



# Efforts in maintaining fisheries potential in the North Natuna Sea: Indonesian government policy against illegal, unregulated, and unreported fishing seen from the Global Maritime Fulcrum perspective

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**Abstract.** This study intends to examine measures prepared by the Indonesian government in maintaining the fisheries potential of the North Natuna Sea against illegal, unreported, and unregulated (IUU) fishing seen from the Global Maritime Fulcrum (GMF) perspective. Statistically, the Natuna Sea stores at least 1.2 million tons of marine products per year. Nevertheless, this sum becomes problematic if illegal fishing activities which threaten fisheries in the Natuna Sea keep going. IUU fishing in the Natuna Sea brings negative implications for the sustainability of the natural resources, leading to the low economy of fishers and the country. By considering the framework of national resilience as a research notion, this study employs qualitative methods with a descriptive analysis approach. Data collection was performed by studying secondary resources obtained from academic documents appearing as journals, mini-thesis, theses, dissertations, and books. The results show that Indonesia: (a) strengthens maritime security and guards its Exclusive Economic Zone (EEZ) by advancing military bases in Natuna. Efforts to dispel the fraudulent practices by IUU fishing criminals are carried out by adopting a ship-sinking policy; (b) enforces strict laws to combat illegal fishing; (c) extends bilateral and regional diplomacy with neighboring countries incorporated in the Association of Southeast Asian Nations to combat illegal fishing simultaneously. The Indonesian government has put special attention to protecting the Natuna Sea from illegal fishing. However, surveillance and protection must be accompanied by maximizing the abundant stocks of marine products for social welfare.

**Key Words:** illegal fishing, maritime security, national resilience, North Natuna Sea.

**Introduction.** Illegal, unregulated, and unreported (IUU) fishing is defined as a criminal act in the fisheries course, carried out by fishing but neither did report nor follow the rules set (Sunyowati 2014). The Food and Agriculture Organization (FAO) reported that IUU fishing practices cost Indonesia up to USD 2.2 billion/year (Ridarineni & Festiani 2012). According to Fadila (2015), annual losses in 2015 ranged from USD 672 million to 25 billion, representing 670,000 tons of fish stolen each year according to the Ministry of Marine Affairs and Fisheries Republic of Indonesia (KKP Indonesia) estimates. Apart from resulting in an adverse impact on fishermen's welfare and the country's food security, IUU fishing also threatens the marine environment's sustainability, food resources, security, and national independence as a whole. The KKP Indonesia noted that as many as 603 foreign fishing vessels were proven to have exercised IUU fishing in Indonesian waters throughout 2015-2019; Vietnamese fishing vessels represented the top perpetrators (234 vessels). Based on illegal fishing data by Task Force 115 (Satgas 115), 191 out of 234 Vietnamese interlopers violated the boundaries of the Indonesian continental shelf in the North Natuna Sea (Jayani 2019), and 81% of the entire criminals have violated the boundaries of the Indonesian Exclusive Economic Zone (EEZ).

This data reinforces that the area prone to the highest conflict of illegal fishing goes to the Fishery Management Area-711 (WPP 711), as it is situated in the North Natuna Sea (Dinatri 2020). The Natuna Sea contains potential fish catch with 961,145 tons, yet only 768,916 tons can be touched and explored. In 2019, an estimated 755,306 tons of fish were caught, excluding the number due to IUU fishing (Hidayati 2020).

Natuna water areas are loaded with conflicts of interest and tensions between neighboring countries. Unfortunately, IUU fishing seems to be carried out with self-confidence and firmness by perpetrators. Throughout 2019, as many as 91 foreign fishing vessels were passing unobstructedly in North Natuna waters. The KKP Indonesia found 13 Vietnamese patrol boats that were deliberately rested in the North Natuna Sea even though the area was evidently known as the Indonesian Continental Shelf (Jayani 2019). Furthermore, Indonesia's tensions with China related to the Nine-dash line bordering the Natuna Sea EEZ have also worsened the two countries' atmosphere. China always declares certain zones in Natuna as their traditional fishing grounds and uses this justification to protect Chinese fishers who operate illegally in the Indonesian's zone (Fravel 2016). In addition to the Nine-dash line, which is closely associated with the sea boundaries problem, the IUU fishing caused by this unilateral claim menacingly threatens fisheries' sustainability in the North Natuna Sea.

In his first administration, the 7th President of Indonesia tried to advance the diplomatic strategy and improve the economy so that the country's maritime power is acknowledged through the foreign eyes. While attending the 9th East Asia Summit in Myanmar in November 2014, the president outlined Global Maritime Fulcrum (GMF) as a trademark expected to be ingrained into the Indonesian's identity (Gindarsah & Priamarizki 2015). The GMF concept is not limited to a motto attached to a country's name; it is a system anticipated to foster maritime identity nationwide instead. Indonesia aspires to revive the "archipelago insight". This aspiration conforms with President Jokowi's principle, believing that the Indonesian economic potential and strength are great and should be appreciated rather than merely seeing it as natural resources (Widodo & Kalla 2014).

The design of GMF as a development doctrine and agenda has long been recognized. GMF plays a role in internal reconceptualization, which is expected to increase Indonesia's world recognition as a sovereign country. The outward implication of the GMF concept is the trigger igniting Indonesia as one of the dominant players in its territory; no single country can deny that Indonesia stands with independent-geostrategic interests.

Indonesian politics has experienced various upheavals, and such changes are represented by the variety of work arrangements of each leader. Indonesia's efforts to refocus on foreign policy are clearly billed into "President Jokowi's five-year policy agenda". This agenda explicitly aspires to improve and strengthen Indonesia's position in its journey interacting with the international community. Given that Indonesia is an archipelagic country, the central policies established by the government related to political and maritime aspects are: (1) asserting the country's stance to resolve border disputes through diplomacy; (2) maintains the uprightness of the country in various aspects; (3) affirms the principle as a sovereign country; (4) ensures the security and social protection of communities over the outer islands; (5) performs the most vigorous efforts to secure the Exclusive Economic Zone (EEZ); (6) increases the intensity of diplomacy for national defense; (7) minimizes maritime conflicts between neighboring countries by encouraging intelligent solutions so that territorial conflicts turn into sympathy (Widodo & Kalla 2014).

In light of the above concerns, this paper aims to discover the Indonesian government's active response in protecting the fisheries potential of the North Natuna Sea against the IUU fishing phenomenon seen from the Global Maritime Fulcrum perspective.

After emphasizing the national security concept, the methodology developed with the conceptual framework is related to improving security. The following part addresses strict law enforcement and later followed by promoting maritime diplomacy as a policy implemented by Indonesia for ending IUU fishing.

## Conceptual framework and methodology

**Concept of national security.** A country's security is substantially varied, and the overall value of a security depends on what is believed or comprehended as something requiring protection (Wolfers 1952). Apart from different judgments regarding security conjecture, the pinpoint representation that can be understood is that security has absolute values to pursue. The state security concept precisely considers two general values that must be protected: political independence and territorial integrity. However, several other objectives are often included with particular considerations that are considered essential. For example, the former US Secretary of Defense, Harold Brown, emphasized that security needs to be pursued by maintaining economic associations with all countries while considering aspects deemed necessary for the parties involved (Leebaert & Brown 1983).

The country protects and defends national faculty from any threat. Since threats can take many forms and sources, proper defense execution would be helpful if laws and regulations are well determined from the start. Wolfers (1952) devoted significant consideration to proving that different policies can still be adopted to promote security so long as it holds reasonableness.

Some studies defined security as one's matter that is intimately associated with threats, the control of weapons, and military vigor (Walt 1991). This interpretation often creates double standards regarding comprehensive security and what must be done to achieve a safe status. As a result, many parties favor that military power is the solution to formulate safe feelings.

As demonstrated earlier, the understanding of security is universal. Therefore, policies for long-term security may not be suitable if applied to short-term security programs. Short-term security is usually incidental, consists of repressive responses, and is often interpreted as intimidating actions. Although the above constituents are not holistically meant to be entirely harmful, short-term security policies often contrast with long-term security procedures (Dahl & Lindblom 1953). On the other hand, long-term security policies consider various friendly aspects to create cooperation features that are harmonious, supportive, and collaborative (Boulding 1963).

**Methodology.** This study employs qualitative methods with a descriptive analysis approach. Data collection was performed by studying secondary resources obtained from academic documents appearing as journals, mini-thesis, theses, dissertations, and books.

## Results and Discussion

**Enhancing security.** The Indonesian government has implemented various methods in increasing the country's surveillance and protection following the current leadership. Before the regime of President Jokowi, the modern military model known as the Minimum Essential Force (MEF) was implemented. MEF is a comprehensive and phased defense strategy. Therefore, when President Jokowi took the lead, MEF became a focal point in Indonesia's defense strategy. President Jokowi promised to continue the program and provided full support to accomplish what he dreams of through MEF. President Jokowi increased the expenditure budget by 1.5% of GDP in five years and developed the fresh air of the domestic defense industry. Through these efforts, the Indonesian National Army (TNI) is expected to be armed to the teeth, especially in the East Asia region (Widodo & Kalla 2014).

In addition to increasing the capability of Alutsista (Main Weapon System) through the MEF program, the function of the TNI has also been enhanced to secure border areas, especially in Natuna. With the burgeoning force of the TNI in Natuna, Indonesia will always be aware of all kinds of threats. The deployment of troops supported by adequate facilities is necessary for maintaining Indonesia's security (Lemhanas 2017).

Many ways can be done to increase the country's surveillance and resilience. Although the Indonesian Navy's presence is considered essential in the defense strategy, other supporting elements such as the coast guard must be considered. Coast guards can

serve as the first filter in the country's resilience strategy. As of now, there are two administrative bodies whose function is to manage maritime security in Indonesia: Task Force 115 (Satgas 115) and the National Maritime Security Agency (Bakamla). Satgas 115 was formed to maintain the fisheries sector's stability by exterminating crimes that threaten Indonesia's marine products. Satgas 115 is an essential unit in suppressing illegal fishing in the territory of the Republic of Indonesia. Since Satgas 115 is working directly under the control of KKP Indonesia, it functions to punish the perpetrators with strong administrative sanctions. With its power, Satgas 115 had suspended as many as 261 fishing vessels and issued 48 warning papers since its initial establishment in 2015. On the other hand, Bakamla, founded in 2014, functions to join law enforcement with elements that formulate Maritime Law Enforcement (MLE) (Morris 2018).

Bakamla, originally known as the National Maritime Security Coordinating Board (Bakorkamla), is a mature unit; works and reports to President Jokowi. On its operations, Bakamla conducts patrols like coast guards and carries out policies commanded to enforce maritime security. With this particular task, Indonesian jurisdictions' security generally rests on the shoulders of Bakamla since they have a big responsibility as mandated by the president (Bakamla 2015).

The formation of Bakamla has a clear objective. As a unit working under the president's order, Bakamla coordinates with units, divisions, institutions, and other elements for a proper consolidation order (monitoring, detaining, examining, and arresting criminals in IUU fishing). Although Bakamla somehow looks special, this unit does not have more extra strength other than its ability in coordinating with different MLE elements such as the Indonesian Navy, Marine Police, Civil Servant Investigators, and the Marine-Coastal Security Unit. Known by the tag "a coordinating body", Bakamla cannot change, replace, or delete laws and regulations from other partners (Afrida 2015).

Therefore, Bakamla must advance to coordinate with other agencies so that what they perform goes to the mark. Generally speaking, the roles of Bakamla and Satgas 115 are incredibly fundamental. With increased constitutional powers to fight against maritime threats, they secure the stability of Indonesia's integrity. Bakamla's plan to expand its organizational body is believed to bring a meaningful trendline with such a big responsibility.

**Strict law enforcement.** The Ministry of Marine Affairs and Fisheries Republic of Indonesia (KKP Indonesia) has a vital role in combating IUU fishing. In carrying out its duties, KKP Indonesia issued Ministerial Regulation Number 56/PERMENKP/2014 and amendments regulating a moratorium on fishing, commodity targets, and fishing tackles in Indonesia's fisheries management areas (Sutardi 2015).

Crimes resulting from IUU fishing activities are explained in Articles 84 to 104, Law Number 45 of 2009 amendment to Law Number 31 of 2004 concerning Fisheries. Fishing practices are considered illegal if:

1. Fishing tackles and/or methods used in exploring fishery resources damage and endanger the sustainability of the marine environment;
2. The caught fish types are contrary to what is regulated by law;
3. Catch and process fishery resources personally or in groups without having a Fishery Business License, Fishing License, and Transport Ship License; and
4. Conducting illegal transshipment (accompanied by violations per points 1, 2, and/or 3).

During the first administration period of President Jokowi, Indonesia was aggressively fighting illegal fishing. Since 2014, the activity of seizing, restricting, and sinking foreign vessels has been potent (Connelly 2017). In addition to the strict sanctions stipulated in Law Number 45 of 2009 on Fisheries, the ship-sinking policy of IUU fishing vessels by the Indonesian government is divided into two schemes (Putra 2015):

1. Through a court decision. This scheme begins with the seizure of the IUU fishing vessel by the responsible party. After the evidence is strongly determined, the defendant will be submitted to the fisheries court. Once the law was enacted, all property related to the convict was confiscated for government purposes. The

confiscated proceeds are forwarded to the fisheries court. The confiscated ship will be stranded (if considered profitable) or destroyed. The shipwreck scheme is carried out by sinking them collectively.

2. Direct red-handed by the authorities. This act of arrest will be subject to sanctions following Law Number 45 of 2009, Article 69 paragraphs, (1), (2), and (3).

The country's injuries in the maritime sector drove the plan for restoring the glory of Indonesian seas due to IUU fishing for years (Chapsos & Hamilton 2018). When Susi Pudjiastuti (ex-minister) took office at the KKP Indonesia in the 2014-2019 cabinet, she obtained much praise for what she did to combat criminals in the fisheries sector. Under her leadership, the KKP Indonesia became the resolution of eradicating IUU fishing vessels with the support of other agencies such as the Indonesian Navy, Marine Police, Civil Servant Investigators, Marine-Coastal Security Unit, Satgas 115, and Bakamla.

KKP Indonesia took a firm approach to handle IUU fishing activities. They caught the perpetrators and sank the ship. It was recorded that from October 2014 to August 2018, the KKP Indonesia had sunk 488 ships from several countries, including Indonesia: Vietnam (272 ships), the Philippines (90 ships), Thailand (23 ships), Indonesia (25 ships), Papua New Guinea (2 ships), China (1 ship), Belize (1 ship), Nigeria (1 ship), and Malaysia (73 ships) (Madjid et al 2019).

Various parties' responses were varied due to these actions, and many experts argued that the ship-sinking policy would only increase pressures on Indonesia's relations with other nations (Connelly 2014).

The ship-sinking policy has two sides to the holistic image of Indonesia. Judging from the negative impression, it is contrary to the principles of economic cooperation between countries incorporated in the Association of Southeast Asian Nations (ASEAN) (Thayer 2014). On the other hand, this unique action drew admiration from some parties and even opened vast opportunities for other international partnerships. For example, the Prime Minister of Norway, Erna Solberg, offered support to eradicate IUU fishing by utilizing Norway's technology in April 2015 on her business trip to Indonesia (ANTARA News 2015).

Given that Indonesia is a next-door-neighbor to many countries, the ship-sinking policy must be accompanied by a mature diplomatic pattern in dealing with objections from unanticipated directions, be it opponents, friends, or a combination of the two.

**Promoting maritime diplomacy.** Under the power of President Joko Widodo, the GMF concept represents the expectation of Indonesia's national development. Indonesians aspire to rebuild its glory and pride as a maritime country. The thoughts of becoming a maritime fulcrum are expected to expand economic expansion and speak up for Indonesia's identity on the global stage (Gindarsah & Priamarizki 2015). Based on functionality, marine protection operation in the Indonesian EEZ is carried out by the TNI and Bakamla. Besides, based on Law Number 32 of 2014 concerning the Maritime Security Board, Bakamla as a unit can also carry out diplomatic roles. Bakamla's existence in maintaining maritime security appears at the regional, national, and global levels.

For example, Bakamla has organized activities as part of maritime diplomacy and collaboration by inviting international participants in the Heads of Asian Coast Guard Agencies Meeting (HACGAM). The annual agenda with the topic "Law of the Sea and Maritime Enforcement Training" was carried out by Bakamla as Indonesia's contribution to increasing coast guard personnel's capacity in Asia (SumbawaNews 2019). In November 2016, Bakamla made the official visit as a representative of the Indonesian coast guard to Beijing, China. Both types of activities are the manifestation of maritime diplomacy to foster good relations and increase capacity in between. A maintained relationship will create mutual trust, especially in avoiding IUU fishing activities often carried out by Chinese fishers. Indonesian diplomacy's design against IUU fishing by Chinese fishers in Natuna has been made by issuing a protest note and summoning the Chinese ambassador to the Presidential palace (Cabinet Secretariat of RI 2016).

Another form of bilateral diplomacy is the problem-solving mechanism between Indonesia and Malaysia. The agreement in 2012 was made with a joint statement

between the two concerned countries: Mohd Najib bin Tun Abdul Razak represented Malaysia, and Susilo Bambang Yudhoyono represented Indonesia.

They agreed that law enforcement officials from the two countries would take concrete action against IUU fishing regardless of perpetrators' nationality. This policy is summarized in the Memorandum of Understanding between the Government of Indonesia and the Government of Malaysia in Respect of the Common Guidelines concerning Treatment of Fishermen by Maritime Law Enforcement Agencies of Malaysia and the Republic of Indonesia (Pratomo 2016).

Even though various collaborations have been carried out, Indonesia's position in securing its maritime security still lacks due to inconsistent parties. In December 2019, as many as 63 Chinese fishing vessels violated Indonesia's Natuna EEZ, and ironically those criminals received support from the Chinese coast guard (Suryadinata 2016).

This complex problem is exacerbated by politics because the North Natuna Sea bordering the South China Sea is still being contested (Rosdiana 2018). Therefore, whenever pressures increase, China always claims to have legal rights in the concerned area (Suryadinata 2016). Maritime experts, Sobar Sutisna and Hasjim Djalal, suggested that Indonesia-Vietnam's diplomacy and Indonesia-Malaysia's maritime borders should be finding the impending resolutions promptly. If diplomacy has created clear boundaries and is recognized by other countries as judicial, efforts to ensure all maritime aspects can be maximized (Arsana 2014).

**Conclusions.** Under the first administration period of President Jokowi, Indonesia's Global Maritime Fulcrum (GMF) was such an ambitious creed, shown by the government act aggressively making efforts to defend North Natuna's fisheries potential against illegal, unreported, and unregulated (IUU) fishing. Indonesia has been promoting maritime diplomacy at the regional level by strengthening solidarity with neighboring countries against IUU fishing. Facing IUU fishing criminals is indeed challenging and becomes a dilemma when justice is defeated by partnering status. Indonesia must continue to practice short-term and long-term policies to guard the potential fisheries of Natuna as significant assets for the Indonesian economy.

Since surveillance and security of maritime domains without optimal utilization is futile, the government in this second period has begun to maximize collaboration with small fishers and develop the fishing industry in order to improve the people's economy while eliminating IUU fishing. Although previous applauded measures by the Ministry of Marine Affairs and Fisheries Republic of Indonesia are no longer implemented in this period, the government should develop innovations with much better ideas. Today, fishermen's access to education, information systems, businesses, financial institutions, law, and fishing technology (fishing tackles, fishing armada, and fishing area) is still low.

Training programs for small fishers that can help them conform to modern fishing techniques are indeed instrumental. Furthermore, the Indonesian government should explore the community's capacity because the possibility of their roles helping law enforcement officers in defeating IUU fishing is wide-open.

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