

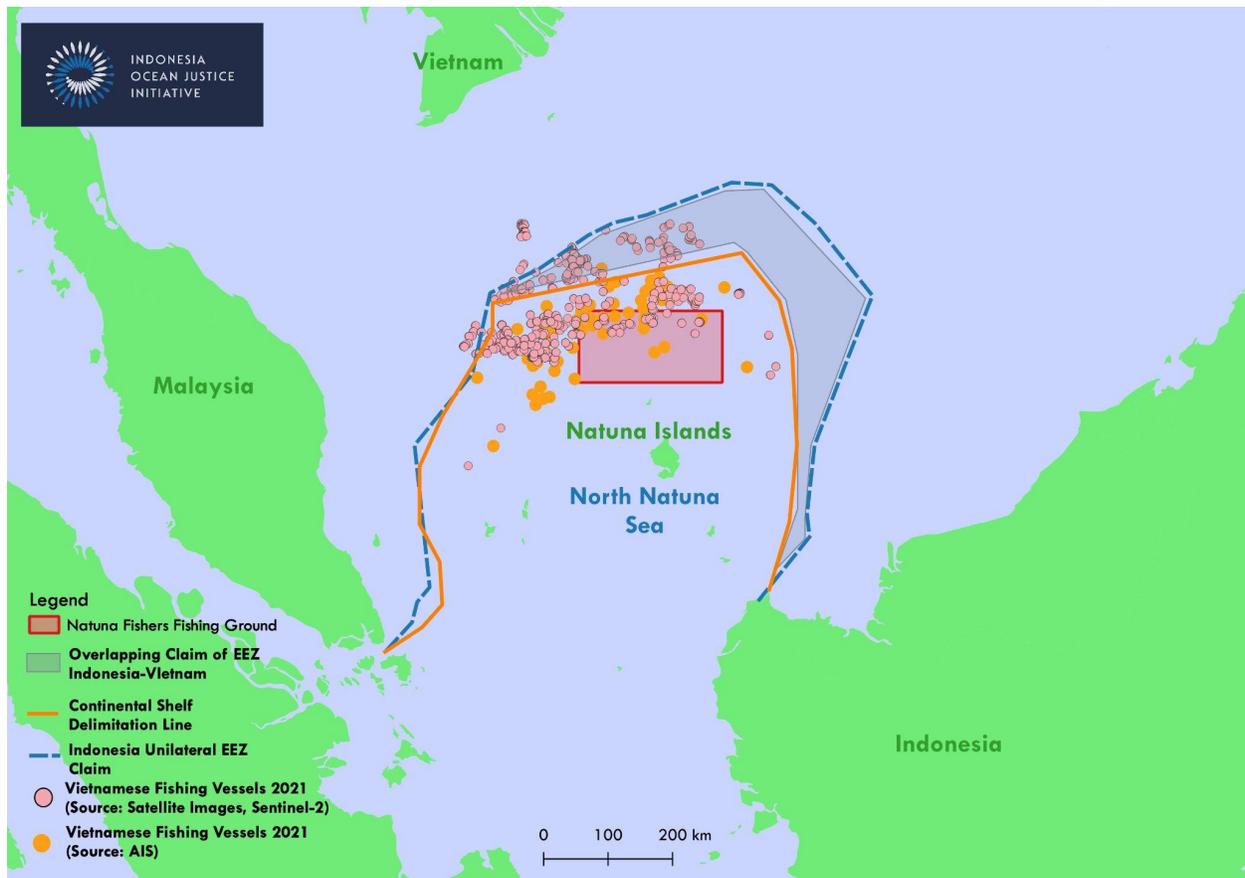
PRESS RELEASE

THREATS TO INDONESIA'S SOVEREIGN RIGHTS IN EEZ

By Indonesia Ocean Justice Initiative (IOJI)

Indonesia Ocean Justice Initiative ('IOJI') considers illegal fishing and threats to sovereign rights as key challenges to the development of Indonesia's sustainable ocean economy. As stated in Indonesia's Marine Policy Track Record 2021 & Projection 2022 published by IOJI, those threats potentially hamper the national efforts to provide effective protection to biodiversity, critical habitats, and restore ocean health. The healthy and well-protected ocean is a prerequisite for a sustainable production of the ocean and equitable prosperity.

Throughout 2021, IOJI detected incursions of foreign fishing vessels into Indonesia's maritime territory, particularly the North Natuna Sea (Fisheries Management Area/FMA 711), Malacca Straits (FMA 571), Indian Oceans west of Sumatra (FMA 572) and Sulawesi Sea (FMA 716). Of those areas, North Natuna Sea is most vulnerable to the illegal fishing by foreign fishing vessels, particularly from Vietnam. IUUF threats took place in the overlapping claims of Exclusive Economic Zone between Indonesia-Vietnam (*disputed*) and undisputed areas. Indonesia and Vietnam are yet to agree on the delimitation of EEZ. The biggest incursion of Vietnamese fishing vessels in the North Natuna Sea last year was in April 2021 when 100 Vietnamese fishing vessels were detected within 110 km² area at sea or equivalent to 1 (one) vessel for each km².

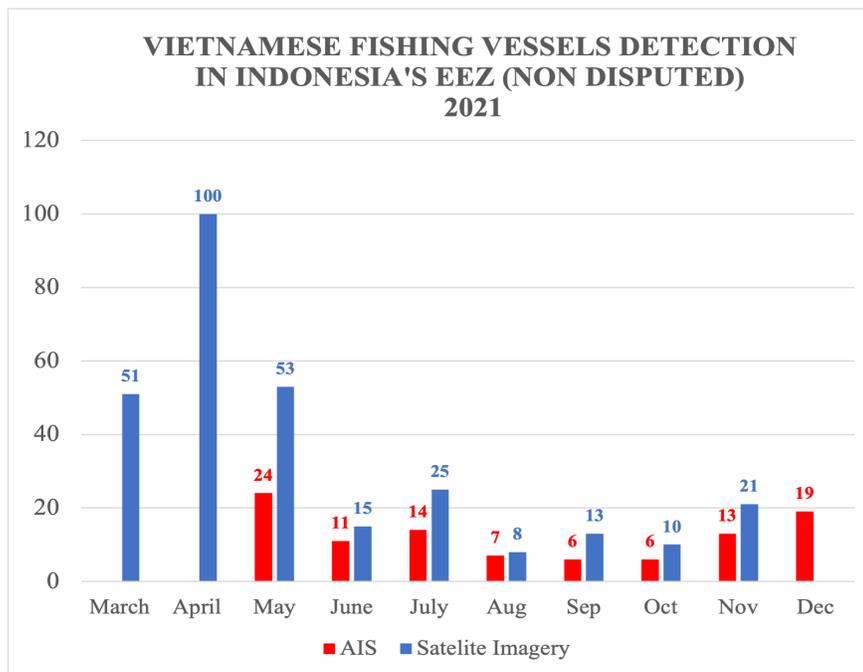


Caption: Vietnamese Foreign Fishing Vessels Detection In The North Natuna Sea Throughout 2021 (Data Source: AIS, Sentinel-2 Satellite Imageries)

Vietnamese fishing vessels in the North Natuna Sea employ pair-trawl, which potentially damages seabed ecosystems (Jones, 1992). The operation of Vietnamese fishing vessels in the North Natuna Sea intersects with local fishermen's fishing ground in the north zone. Those fishermen come from the Natuna region and operate small-size boats. As Indonesian flagged fishing vessels of 30 Gross Tonnage (GT) and above rarely operate in the north zone of Natuna Sea, fish resources therein are dominated by Vietnamese vessels. This north zone is, then, classified as the illegal fishing center/hub by Vietnamese fishing vessels. Instead of preventing and deterring illegal fishing, Vietnam Fisheries Resource Surveillance (VFRS) fleets escort Vietnamese fishing vessels, indicating their support to illegal fishing by their fishing vessels. VFRS vessels often sail further to

Indonesia's non-disputed EEZ and patrol around Vietnamese fishing vessels which allegedly engage in illegal fishing.

Indonesian patrol vessels' intensity in the north zone of Natuna Sea is not as much as that of Vietnamese fishing vessels. Of all Vietnamese fishing vessels in the EEZ, the Indonesian Government managed to seize 38 Vietnamese fishing vessels in 2021. The government needs to remain cautious of upcoming Vietnamese vessel incursions, especially in the first few months of 2022 during the north wind season. In this season last year, IOJI detected the highest incursions of Vietnamese fishing vessels, called as a critical level.



Caption: Trend of Vietnamese Fishing Vessels Incursion into non disputed Indonesia's EEZ Throughout 2021

IOJI suggests that the Ministry of Marine and Fisheries Affairs (MMAF), Indonesian Navy (TNI AL), Indonesian Maritime Security Agency (Bakamla RI) and Indonesian Police (POLRI) increase coordinated patrols in the center of the illegal fishing cluster in Natuna Sea. Patrols' coordination and synergy need to be guaranteed in a national policy implementation. Article 64 of Law Number 32 of 2014 on Maritime mandates the President to issue

a national policy on maritime security and safety. Furthermore, the Ministry of Foreign Affairs needs to accelerate efforts to conclude EEZ maritime boundary agreement and provisional arrangement with the Vietnamese Government as guided by UNCLOS.

Threats to Indonesia's sovereign rights in the North Natuna Sea in 2021 are also posed by Chinese vessels: fishing vessels, China Coast Guard vessels, geological research/survey vessels, and even military vessels (People's Liberation Army Navy) from May to November 2021. The intensity is considered to be higher than that in previous years. According to IOJI, these threats constitute parts of China's political strategies in the region in advancing its nine-dash line claim. Nine-dash line claim itself is unlawful under international law, as concluded by the Permanent Court of Arbitration in the South China Sea Tribunal Award (Philippines/China) (2016).

Maritime security threats posed by China in 2021 within Indonesia's EEZ were unprecedented as they relate with Indonesia's sovereign rights over non-living resources. China Coast Guard vessels were detected in the vicinity of the exploration project in the Tuna Block, operating in a way that harassed the project. In addition, the Chinese Government also deployed a geological survey/research vessel, *Haiyang Dizhi 10*, to operate in a typical pattern of marine scientific research or even geological survey course. This vessel operated in the vicinity of the D-Alpha gas block which contains a huge volume of hydrocarbon reserve.



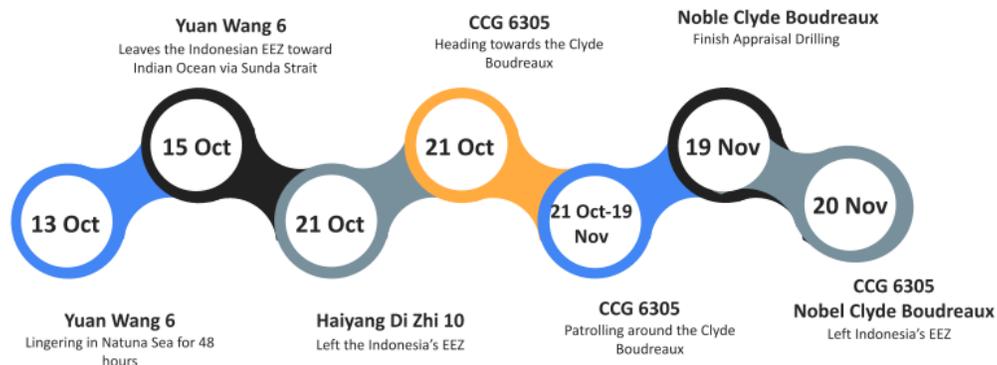
2021 - CHINESE VESSELS INCURSION INTENSIFIES



Caption: Chinese Vessels Incursion Timeline in The North Natuna Sea In 2021



2021 - CHINESE VESSELS INCURSION INTENSIFIES (Cont'd)



Caption: Chinese Vessels Incursion Timeline in The North Natuna Sea In 2021 (Cont'd)

The similar pattern of intimidation is also done by the Chinese Government towards oil and gas operations in the EEZ of Philippines, Malaysia and Vietnam, all of which overlap with China's nine dash line claim. Unlike

those countries, Indonesia has declared its position as a non-claimant state to the South China Sea disputes according to UNCLOS 1982. Also, the Indonesian Government has consistently delivered its persistent objections to the nine-dash line claims. That being said, China assertive and unlawful actions to Indonesian sovereign rights in 2021 reaffirms China's behavior and approach to international law. That is, the Chinese Government does not comply with international law, potentially undermining Indonesia's commitment to utilize the ocean sustainably.

Reflecting upon the above mentioned threats, Indonesia Ocean Justice Initiative (IOJI) recommends the Government of Indonesia to robustly and publicly deliver its objection to every action of the Chinese Government based on the unlawful nine-dash line claims. Three (3) benefits of such actions are as follows, (i) emphasizing Indonesia's position as the persistent objector to the unlawful nine-dash line claim in the international community, (ii) displaying Indonesia's leadership in ASEAN on South China Sea issues, and (iii) sending a positive signal to the investment security of resource exploration and exploitation in the North Natuna Sea. Meanwhile, the Indonesian Navy (TNI AL) and Indonesia Maritime Security Agency (Bakamla RI) need to continuously shadow and expel Chinese vessels which violate and/or pay no regards to Indonesia's sovereign rights, as demonstrated in 2021.

Jakarta, 23 January 2022