



# Transparency Policies and Initiatives in Fishery Sector

## Indonesia Case Study

Mas Achmad Santosa

The Head of Task Force on Prevention and Eradication of IUU Fishing  
Member of International Advisory Group FiTI



# Transparency Policies in Indonesia's Fishery Sector

## Fisheries Law (Law 45/2009)

- ◆ Fisheries management is based on **transparency principle** [Art. 2]
- ◆ Fisheries management is developed based on **public aspirations** and **public access to information** [Art. 2]

## Ministerial Regulation on the Guidelines to Develop Capture Fish Management (Permen-KP 29/2012)

- ◆ Capture fish management is developed **through public consultation** (inc. respect for local wisdom and custom based society's right) [Art. 13]
- ◆ Capture fish management includes data collection, fish stocks estimation and allocation of fishery potential [Art. 3]



# Indonesia's Transparency Initiatives

## Public Disclosure

- ◆ **List of license holders, vessels permitted to fish, terms of license** (duration, gear type) **published in SIPEPI** (Fish Catches License Information System)
- ◆ **Fish stocks** (Ministerial Regulation 45/2011)
- ◆ **Quantity of catches, export-import of fisheries products, etc published in "Marine and Fisheries in Figures 2014"** (annual publication)
- ◆ **Online Business Administration Service System** (it provides information/data related to legal entities)
- ◆ **Tariff (inc. method to calculate the tariff) for fishery license** (Government Regulation No. 19/2006 on Tariff on Non-Tax State Revenues on Fisheries Sector)

## Non-Disclosure

- ◆ **Vessel's Logbook data** (Fishery Law Art. 46A)
- ◆ **Data's collected by observers** (Fishery Law Art. 46A)
- ◆ **Company's data related to fisheries license** (Fishery Law Art. 46A contradicts with Access to Public Information Law No. 14/2008)
- ◆ **Tax Payer's Registration Number** (*Nomor Pokok Wajib Pajak/ NPWP*)



# Indonesia's Transparency Initiatives

**Public disclosure of the list of license holders, vessels permitted to fish, terms of license**  
(owner, name of vessel, vessel's tonnage, duration, gear type, vessel's country origin, base port)

**Newly developed capture fisheries licensing information web-portal**

**Existing fisheries capture licensing information in the MMAF's website**

www.perizinan.kkp.go.id

BERANDA | DAFTAR IZIN | BERITA | **LISANSI** | PERIZINAN | TRACKING

LAYANAN MASYARAKAT

E-SERVICE | LKU/LKP ONLINE | APLIKASI 30-60 GT

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DAFTAR KAPAL IZIN PUSAT

PERKEMBANGAN SIP/SIKPI KAPAL PERIKANAN BUATAN LUAR NEGERI PASCA MORATORIUM  
PERIODE 28 AGUSTUS 2015 SAMPAI DENGAN 4 SEPTEMBER 2015

A. KAPAL AKTIF									
NO	NAMA PERUSAHAAN / PERORANGAN	NAMA KAPAL	GT	NO IZIN	TGL EXPIRED	ALAT TANGKAP	ASAL PENGADAAN	NEGARA ASAL /GALANGAN	PELABUHAN PANGKALAN
1	ARAFURA MINA MULYA MAARTIM, PT	KUMANA 2	262	26.14.0001.64.45649	07-Sep-15	Pukat Ikan ZEEI Arafura	Buatan Luar Negeri	THAILAND	PP.Merauke
2	AYONA MINA LESTARI, PT	MANDOKWARI ABADI 1	470	26.14.0001.42.46454	15-Oct-15	Purse Seine (Pukat Cincin) Pelagis Besar	Buatan Luar Negeri	CHINA	PU.Ayona
3	AYONA MINA LESTARI, PT	MANDOKWARI ABADI 2	470	26.14.0001.42.46456	15-Oct-15	Purse Seine (Pukat Cincin) Pelagis Besar	Buatan Luar Negeri	CHINA	PU.Ayona
4	AYONA MINA LESTARI, PT	MANDOKWARI ABADI 3	470	26.14.0001.42.46455	15-Oct-15	Purse Seine (Pukat Cincin) Pelagis Besar	Buatan Luar Negeri	CHINA	PU.Ayona
5	BALI MINA MANDIRI, PT	BAHARI - 87	91	26.14.0001.70.45080	30-Sep-15	Rawai Tuna (Tuna Long Line)	Buatan Luar Negeri	TAIWAN	PU.Bemoa
6	BALI MINA MANDIRI, PT	SURYA TERBIT 998	137	26.14.0001.70.44943	19-Sep-15	Rawai Tuna (Tuna Long Line)	Buatan Luar Negeri	TAIWAN	PU.Bemoa
7	BALI OCEAN ANUGRAH LINGER INDONESIA, PT	BAHARI NUSANTARA 89	64	26.15.0001.70.45849	15-Jan-16	Rawai Tuna (Tuna Long Line)	Buatan Luar Negeri	TAIWAN	PU.Bemoa
8	BALI OCEAN ANUGRAH LINGER INDONESIA, PT	BINTANG SAMUDERA - 07	77	26.14.0001.70.45731	21-Oct-15	Rawai Tuna (Tuna Long Line)	Buatan Luar Negeri	TAIWAN	PU.Bemoa
9	BALI OCEAN ANUGRAH LINGER INDONESIA, PT	BINTANG TIMUR - 04	76	26.14.0001.70.45924	14-Oct-15	Rawai Tuna (Tuna Long Line)	Buatan Luar Negeri	TAIWAN	PU.Bemoa
10	BALI OCEAN ANUGRAH LINGER INDONESIA, PT	THEKESA	28	26.14.0001.70.46601	16-Nov-15	Rawai Tuna (Tuna Long Line)	Buatan Luar Negeri	TAIWAN	PU.Bemoa
11	BALI SEGARA NUSANTARA, PT	BAJU SEGARA 119	64	26.14.0001.70.46056	31-Oct-15	Rawai Tuna (Tuna Long Line)	Buatan Luar Negeri	TAIWAN	PU.Bemoa
12	BIBAH WAHAB	HARAPAN BERSAMA - 16	66	26.14.0001.70.44508	22-Sep-15	Rawai Tuna (Tuna Long Line)	Buatan Luar Negeri	TAIWAN	PU.Bemoa
13	BINA SEJAHTERA INDAH, PT	RAMONA PILAR - 04	80	15.15.0001.78.45941	17-Sep-15	Purse Seine PB Armada (Pengumpul dan Pengangkut)	Buatan Luar Negeri	PHILIPINA	PP.Bitung
14	BINA SEJAHTERA INDAH, PT	RAMONA PILAR - 05	90	15.15.0001.78.45940	17-Sep-15	Purse Seine PB Armada (Pengumpul dan Pengangkut)	Buatan Luar Negeri	PHILIPINA	PP.Bitung
15	BINA SEJAHTERA INDAH, PT	RAMONA PILAR - 07	98	17.14.0001.75.45937	17-Sep-15	Purse Seine PB Armada (Pengangkut)	Buatan Luar Negeri	PHILIPINA	PP.Bitung
16	BINTANG MANDIRI BERSAUDARA, PT	NUSANTARA JAYA - 188	218	15.14.0001.62.45803	16-Sep-15	Pengangkut/Pengumpul	Buatan Luar Negeri	CHINA	PP.Bitung, PU.Bemoa



# Indonesia's Transparency Initiatives

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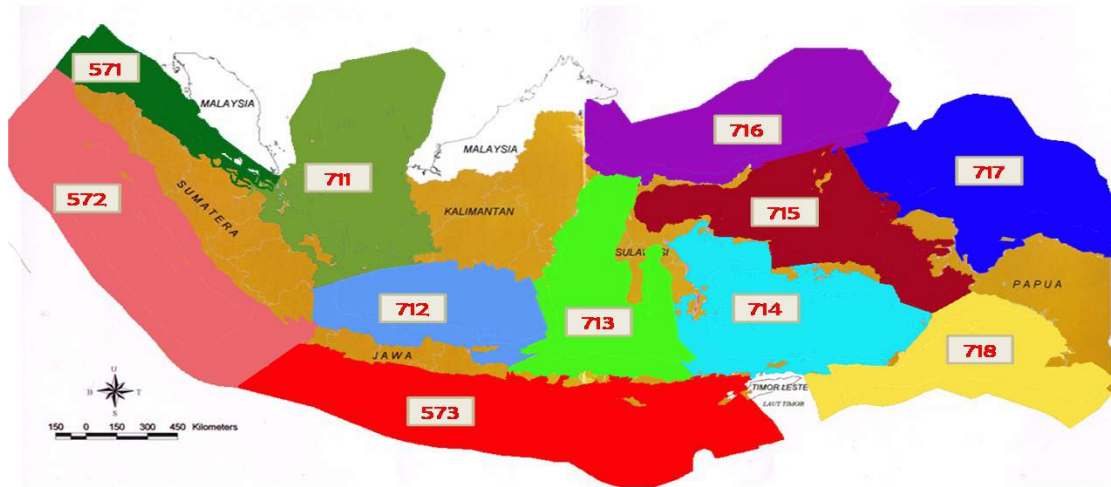
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# Estimated Indonesia's Fish Stock in 2011



Estimated Indonesia's Fish Stock based on Ministerial Decree Number 45/2011:  
**6.520.100 ton/year**

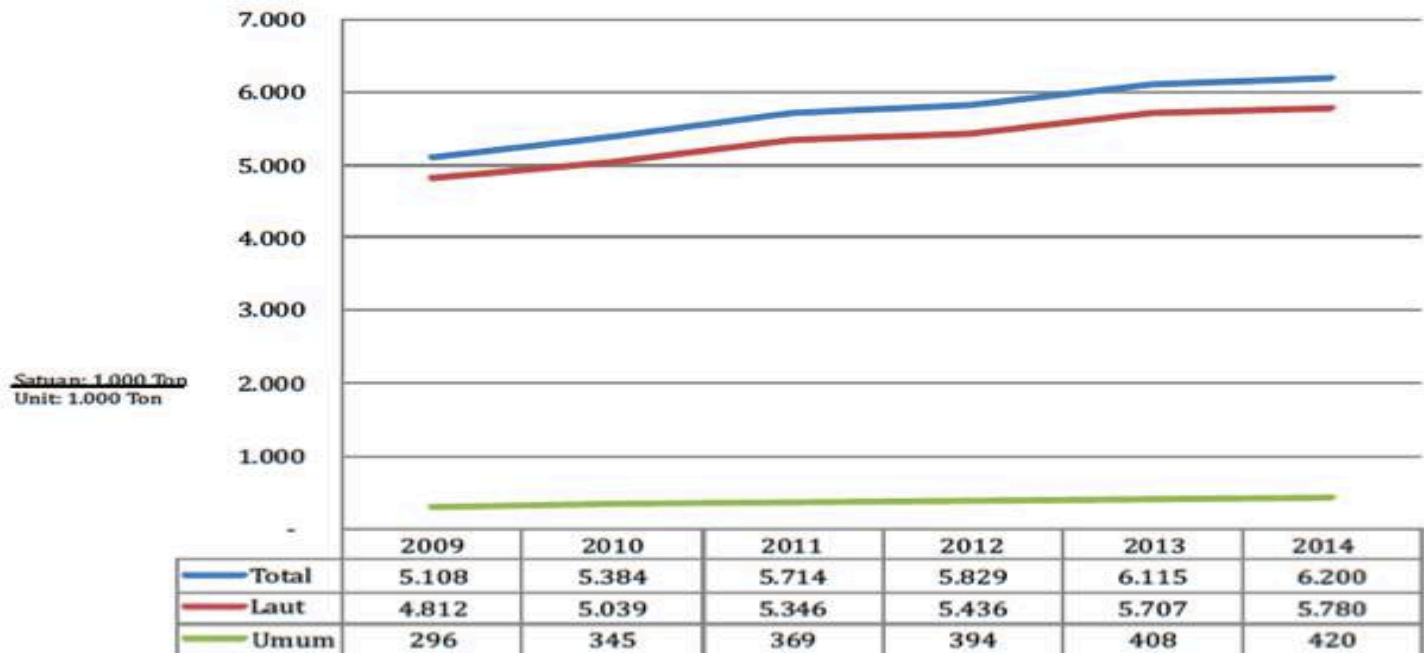
Kelompok Sumberdaya Ikan	Selat Malaka	Samudera Hindia			Laut Cina Selatan	Laut Jawa	Selat Makasar - Laut Flores	Laut Banda	Teluk Tomini - Laut Seram	Laut Sulawesi	Samudera Pasifik	Laut Arafura - Laut Timor	Total
	WPP 571	WPP 572	WPP 573	WPP 711	WPP 712	WPP 713	WPP 714	WPP 715	WPP 716	WPP 717	WPP 718		
Ikan Pelagis Besar	27,7	164,8	201,4	66,1	55,0	193,6	104,1	106,5	70,1	105,2	50,9	1.145,4	
Ikan Pelagis Kecil	147,3	315,9	210,6	621,5	380,0	605,4	132,0	379,4	230,9	153,9	468,7	3.645,7	
Ikan Demersal	82,4	68,9	66,2	334,8	375,2	87,2	9,3	88,8	24,7	30,2	284,7	1.452,5	
Udang Penaeid	11,4	4,8	5,9	11,9	11,4	4,8	-	0,9	1,1	1,4	44,7	98,3	
Ikan Karang Konsumsi	5,0	8,4	4,5	21,6	9,5	34,1	32,1	12,5	6,5	8,0	3,1	145,3	
Lobster	0,4	0,6	1,0	0,4	0,5	0,7	0,4	0,3	0,2	0,2	0,1	4,8	
Cumi-cumi	1,9	1,7	2,1	2,7	5,0	3,9	0,1	7,1	0,2	0,3	3,4	28,3	
<b>Total Potensi (1.000 ton/tahun)</b>	<b>276,0</b>	<b>565,2</b>	<b>491,7</b>	<b>1.059,0</b>	<b>836,6</b>	<b>929,7</b>	<b>278,0</b>	<b>595,6</b>	<b>333,6</b>	<b>299,1</b>	<b>855,5</b>	<b>6.520,1</b>	



# Indonesia's Transparency Initiatives

- Public disclosure of quantity of catches, export-import of fisheries products in "**Marine and Fisheries in Figures 2014**"

**Tabel 3.3. Volume Produksi Perikanan Tangkap, 2009 - 2014**  
**Table 3.3. Volume of Capture Fisheries Production, 2009 - 2014**



Keterangan -Note :

\*) : Angka Sementara -Preliminary Figures

- . Perikanan Tangkap : Angka Sementara hingga 2014 -Capture Fisheries: Update to 2014

Sumber: DJPT



# Ministerial Guideline on the Human Rights Protection in the Fisheries Business (to be launched on December 10<sup>th</sup>, 2015)

## Why is it important:

- ◆ Findings of serious human rights violations as fishery related crimes in Benjina and Ambon, Maluku, Indonesia
- ◆ Class action lawsuit against Costco and Nestle who bought seafood materials from Thai company that supports practices of slavery and human trafficking in fisheries business (*Pet Food Purchasers v. Costco and Nestle*)
- ◆ Yellow card sanction from the EU to Thailand based on human rights violation findings
- ◆ UN Guiding Principles on Business and Human Rights (2011) and ILO Convention No. 188 of 2007 that provide international guidance for countries to apply business and human rights & responsible fisheries practices
- ◆ Indonesia guidelines on the Protection of Human Rights in the Fisheries Sector which include human rights policy, human rights due diligence, human rights traceability/certification, and human rights remediation
- ◆ Indonesia has ratified two major human rights covenants: CCPR and ECOSOC





- ◆ Human rights protection policy in the fisheries business:
  - ◆ Minimum requirements of work condition in the vessel
  - ◆ Minimum requirements on occupational health and safety in the vessel, social benefit and insurance, minimum wage, etc.
  - ◆ Issuance of ministerial regulation, legislation amendments and MoU among relevant ministers

# Challenges to Implement Transparency

## Issues

## Challenges to implement transparency

- **Fish Stock**
  - Actual method to calculate estimated indonesia's fish stocks is not publicly disclosed
  - Fish stocks report is hardly updated annually. The only data issued were in 2009 and 2011
- **Fish Catches**
  - Non-compliance of company to report logbook (administrative sanctions are not imposed)
    - In 2012: only 1,7% vessels report their logbook
    - In 2013: only 4,7% vessels report their logbook
    - In 2013: only 5,3% vessels report their logbook
  - Lack of port officials' capacity to monitor fish catches and verified logbook data
- **Revenues**
  - Companies do not submit a valid and accurate fish revenues data to the Directorate General of Taxation
  - The Directorate General of Taxation does not have data (from MMAF) to challenge the validity of fish revenues data submitted by companies



# Challenges to Implement Transparency

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### Fish Stock

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### Fish Catches

- Non-compliance of company to report logbook (administrative sanctions are not imposed)
  - In 2012: only 9.7% vessels report their logbook
  - In 2013: only 4.7% vessels report their logbook
  - In 2013: only 1.3% vessels report their logbook
- Lack of port officials' capacity to monitor fish catches and verified logbook data

### Revenues

- Companies do not submit a valid and accurate fish revenues data to the Directorate General of Taxation
- The Directorate General of Taxation does not have data (from MMAF) to challenge the validity of fish revenues data submitted by companies

**STRENGTHENING CAPACITY OF GOVERNMENT OFFICIALS & COMPANIES**

**INTER-MINISTERIAL / AGENCIES COORDINATION**

**REWARD & PUNISHMENT**



# Challenges of Small Scale Fisheries Data



Issuance  
of Permit



**< 5 GT**

**Regional  
Government**  
(registration)



**5-30 GT**

**Regional  
Government**  
(issuance)



**> 30 GT**

**Central Government**

- Regional governments do not submit the data of issued vessels to the Central Government, although it is mandatory under Local Government Law No. 23/2014 jo. Catch Fishery Ministerial Regulation No. 26/2013
- The issuance of license is not based on sustainable fisheries principle



- **Government does not have data on issued license**



# Challenges of Small Scale Fisheries Data



Issuance  
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< 5 GT

**Regional  
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5-30 GT

**Regional  
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> 30 GT

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- The issuance of license is not based on sustainable fisheries principle

**Improvement of license governance in data collection  
(prioritized program post-moratorium)**



- Government does not have data on issued license**



# Conclusions

- ◆ Improvement of policies related to transparency, participation, and accountability, is in-line with recommendations generated from analysis & evaluation of 1.132 ex-foreign vessels (March-September 2015)
- ◆ The assurance of transparency, participatory, and accountability of related policies is included in the roadmap to improve fisheries business governance led by Minister of Marine Affairs and Fisheries. The roadmap consists of 8 issues:
  - ◆ Improvement of vessel registration system;
  - ◆ Improvement of fishery license governance;
  - ◆ Improvement of surveillance system;
  - ◆ Inclusion of human rights traceability in addition to food safety and IUUF traceability;
  - ◆ Strengthening capacity of port state control;
  - ◆ Improvement of catch and trade reporting/documentation;
  - ◆ Comprehensive and integrated enforcement on IUUF (multi-door);
  - ◆ Strengthening cooperation in national and international level.
- ◆ Transparency is an important part of the policy pursuant to new paradigm of fishery management which embodies the principles of sovereignty, sustainability, prosperity and good governance





***GRAZIE !***

