (1) investigators and/or supervisors fisheries can take special actions in the form of burning and/or sinking fishing vessels with foreign flags based on sufficient preliminary evidence”.

The purpose of "fishery surveillance vessel" in paragraph (1) is a government-owned vessel assigned to carry out surveillance and law enforcement in Indonesian waters, then the purpose of "sufficient preliminary evidence" in paragraph (4) is the existence of preliminary evidence that suspects violations committed by foreign fishing vessels and local fishing vessels, such as the absence of a Fishing Permit (SIPI) and a Fish Transporting Vessel Permit (SIKPI).

When referring to international legal instruments, namely UNCLOS 1982, it does not specifically regulate whether the sinking ships policy is legal or illegal. Because when referring to UNCLOS 1982, it only mentions the steps that can be applied by law enforcement and those that have been carried out by coastal countries in dealing with the problem of IUU Fishing. However, in UNCLOS 1982, it is explained about law enforcement that can be carried out by coastal countries over their ZEE territory, namely in article 73.

IUU Fishing ships were sunk right after court decision had been made with a catchy way of blasting and reporting all over the country. As a result, several countries show their interest in Indonesia’s way to eradicating IUU Fishing practices (Juned, Samhudi, & Lasim, 2019). For example Norway and Thailand were following Indonesia’s step to be more serious to combat IUU Fishing (Juned, Samhudi, & Lasim, 2019).

In line with the concept of maritime
security (Roell, Feldt, & Thiele, 2013) that maritime security is an action whose purpose is to prevent in an effort to maintain security in a country's maritime area from actions that can threaten security or other violations of law. The existence of several changes related to the discussion in the fishery law is a form of the Indonesian government's efforts to protect the marine and fisheries sector in Indonesian waters. Then with the amendment of Law no. 31 of 2004 became Law no. 45 of 2009, where the government adds law enforcement efforts by sinking and/or burning fishing boats for illegal fishing which can be carried out by authorized fisheries supervisors.

To support the sinking ships policy which is carried out by the Ministry of Maritime Affairs and Fisheries as the main implementer, President Joko Widodo has formed a task force to eradicate illegal fishing, which is named Satgas 115. Satgas 115 has the aim of eradicating illegal fishing. This task force was established by President Joko Widodo on October 19, 2015 through Presidential Regulation (Perpres) No. 115 of 2015.

Based on the table above obtained from the Ministry of Maritime Affairs and Fisheries, it can be seen data regarding the number of ships that have been sunk by the Indonesian government for illegally catching fish during 2014-2019. Overall, the total number of foreign fishing vessels sunk by the Indonesian government during 2014-2019 was 527 vessels. There are several neighboring countries that are the main actors of IUU fishing in Indonesian waters, namely Vietnam, Malaysia, Thailand, and the Philippines. However, if seen from the table image, Vietnam is a country that has the largest number of ships that have been sunk, with a total of 332 fishing vessels that have been sunk.
Based on the graphic above, it can be seen that the average income of fishermen throughout 2015-2019 has increased every year with growth reaching 22.53%. The average income of fishermen is the total income per fisherman from fishing activities obtained from sales and catch/production after deducting working capital in one month. This shows that the performance of Task Force 115 in eradicating IUU Fishing can be said to be quite successful, because it is known that the widespread practice of IUU fishing in Indonesian waters has reduced the economic value of the fishery sector, and this certainly affects the income of local fishermen.

Based on these data, it can be said that the policy has been quite effective in dealing with the practice of IUU fishing, because the figure shows that there is a decrease in the number of ships that have been sunk even though the number is not stable. The Philippines is a country that experienced a steady decline from 2015-2019, then an increase in the average income of fishermen each year throughout 2015-2019 shows that the performance of Task Force 115 has a positive effect on local fishermen. Then the number of parties involved in efforts to eradicate IUU Fishing through the sinking ships policy is also according to the author's analysis because Indonesia still does not have an integrated infrastructure because based on the statement from the Director General of PSDKP there is a lack of budget from the government to complete the facilities or infrastructure needed to eradicate the practice of IUU fishing. It is difficult to carry out supervision in the marine and fisheries sector considering the vast territory of Indonesian waters.

The author also considers that the number of fishermen from foreign countries who often practice IUU fishing in Indonesian waters is also due to problems related to Indonesia's maritime boundaries with neighboring countries. This is in line with the statement from the Director General of HPK of the Indonesian Ministry of Foreign Affairs, which stated that it would be easier for Indonesia to enforce the law if negotiations related to maritime boundaries were more conclusive. Then with this conclusive maritime boundary, it will also make it easier for our neighboring country...
officials to provide education to their fishermen that there are territorial boundaries that must be respected by both parties.

In line with what is stated by (Lentner, 1973) that a foreign policy must include three main things, namely determining the goals to be achieved (selection of objectives), then the resources or instruments that will achieve these goals, and the implementation of the policy abroad (Lentner, 1973). The statement made by (Lentner, 1973) is also in line with the sinking ships policy implemented by Indonesia. Because the objectives to be achieved in implementing the policy are to eradicate the practice of IUU fishing, provide a deterrent effect to the perpetrators of illegal fishing, and also as an effort to realize Indonesia as the world's maritime axis. The achievement of these goals can be seen from the massive implementation of the sinking ships policy, and the increase in the average income of fishermen during 2015-2019. Then the resource or instrument in achieving these goals is the Indonesian government agency itself, namely Task Force 115 in which the Ministry of Marine Affairs and Fisheries is the main implementer of this policy.

Maritime security according to (Bueger, 2015) has links to four concepts, one of which is economic development or blue economy. Because this blue economy is an important aspect related to maritime security. The purpose of this blue economy is to link the various dimensions of the sustainable use of marine resources for economic growth, increasing the value of people's livelihoods while maintaining marine ecosystems. The author sees that an increase in the average income of fishermen during 2015-2019 is one indicator that can be said that the Indonesian government's efforts are quite successful in maintaining maritime security. Because as stated by (Bueger, 2015) that the purpose of this blue economy is to connect the various dimensions of the sustainable use of marine resources for economic growth, increasing the value of community livelihoods while maintaining marine ecosystems.

However, in the implementation of a foreign policy, this will inevitably lead to a response from the countries affected by the implementation of the policy. The response given can be in the form of a positive response or a negative response, depending on how a country feels about the policy. Indonesia during the 2014-2019 period of Joko Widodo's administration had a foreign policy that was implemented in order to eradicate IUU fishing, then also to realize Indonesia as a world maritime axis country. The perpetrators of illegal fishing in Indonesian waters are mostly from
neighboring countries. Based on data from the Ministry of Maritime Affairs and Fisheries, neighboring countries that are perpetrators of illegal fishing are Thailand, Vietnam, and Malaysia.

Of the three countries, the majority of them gave a negative response. Like Thailand, which had time to protest directly through their well-known media, namely the Bangkok Post which openly criticized the Indonesian government. According to the news, Indonesia is considered to be increasing tensions that are already quite severe in the Southeast Asian region. Every foreign ship does not have the right to enter Indonesian waters illegally, but this is due to the inability of state agencies to protect the territory of the Republic of Indonesia.

Then Vietnam also gave a negative response. In January 2015, one of the ships from Vietnam was sunk by the Indonesian government. Ha Hai, a member of the Ho Chi Minh City Advocates Association, which represents a number of Vietnamese ship captains detained in Indonesia, said that his party had evidence that the captured ship was actually still in the country's waters (BBC News, 2018). He further added that Indonesia is a country that upholds law enforcement, so no one should be fined or prosecuted without trial. Even if Vietnamese fishermen are proven to be fishing in Indonesian waters, Indonesia still cannot allow the Indonesian Navy to catch and sink ships without a trial.

This protest was not carried out without good reason. The problem is that during the SBY administration, Indonesia and Vietnam signed a cooperation agreement to improve relations in the economic, trade and investment fields. Since 2003, the relationship between Indonesia and Vietnam has developed from a comprehensive partnership agreement to a strategic partnership in 2013. This cooperation has also shown good developments, especially in the maritime sector (The Diplomat, 2018). The strategic partnership that has been agreed upon by the two countries is in danger of being damaged due to the implementation of the policy of sinking foreign ships. Spokesman for the Ministry of Foreign Affairs of Vietnam, Le Hai Binh, conveyed this concern through sending a diplomatic note to Indonesia.

However, Malaysia gave a different response regarding the implementation of this sinking ships policy. Malaysia considers that the reason many Malaysian fishermen are doing illegal fishing in Indonesian waters is because of the lack of welfare owned by Malaysian fishermen, so the Malaysian government at that time was more focused on updating their policies so that Malaysian fishermen would be more prosperous and no longer do illegal fishing.
in Indonesian waters.

CONCLUSION

Illegal fishing is one of the threats to maritime security that is rife, as well as a form of exploitation of Indonesian marine and fishery resources. Indonesia's fishery stock declined drastically, followed by the stagnation of state income from the fishery sector. Seeing this urgency, the Joko Widodo government implemented a policy of sinking foreign ships as an effort to eradicate IUU fishing. The Indonesian government's effort to combat IUU fishing is to implement a sinking ships policy. Based on this, the Indonesian government decided to implement the policy of sinking foreign ships as regulated in Law no. 45 of 2009 concerning Fisheries and refers to Article 73 paragraph 3 of UNCLOS 1982. Indonesia, which is facing a maritime threat, clearly shows that this policy aims to maintain the dignity and sovereignty of the country.

Under the leadership of Joko Widodo, the government deployed several state agencies in the fight against IUU fishing. The agencies involved include the KKP, Bakamla RI, Satgas 115, the Navy, the Attorney General's Office, and the Water Police. The CTF is the command center of this agenda, with the Minister of Marine Affairs and Fisheries as the commander.

This policy has been implemented in real terms to foreign countries that carry out illegal fishing in Indonesian waters. It can be concluded that the efforts made by the Indonesian government in dealing with the problem of IUU fishing through the sinking ships policy have been going quite well. This can be seen by the increase in the exchange rate of fishermen throughout 2015-2019, and an increase in the average income of fishermen per year throughout 2015-2019. Although in this case, research has not been able to show that the implementation of the sinking ships policy can completely eradicate IUU fishing problems that occur in Indonesian waters.

REFERENCES


FAO. (2021). Food and Agriculture


