



Countering Illegal, Unreported and Unregulated Fishing Through the Capacity Building Program in Indonesia-Australia Fisheries Surveillance Forum 2017-2019

Muhammad Rafi Ardin Darmawan; Mansur Juned; Rizky Hikmawan

International Relations, Faculty of Social and Political Sciences, UPN Veteran Jakarta, Indonesia

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Abstract

This paper aims to analyse Indonesia and Australia's effort to fight IUU fishing. Indonesia, which is an archipelagic country, makes the sea area a vital point for economic life and security. Australia is one of the regional powers in the Pacific region which makes Indonesia a Buffer State. One way to fight IUU Fishing is through IAFSF collaboration with one of the programs which is Capacity Building. Based on data collection through interviews and literature studies using the Triangulation Technique as a Data Validity Technique, this paper found that the IAFSF Capacity Building programs should be the program that has the most impact on eradicating IUU Fishing in Indonesia, but the results of the programs are still uneven.

Keywords: *Maritime Cooperation; Capacity Building; IUU Fishing; Indonesia- Australia*

Introduction

Indonesia is the second largest maritime country in the world, has a total water area of 6.4 million square kilometers and is composed of 17,504 islands. These Indonesian waters act as a source of national assets which include natural wealth, energy sources, food sources, trade areas, defense and security. Fisheries in Indonesia play a vital role in supporting national food security, because most people live in coastal areas and fish is one of the main components in the community's diet. The growth of this pandemic adds to the trend of increasing the marine and fisheries sector which began last year. Indonesia rose two ranks to eighth as a major exporter of fishery products in 2020. According to ITC Trademap data, the export value of Indonesian fishery goods reached USD 5.2 billion in 2020, an increase of 5.7 percent compared to the previous year, Indonesia is also the largest archipelagic country in the world, located between two continents (Asia and Australia) and two seas (India and the Pacific), placing its territory in a strategic geographical position for trade and exploration. (MMAF Indonesia & JICA, 2017)

This strategic position brings benefits to Indonesia in the form of smooth trade flows, as an archipelagic country surrounded by very wide waters, Indonesia is also included in the category of a country with abundant fishery resources and a relatively high level of diversity. In addition, with these geographical conditions, it is only natural that the fisheries sector as one of the resource sectors that Indonesia has as the greatest potential in supporting various aspects of the country's life and positioning Indonesia as a leading commodity in the international market. but this geographical position is also a

source of problems because it is vulnerable to external threats which of course will affect the country's resilience.

In Muhammad Fatahillah Akbar's journal entitled "Coherence of Illegal, Unreported, And Unregulated Fishing Regulations in Indonesia," explains IUU Fishing is a general term for international problems in the field of fisheries that violate national and international regulatory frameworks. IUU Fishing activities generally involve violating a number of regulations in the fisheries sector, such as fishing quotas, destruction of waters, and a number of other illegal activities. This is a problem that must be resolved not only on an international scale, but on a national scale as well. It is also explained how the definition of illegal fishing theft includes categories (unreported), including bycatch and fishing activities that are not specified in the legal and regulatory system. Currently, violations in the fisheries sector have begun to be classified as Illegal, Unreported and Unregulated Fishing (IUU Fishing). (Fatahillah Akbar, 2019)

On a global scale, illegal fishing is such a big problem that it is difficult to quantify how many practices exist. Illegal fishing has become a special problem in developing countries, in which fisheries management strategies have not been well formulated, or the implementation of laws related to fisheries is limited (Banjarani, 2020). Illegal fishing can be classified as a transnational crime, because the elements involve many countries, namely the planning, preparation, and consequences of the crime involving many countries.

Indonesia and Australia have their respective benefits, especially in protecting Indonesia's maritime areas. Australia, which considers Indonesia to be a barrier country before entering Australian territory, is an important factor in protecting Australia's maritime territory. The Indonesia-Australia Fisheries Surveillance Forum (IAFSF) is a form of cooperation initiated by the two countries with one of the programs, namely capacity building. From the program it is interesting to see how the implementation of the program that has been designed in the IAFSF is. Capacity building is the program that provides the most information and also more knowledge, especially to the operational fleet of PSDKP KKP RI.

Research Method

In answering the research discussed, the author uses qualitative methods, and each problem is answered using literature studies from several journals, books and previous research materials that discuss Indonesia-Australia maritime cooperation along with the crime of IUU fishing in the maritime border areas of the two countries. To investigate and understand a topic, qualitative research uses various design techniques (Gregar, 2018). Researchers use this descriptive approach to provide information about the implementation or activities related to capacity building programs designed to combat illegal fishing. In addition, this form of research is used to understand the current condition by providing suggestions and solutions based on the explanation of the previous research section.

Discussions

Illegal, unregulated fishing and Unreported (IUU) refers to fishing in the territory of another country using fishing gear that is prohibited or damaging to the environment, as well as fishing for which the catch is not recorded. IUU fishing is very dangerous for economic security, environmental security, food security, national security and even international security (Radekna Salfauz, 2015). In addition, in terms of maritime economic interests, there are several important components including preservation of fisheries, fisheries, freshwater resources, development of port facilities for logistics purposes, piracy and illegal control, security of trade routes, tourism development and ecosystem protection. (Juned, 2019)

Illegal fishing is fishing whose irresponsible activities also violate the code of ethics for responsible fishing. Illegal fishing is behavior that violates the law in terms of exploitation of fishery

resources. Illegal fishing is detrimental to current water resources in general. This action will have a negative impact on the aquatic ecosystem, but will greatly help fishermen. The activities that fishermen usually do in fishing activities are also included in the Illegal Fishing activity category, namely the use of fishing gear that has the potential to destroy the ecosystem, such as bombing, poisoning, and fishing in coral areas. Illegal fishing occurs in almost every country on Earth. Illegal fishing is a well-organized fishing crime on a national and global scale. Generally, countries in Southeast Asia require sophisticated equipment to combat IUU fishing in their waters. The vast and challenging sea had put them in a situation where the perpetrators were one step ahead of them. In other words, the government is facing three problems now, lawbreakers who difficult captured, wild nature in the oceans, and lack of technological equipment. Therefore, once a certain policy by the government is judged to be successful, other governments will follow that policy, so that similar results will follow in return (Juned et al., 2019).

Indonesia-Australia Fisheries Surveillance Forum

In 2007, Indonesia-Australia cooperated in supervising fishing in the border areas of the two countries, Indonesia-Australia Fisheries Surveillance Forum (IAFSF). IAFSF is part of the IAMF (Indonesia-Australia Ministerial Forum) which is a special collaboration in dealing with illegal activities fishing in the border waters of the two countries. The framework of cooperation between Indonesia and Australia in the IAFSF, among others, coordinate patrols, technical assistances, port visits, and IAFSF meetings (Radekna Salfauz, 2015).

The IAFSF meeting is held every year, the IAFSF meeting every year discusses the development and implementation of the meeting agreements that have been prepared and agreed upon by both parties in the previous year. In the IAFSF agreement regarding the exchange of surveillance data in support of coordinated patrols which is a manifestation of the implementation of the previously agreed and signed policy in 2009, the IAFSF aims to provide data and information to support coordinated patrols between the two parties. The procedure for exchanging information between the two countries is carried out through the form and type of data, the location or area of the polygon, the time of delivery, the system and mechanism used will be mutually agreed upon by the parties, with reference to the agreement in the surveillance data exchange program under the Indonesian-Australian fisheries supervision forum.

Discussions on data exchange, including monitoring and evaluation of implementation, can be held in formal meetings or at the request of the parties. The parties shall not use or notify further regarding the information or data available from the cooperation arrangement, unless it is intended as appropriate in accordance with the law.

In circumstances where the information or data is used or disclosed by the recipient as required by law or contrary to the purpose. The receiving party will inform the providing party regarding the use or disclosure of such data and information, the receiving party must seek the consent of the providing party prior to further use or disclosure. There is no part in the cooperation agreement that compels the other parties to disclose data or information to the other.

In IAFSF also has a series of collaborations that have been implemented including:

Joint and coordinated patrols or coordinate patrols carried out by each country at the EEZ boundaries of the two countries carried out up to three times a year which has been carried out since 2007 to monitor and suppress the percentage of illegal activities fishing by foreign ships. Joint patrols between Indonesia and Australia were carried out in August 2008. In 2008 there were 78 vessels inspected, which resulted in 28 arrests consisting of 25 K II and three KIA. In 2013, surveillance conducted by Australia and Indonesia found 54 ships free from inspection.

Technical assistances provided by Australia in the form of expertise in increasing the capacity of the supervisory ship crew of the Directorate General of PSDKP, in the form of training and assistance in communication equipment such as satellite telephones and UHF radio. The training carried out is in the

form of ship search training which aims to improve the skills and knowledge of participants regarding the importance of work safety, as well as the use of safety equipment on board. Then, introduce the function of equipment that can be used in carrying out the role of examining a crime that occurred at sea.

Port visit that is, each party visits each other's ports in the framework of ship training search training, scholarship programs, English language training, and information exchange. Also, IAFSF meeting which held annually where each meeting discusses the progress of the implementation of the meeting agreements that have been prepared and agreed by both parties.

Capacity Building in Indonesia-Australia Fisheries Surveillance Forum

According to Beesley and Shebby, Capacity Building can be interpreted in a straightforward manner as a process of strengthening the management and governance of an organization in order to effectively achieve its goals and missions (Beesley & Shebby, 2010). Capacity Building is an intervention that strengthens an organization's ability to fulfill its tasks by promoting competent management, strong governance, and persistent dedication to achieving results. Capacity building consists of various activities, including enhancing leadership, aligning the organization's mission and vision, financial management, program development and implementation, marketing, collaboration, training, fundraising, and evaluation.

Capacity building is a process of change and this process needs to be valuable in its change. Capacity building is a process with intrinsic value and can therefore be considered as an end in itself, efforts to develop capacity generally have a more specific end goal, such as achievement. Capacity building is a complex process, over which one actor has no control. This indicates the need for collaboration between actors or the integration of all capacity building efforts in a common strategy (de Grauwe, 2009).

In implementing the Capacity Building Program In this IAFSF collaboration, it can be seen that many programs have been carried out starting with the Joint Patrol, which in this activity brought together the PSDKP KKP/BAKAMLA and the Australian Border Force (ABF). exchange of information regarding violations of the marine area. In addition to joint patrols in Capacity activities, In program, there are orientation activities / introduction to marine surveillance tools which will also be useful and profitable for Indonesian human resources who participate in these activities.

In addition to orientation and introduction to monitoring tools, PSDKP KKP RI also received English language training from Australian representatives which is also one of the added values or benefits for Indonesian human resources, especially with the Indonesian marine area which is an area that is often passed by ships. In addition to English, Indonesia also benefits from learning related to marine supervision regulations by Australia which can be corrections or inputs for Indonesian marine surveillance regulations. The theory of marine fishing and surveillance in Australia can certainly be a reflection for Indonesia, with advances in technology and resources owned by Australia, it is hoped that Indonesia will be able to apply what is received for improvement and progress in terms of marine surveillance and fishing.

Through the implementation of Capacity Building, knowledge and capability of units owned by Indonesia will increase. Units from Indonesia dispatched to carry out these activities will certainly benefit from their exposure to countries with superior skills and knowledge. Indonesia actually has more advantages than Australia, because Indonesia will learn more from Australia, which is better in terms of marine surveillance and fishing. And it is hoped that what is obtained can be implemented in the life of surveillance and capture in the marine territory of the Republic of Indonesia.



Figure 1. Total Violations in Indonesian Waters
Source: *RENSTRA 2015-2019*

Efforts and implementation in Indonesia in collaboration with other countries have shown and resulted in a decrease in violations in Indonesian waters in 2017-2019. In 2017 the total violations in Indonesian waters were illegal fishing as many as 412, then in 2018 the total number of violations decreased with a total of 358 cases of violations in Indonesian waters. Then, in 2019 cases of violations in Indonesian waters also decreased significantly with a total of 256 cases of violations, which shown that with collaboration, the violations that happened in Indonesian waters could be decreased.

The implementation of Capacity Building should also have an impact on the surrounding community, especially the people who are directly affected by their livelihood activities, one of which is to provide counseling on all matters related to illegal IUU fishing activities. In addition, in its implementation, of course, the relevant agencies also provide other alternative livelihoods for fishermen who may be affected by this. It is also a reflection of blue economy, which will come from the implementation or implementation of the Capacity Building Program will have an effect on the economy of coastal residents.

Obstacles and Challenges in Indonesia-Australia Fishing Surveillance Forum

Challenges and obstacles received in the cooperation between Indonesia-Australia Fisheries Surveillance Forum certainly varies, both from within the country from Indonesian fishermen themselves, some from abroad and some because of the situation and condition of relations between the two countries and the pandemic that has hit the world.

Starting from the challenges, the challenges faced by Indonesia in this collaboration started from the many cases of IUU Fishing. Illegal, unreported, and unregulated fishing, is one that affects the entire world and cannot be solved by one country acting alone. According to information provided by FAO, it is estimated that IUU fishing accounts for between 15 and 30 percent of the annual worldwide fish harvest. The high number of illegal, unreported, and unregulated fishing is caused by several factors, including the high demand in the fishing industry, the fact that the risks are far less than the benefits, the fact that certain fishermen are not needed. have specialized knowledge, and the fact that it is difficult to distinguish between legal and illegal fish catch (National Intelligence Council, 2016). In addition, FAO estimates that 40.3 million people participate in regular fishing worldwide, while 4.3 billion people depend on the resources provided by fisheries for their nutrition (FAO, 2018). As population growth and human living standards grow, global fisheries demand will continue to increase. On the other hand, the action of IUU Fishing has an effect on declining fish stocks (National Intelligence Council, 2016).

An example is IUU Fishing in Arafura, local and international fishermen participate in illegal fishing in the Arafura Sea. However, compared to local fishermen, the impact of foreign vessels is greater because the number of vessels operating is greater. Foreign fishing vessels mostly come from Thailand, Vietnam, Taiwan, South Korea, China and the Philippines. Prior to 2000, the majority of IUU fishing vessels were Southeast Asian vessels from Thailand, Vietnam and the Philippines. However, starting in 2000, Indonesia began to arrest a large number of vessels from countries outside Southeast Asia, such as Taiwan, South Korea, and China, who carried out illegal activities. fishing in the Arafura Sea (Ekaputra, 2018). As previously stated, this challenge comes not only from within the country but from abroad.

In addition, the latest case is the arrest of Fu Yuan Yu 831 from China, the Chinese company Fuzhou Hongdong Pelagic Fishery Co., Ltd., which processes fish, is the owner of Fu Yuan Yu 831. Ships using call This sign BVGJ7 was built in 2001 and registered at the Caravela landing port, which is located in Timor-Leste. There were a total of 21 crew members at the time of arrest, nine of whom were Chinese, six of whom were Indonesian, and three of whom were Indonesian. Myanmar, and 3 from Vietnam. The violations committed by the ship were not only 1, there were several violations starting from fishing in the Indonesian sea area, then the use of 2 flags, namely the flags of China and Timor Leste, as well as catching sharks which were prohibited by the state (Nurhayat & Nurlaela, 2017).

The cases of violations that are exemplified are a challenge for Indonesia, in addition to strengthening the maritime security area, but also reaffirming the laws that apply in the maritime territory of the Republic of Indonesia. In addition, the challenge received in the IAFSF collaboration is the pandemic condition that interferes with or does not carry out joint patrols. and the annual forum which is usually done offline so it is done online, with these conditions Indonesia and Australia must adapt to the situation, the last is how Indonesia is able to eliminate disturbing elements cooperation between the two countries which will violate the agreed rules and cooperation.

Next is the obstacle, actually the obstacle faced by the two countries, both Indonesia and Australia. In cooperation between Indonesia and Australia, the obstacle is the presence of gecko elements that can damage relations between Indonesia and Australia. With the presence of this person called "gecko", Australia pressured Indonesia to solve the problem. This problem is on the grounds that Indonesia and Australia have agreed on the use/utilization of marine areas. Then also, from Indonesia itself the obstacles from the implementation of this cooperation, especially the implementation of the Capacity program This building is that there is no allocation of funds given or owned by the RI KKP, especially the PSDKP bureau which handles directly or gets direct benefits from the Capacity program. Building Indonesia-Australia Fisheries Surveillance Forums. As a result, the absence of the allocated funds will also be an obstacle for Indonesia to disseminate the benefits obtained from the Capacity program The IAFSF building. In fact, the benefits received by PSDKP or actors who are directly involved in the program certainly get a lot of benefits and knowledge, starting from material on radar equipment, surveillance tools, English, surveillance ships and others.

In addition to the things above, another obstacle is the lack of impact of this program on the surrounding community, which should also have an impact on the surrounding community by providing counseling and other things. Seeing that one of the actors who carry out IUU fishing in the marine area bordering Indonesia and Australia is a fisherman from Indonesia himself, this should also target the affected community. Because this will later be used by those who play to be able to take advantage of and repeat illegal fishing activities through ordered fishermen.

Conclusion

Illegal, Unreported and Unregulated (IUU) Fishing is a crime committed on the water or marine area of a sovereign country, Indonesia as an archipelagic country of course pays close attention to this. Likewise with Australia, which makes Indonesia a buffer state, of course, wants to make its marine areas safe so that IUU fishing does not occur which will also disrupt the security and marine areas of Australia.

Therefore, the Indonesia-Australia Fisheries MoU was formed Surveillance Forum (IAFSF), and has been designed in it several program specially to tackle IUU fishing activities.

Capacity program is being implemented Building in cooperation between Indonesia-Australia Fisheries Surveillance Forum, we have to look and detail into the IAFSF MoU because there are several activities and several collaborations carried out in this collaboration. Starting from Coordinate Patrol / Joint Patrol, Technical Assistance, and the last one is Capacity Building Program. The Capacity Building program is included in the cooperation agreement indeed because of Capacity Building / capacity building is considered to be the most efficient thing because with this program, the Indonesian fleet here represented by the Ministry of Marine Affairs and Fisheries of the Republic of Indonesia will certainly learn more from Australia, represented by AFMA/ABF, which is more advanced in terms of marine supervision both in terms of factors HR or technology. Therefore, the Capacity Building Program is one of the right answers to tackle Illegal, Unreported and Unregulated (IUU) Fishing which of course becomes a shadow for the security sector and the Indonesian economy as an archipelagic country and makes the marine and fisheries sector one of the vital sectors for Indonesia.

Implementation of the Capacity Building Program, of course there are shortcomings or obstacles, one of which is that there are still individuals who are struggling, especially from within their own country who violate or commit IUU fishing crimes, and of course this is a disadvantage and deficiency in the implementation, coupled with the national implementation of the results of the program, the benefits obtained are still not felt optimally.

In the implementation of Indonesia-Australia Fisheries Surveillance Forum, of course there are still shortcomings, from its implementation, then also from the implementation of its policies and the occurrence of IUU fishing incidents that even occur or are carried out by the Indonesian people themselves. Therefore, the authors suggest especially for policy makers to maximize the implementation of the results or outputs obtained from the Capacity Building Program by allocating funds and socializing to the entire marine area surveillance fleet in all regions in Indonesia. In addition, it is also hoped that an increase in quantity will take place considering Indonesia's vast marine area, which must also be added in quantity, not only in quality.

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