



INDONESIA

NPOA

NATIONAL PLAN OF ACTION
To Prevent and to Combat Illegal,
Unreported, and Unregulated Fishing

2012 - 2016

Based on The Minister of Marine Affairs and Fisheries
of Republic Indonesia Decree Number KEP. 50/MEN/2012

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INTRODUCTION

A. Background

The global capture fisheries trends continues to rise and has shown an overfishing symptoms in several parts of world's water. In addition, the IUU fishing activities have increased which threaten the sustainability of fisheries resources and marine environment. This condition encouraged the Food and Agriculture Organization (FAO) member countries to formulate principles and standards applicable for countries around the world to the well-managed, responsible and sustainable fisheries known as "The Code of Conduct for Responsible Fisheries" (CCRF) which was agreed in 1995.

The progress of CCRF implementation was still considered insufficient to act effectively as an instrument for fisheries management including preventing and combating IUU Fishing. Therefore, FAO member countries of has formulated and agreed international action to combat IUU Fishing which was known as the International Plan of Action to prevent, deter and eliminate IUU-Fishing (IPOA-IUU Fishing) in 2001. IPOA-IUU fishing is a global action plan aimed to prevent the damages in fisheries resources and rebuild almost- depleted fisheries resources, thus the availability of food source from fisheries sector can still be guaranteed for today and future generation. IPOA-IUU Fishing has to be practiced by each country, including Indonesia by composing action plan to prevent and combat IUU Fishing in national level.

In order to prevent the damage of fisheries resources, efforts done by Indonesia as follows:

1. participation and coordination among countries by involving the industry, fishermen communities and non-governmental organizations;
2. implementation of the IPOA-IUU fishing;
3. integrated approach to overcome the IUU fishing problems, and
4. conserving the natural resources and the conservation of fisheries resources;

B. Objectives

National Plan of Action to Prevent and Combat IUU Fishing is intended as a reference for each organizational unit in the Ministry of Marine Affairs and Fisheries as an effort to prevent and combat IUU fishing activities in accordance with their duties and functions, and as a reference to conduct coordination among other relevant ministries / institution on preventing and combating IUU fishing.

The purpose of the establishment of the National Plan of Action to Prevent and Combat IUU fishing is to support the management and fisheries development in orderly, responsible, and sustainable manner.

C. Legal Basis

Legal basis of National Plan of Action to Prevent and Combat IUU Fishing, are as follow:

1. Act. Number 5 of 1983, on the Indonesia Exclusive Economic Zone;

2. Act. Number 17 of 1985, on the ratification of International Law of the Sea;
3. Act. Number 5 of 1990, on the Natural Resource Conservation and its Ecosystem;
4. Act. Number 6 of 1996, on Indonesian Waters;
5. Act. Number 31 of 2004, on Fisheries, as has been amended by Act. No. 45 of 2009;
6. Act Number 21 of 2009 on the Ratification of Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks;
7. Government Regulation Number 15 of 1984 on Natural Resource Management in the Indonesia Exclusive Economic Zone;
8. Government Regulation Number 60 of 2007 on Fisheries Resources Conservation;
9. Presidential Decree Number 9 of 2007 on Ratification of Agreement for the Establishment of the Indian Ocean Tuna Commission;
10. Presidential Decree Number 109 of 2007 on Ratification of Convention for the Conservation of Southern Bluefin Tuna;
11. Minister of Marine Affairs and Fisheries Decree Number KEP.58/Men/2001 on the Procedures of conducting the Surveillance Based Community System in Marine and Fisheries Resources Management;
12. Minister of Marine Affairs and Fisheries Regulation Number PER.05/MEN/2007 on Fishing Vessel Monitoring System;
13. Minister of Marine Affairs and Fisheries Regulation Number PER.07/MEN/2010 on Operation Legal Letter of Fisheries Vessel;
14. Minister of Marine Affairs and Fisheries Regulation Number PER.18/MEN/2010 on Fishing Logbook;
15. Minister of Marine Affairs and Fisheries Regulation Number PER.02/MEN/2011 on Fishing Zone and Placement of Fishing Gears and Auxiliary Fishing Gears in The Fishery Management Area of The Republic of Indonesia as amended by Minister of Marine Affairs and Fisheries Regulation Number. PER.05/MEN/2012;
16. Minister of Marine Affairs and Fisheries Regulation Number PER.14/MEN/2011 on Fishing Business as amended by Minister of Marine Affairs and Fisheries Regulation No. PER.49/MEN/2011;
17. Minister of Marine Affairs and Fisheries Regulation Number PER.12/MEN/2012 on High Seas Fishing Business;
18. Minister of Marine Affairs and Fisheries Regulation Number PER.13/MEN/2012 on Catch Certificate;

CAPTURE FISHERIES IN INDONESIA

Based on Article 5 paragraph (1) Act Number 31 of 2004 on Fisheries, as amended by Act Number 45 of 2009, fisheries management areas of the Republic of Indonesia (WPP-NRI) for fishing include the Indonesian waters, the Exclusive Economic Zone Indonesia (ZEI), rivers, lakes, reservoirs, marshes, and other puddles that can be commercially utilized in the territory of the Republic of Indonesia. With the large area of WPP-NRI for fishing, the capture fisheries has important role in the food supply, employment, trade and welfare that need to be managed with a sustainable management-oriented.

Capture fisheries management is essentially a mechanism to regulate, control, and maintain fish resources condition at a certain desired level. One of the management success keys is the availability of data on fisheries resources and on fishery management areas, both routinely collected (statistics) and non-routine through research / studies that will be very useful for policy validation and the achievement of management performance. Fisheries management area which describes the condition or variability of capture fisheries resources need to be reviewed and updated periodically based on the dynamics of fisheries and other related factors.

In order to strengthen the capture fisheries management system, the government in this regard the Ministry of Marine Affairs and Fisheries (MMAF) as the authorized party to manage the marine and fisheries resources has categorized fisheries management area into 11 [eleven] regions, defined in the Minister of Marine Affairs and Fisheries Regulation number: PER. 01/MEN/2009 on Fisheries Management Area of the Republic of Indonesia, with the following details:



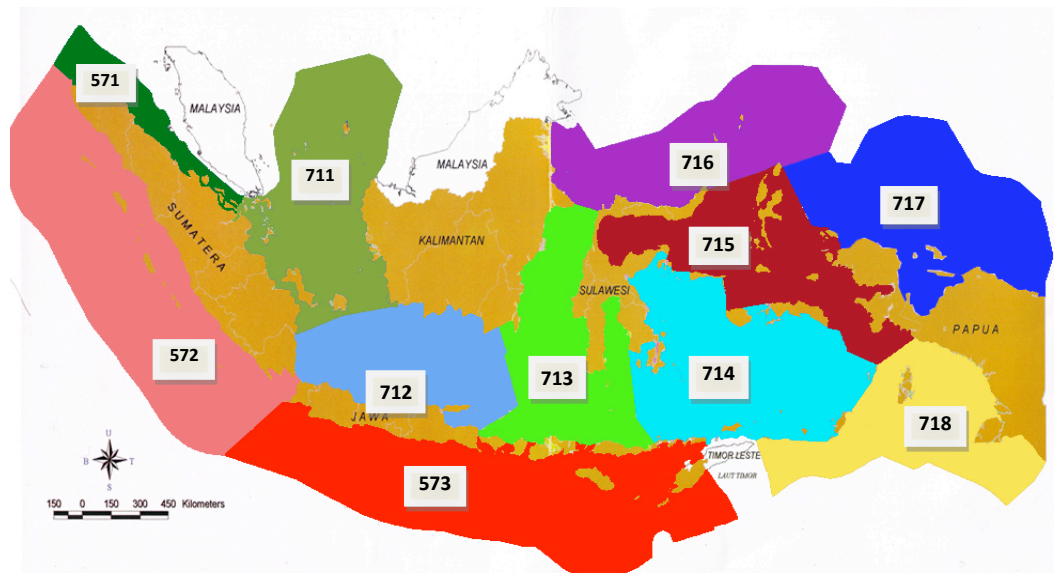
Indonesian fishers landed catch (red snapper and skipjack)



Number	WPP-NRI	REGIONS
1	571	Malacca Strait and Andaman Sea
2	572	Indian Ocean in the Western Sumatera and Sunda Strait
3	573	Indian Ocean in the Southern Java until Southern Nusa Tenggara, Sawu Sea and Western Timor Sea
4	711	Karimata Strait, Natuna Sea, and Southern China Sea
5	712	Java Sea
6	713	Makasar Strait, Bone Gulf, Flores Sea, and Bali Sea
7	714	Tolo Gulf and Banda Sea
8	715	Tomini Gulf, Maluku Sea, Halmahera Sea, Seram Sea, and Berau Gulf
9	716	Sulawesi Sea and Southern Halmahera Island
10	717	Cenderawasih Gulf and Pacific Ocean
11	718	Aru Sea, Arafura Sea, and Eastern Timor Sea

Regional Fisheries Management of Republic of Indonesia is described in the following map:

Figure 1. Indonesia Regional Fisheries Management



In order to manage fisheries resource in WPP-NRI and as a part of responsibility of Indonesia in the utilization of highly migratory fish stocks and straddling fish stocks at high seas based on international standard, the improvement on licensing system for fishing vessels and fish carrier vessels that conduct business in WPP-NRI and High Seas has been conducted, under provision that every fishing vessel and fish carrier vessel is required to have Fisheries Business License (SIUP), Catch License (SIPI) and Fish Carrier Vessel License (SIKPI).

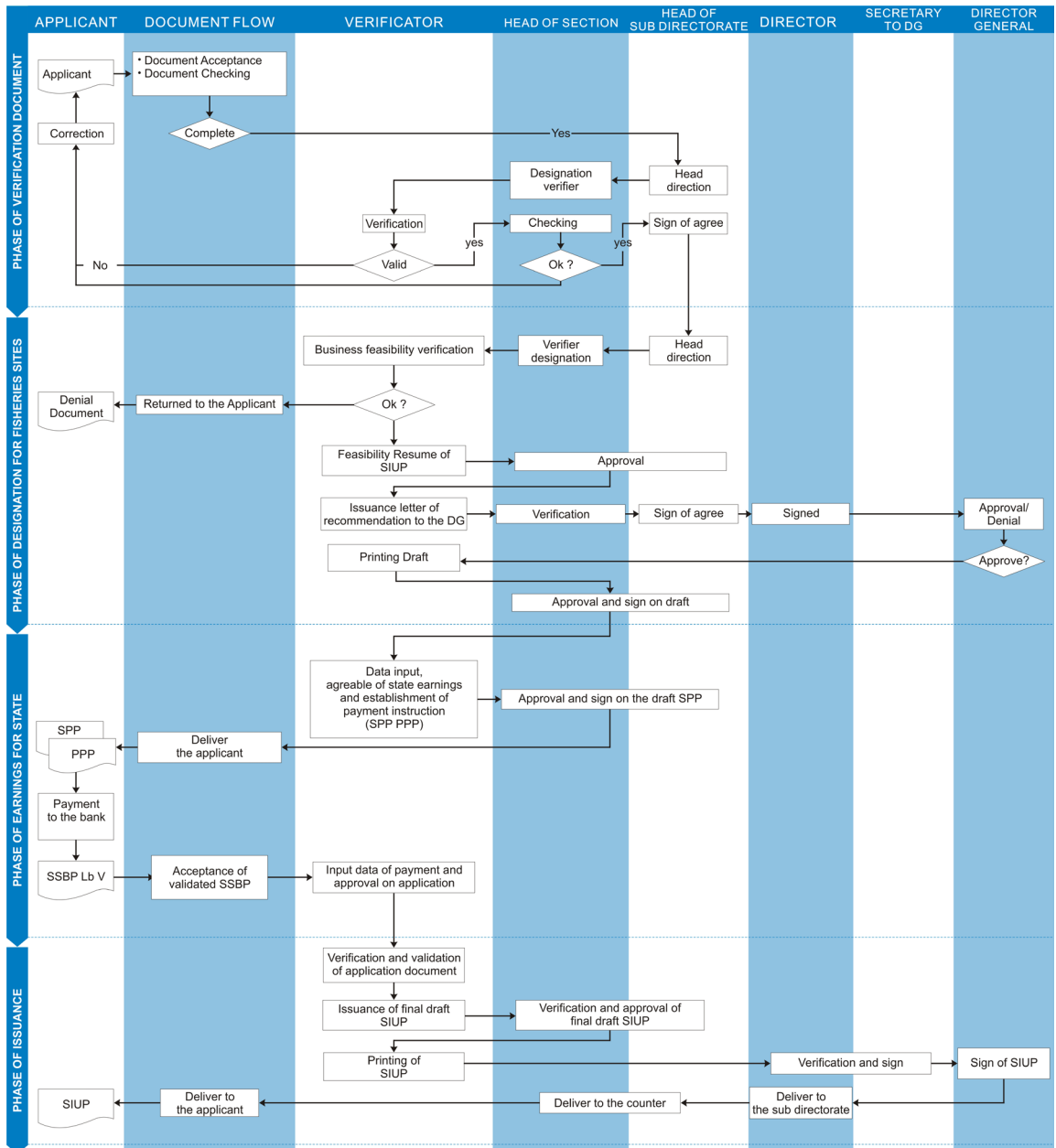
The requirements and procedures to obtain SIUP, SIPI and SIKPI addressed for fishing vessel and fish carrier vessel that conduct business in WPP-NRI are regulated under the Minister of Marine Affairs and Fisheries Regulation Number PER.14/MEN/2011 on Fishing Business as amended by Minister of Marine Affairs and Fisheries Regulation Number PER.49/MEN/2011. While terms and conditions obtain SIUP, SIPI and SIKPI addressed for fishing vessel and fish carrier vessel that conduct business at high seas are regulated the Minister of Marine Affairs and Fisheries Regulation Number PER.12/MEN/2012 High Seas Fishing Business. The division of authority on the issuance of SIUP, SIPI and SIKPI for fishing vessel and fish carrier vessel that conduct business in WPP-NRI is as follow:

- a. the Director General is authorized to issue the SIUP, SIPI and SIKPI for the fishing vessel and fish carrier vessel with the size over 30 (thirty) GT, using employing foreign capital and/or labor;
- b. the Governor is authorized to issue the SIUP, SIPI and SIKPI for the fishing vessel and fish carrier vessel with the size between 10 (ten) GT to 30 (thirty) GT, in his administration area and operated within the area of fishery management under his authority, and not employing foreign capital and/or employees;
- c. the Regent / Mayor is authorized to issue the SIUP, SIPI and SIKPI for the fishing vessel and

fish carrier vessel with the size between 5 (five) GT to 10 (ten) GT, in his administration area and operated within the area of fishery management under his authority, and not employing foreign capital and/or employees;

SIUP, SIPI and SIKPI are granted based on consideration of various aspects, among others requirements completion, business planning, potential fisheries resource, allowable catch, fishing vessel and fish carrier vessel documents from relevant agencies.

The flow chart of SIUP issuance is as follow:



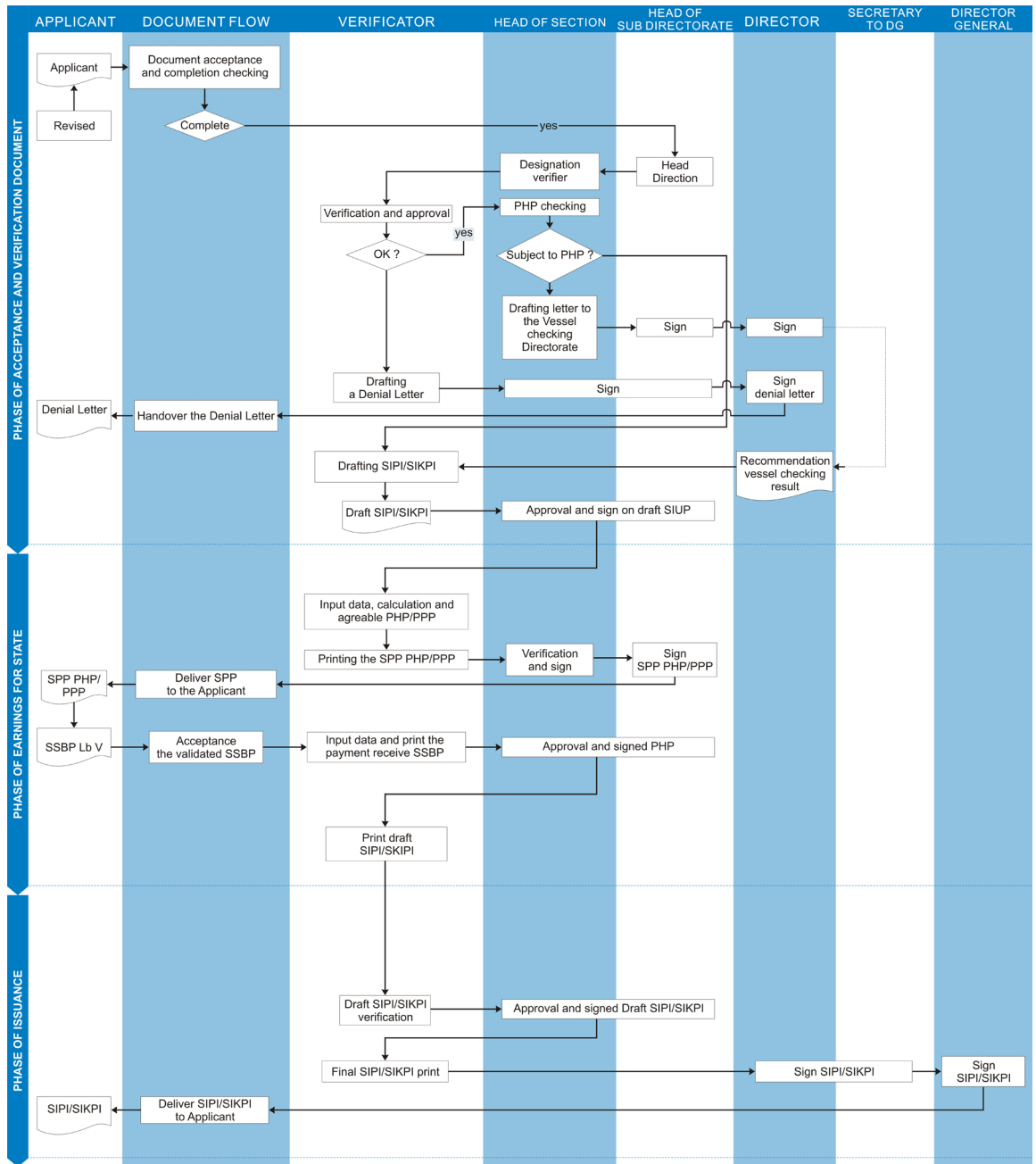
*DG: Directorate General *PHP: Pungutan Hasil Perikanan (Fisheries product tax)

*SPP: Surat Perintah Pembayaran (Instruction for payment)

*PPP: Pungutan Pengusahaan Perikanan (Fisheries business tax)

*SSBP Lb V: Surat Setoran Bukan Pajak lembar ke lima (Non tax charges on 5th copies)

The flow chart of SIPI /SIKPI issuance /renewal / modification is as follow:



*DG: Directorate General *PHP: Pungutan Hasil Perikanan (Fisheries product tax)

*SPP: Surat Perintah Pembayaran (Instruction for payment)

*PPP: Pungutan Pengusahaan Perikanan (Fisheries business tax)

*SSBP Lb V: Surat Setoran Bukan Pajak lembar ke lima (Non tax charges on 5th copies)

Allocation and SIUP realization data issued by the Headquarters based on company type in 2010 as follows:

NO	COMPANY TYPE	NUMBER OF COMPANY	NUMBER OF ALLOCATION	NUMBER OF REALIZATION	PERCENTAGE (%)
1	Cooperation	122	131	63	48,09
2	Individual	1.952	5.086	2.794	55,13
3	Company	275	3.937	1.44	36,65
4	Fish-carrier company	10	37	24	64,86
5	PMA	31	695	240	34,53
6	PMDN	6	64	20	31,25
	TOTAL	2.396	9.932	4.584	46,15

*PMA: Foreign Capital Investment

*PMDN: Domestic Capital Investment

SIUP realization data based on license type and license status in 2010 as follows:

NO	LICENSE TYPE	LICENSE STATUS				TOTAL
		NEW	REPLACEMENT	RENEWAL	CHANGE	
1	SIKPI-GI	4		71	23	98
2	SIKPI-NA	2		13	10	25
3	SIKPI-OA	1		9	1	11
4	SIKPI-OI	66		259	108	433
5	SIPI-GI	3		31	13	47
6	SIPI-LI	9		69	25	103
7	SIPI-OI	443	5	2917	489	3854
	TOTAL	528	5	3369	669	4571

Allocation and SIUP realization data based on company type in 2011 as follows:

NO	COMPANY TYPE	NUMBER OF COMPANY	NUMBER OF ALLOCATION	NUMBER OF REALIZATION	PERCENTAGE (%)
1	Cooperation	66	104	18	17,31
2	Individual	2.393	5.923	2.805	47,36
3	Company	321	4.384	1.518	34,63
4	Transporting Company	11	37	20	54,05
5	PMA	34	734	176	23,98
6	PMDN	7	191	13	6,81
	TOTAL	2.832	11.373	4.550	40,01

SIUP realization data based on license type and license status in 2011 as follows:

NO	LICENSE TYPE	LICENSE STATUS				TOTAL
		NEW	REPLACEMENT	RENEWAL	CHANGE	
1	SIKPI-GI	10	2	69	11	92
2	SIKPI-NA	3		11	7	21
3	SIKPI-OA			14	1	15
4	SIKPI-OI	44	2	298	89	433
5	SIPI-GI	6	2	29	4	41
6	SIPI-LI	13		74	11	98
7	SIPI-OI	286	5	3.323	236	3.850
	TOTAL	362	11	3.818	359	4.550

Allocation and SIUP realization data based on company type in 2012 (until 27 July 2012) as follows:

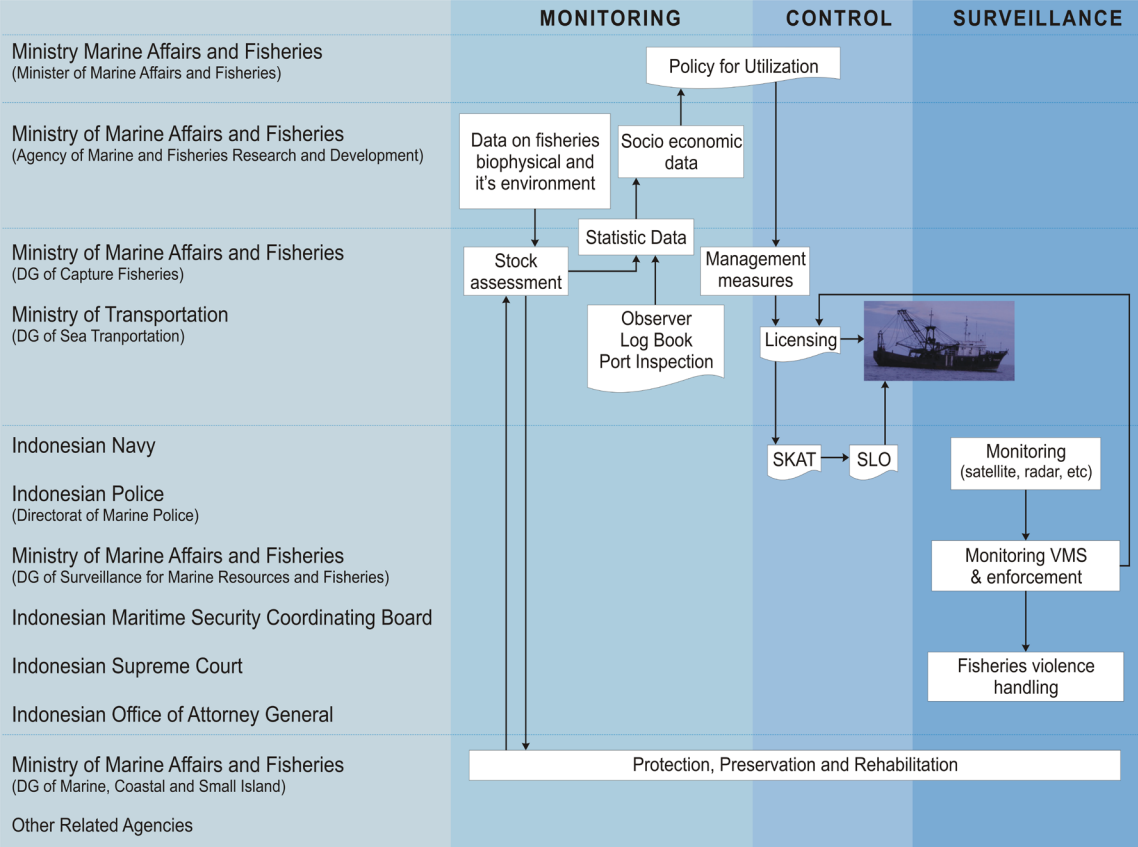
NO	COMPANY TYPE	NUMBER OF COMPANY	NUMBER OF ALLOCATION	NUMBER OF REALIZATION	PERCENTAGE (%)
1	Cooperation	122	131	63	48,09
2	Individual	1.952	5.068	2.794	55,13
3	Company	275	3.937	1.443	36,65
4	Transporting Company	10	37	24	64,86
5	PMA	31	695	240	34,53
6	PMDN	6	64	20	31,25
	TOTAL	2.396	9.932	4.584	46,15

SIUP realization data based on license type and license status in 2012 (until 27 July 2012) as follows:

NO	LICENSE TYPE	LICENSE STATUS				TOTAL
		NEW	REPLACEMENT	RENEWAL	CHANGE	
1	SIKPI-GI	16		68	32	116
2	SIKPI-NA	5		14	6	25
3	SIKPI-NI	2				2
4	SIKPI-OA			12	2	14
5	SIKPI-OI	40		314	38	392
6	SIPI-GI	9		31	9	49
7	SIPI-LI	22		76	20	118
8	SIPI-OI	434	3	3.262	169	3.868
	TOTAL	528	3	3.777	276	4.584

In order to support the management of fisheries resources, and in accordance with the international and regional instruments, especially in the Code of Conduct for Responsible Fisheries (CCRF), Indonesia has developed Monitoring, Control and Surveillance (MCS) Fisheries System. The implementation of MCS involves several agencies, such as the Ministry of Marine Affairs and Fisheries (MMAF), Indonesian Navy (TNI-AL), Marine Police (Polair), Marine Security Coordinating Board (Bakorkamla), and Directorate General of Sea Transportation (HUBLA) Ministry of Transportation, as described in the diagram in Figure 2.

Figure 2. The Operation of Monitoring, Control and Surveillance Capture Fisheries



*DG: Directorate General *SLO: Surat Laik Operasi (Fishing Operation Permit)

*SKAT: Surat Keterangan Aktivasi Transmitter (Transmitter Activation Letter)

Especially for the surveillance subsystem, surveillance activities and law enforcement are carried out with the involvement of the MMAF, the Navy, Polair, Bakorkamla, the Supreme Court and the Attorney General in accordance to each duties and functions which set out in Act Number 31 of 2004 on Fisheries as amended with Act Number 45. of 2009.

To improve the coordination among relevant agencies in fisheries law enforcement, the regulation has been set out in the Minister of Marine Affairs and Fisheries Regulation number: PER.13/ MEN/2005 on Fisheries Law Enforcement Coordination Forum (Forum Koordinasi Tindak Pidana Perikanan) as ammended with Minister of Marine Affairs and Fisheries Regulation number: PER.18/ MEN/2011, which enable to be established at central and local levels. Moreover, in the effort to strengthen the management of fisheries resources, management elements such as institutional, legislations, human resources (HR), also infrastructure and facilities continue to receive the government’s attention to be gradually improved.

Specifically, the IUU Fishing in Indonesia are categorized in 3 (three) groups, namely illegal fishing, unreported fishing and unregulated fishing.

A. Illegal Fishing Activity

Based on IPOA-IUU fishing documents, the illegal fishing activities are:

1. activities undertaken without license by the people or foreign vessel within the waters jurisdiction of the country or contrary to the laws of the country concerned;
2. activities undertaken by the vessel using the flag of the member state of one regional fisheries management organization but its activity contrary to the rules and regulations concerning about the management and resources conservation which set by the organization, which is binding for its member countries, or contrary to other relevant international law;
3. activities that contrary to the national laws and international obligations including the obligation of regional fisheries management organization member states to the organization. The most common illegal fishing activities that violate the laws which occurs in Indonesian fisheries management area is illegal fishing by foreign fishing vessels, especially from neighboring countries, that operate not only within the Indonesia EEZ waters , but also entering into Indonesian archipelagic waters. In general, the main types of fishing gear used are purse seine and trawl, which are the most productive fishing gear

In addition to the cases of illegal fishing practices conducted by foreign-flag fishing vessels, violations also occur by Indonesian fishing vessels themselves, among others:

1. the fishing vessels are not equipped with Catch License (SIPI) ;
2. the fishing carrier vessel are not equipped with Carrier Vessel License (SIKPI);
3. violation of fishing areas which not appropriate with the fishing areas that have been determined in fishing license;
4. use of harmful, materials or fishing gear as well as prohibited fishing gear;
5. forgery of fishing license;
6. manipulation of vessel's document, including size, location of manufacture, and vessel ownership documents;
7. the name of the vessel, vessel size and / or brand, serial number, and engine power does not match what listed in the license;
8. type, size and number of fishing gear and / or auxiliary tools does not match what listed in the license;
9. vessels operating without Sailing Approval Letter (SPB);
10. the vessel does not install or activate such a monitoring equipment as specified for fishing vessel and carrier vessels (VMS transmitter);

11. fishing vessel and carrier vessels unloading fish in the sea without permit;
12. fishing vessels transporting the catch directly to foreign countries without reporting to the specified port;
13. fishing vessels and carrier vessels flying Indonesian flag capture / carry fish in the jurisdiction of other countries without permission of the country concerned and without approval from the Government of the Republic of Indonesia

B. Unreported Fishing Activity

Based on the IPOA-IUU Fishing document, the unreported fishing activities are:

1. the activity which has not been reported, or has been misreported, to the relevant national authority, in contravention of national laws and regulations; or
2. the activity undertaken in the area of competence of a relevant regional fisheries management organization (RFMO) which has not been reported or has been misreported, in contravention of the reporting procedures of that organization.

The unreported fishing cases which often occurs in Indonesia generally associated with production data. As of today there are fishing vessels that have not reported the actual catches or improperly / incorrectly reported. Generally this is occurred to avoid the tax levy on their business. In addition to this, the unreported fishing include:

1. transferring the catch in the sea or sea transshipment without being recorded / reported to the authorities;
2. the offenders do not report their catch, to avoid tax levy on their businesses;
3. fishing vessels and fishing carrier vessel do not report at the port base in accordance with the license granted;
4. fishing vessels directly transporting its catch to overseas.

C. Unregulated Fishing Activities

Based on the IPOA-IUU Fishing document, , the unregulated fishing activities are:

1. activities undertaken by the vessels without flag in the convention area of relevant RFMO, or by those flying the flag of a State not party to the organization, or by those flying the flag of a State, or by fishing company, contravenes to the management and conservation measures of that organization;
2. fishing activity conducted in areas or for fish stocks in relation to which there are no applicable conservation or management measures and where such fishing activities are conducted in a manner inconsistent with State responsibilities for the conservation of living marine resources under international law.

The unregulated fishing activity that occurred in Indonesia is sport fishing activity.

D. Impact of IUU Fishing

In Indonesia IUU Fishing occurred in various aspects of capture fisheries activities which have impacts on the social, economic, environmental, and IUU fishing activities often leads to conflict among traditional fishermen.

In a more detail explanation, the impact of IUU Fishing activities for Indonesia as follows:

1. threats the sustainability of fisheries resources;
2. the livelihood of local fishermen who use a small-scale fishing fleet and an ordinary fishing equipment is obstructed as it cannot compete with the illegal fishing offenders;
3. the loss of half of fish production and the state's opportunity to earn foreign exchange;
4. reduction in State Non-Tax Revenue (PNBP);
5. a hindrance to Indonesia's efforts on strengthening the fish processing industry, including on improving competitiveness;
6. negative influence to Indonesia's image in the international fora, as foreign vessels illegally using Indonesian flag and Indonesian vessels conducting illegal fishing which contrary to international conventions and agreements. It may also lead to an embargo on Indonesia's fishery products marketed overseas

CURRENT STATE OF PREVENTION AND COMBATING OF IUU FISHING

A. Institutional, Infrastructure and Facility, and Human Resource

Based on Ministerial Regulation of Minister of Marine Affairs and Fisheries Number. PER.04/MEN/2006 on Organization and Administration of Technical Implementation Unit in surveillance for marine and fisheries resources (SMFR), the Technical Implementation Unit (TIU) has been established under the Directorate General of Surveillance for Marine and Fisheries Resources. However, current institutional of SMFR is insufficient and unable to support the higher workload and to solve the complexity the surveillance matter in the field. As today, there are 5 (five) established SMFR-TIU in Jakarta, Bitung-North Sulawesi, Belawan-North Sumatra Pontianak-West Kalimantan, and Tual-South East Maluku. In addition, there are Working Unit and Surveillance Post which are spread across the region.

The availability of surveillance infrastructure and facilities to monitor Indonesian waters for prevention and combating IUU fishing is very important due to the enormous coverage area for surveillance. Surveillance infrastructure and facility that are required to prevent and combat IUU Fishing are, among others, patrol vessel, communication devices, Vessel Monitoring System (VMS), patrol aircraft, coastal radar, Community Based Surveillance System (SISWASMAS), institutions, firearms as a self-protection device, and fisheries inspector personnel. With the establishment of the SMFR-TIU, other than mentioned infrastructure and facility, it is also needed to provide supporting infrastructures such as inspector office, temporary shelter for the patrol vessel crew, inspection room, evidence storage, and other facilities to support the continuity of operation.

The procurement of fisheries patrol vessel carried out gradually every year. By the end of 2011 the number of patrol vessels owned by MMAF has reached 25 units and 64 units of speedboat. These vessels are placed in several regions either in SMFR-TIU or in the Province / Regency / City of Marine and Fisheries Agency.

The VMS has been implemented since 2003 to support surveillance activities through vessel monitoring using information technology. To implement the VMS, MMAF Headquarter in Jakarta has built Fishing Monitoring Center (FMC). VMS implementation with installed transmitters on fishing vessels are purposed to monitor the movement of the fishing vessels when conducting fishing operations at sea. By the end of 2011, MMAF recorded that there were ± 4201 online VMS units installed with the average activation up to 2122 units, and 1500 units offline VMS installed with an average activation reached 970 units. The position and movement of Indonesian fishing vessels and carrier vessels above 30 GT can be monitored with one hour interval. The collected data can be used to analyze the level of compliance of Indonesian fishing vessels and carrier fishing vessels with the regulation concerning the fishing ground, fishing gears and methods, landing catch and so forth.

The radio communication devices are installed on each fishing port and can be used to communicate directly with the control center at Directorate General of SMFR, Jakarta. In 2005 the Ministry of Communications and Information has issued the usage license frequency for one year validity period which renewable annually. The communication devices are programmed to have been installed in every fishing ports and fish landing sites. Up to 2011, there are 61 units of communication devices that have been built across 21 provinces in Indonesia.

Up to 2011, the number of human resource having duties and functions of SMFR is 961 (nine hundreds and sixty one) people, based at the Center, TIU/Working Unit/Surveillance Post, consists of officials, fisheries inspectors, Fisheries Investigators (PPNS), crew of patrol vessel, and special police - certain officials authorized to exercise a special police in the management of coastal areas and small islands.

B. Prevention of IUU Fishing

The Efforts to prevent IUU Fishing in Indonesia have been undertaken through a mechanism that consists of licensing, fishing monitoring, and, then, law enforcement. . These activities are conducted through cooperation and coordination among government agencies that have authority at sea, namely the Ministry of Marine Affairs and Fisheries, Ministry of Transportation, Navy, and Marine Police.

Ministry of Marine Affairs and Fisheries implement the mandate to prevent and combat IUU fishing based on the Act Number. 31 of 2004 on Fisheries, as amended by the Act Number. 45 of 2009, as a strong legal basis in carrying out the duties.

The implementation of fishery resource surveillance is carried out by the following steps:

1. Surveillance activity at the pre-production stage is performed, as preventive measure, through the application of Fishing Operation Permit (SLO) and Minutes of Vessel Inspection Results (HPK) of the Departing Vessels as a result of vessel's documents verification. Prior to conducting fishing activities fishery inspectors verifies the documents of fishing vessels and fish carrier vessels i.e licensing documents, physical condition of fishing vessel, fishing gear, vessel size, vessel crew, fishing ground and VMS transmitter activation. When the verification results are in accordance with the provisions, the SLO will be issued, while if otherwise the SLO will not be issued until the completion of the required documents is made. The implementation of HPK and SLO as the surveillance instruments is strongly needed to ensure the feasibility level of fishing vessel and fish carrier vessel in carrying out fishing operations and fish transporting;
2. Surveillance activity at the production stage is conducted through monitoring fishing vessels and fish-carrier vessels by utilizing VMS transmitter and patrol vessels, through verification of document/licensing, fishing gears, vessel size, vessel's crew, fishing ground, catch and VMS transmitter activation. Should there any indication of violation, the offender will be ad hocked to the nearest SMFR base/station to undergo further legal process;
3. Surveillance activity at the post-production stage is performed after fishing activity is completed, by inspecting the fishing vessels and fish-carrier vessels and the unloaded catch at the port as well. Verification is conducted through examining the compliance of the licensing documents, number of catch, size and species of catch caught by the fishing equipment used, the fishing base, and the compliance of catch lane and fishing ground. The form of examination is written in HPK arrival for Fishing Vessels and Fish Carrier Vessel, and in the use of Fishing Base Report Book (Buku Lapor Pangkalan) that has function to ensure the compliance of fishing base of the fishing vessel and/or fishing carrier vessel as specified in SIPI and/or SIKPI, as well as to determine the average number of vessel operation days. The issuance of HPK-Arrival of Fishing Vessels and Fish Carrier Vessel will become the basis of the subsequent SLO issuances, and when HPK shows a mismatch then a legal action should be taken into consideration.

According to the Law Number 31 Year 2004 concerning Fisheries, as amended by Law Number 45 Year 2009, and the Minister Regulations Number PER.58/MEN/2001 concerning the Procedures in Implementing Community Based Surveillance System for Management and Utilization of Marine Resources and Fisheries, the fishing surveillance activity may involve the community. Regarding to above matter, MMAF has developed SISWASMAS (Community Based Surveillance System) by involving Community Based Surveillance Group (POKMASWAS). So far, there are 1,878 (one thousand eight hundreds and seventy eight) community based surveillance groups that have been formed and widely spread throughout 33 provinces in Indonesia.

C. Combating IUU Fishing

Efforts on combating IUU Fishing in Indonesia have been performed through as follows:

1. adopt or ratify the international regulation;
2. review and harmonized the national legislation if necessary;
3. recruit the fisheries inspectors and PPNS as well as conduct capacity building;
4. participate actively in RFMO and other international fisheries organization;
5. have an active role in RPOA-IUU;
6. implement MCS through VMS, observer, log book and port inspection;
7. form and develop the capacity of SMFR-TIU on the region;
8. provide surveillance infrastructure, such as patrol vessel and speedboat;
9. increase the capacity of POKMASWAS;
10. form Fisheries Court; and
11. intensify surveillance operation and conduct joint or coordinated patrol.

Based on the Act. Number 31 of 2004 on Fisheries as amended with the Act. Number 45 of 2009, the surveillance of fishing and transporting fish is conducted by Fisheries Inspector. In case of fisheries violation happens, then the offender will be handled by the investigators that consist of PPNS, Navy and Police Investigators of Republic of Indonesia. Surveillance to the fishing vessels and fish carrier vessel is also conducted by using patrol vessel owned by MMAF, in the following operation:

1. Independent operation

Independent surveillance operations carried out by using patrol vessels owned by MMAF. The surveillance areas are divided into two, namely area I covers the waters of the Malacca Strait, South China Sea, Indian Ocean, Western Sumatera (Mentawai) to southern Java with the boundary of 110°40'00" eastern longitude and region II includes the waters of the eastern Indian Ocean 110°40'30" eastern longitude, Flores Sea to the Makassar Strait, Banda Sea, Arafuru Sea, Maluku Sea, Tomini Gulf, Celebes Sea, and Pacific Ocean. Since the operations carried out independently by the MMAF patrol vessel, the achievement results as follows:

Table 1.Recapitulation of Vessel arrested through Surveillance Vessel Operations Year 2005 - 2011

YEAR	INSPECTED (Vessel Unit)	ADHOCKED (Vessel Unit)		
		IFV	FFV	IFV+FFV
2005	344	91	24	115
2006	1447	83	49	132
2007	2207	95	88	183
2008	2178	119	124	243
2009	3961	78	125	203
2010	2253	24	159	183
2011	3348	31	75	106
TOTAL	15738	521	644	1165

*IFV = Indonesian Fishing Vessel, FFV = Foreign Fishing Vessel.

2. Joint operation

In addition to the independent operation using the MMAF patrol vessel, MMAF in performing the IUU fishing surveillance also conducts a joint operations with Navy, and Marine Police. Based on the Act. No. 31 of 2004 on Fisheries as amended with the Act. No. 45 of 2009, and the Minister of Marine Affairs and Fisheries Decree no. KEP.58/MEN/2001 on Procedures in Implementing Community Based Surveillance System for Management and Utilization of Marine Resources and Fisheries, therefore fisheries surveillance can involve community.



Ministry of Marine Affairs and Fisheries patrol vessel



Fisheries inspectors

NATIONAL PLAN OF ACTION TO PREVENT AND COMBAT IUU FISHING

A. All States Responsibilities

1. International Instrument

IPOA-IUU Fishing Recommendation:

1. States should give full effect to relevant norms of international law, in particular as reflected in the 1982 UN Convention, in order to prevent, deter and eliminate IUU fishing., particularly as been set in UNCLOS 1982;
2. States are encouraged, as a matter of priority, to ratify, accept or accede to, as appropriate, the 1982 UN Convention, the 1995 UN Fish Stocks Agreement and the 1993 FAO Compliance Agreement.
3. States should implement fully and effectively all relevant international fisheries instruments which they have ratified, accepted or acceded to.
4. States should fully and effectively implement the Code of Conduct and its associated International Plans of Action..
5. States whose nationals fish on the high seas in fisheries not regulated by a relevant regional fisheries management organization should fully implement their obligations under Part VII of the 1982 UN Convention to take measures with respect to their nationals as may be necessary for the conservation of the living resources of the high seas.

Indonesia complies with the norms of international laws which related to the management of fisheries resources in orderly and responsible including to prevent and combat IUU fishing, through the establishment of:

1. Act. Number 5 of 1983, on the Indonesia Exclusive Economic Zone
2. Act. Number 17 of 1985, on the ratification of International Law of the Sea;
3. Act. Number 31 of 2004, on Fisheries, as has been amended by Act. No. 45 of 2009; and
4. Act Number 21 of 2009 on the Ratification of Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks;

As a consequence, and follow-up of the ratification of international conventions and / or international treaties Indonesia has harmonized legislation on fisheries including the adaptation of CCRF provisions into various national laws, and participated actively in Regional Fisheries Management Organizations (RFMOs).

Indonesian Action Plan:

1. to continue the process of ratification on the FAO Compliance Agreement of 1993;
2. to continue the process of membership in the WCPFC;
3. to continue the ratification process of Port State Measures;
4. to continue the integration process of RFMOs resolution into national legislation;
5. to participate actively in the RFMOs activities including comply with the resolution and capacity building;
6. to update the authorized fishing vessels and record fishing vessels;
7. to complete the legislation and guidelines for the implementation of international instruments.

2. National Legislation

a. Legislations

IPOA-IUU Fishing Recommendation:

1. National legislation should address in an effective manner all aspects of IUU fishing.
2. National legislation should address, inter alia, evidentiary standards and admissibility including, as appropriate, the use of electronic evidence and new technologies.

Indonesia has amended Act Number 31 of 2004 on Fisheries with Act Number 45 of 2009, as an effort to:

1. improve the effectiveness of fisheries resources management and conservation;
2. implement the sustainable fisheries development; and
3. accommodate the strategic environment development, both regionally and globally.

In addition, Indonesia has developed a number of public policy, including:

1. Government Regulation Number 24 of 2006 on Appointment and Dismissal Procedures of Ad Hoc Judge in Fisheries Court;
2. Presidential Decree Number 15 of 2010 on Establishment of Fisheries Court in Tanjung Pinang and Ranai;
3. Minister of Marine Affairs and Fisheries Decree Number KEP.58/Men/2001 on the Procedures in Implementing Community Based Surveillance System for Management and Utilization of Marine Resources and Fisheries;
4. Minister of Marine Affairs and Fisheries Regulation Number PER.13/MEN/2005 on Fisheries Law Enforcement Coordination Forum (Forum Koordinasi Tindak Pidana Perikanan) as amended by PER.18/MEN/2011;

5. Minister of Marine Affairs and Fisheries Regulation Number PER.04/MEN/2006 on Establishment of TIU - SMFR;
6. Minister of Marine Affairs and Fisheries Regulation Number PER.19/MEN/2006 on Appointment of Port Officer of the Fishing Ports;
7. Minister of Marine Affairs and Fisheries Regulation Number PER.05/MEN/2007 on Fishing Vessel Monitoring System;
8. Minister of Marine Affairs and Fisheries Regulation Number PER.27/MEN/2009 on Registration and Marking of Fishing Vessel;
9. Minister of Marine Affairs and Fisheries Regulation Number PER.18/MEN/2010 on Fishing Log Book;
10. Minister of Marine Affairs and Fisheries Regulation Number PER.14/MEN/2011 on Capture Fisheries Business as ammended by PER.49/MEN/2011;
11. Minister of Marine Affairs and Fisheries Regulation Number PER.08/MEN/2012 on Fishing Port;
12. Minister of Marine Affairs and Fisheries Regulation Number PER.12/MEN/2012 on Capture Fisheries Business in High Seas;
13. Minister of Marine Affairs and Fisheries Regulation Number PER.13/MEN/2012 on Catch Certification;
14. DG SMFR Decree Number KEP.143/DJ-PSDKP/2012 on Technical Operational Guidance of the Patrol

Indonesia has been using VMS data record to support in handling the fisheries violation. The records of the VMS data include transmitter activation status, vessel position and fishing vessel movement.

Indonesian Action Plan:

Indonesia is currently preparing several legislations, including the:

1. finalization of the draft Government Regulation on the Fisheries Surveillance;
2. compiling of the draft of the Government Regulation on Granting Awards to the Law Enforcement Officers, and parties who contributed to the saving state assests;
3. compiling of the draft of Minister Regulation on Fishing Vessel and Vessel Carrier Observer;
4. integration into the legislations the use of electronic evidences in handling fisheries violations;
5. improvement of the Minister of Marine and Fisheries Regulation Number PER.05/MEN/2007 on Fishing Vessel Monitoring System concerning the implementation of Vessel Monitoring System (VMS).

b. State Control Over National

IPOA-IUU Fishing Recommendation:

Each State should, to the greatest extent possible, take measures or cooperate to ensure that nationals subject to their jurisdiction do not support or engage in IUU fishing. All States should cooperate to identify those nationals who are the operators or beneficial owners of vessels involved in IUU fishing.

in relation to the provisions of the IPOA which requires each country to regulate fishing activities in order to prevent IUU Fishing, Indonesia has set out the following regulations:

1. Act. Number 31 of 2004, on Fisheries, as has been amended by Act. Number 45 of 2009
2. Act Number 17 of 2008 on Shipping which regulate that:
 - a. Indonesian vessel shall fly the Indonesian flag as a sign of nationality and prohibited from flying flags of other national to substitute the sign of Indonesian nationality; non-Indonesian vessels are prohibited from flying the Indonesian flag;
 - b. the identity of the vessels sailing in Indonesian territorial waters flying more than one flag of nationality is not considered legal.
 - c. vessels that sail in Indonesian waters by flying more than one flag, considered not having vessel's identity.
3. Minister of Marine Affairs and Fisheries Regulation Number PER.14/MEN/2011 on Capture Fisheries Business as amended by Minister of Marine Affairs and Fisheries Regulation Number PER.49/MEN/2011

In addition, Indonesia has also undertaken activities for preventing IUU fishing practices by fishing vessels and fish-carrier vessels that carried out fishing activity in the jurisdiction of other States or within the conservation areas of regional fisheries management organizations, through the following operational measures which include:

1. cooperation through Indonesia Australia Fisheries Surveillance Forum;
2. Malaysia-Indonesia patrol cooperation (cooperation between States);
3. to socialize with those who conduct fishing business;
4. to increase the surveillance; and
5. to consistently implement law enforcement

Indonesian Action Plan:

In the foreseeable future, the Indonesian Government will perform the following measures:

1. harmonizing the various laws and policies related to the efforts to prevent and combat IUU fishing by Indonesian fishing vessels and fishing carrier vessels in accordance with international provisions;
2. increasing the surveillance to all Indonesian fishing vessels and carrier vessels;
3. strengthening the institutions and integrated coordination to optimize the efforts on preventing and combating IUU fishing.

c. Vessels Without Nationality

IPOA-IUU Fishing Recommendation:

States should take measures consistent with international law in relation to vessels without nationality on the high seas involved in IUU fishing.

Indonesia has prevented the entry of vessels without nationality into Indonesian waters that were going to utilize its ports or obtain fishing license to conduct fishing activities in Indonesian waters. Based on Article 166 paragraph (1) of Act Number 17 of 2008 on on Seafaring Activities, every vessel that sails on the Indonesian territorial waters shall be able to clearly indicate the identity of the vessel.

Indonesian Action Plan:

Anticipating vessels without nationality that fishing in the high seas that will enter Indonesian waters, Indonesia will optimize the operation of the patrol vessels, improve the quality of fishery inspectors, coordinate with the relevant agencies, such as Water Police and the Navy, and empower POKMASWAS.



Illegal foreign fishing vessel being detained

d. Sanctions

IPOA-IUU Fishing Recommendation:

1. States should ensure that sanctions for IUU fishing by vessels and, to the greatest extent possible, nationals under its jurisdiction are of sufficient severity to effectively prevent, deter and eliminate IUU fishing and to deprive offenders of the benefits accruing from such fishing. This may include the adoption of a civil sanction regime based on an administrative penalty scheme.
2. States should ensure the consistent and transparent application of sanctions.

Indonesia has set out firm sanctions against the fishing of IUU Fishing, as regulated in:

1. Act number 31 of 2004 on Fisheries, as amended with Act Number 45 of 2009;
2. Act Number 17 of 2008 on Seafaring Activities.

Indonesia has imposed sanctions on the IUU fishing offenders, such as imprisonment and fines, and seized the evidence of fishing vessels and fishing gear.

Indonesian Action Plan:

Indonesia will continue to improve its consistency and transparency in applying the sanctions for IUU Fishing offenders.

e. Economic Incentive

IPOA-IUU Fishing Recommendation :

States should, to the extent possible in their national law, avoid conferring economic support, including subsidies, to companies, vessels or persons that are involved in IUU fishing.

Indonesia does not provide economic incentives, including subsidies to the fishing vessels and carrier vessels that involves in IUU fishing practices.

Indonesian Action Plan:

Indonesia would be consistent to not provide any economic incentives, including subsidies to the fishing vessels and carrier vessels involves in IUU fishing practices.

f. Monitoring, Control and Surveillance

IPOA-IUU Fishing Recommendation:

Each country required to conduct monitoring, control and surveillance in comprehensive and effective response to fishing activities since capturing, landing, up to marketing.

With regard to the management of fisheries resources, Indonesia has implemented the MCS system, which includes the following components:

1. verification of the feasibility of fishing vessels and carrier vessels;
2. surveillance on fishing vessels and carrier vessel during fishing and transporting activity;
3. verification on fishing vessels and carrier vessel, the catch, and the transported fishes.

Indonesian Action Plan:

1. improving the capacity, capability, and institutional fisheries resources surveillance, and developing surveillance infrastructure;
2. integrating the fisheries management system;
3. improving coordination with other related agencies;
4. continuing the implementation of joint patrols with neighboring countries;
5. encouraging the implementation of information exchange with neighboring countries.

3. National Plans of Action

IPOA-IUU Fishing Recommendation:

1. At least every four years after the adoption of their national plans of action, States should review the implementation of these plans for the purpose of identifying cost-effective strategies to increase their effectiveness and to take into account their reporting obligations to FAO under Part VI of the IPOA.
2. States should ensure that national efforts to prevent, deter and eliminate IUU fishing are internally coordinated.

Indonesia has implemented and evaluated activities for preventing and combating IUU fishing, and allocating the budget for the activities as stipulated in the Strategic Plan of the Ministry of Marine Affairs and Fisheries.

As an attempt to improve the effort on preventing and combating of IUU Fishing activities, Indonesia prepared the national action plans in the form of NPOA-IUU Fishing documents which referring to the IPOA-IUU Fishing and conducted the coordination with related agencies / institutions under the Fisheries Law Enforcement Coordination Forum.

Indonesian Action Plan:

1. NPOA-IUU Fishing will be evaluated at least once in every four years with the purpose of further development;
2. Improving coordination with related agencies / institutions to prevent and combat IUU fishing practices.

4. Cooperation Between States

IPOA-IUU Fishing Recommendation:

Each country have to coordinate their activities and cooperate directly, as far as possible through relevant RFMOs, in an effort to prevent, deter and eliminate IUU fishing.

In order to prevent, deter and eliminate IUU Fishing, Indonesia has conducted coordination and cooperation between states, through cooperation agreements such as the agreement in the form of a memorandum of understanding (MoU) or a letter of intent (LoI) with several countries including Australia, Vietnam, and Malaysia.

This cooperation, among others, is related to data exchange, transfer of technologies, coordinated patrols, researches and human resources development through education and training, and participation in the efforts to prevent, deter, and eliminate IUU fishing practices.

In 2008, together with the other 10 states in Southeast Asia (Australia, Brunei Darussalam, Cambodia, Malaysia, Papua New Guinea, The Philippines, Singapore, Thailand, East Timor, and Vietnam), Indonesia agreed on the adoption of Regional Plan of Action (RPOA) to Promote Responsible Fishing Practices Including Combating IUU Fishing in the Southeast Asia Region, and has continued its implementation up until now. Indonesia has become the Secretariat of RPOA, starting in 2008 until now. In addition, also in the same year, Indonesia and ASEAN member states committed themselves in preventing and combating IUU fishing through the establishment of ASEAN Fisheries Consultative Forum (AFCF). AFCF is an ASEAN consultation forum for fishery for which Indonesia was appointed to be the Secretariat for IUU fishing.

The MoU include:

1. cooperation with Australia related to fisheries surveillance and law enforcement for combating illegal fishing, signed July 17, 2009;
2. cooperation with the Socialist Republic of Vietnam on fisheries signed on October 27, 2010;
3. cooperation with Malaysia regarding the guidance for law enforcement officers of both countries in handling the fishermen who catch fish in the border region, signed on January 27, 2012.

Indonesian Action Plan:

1. enhancing cooperation to prevent and combat IUU fishing with other countries;
2. seeking technical cooperation to enhance capabilities in order to prevent and combat IUU fishing



The 6th RPOA-IUU Coordination Committee Meeting, 19-21 November 2013, Kota Kinabalu, Malaysia

5. Publicity

IPOA-IUU Fishing Recommendation:

States should publicize widely, including through cooperation with other States, full details of IUU fishing and actions taken to eliminate it, in a manner consistent with any applicable confidentiality requirements.

In order to prevent and combat IUU Fishing, Indonesia uses the existing information media, both printing and electronics, to inform that Indonesia has actively implemented various activities to prevent and combat IUU fishing. Indonesia also utilizes the international media and multilateral fora such as the FAO and RFMOs to report and discuss the progress of action on preventing and combating of IUU Fishing in Indonesia.

Indonesian Action Plan:

1. optimizing the development and the use of print and electronic media both nationally and internationally in the efforts on preventing and combating IUU Fishing and for good coordination with RFMOs;
2. enhancing the cooperation with the International MCS Network and its member countries;
3. carrying out publications on the IUU Fishing Vessel that has been proved engaging IUU Fishing in the WPP-NRI.

6. Technical Capacity and Resources

IPOA-IUU Fishing Recommendation:

States should endeavour to make available the technical capacity and resources which are needed to implement the IPOA. This should include, where appropriate, the establishment of special funds at the national, regional or global level. In this respect, international cooperation should play an important role

In order to prevent and combat IUU Fishing, Indonesia has increased the quality and quantity of human resources through recruitment and training of fisheries inspectors and Fisheries Investigators (PPNS).

There are 5 (five) Technical Implementation Units (TIU) have been established under the coordination of the DG SMFR which consists of 2 (two) Bases and 3 (three) Stations in which there are 58 (fifty-eight) Working Units and 138 (one hundred and thirty-eight) Surveillance Posts spread throughout the territory of the Republic of Indonesia.

Regarding to the handling of the fisheries violation, 7 (seven) Fishing Courts in Jakarta, Belawan, Tanjung Pinang, Ranai, Pontianak, Bitung, and Tual have also been established and the addition of fisheries ad hoc judge. To improve the coordination on handling fisheries violation in the Central, Provincial and Regency / City, a Fisheries Law Enforcement Coordination Forum has been established.

The community is also being involved in the preventing and combating of IUU fishing through Pokmaswas which have been formed as many as 1878 (one thousand eight hundred and seventy eight) groups spread all over Indonesia.

Indonesian Action Plan:

1. improving the quality and quantity of Fisheries Inspectors and Fisheries Investigators (PPNS);
2. upgrading institutional status of TIU/Working Unit/Surveillance Posts;
3. enhancing the role of Pokmaswas and Fisheries Law Enforcement Coordination Forum.

B. Flag State Responsibilities

1. Fishing Vessel Registration

IPOA-IUU Fishing Recommendation:

1. A flag State should ensure, before it registers a fishing vessel that it can exercise its responsibility to ensure that the vessel does not engage in IUU fishing.
2. Country shall ensure the flag changes (re-flagging) are done through the correct procedures to ensure delivery of the flag is not given to vessels engaged in IUU fishing activities.

Indonesia has implemented a system of registration for fishing vessels and fish-carrier vessels, both built domestically and abroad which includes:

1. vessels registration is administered Transportation as stipulated by Article 158 of Act. Number 17 of 2008 on Seafaring Activities;
2. publication of Fishing Vessels Book by the Ministry of Marine Affairs and Fisheries in accordance with Act. Number 31 of 2004 on Fisheries, as amended by Act Number 45 of 2009;
3. any Indonesian fishing vessel and fish-carrier vessel is given identification stickers that consist of vessel identification number, fishing ground, and/or the fishing gear used.

Indonesian Action Plan:

1. coordinating and integrating the registration data of fishing vessels and fish-fish-carrier vessels amongst the related institution;
2. verifying the vessel's history regarding IUU fishing practices in registering the fishing vessels and fish-fish-carrier vessels.

2. Record of Fishing Vessel

IPOA-IUU Fishing Recommendation:

Each flag State should maintain a record of fishing vessels entitled to fly its flag. Each flag State's record of fishing vessels should include, for vessels authorized to fish on the high seas, all the information set out in paragraphs 1 and 2 of Article VI of the 1993 FAO Compliance Agreement.

Indonesia comprehensively manage the data and information of fishing vessels and fish-carrier vessels that vessels authorized to conduct fishing and transporting fish in the WPP-NRI and High Seas such as the identity of the vessel, vessel size, fishing gear, and fishing ground

Indonesian Action Plan:

Evaluating the fishing vessels and fish-carrier vessels recording system in order to be effective in supporting the preventing and combating IUU fishing, including data accessibility for verification purposes

3. Authorization to Fish

IPOA-IUU Fishing Recommendation:

1. States should adopt measures to ensure that no vessel be allowed to fish unless so authorized, in a manner consistent with international law for the high seas, in particular the rights and duties set out in articles 116 and 117 of the 1982 UN Convention, or in conformity with national legislation within areas of national jurisdiction.

A flag State should ensure that each of the vessels entitled to fly its flag fishing in waters outside its sovereignty or jurisdiction holds a valid authorization to fish issued by that flag State.

2. Where a coastal State issues an authorization to fish to a vessel, that coastal State should ensure that no fishing in its waters occurs without an authorization to fish issued by the flag State of the vessel.

Indonesia has implemented a fishing licensing system as an instrument to control fishing practices in the WPP-NRI and the High Seas for the framework of responsible fisheries management.

Indonesian Action Plan:

In order to improve fisheries management Indonesia will seek the arrangement and improvements on capture fisheries business licensing system in the WPP-NRI and the High Seas.

C. Coastal State Measures

IPOA-IUU Fishing Recommendation:

Each coastal State should implement measures to prevent, deter and eliminate IUU fishing in the exclusive economic zone.

Fishing vessels and fish-fish-carrier vessels that operate in IEEZ are required to have a license and prior to conducting fishing activities shall have obtained the SLO from the Fisheries Inspectors as part of measures on preventing and combating IUU Fishing.

Before any foreign fishing vessel operates in IEEZ, fishing agreement, access arrangement or other necessary arrangement between the Government of the Republic of Indonesia and the Government of the flag State of that fishing vessel must be concluded.

It is necessary to monitor through VMS transmitters when the fishing activity is being carried out and to have them supervised by the patrol vessels and the Indonesian Navy.

Towards the fishing vessel convicted of IUU Fishing, there will be sanctions in accordance with the legislation.

Indonesian Action Plan:

- 1.improving the licensing system in IEEZ;
- 2.enhancing the role of the Fisheries Inspectors in verifying the worthiness of fishing vessel operation prior to conduct fishing and fish transporting;
- 3.optimizing the surveillance of fishing vessels and fish-fish-carrier vessels that conduct fishing and fish transporting in IEEZ and coordinating with related agencies.

D. Port State Measures

IPOA-IUU Fishing Recommendation:

States should use measures, in accordance with international law, for port State control of fishing vessels in order to prevent, deter and eliminate IUU fishing. Such measures should be implemented in a fair, transparent and non-discriminatory manner.

Indonesia seeks to prevent foreign vessels suspected to IUU fishing in the RFMOs convention area from entering the ports in Indonesia. Indonesia also implemented the provisions that any foreign vessels which enter the Indonesian port must report its arrival and the fisheries inspectors will inspect the vessels and their catch at the port.

Indonesia have the right to deny vessels that are suspected of IUU fishing in the RFMOs convention area, except in an emergency situation as regulated in the international provisions.

Indonesia has signed an agreement to ratify FAO Port State Measures Agreement and is currently in the process of ratification. In this regards, several necessary measures have been undertaken, such as designating 5 fishing ports as PSM implementation stations and improving the capacity of the port officers. The five designated fishing ports are namely Nizam Zachman, Belawan, Bitung, Pelabuhan Ratu, and Ambon National Fishing Port.

Indonesian Action Plan:

1. accelerating the ratification process of FAO Port State Measures Agreement;
2. improving surveillance of fishing vessels and fish-carrier vessels at the port for the implementation of Port State Measures Agreement, increasing the capacity and capability of human resources, completing the infrastructure and facilities, and improving communication with the RFMOs;
3. improving and streamlining the coordination with relevant agencies in conducting surveillance activity for fishing vessels and fish-fish-carrier vessels within the port.

E. Internationally Agreed Market-Related Measures

IPOA-IUU Fishing Recommendation:

Each country shall take the necessary measures in accordance with the international law, including to adopt and implement the fishing provisions in accordance with WTO agreements, to cooperate both globally and with RFMOs, to ensure that trade in a particular fishery or fish is free from IUU fishing activities..

Indonesia has adopted and implemented the European Commission Regulation Number 1005/2008 on Catch Certification Scheme (SHTI) for the preventing and combating of IUU Fishing, through:

1. establishment of a task force for the preparation of SHTI implementation through Ministerial Decree Number KEP.46/MEN/2009;
2. Minister of Marine Affairs and Fisheries Regulation Number PER.28/MEN/2009, as amended by the Minister of Marine Affairs and Fisheries Number PER.13/MEN/2012 on SHTI;
3. Making SHTI known and familiarized to the local government and other fisheries stakeholder;
4. conducting training and workshops on SHTI that involves the port authorities, and
5. implementing SHTI in 22 (twenty two) fishing ports throughout Indonesia..

Indonesian Action Plan:

1. implementing the “trade information scheme” for tuna trade;
2. implementing the CITES provisions for trade in endangered fish species;
3. issuance of Certificate of Origin (SKA) as a requirement to obtain Export Exit Permit;
4. implementation of SHTI in accordance with the Minister of Marine Affairs and Fisheries Regulation Number PER.13/MEN/2012.



The inspection of imported illegal fish in Nizam Zaman port, Jakarta

F. Research

IPOA-IUU Fishing Recommendation:

Each country should encourage scientific research on methods of identifying fish species from samples of processed products. FAO should facilitate the establishment of a network of databases of genetic and other markers used to identify fish species from processed product, including the ability to identify the stock of origin where possible.

Currently, Indonesia has been conducting research on the DNA of skipjack in the Eastern Indonesian waters, yellow-fin tuna in the Indian Ocean, and flying fish in Java Sea, Sulawesi Sea, and Makassar Strait. However, the research is still limited to fresh fish sampling and has not been able to cover the processed fish yet.

Indonesian Action Plan:

1. continuing the ongoing researches related to IUU fishing that have ever been conducted;
2. developing research on the introduction of fish species using DNA methods or other methods using samples of fresh fish and processed fish product.

G. Regional Fisheries Management Organizations

IPOA-IUU Fishing Recommendation:

Each country shall:

1. Ensure the compliance and enforcement of policy and regulation on IUU fishing adopted by RFMOs, where the mentioned state is bound;
2. Work together to form RFMO in the absence of RFMO in the mentioned region;
3. Take measures to strengthen and develop innovative ways, in accordance with the international law to prevent, deter and eliminate IUU fishing by considering the provisions on the information exchange on vessel that is involved in IUU fishing, the list of fishing boats in the RFMOs area, collection method and utilization of information on trade related to the surveillance of IUU Fishing and MCS development.

The progress and status of Indonesia's membership to the Regional Fisheries Management Organizations (RFMOs):

1. IOTC member, Contracting Party status, stipulated by the Presidential Regulation Number 9 of 2007;
2. CCSBT member, Contracting Party status, regulated with the Presidential Regulation Number 109 of 2007;
3. as a cooperating Non-Member in the WCPFC. Efforts have been made to improve the membership status in the WCPFC through the submission of the Initiatives Permission Request of the Ministry of Marine Affairs and Fisheries to the President of the Republic Indonesia Number B.758/MEN-KP/XII/2011, dated on December 27, 2011, regarding Ratification of Convention on the Conservation and Management of Highly Migratory Fish in the Western and Central Pacific Ocean (obtaining full membership status in WCPFC) and has submitted a letter from the Minister of Marine Affairs and Fisheries to the Minister of Foreign Affairs Number B.757/MENKP/XII/2011, dated on December 27, 2011, concerning the Finalization Process of Indonesia's Membership in WCPFC.;
4. Indonesia has established a Task Force RFMO through the Decree of the Minister of Marine Affairs and Fisheries Number KEP.06/MEN/2012 as RFMOs implementation and formed an Inter-Ministry coordination for WCPFC Ratification.

Indonesian Action Plan:

1. in the framework of preventing and combating IUU Fishing, Indonesia will improve compliance with the RFMOs' resolution and submit a report in accordance to RFMOs' provisions;
2. finalizing the revision draft of the Minister of Marine Affairs and Fisheries Regulation Number PER.05/MEN/2007 on Fishing Vessel Monitoring System;
3. continuing its membership application process with regards to WCPFC;
4. implementing RFMO resolutions that have been adopted through national legislation, as well as cooperate and coordinate with other countries through the RFMO in preventing IUU Fishing..

H. Special Requirements of Developing Countries

IPOA-IUU Fishing Recommendation:

Countries, with the support of FAO and relevant international institutions, where appropriate, should cooperate to support training, capacity building, and technical assistance in the implementation of NPOA IUU Fishing.

For a developing countries such as Indonesia, cooperation in training, capacity building and technical assistance to enhance the capacity in the implementation of NPOA IUU Fishing are, indeed, very important and necessary. Several referred programs that have been running as follows:

1. training on improving the MCS' capacity which facilitated by RPOA-IUU Fishing, Coral Triangle Initiative (CTI), SEAFDEC, US-ICITAP, NOAA;
2. research in cooperation with ACIAR, RFMOs, and MRAG Asia Pacific;
3. coordinated patrol with Australia;
4. improving the surveillance infrastructures and facilities through cooperation with the US-ICITAP and Australia (Australian Customs and Border Protection Services); and
5. workshops and technical assistance from FAO - APFIC and European Union -Trade Support Program (TSP) II including support towards the implementation of FAO PSM Agreement and EC Regulation 1005/2008 on Catch Certification Scheme for combating IUU fishing

Indonesian Action Plan:

1. continuing the cooperation in training, capacity building, and technical assistance that have been running so far;
2. seeking further the continuation of cooperation on technical assistance in the field of education (scholarships) and training, research, joint surveillance, and surveillance infrastructures and facilities, including with the International MCS Network (IMCSN), Australian Fisheries Management Authority (AFMA), and other relevant agencies.

TIME FRAME

NATIONAL PLAN OF ACTION TO PREVENT AND COMBAT IUU FISHING

no	ACTION PLAN	IMPLEMENTATION PLAN				
		2012	2013	2014	2015	2016
A	All States Responsibilities					
	1. International Instrument					
	a to continue the process of ratification on the FAO Compliance Agreement of 1993;					
	b to continue the process of membership in the WCPFC;					
	c to continue the ratification process of Port State Measures;					
	d to continue the integration process of RFMOs resolution into national legislation;					
	e to participate actively in the RFMOs activities including comply with the resolution and capacity building;					
	f to update the authorized fishing vessels and record fishing vessels;					

no	ACTION PLAN	IMPLEMENTATION PLAN				
		2012	2013	2014	2015	2016
	8 to complete the legislation and guidelines for the implementation of international instruments.					
	2 National Legislation					
	a Legislations					
	1. finalization of the draft Government Regulation on the Fisheries Surveillance;					
	2. compilation of the draft of the Government Regulation on Granting Awards to the Law Enforcement Officers, and parties who contributed to the saving state assets;					
	3. compilation of the draft of Minister Regulation on Fishing Vessel and Vessel Carrier Observer;					
	4. integration into the legislations the use of electronic evidences in handling fisheries violations;					
	5. improvement of the Minister of Marine and Fisheries Regulation Number PER.05/MEN/2007 on Fishing Vessel Monitoring System concerning the implementation of Vessel Monitoring System (VMS).					

no	ACTION PLAN	IMPLEMENTATION PLAN				
		2012	2013	2014	2015	2016
b	State Control Over National					
	1. harmonizing the various laws and policies related to the efforts to prevent and combat IUU fishing by Indonesian fishing vessels and fishing carrier vessels in accordance with international provisions;					
	2. increasing the surveillance to all Indonesian fishing vessels and carrier vessels;					
	3 strengthening the institutions and integrated coordination to optimize the efforts on preventing and combating IUU fishing.					
c	Vessels Without Nationality Anticipating vessels without nationality that fishing in the high seas that will enter Indonesian waters, Indonesia will optimize the operation of the patrol vessels, improve the quality of fishery inspectors, coordinate with the relevant agencies, such as Water Police and the Navy, and empower POKMASWAS.					
d	Sanctions Indonesia will continue to improve its consistency and transparency in applying the sanctions for IUU Fishing offenders.					
e	Economic Incentive Indonesia would be consistent to not provide any economic incentives, including subsidies to the fishing vessels and fish-carrier vessels involves in IUU fishing practices.					

no	ACTION PLAN	IMPLEMENTATION PLAN				
		2012	2013	2014	2015	2016
	f Monitoring, Control, and Surveillance					
	1. improving the capacity, capability, and institutional fisheries resources surveillance, and developing surveillance infrastructure;					
	2. integrating the fisheries management system;					
	3. improving coordination with other related agencies;					
	4. continuing the implementation of joint patrols with neighboring countries;					
	5. encouraging the implementation of information exchange with neighboring countries.					
	3 National Plans of Action					
	a) NPOA-IUU Fishing will be evaluated at least once in every four years with the purpose of further development;					
	b) Improving coordination with related agencies / institutions to prevent and combat IUU fishing practices.					
	4 Cooperation Between States					

no	ACTION PLAN	IMPLEMENTATION PLAN				
		2012	2013	2014	2015	2016
	a enhancing cooperation to prevent and combat IUU fishing with other countries;					
	b seeking technical cooperation to enhance capabilities in order to prevent and combat IUU fishing.					
	5 Publicity					
	a optimizing the development and the use of print and electronic media both nationally and internationally in the efforts on preventing and combating IUU Fishing and for good coordination with RFMOs;					
	b enhancing the cooperation with the International MCS Network and its member countries;					
	c carrying out publications on the IUU Fishing Vessel that has been proved engaging IUU Fishing in the WPP-NRI.					
	6 Technical Capacity and Resources					
	a improving the quality and quantity of Fisheries Inspectors and Fisheries Investigators (PPNS);					

no	ACTION PLAN	IMPLEMENTATION PLAN				
		2012	2013	2014	2015	2016
	b upgrading institutional status of TIU/Working Unit/Surveillance Posts;					
	c enhancing the role of Pokmaswas and Fisheries Law Enforcement Coordination Forum.					
B	Flag State Responsibilities					
	1 Fishing Vessel Registration					
	a. coordinating and integrating the registration data of fishing vessels and fish-carrier vessels amongst the related institution;					
	b. verifying the vessel's history regarding IUU fishing practices in registering the fishing vessels and fish-carrier vessels.					
	2. Record of Fishing Vessel Evaluating the fishing vessels and fish-carrier vessels recording system in order to be effective in supporting the preventing and combating IUU fishing, including data accessibility for verification purposes.					
	3. Authorization to Fish In order to improve fisheries management Indonesia will seek the arrangement and improvements on capture fisheries business licensing system in the WPP-NRI and the High Seas.					

no	ACTION PLAN	IMPLEMENTATION PLAN				
		2012	2013	2014	2015	2016
C	COASTAL STATE MEASURES					
	1. improving the licensing system in IEEZ;					
	2. enhancing the role of the Fisheries Inspectors in verifying the worthiness of fishing vessel operation prior to conduct fishing and fish transporting;					
	3. optimizing the surveillance of fishing vessels and fish-carrier vessels that conduct fishing and fish transporting in IEEZ and coordinating with related agencies.					
D	PORT STATE MEASURES					
	1. accelerating the ratification process of FAO Port State Measures Agreement;					
	2. improving surveillance of fishing vessels and fish-carrier vessels at the port for the implementation of Port State Measures Agreement, increasing the capacity and capability of human resources, completing the infrastructure and facilities, and improving communication with the RFMOs;					
	3. improving and streamlining the coordination with relevant agencies in conducting surveillance activity for fishing vessels and fish-carrier vessels within the port.					
E	Internationally Agreed Market-Related Measures					
	1. implementing the “trade information scheme” for tuna trade;					

no	ACTION PLAN	IMPLEMENTATION PLAN				
		2012	2013	2014	2015	2016
	2 implementing the CITES provisions for trade in endangered fish species;					
	3 issuance of Certificate of Origin (SKA) as a requirement to obtain Export Exit Permit;					
	4 implementation of SHTI in accordance with the Minister of Marine Affairs and Fisheries Regulation Number PER.13/MEN/2012.					
F	Research					
	1. continuing the ongoing researches related to IUU fishing that have ever been conducted;					
	2. developing research on the introduction of fish species using DNA methods or other methods using samples of fresh fish and processed fish product.					
G	Regional Fisheries Management Organizations					
	1. in the framework of preventing and combating IUU Fishing, Indonesia will improve compliance with the RFMOs' resolution and submit a report in accordance to RFMOs' provisions;					
	2. finalizing the revision draft of the Minister of Marine Affairs and Fisheries Regulation Number PER.05/MEN/2007 on Fishing Vessel Monitoring System;					
	3. continuing its membership application process with regards to WCPFC;					

no	ACTION PLAN	IMPLEMENTATION PLAN				
		2012	2013	2014	2015	2016
	4 implementing RFMO resolutions that have been adopted through national legislation, as well as cooperate and coordinate with other countries through the RFMO in preventing IUU Fishing.					
H	Special Requirements of Developing Countries					
	1. continuing the cooperation in training, capacity building, and technical assistance that have been running so far;					
	2. seeking further the continuation of cooperation on technical assistance in the field of education (scholarships) and training, research, joint surveillance, and surveillance infra-structures and facilities, including with the International MCS Network (IMCSN), Australian Fisheries Management Authority (AFMA), and other relevant agencies.					

List of abbreviation

- AFMA : Australian Fisheries Management Authority
- Bakorkamla : Badan Koordinasi Keamanan Laut
Marine Security Coordinating Board
- CCRF : The Code of Conduct for Responsible Fisheries
- CCSBT : Commission for the Conservation of Southern
Bluefin Tuna
- CITES : The Convention on International Trade In
Endangered Species of Wild Fauna and Flora
- CTI : Coral Triangle Initiative
- DNA : Deoxyribose-Nucleic Acid
- FAO : Food and Agriculture Organization
- FMC : Fishing Monitoring Center
- HPK : Berita Acara Hasil Pemeriksaan Kapal
Minutes of Vessel Inspection Results
- HUBLA : Perhubungan Laut
Directorate General of Sea Transportation,
Ministry Of Transportation
- IMCSN : The International Monitoring, Control, and
Surveillance Network
- IOTC : Indian Ocean Tuna Commission
- IPOA-IUU Fishing : International Plan of Action to Prevent, Deter,
And Eliminate IUU fishing
- IUU – Fishing : Illegal, Unreported and Unregulated Fishing
- MCS : Monitoring, Control and Surveillance
- MMAF : Ministry of Marine Affairs and Fisheries
- NOAA : National Oceanic and Atmospheric
Administration
- PNBP : Penerimaan Negara Bukan Pajak
State Non-Tax Revenue
- POKMASWAS : Kelompok Masyarakat Pengawas
Community Based Surveillance Group
- POLAIR : Polisi Perairan
Marine Police
- PPNS : Penyidik Pegawai Negeri Sipil
Fisheries Investigators
- RFMO : Regional Fisheries Management Organization
- RPOA : Regional Plan of Action
- SEAFDEC : Southeast Asian Fisheries Development Center
- SHTI : Surat Hasil Tangkapan Ikan
Catch Certification Scheme
- SIKPI : Surat Izin Kapal Pengangkut Ikan
Fish Carrier License
- SIPI : Surat Izin Penangkapan Ikan
Fishing License

- SISWAMAS : Sistem Pengawasan berbasis Masyarakat
Community Based Surveillance System
- SIUP : Surat Izin Usaha Perikanan
Fisheries Business Permit
- SKA : Surat Keterangan Asal
Certificate of origin
- SLO : Surat Laik Operasi
Fishing Operation Permit
- SMFR : Surveillance for Marine and Fisheries Resources
- TIU : Technical Implementation Unit
- TNI-AL : Tentara Nasional Indonesia – Angkatan Laut Indonesian Navy
- US-ICITAP : United States International Criminal
Investigative Training Assistance Program
- VMS : Vessel Monitoring System
- WCPFC : Western and Central Pacific Fisheries Commission
- WPP-NRI : Wilayah Pengelolaan Perikanan Negara Republik Indonesia
Fisheries Management Areas of the Republic of Indonesia
- ZEEI : Zona Ekonomi Eksklusif Indonesia
Exclusive Economic Zone Indonesia



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