



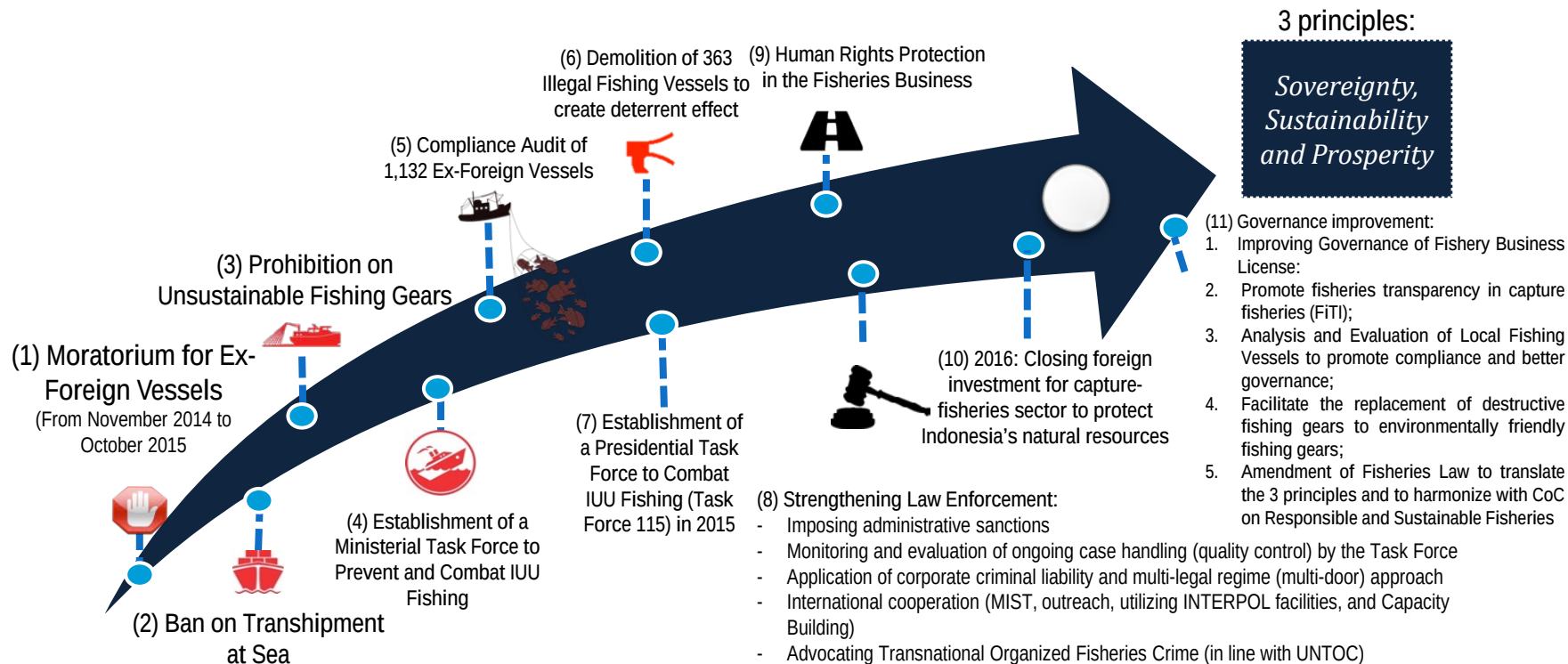
INDONESIA'S FIGHT AGAINST ILLEGAL, UNREPORTED AND UNREGULATED FISHING

Yunus Husein
Special Advisor of Task Force
115
Advisor to Minister of Marine
Affairs and Fisheries

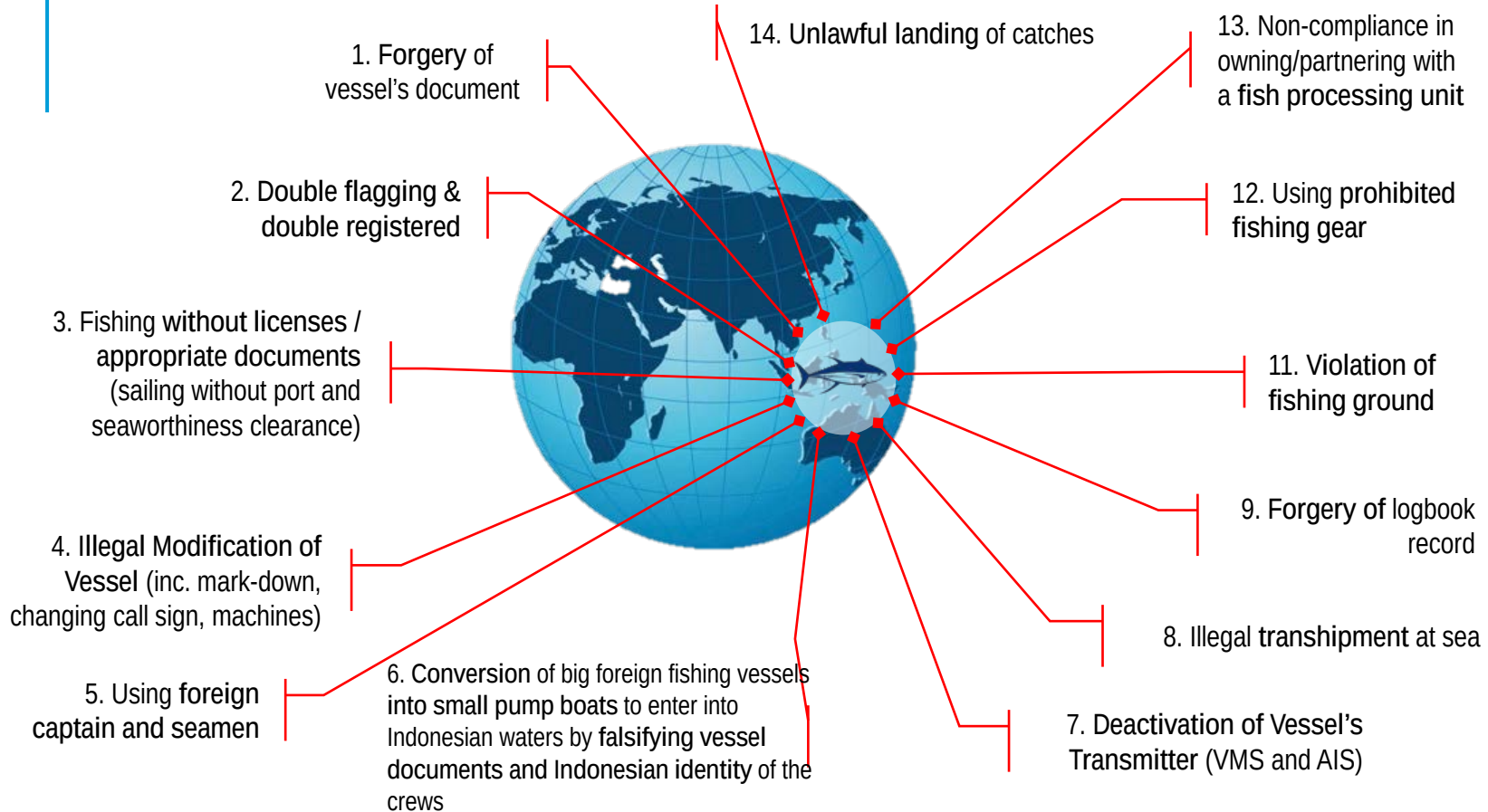


THE POLICIES AGAINST IUU FISHING

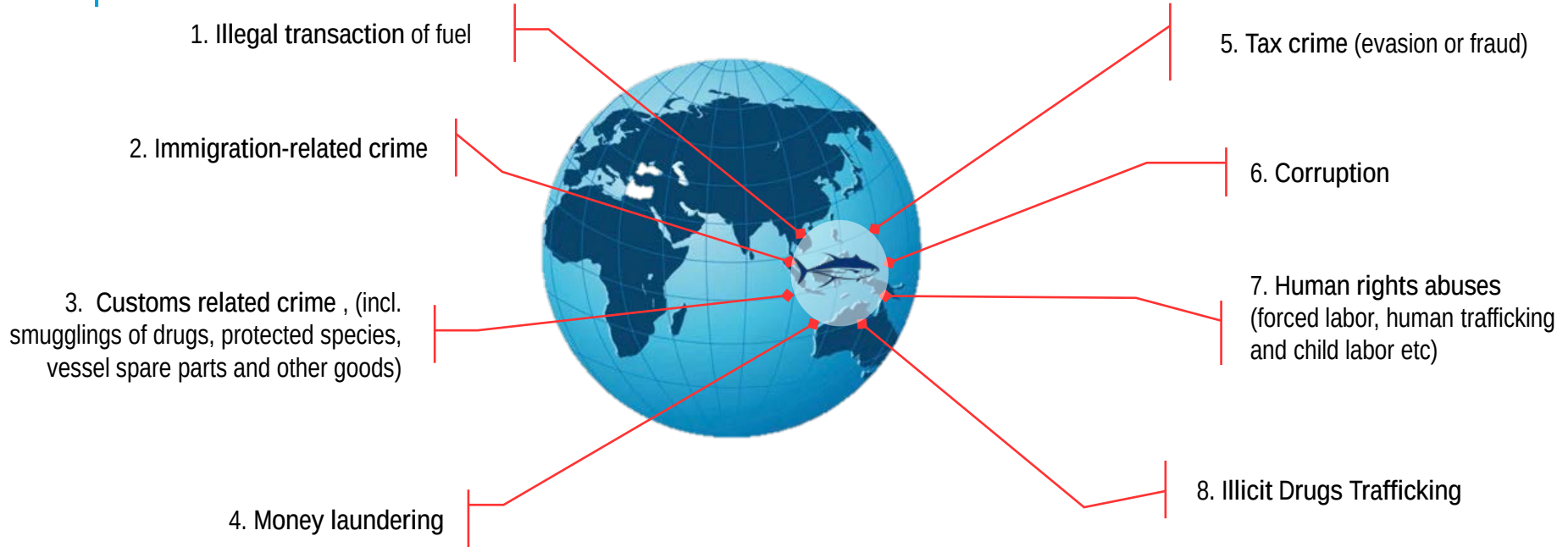
POLICIES TO COMBAT IUU FISHING



TYPES OF VIOLATIONS ON FISHERIES CRIME IN INDONESIA



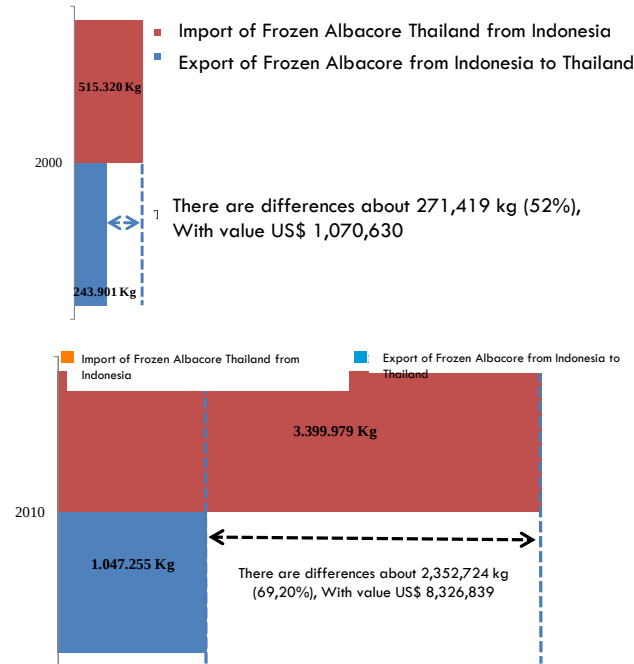
TYPES OF OTHER CRIMES (FISHERIES-RELATED CRIMES) IN INDONESIA



THE HIGH ACTIVITIES OF ILLEGAL & UNDOCUMENTED FISH EXPORT

The existence of transshipment policy creates opportunity for illegal exports and unrecorded fisheries production

The alleged illegal Export of Albacore Tuna Frozen (HS 030341) from Indonesia to Thailand in 2000 and 2010



Source : Analyzed from UN-Comtrade 2011 data

Thailand Silver Sea 2 Vessel – Monitoring Result of Airborne Surveillance Maritime Border Command (27 July 2015)



CASE: FISHING BOATS AS DRUGS SMUGGLING TOOL

“Sunrise Glory” fishing boat flying Singaporean flag was nabbed by Indonesian Navy on February 7, 2018 in Batam, Riau Islands

It smuggled 1.37 tons of methamphetamine and hid 41 rice sacks



Image Source: http://pescadulus.org/wp-content/uploads/2017/07/24789307036_ef683725d3_o.jpg



FISHERIES CRIME AS TRANSNATIONAL ORGANIZED CRIME

It takes commitment and international cooperation to eradicate IUUF & other crimes on fishing vessels



Image Source: http://pescadulus.org/wp-content/uploads/2017/07/24789307036_ef683725d3_o.jpg

SINKING OF SHIPS IS MANDATED BY THE FISHERIES LAW

Creating a Deterrent Effect to eliminate IUUF in Indonesian waters



Article 69 of the Fisheries Law (31/2004 jo .45/2009)

Scope of Authority:

- **Article 69 (3):** Stop, check, carry and hold the vessels suspected or reasonably suspected of violation in the Area of Fisheries Management
- **Article 69 (4):** On the basis of sufficient preliminary evidence, may take special action in the form of burning and / or sinking of a foreign-flagged fishing vessel on the basis of sufficient initial evidence

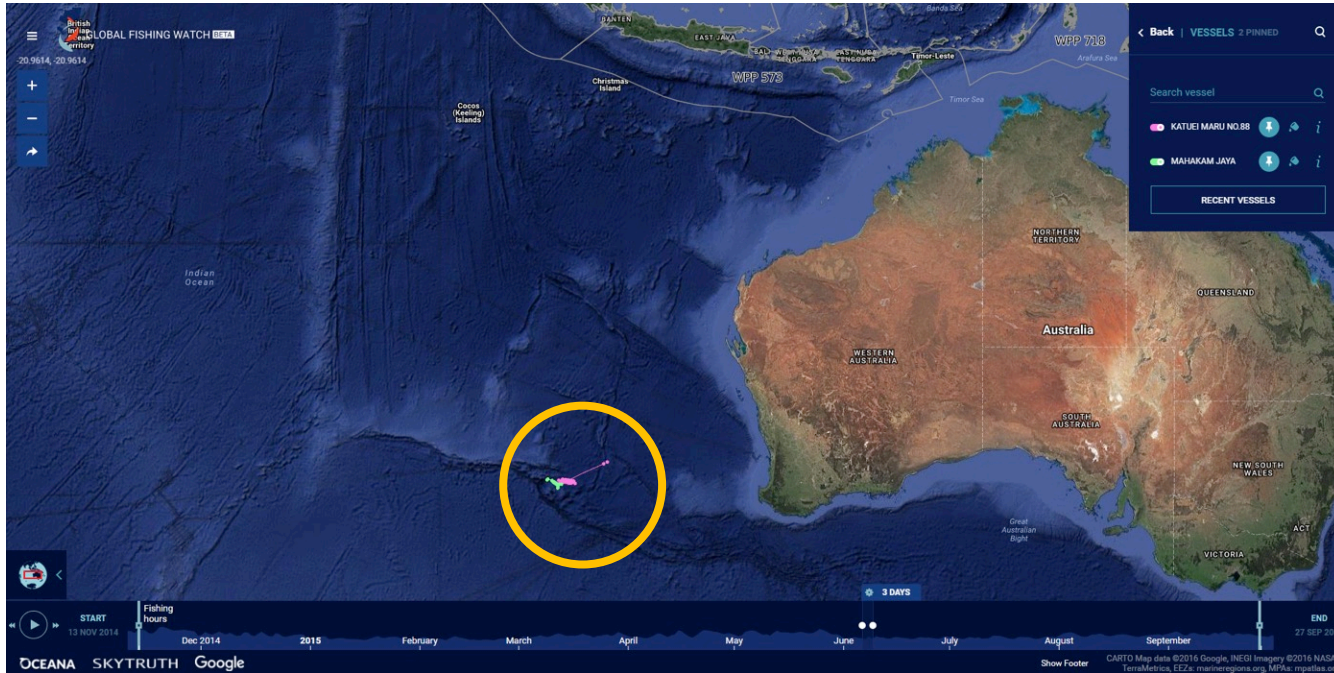
NO.	Vessel's Flag	TOTAL
1	Vietnam	188
2	Philippines	76
3	Thailand	22
4	Malaysia	51
5	Indonesia	21
6	Papua New Guinea	2
7	China	1
8	Belize	1
9	Nigeria*	1
TOTAL (Nov 2014-Nov 2017)		363

*) Information: MV Viking

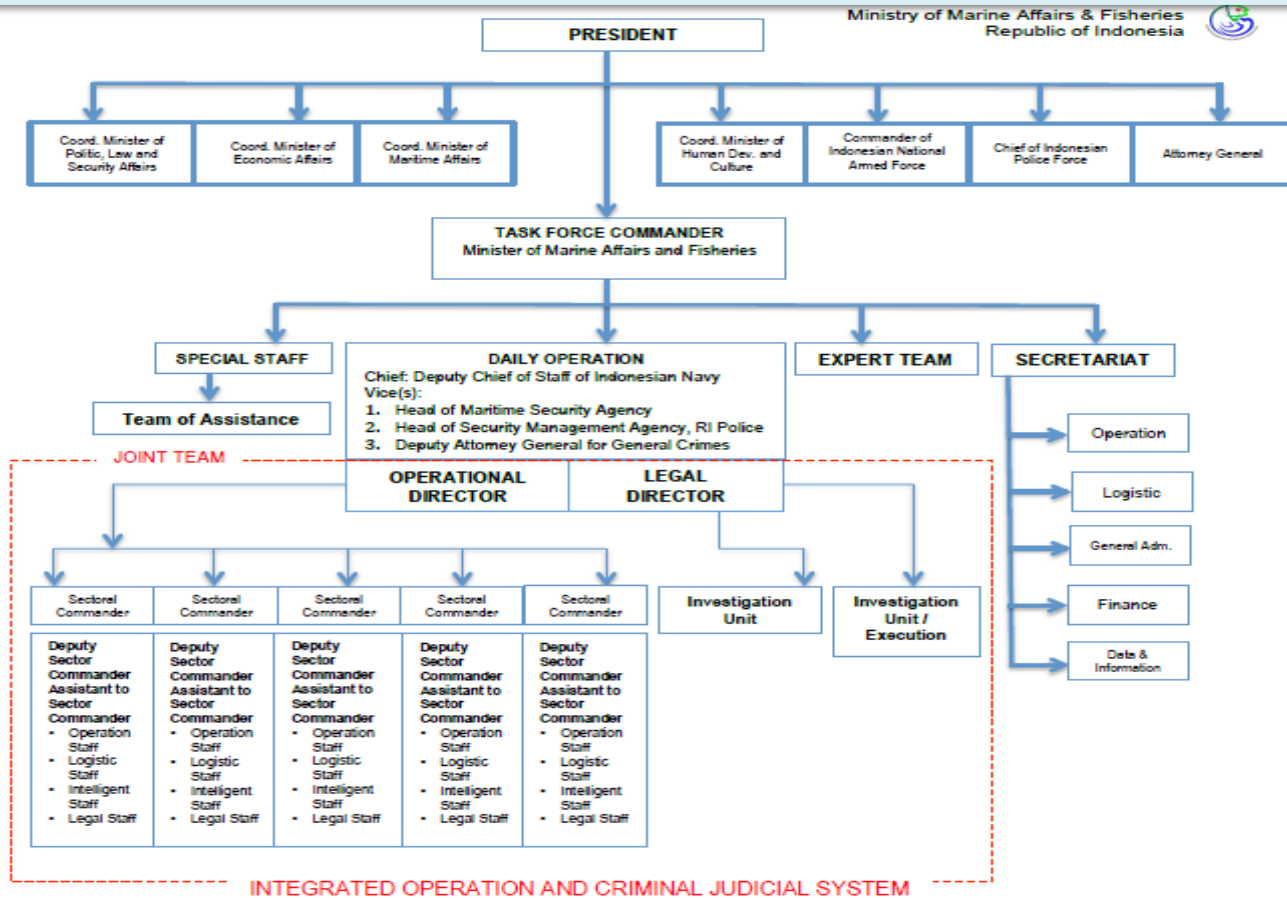
TRANSPARENCY & USE OF TECHNOLOGY FOR VESSEL SUPERVISION

Example: Indications of transshipment on the high seas area using Global Fishing Watch

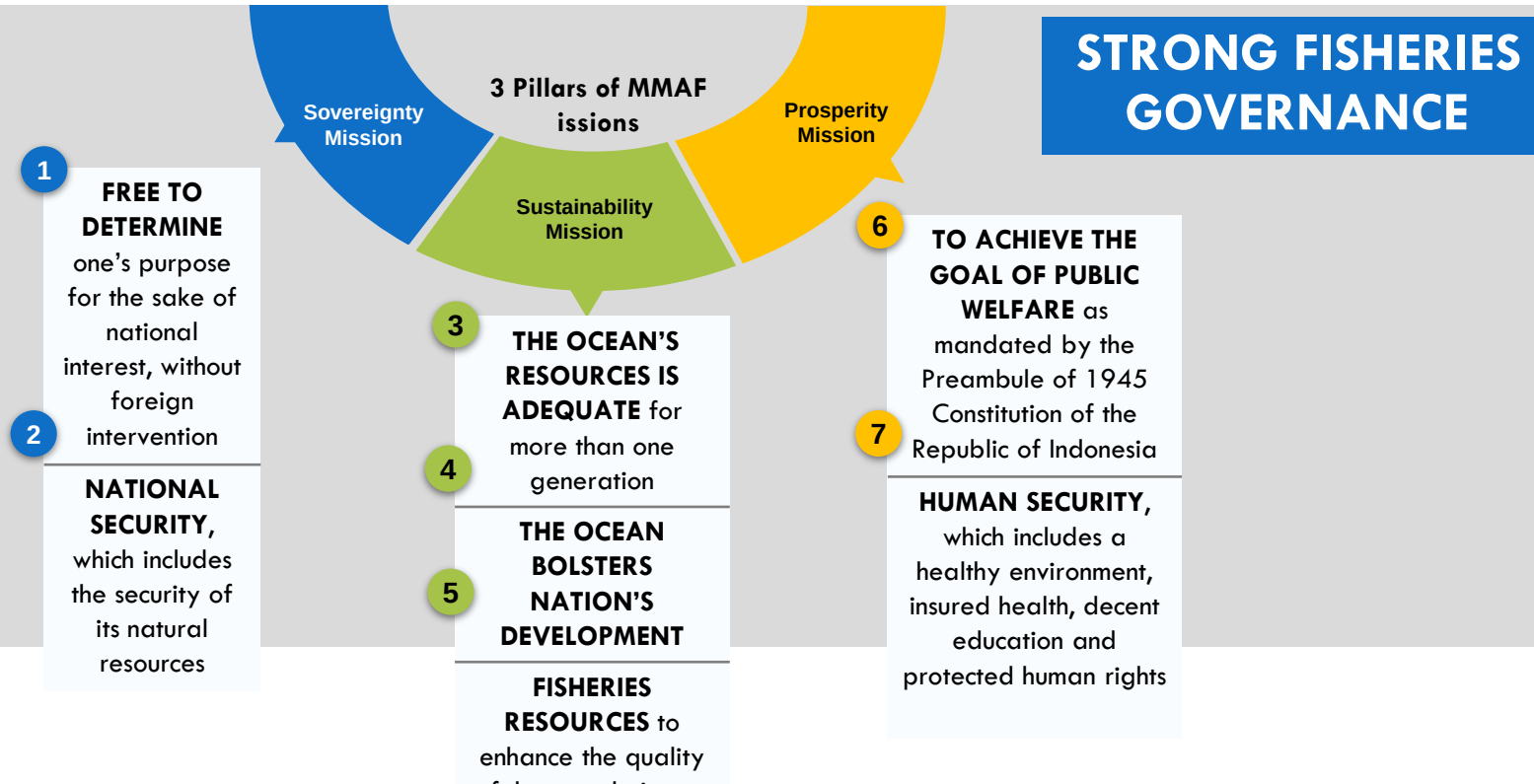
Katuei Maru 88 Vessel (Japan) and Mahakam Jaya Vessel



PRESIDENTIAL TASK FORCE TO COMBAT ILLEGAL FISHING (TASK FORCE 115)



Strong governance is the basis to maintain the sustainability of productivity enhancement of marine and fishery resources in Indonesia. Strong fisheries governance is built upon three big pillars of **sovereignty, sustainability and prosperity**.





COOPERATIONS AND
INFORMATION SHARING

INTERNATIONAL COOPERATION

115
Illegal Fishing

RI-USA

- Provide training on Intelligence Led Enforcement Operation (ILEO)
- Provide technological assistance for intelligence information analysis
- Global Fishing Watch (GFW)



RI-AUSTRALIA

Provide assistance on vessel tracking and intelligence information on Indonesian fishing vessel abroad through:

- Airborne surveillance
- AIS detection



SATGAS 115-INTERPOL

- Intelligence information and analysis to apprehend FV Viking.
- Indonesia-INTERPOL, and Spain are now cooperating in criminal proceedings against vessel owner in Spain. This effort is assisted by Canada, South Africa and Norway.
- Knowledge and experience sharing forum in Fisheries Crime Working Group



SATGAS 115-IOM

- Identification, Evacuation, Remediation and Repatriation of 1500 victims of human trafficking (VoTs) in Ambon and Benjina.
- Identification of VoTs onboard Hua Li 8, FV Viking, 3 illegal Malaysian vessels at Pontianak and Philippines vessels at Ambon



INTERNATIONAL COOPERATION

115
SUSTAINABLE
FISHERIES
FOR
PEOPLE
AND
PLANET

SATGAS 115-UNODC



- Mainstreaming the issue of transnational organized fisheries crime: CCPCJ, EGM
- FishCRIME2016, along with Norway, PescaDOLUS Network at NMMU
- Training for Law Enforcement Officers on Human Trafficking

RI-NORWAY



- Provide assistance on vessel tracking through AIS Detection and analysis on vessel movement patterns
- Information sharing and technical assistance on tax in fisheries business

RI-EAST TIMOR



- Joint Communiqué to combat illegal fishing and promote sustainable fisheries was signed on January 2016

RI-PNG



- Joint Communiqué to combat illegal fishing and promote sustainable fisheries was signed on December 2015
- Follow up actions have been proposed, i.e. joint patrol, joint investigation, information sharing



FV. VIKING CASE



Violations

- In the last 10 years, Viking has operated by using 12 different vessel names and flew at least flags of 8 different states;
- On 3 incidents since 2012, Viking has given false registration documents to port authorities during site inspections;
- On March 15th 2015, Viking was detained in Malaysia by Malaysia's authorities in which the captain is found guilty under Malaysia's Fisheries Law and sentenced to pay RM 200,000

Status and Legal Process

- Viking (1.322GT) entered Indonesian waters without any prior notice and with Automatic Identification System (AIS) being switched off;
- Viking was also equipped with fishing gears, which lead to suspicions that Viking has been illegally fishing in Indonesian waters;
- Viking got arrested by Indonesian Navy on February 26th 2016 within Indonesia's Exclusive Economics Zone (EEZ), 12.7 Miles from Bintan, Riau Archipelago.
- Viking was sunk on March 14th 2016 in Pangandaraan, West Java, Indonesia

Transnational Elements in FV. Viking Case

- Viking is owned by Spanish and Panama companies, operated by an agent in South East Asia which domiciled in several countries;
- The Captain is of Chile national;
- Crewing, logistics, and financed through operators in Singapore;
- Fishing in various waters around the world and exported to Hong Kong, Malaysia, Vietnam, and Taiwan through an investment company in South Africa.

INFORMATION SHARING AND COOPERATION ON FV. VIKING CASE

FV. Viking was initially detected by the International Liaison Office of the Singapore Navy Information Fusion Center



Task Force 115 established a special Multilateral Investigation Support Team (MIST) comprising representatives from Indonesia, Norway and Canada to collect and analyze any information relating to the FV. Viking



The MIST was highly successful in its information gathering operations and was able to share its analysis with Spanish authorities through the Regional Investigative and Case Analytical Meeting (RIACM), facilitated by the INTERPOL



Spanish authorities conducted an investigation against the beneficial owners of FV. Viking

SILVER SEA - 2 CASE



Violations of SS2

- Silver Sea 2 (2.285 GT) deactivated VMS and AIS transponders
- Illegal transshipment at PNG Waters
- Use of prohibited fishing gears (pair trawls)
- Use of forged carrier licenses

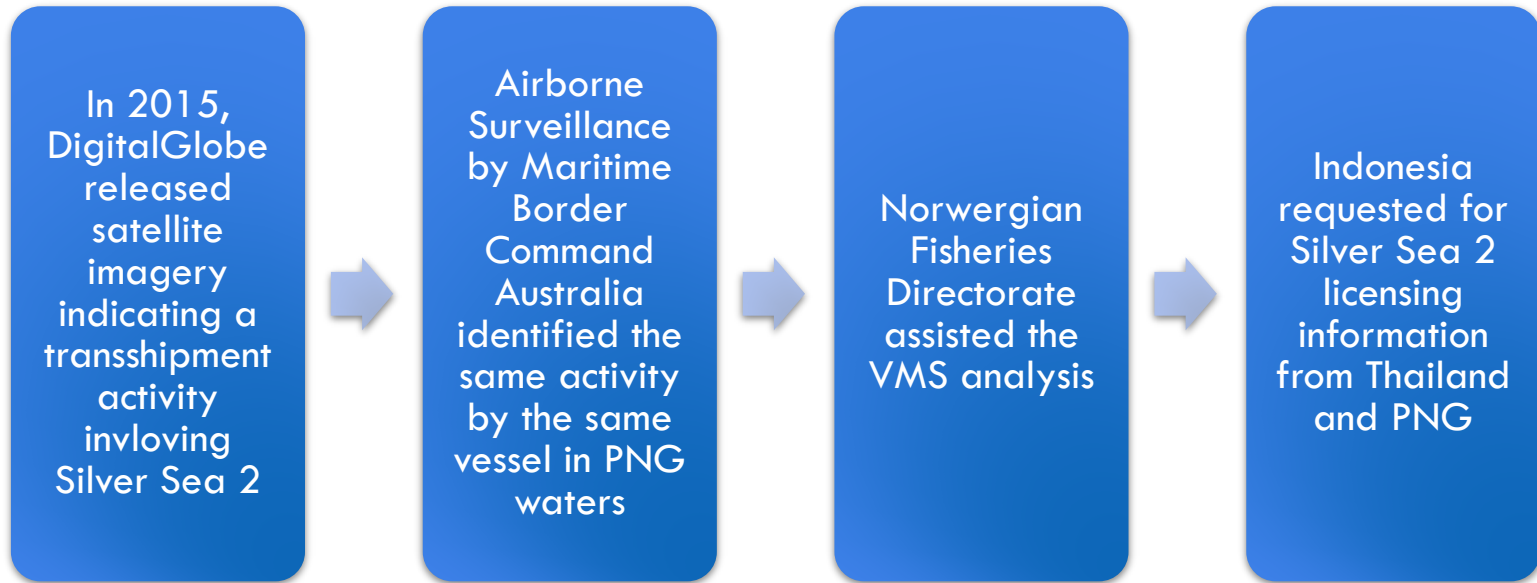
Status and Legal Process

- On illegal fishing conviction, District Court of Sabang imposed a fine of USD 19.000 in 2016 for deactivating its VMS.
- Prior to the District Court Conviction, In October 2017, the fish contained in the vessels had been auctioned, where the sum of USD 1.500.000 was collected and stored to the country.

Transnational Elements in SS2 Case

- Illegal transshipment at Papua New Guinean waters
- Illegal export
- Forgery of vessels documents
- Employed Indonesian and Thai crews onboard

INFORMATION SHARING AND COOPERATION ON SILVER SEA - 2 CASE



HUA LI 8 CASE



Purple Notice
by INTERPOL

HUA LI 8 (call sign BZU7N) is a 1.275 GT Chinese-flagged vessel registered in the Port of Zhoushan. The vessel was owned by Chinese company Zhoushan Huali Ocean Fisheries Co. Ltd.

Violations

Fishing illegally within Argentina's 200 nautical mile EEZ

Verdict

The case against the HUA LI 8 was processed through Argentinian courts. On 23 April 2017, Decision 596/2016 was issued by the Federal Tribunal of First Instance of the City of Comodoro Rivadavia, stemming from Investigation Nr. FCR 1142/2016.

Transnational Elements in Hua Li 8 Case

- HUA LI 8 is a Chinese-flagged fishing vessel;
- HUA LI 8 employed Chinese and Indonesian crew on board;
- HUA LI 8 was alleged to be fishing illegally in Argentine EEZ waters, in violation
- of Argentinian and international law;
- the owners of HUA LI 8 recruited crew members from various countries,
- channeling them through Peru before deployment on board the vessel; and
- allegations of human trafficking were made following IOM interviews with the Indonesian crew members on board.

INFORMATION SHARING AND COOPERATION ON HUA LI 8 CASE

Argentina requested the assistance of INTERPOL and Project Scale in alerting other member countries to the illegal fishing activities of HUA LI 8 through issuance of a Purple Notice



On 21 April 2016, the Indonesian First Class Naval Base (Lantamal) 1 at Belawan, North Sumatera detected the HUA LI 8 in waters near Aceh, Indonesia



The case against the HUA LI 8 was processed through Argentinian court



The Argentinian court requested the cooperation of Indonesian authorities in holding and searching the HUA LI 8, and asked that any crew requests for safety and/or sanitary assistance be immediately dealt with as per international maritime regulations

FU YUAN YU CASE



Purple Notice
by INTERPOL

FU YUAN YU 831 is a fishing vessel owned by Best Sea Foods Lda and Fuzhou Hongdong Pelagic Fishery Co. Ltd. Both companies are headquartered in Dili, Timor Leste and are registered in that nation.

Violations

Investigators found the vessel to be carrying a number of different state flags, including those of China, Malaysia, the Philippines and Singapore, and ascertained that it had 20 tons of fish on board, encompassing approximately 100 sharks.

Verdict

Exacting and thorough investigations by relevant authorities, coupled with rigorous prosecution efforts, resulted in the District Court of Kupang successfully imposing fines of IDR 100,000,000 (about USD \$7,000) on both the captain and fishing master, as well as ordering the forfeiture of the vessel to the Indonesian Government.

Transnational Elements in Hai Fa Case

- Crew members from Indonesia, Myanmar, Vietnam and China were employed on board the vessel
- Owned by a foreign company

INFORMATION SHARING AND COOPERATION ON FU YUAN YU 831 CASE

Sea Shepherd discovered that Fu Yuan Yu 831 was using illegal driftnets and catching protected sharks in Timor Leste.



The vessel was then apprehended by Indonesian authorities while illegally fishing in Indonesian waters.



Indonesian investigators worked with IOM to conduct interviews that established potential allegations of human trafficking on board.

STS 50 CASE



Purple Notice
by INTERPOL

Violations

- IUU fishing within the CCAMLR Convention Area;
- falsification of nationality documents;
- mislabelling of fish species; and
- human trafficking of 20 Indonesian fishing crewmembers who were working on board the STS-50.

STS-50 (formerly known as the ANDREY DOLGOV or SEA BREEZE) is a fishing vessel wanted by INTERPOL, Australia and New Zealand for illegal fishing within the CCAMLR Convention Area. The vessel was also wanted by Togolese authorities for falsifying documents throughout periods in which it had flown a Togolese flag. STS- 50 was boarded, inspected and apprehended in China on 15 October 2017, but escaped on the same day. STS-50 was caught and again escaped in Mozambique on 18 February 2018. At the time of its inspection by Chinese authorities, STS-50 was found to have mislabelled fish species carried on board the vessel.

INFORMATION SHARING AND COOPERATION ON STS 50 CASE

On 5 April 2018, Task Force 115 received an official request from INTERPOL through NCB Indonesia to board and inspect STS-50 (IMO No. 8514772) which was about to enter Indonesian waters



Task Force 115 was then informed that the vessel was wanted by INTERPOL, Australia and New Zealand for illegal fishing within the CCAMLR Convention Area. It was also wanted by Togolese authorities for falsifying documents.



It was then discovered that it was apprehended in China but escaped and caught in Mozambique but escaped again.



Indonesia also received support from international NGOs, particularly Fish-I Africa and Sea Shepherd

NATIONAL COOPERATION



Task Force 115 and the Directorate General of Taxation of the Ministry of Finance

The Directorate General of Taxation has given assistance to the Task Force team on the Analysis and Evaluation of Local Fishing Vessels project to evaluate the taxation compliance of the business actors in the fishing industry.



Task Force 115 and the Ministry of Foreign Affairs

The Ministry has been supporting the Task Force's project to mainstream the issue of Transnational Organized Fisheries Crime. The Ministry was also involved in the organization of the 2nd Fisheries Initiative Transparency Conference.



Task Force 115 and the Directorate General of Immigration of the Ministry of Law and Human Rights

The cooperation revolves around identification, evacuation, remediation and repatriation of 1500 victims of human trafficking.



Task Force 115 and the Directorate General of Sea Transportation of the Ministry of Transportation

As a follow up to the Tonnage Re-measurement of Ships, the Task Force 115 was involved in the valuation of the country's income loss caused by the practices of tonnage mark down.

NATIONAL COOPERATION



Task Force 115 and the Directorate General of Customs of the Ministry of Finance

We have worked together on drugs and lobsters smuggling cases. The most recent drug smuggling case is the “Sunrise Glory” case.



Task Force 115 and the Indonesian Financial Transaction Reports and Analysis Center (INTRAC)

INTRAC has provided assistance in assets tracking to identify beneficial owners of vessels committing IUU fishing and also its other related parties.



Marine protected areas



Climate change



Sustainable fisheries



Marine pollution



Sustainable blue economy



Maritime security



THANK YOU
ANY QUESTIONS?