

PRESS BRIEFING

For Immediate Release

Maritime Security Threats, Marine Pollution and IUU Fishing in Indonesian Waters and Jurisdiction: IOJI Detection and Analysis Report for the Period of January to March 2023

Jakarta, 17 April 2023 - Illegal fishing in the North Natuna Sea and marine pollution due to the asphalt spill from the MT AASHI ship in North Nias emerged as two main issues during the quarterly press briefing organized by IOJI, Monday, 17/4 via Zoom.

Nearly four months after the Indonesia-Vietnam agreement regarding the EEZ boundary in December 2022, IUU fishing activities by Vietnamese vessels are still rife in disputed and undisputed areas in the North Natuna Sea.

Meanwhile in the waters of North Nias, the pollution caused by the spill of raw asphalt has not been resolved, up to three months after the pollutant was first detected. The spill, which originated from the MT AASHI ship, extends up to 70 kilometers to the north of Nias Island from the sinking location of the ship, whose initial, final destination was to Padang, West Sumatra.

As of March 20, 2023, satellite imagery showed that spilled asphalt was still coming out of the hull of the MT AASHI ship. Only about 80,000 kilograms of pollutants were removed from a total load of approximately 3.5 million kilograms.

IOJI assesses that the handling of the MT AASHI asphalt spill by the Indonesian authority and shipowner's representative is still not optimal and tends to be slow.

In addition, IOJI detected that the impact of the MT AASHI asphalt spill also threatened the Sawo-Laweha Marine Protected Area which is located some 35 kilometers from the MT AASHI sinking site.

As previously reported, the MT AASHI ship sank on February 11, 2023 in North Nias. The sinking of the Gabonese-flagged ship also spilled the raw asphalt it was transporting.



Figure 1. Location of the Sawo-Laweha Marine Conservation Area and its Surrounding Waters, 35 km from the Sinking Site of MT AASHI, Threatened Due to Asphalt Spill

According to the International Maritime Organization (IMO) data, the ship is owned by AASHI Shipping Inc. which is located in Liberia. Based on its trajectory, MT AASHI departs from Khor Fakkan Port, United Arab Emirates to Padang, West Sumatra.

Presidential regulation (Perpres) 109/2006 regulates the National Team for Emergency Management of Oil Spills at Sea (hereinafter referred to as the National Team) to work together with the North Nias Regency Government to tackle MT AASHI asphalt spills.

The National Team must also carry out provisions for handling an oil spill emergency as stipulated in the transportation ministry regulation (Kepmenhub) 263/2020, in the form of

cleaning and restoring the environment, law enforcement, calculating losses and claims for compensation.

IOJI recommends that the National Team cooperate with various relevant national and international agencies, including but not limited to:

1. Interpol through the National Police International Relations Division
2. The Flag State of MT AASHI, namely Gabon
3. The Country of Origin of MT AASHI before it sank in Indonesia, namely the United Arab Emirates

"Cooperation is needed to verify the legitimacy of the MT AASHI ship documents, to trace who and where the actual owner of the ship is, including the beneficiaries of its activities," said IOJI Senior Advisor, Andreas Aditya Salim in his presentation entitled "Analysis of Maritime Security in the Waters and Indonesian Jurisdiction Period of January to March 2023".

In response to IOJI's analysis, Deputy Regent of North Nias, Yusman Zega, asked the National Team to trace the identity of the ship and ensure that asphalt cleaning does not exacerbate environmental damage.

"As far as I can see, raw asphalt is collected on the beach. It doesn't seem safe there. It can be washed away, turned back into the sea and polluted the environment again." He suspects that piles of asphalt on the seabed can also disrupt the coral reef ecosystem.

Yusman also asked the National Team to handle marine pollution to synchronize the data. "Actually, how much is the total weight of asphalt, and how much has been collected?" he asked. He also asked interested parties to immediately determine the amount of compensation for around 3,000 affected fishermen and ecosystems that had been damaged.

Head of Sub-Directorate for Out of the Court Environmental Dispute Resolution, Directorate General of Law Enforcement of the Ministry of Environment and Forestry (Gakkum KLHK), Eko Novi Setiawan said that his party was calculating environmental losses due to the raw asphalt spill.

To determine coastal and marine economic valuations, the Ministry of Environment and Forestry "also conducts surveys with fishermen and local coastal communities," Eko continued.

Meanwhile, Director for Supervision of Marine Resources Management, Directorate General of Marine and Fisheries Resources Management of the Ministry of Maritime Affairs and Fisheries (PSDKP KKP) Halid Jusuf stated, "in principle MT AASHI has committed to follow up on the results of the survey by the national team and is committed to seeking the compensation for the potential impacts/hazards to the marine ecosystems." He also said that MT AASHI would carry out coral reef restoration.

"We encourage economic investment, but we also highlight the importance of ecological sustainability. Everything must be done to save the environment," Halid concluded his response.

Andreas noted one important common concern regarding the handling of the Nias asphalt spill. "During the discussion earlier, the Ministry of Maritime Affairs and Fisheries stated that the compensation value after being calculated was Rp23 billion, while the Ministry of Environment and Forestry stated that Indonesia's losses could reach around Rp100 billion. This significant difference might reflect the lack of communication and coordination," he said.

IOJI encourages the central government to form an integrated cross-sector national team led by the Minister of Transportation to immediately move to deal with the MT AASHI asphalt spill case. The asphalt spill has proven to pollute the sea and its related ecosystems, and has brought misery to coastal communities whose lives and livelihoods depend on the preservation of marine and fishery resources."

Oil-spill Pollution

Furthermore, using contamination detection data from SkyTruth, IOJI found many pollutants in the form of oil spills in the waters of the Natuna Sea to the Java Sea, and a little in the Makassar Strait, south of Sulawesi Island and north and west of Sumatra Island.

These oil spills are certainly very harmful to marine ecosystems and conservation areas, including coral reefs that live in Indonesian territorial waters and jurisdiction.

One example of marine pollution from passing ships is the ALESSA ship, a Chemical Tanker carrier with an Indonesian flag and owned by PT Mitra Sinar Maritim. On March 7, 2023, the ALESSA ship was detected crossing the waters east of Simeulue, Aceh Province.

Meanwhile, on March 16, 2023, satellite imagery showed that a 7-kilometer long oil spill was detected east of Johor waters, Malaysia. The oil spill is only 50 to 60 km north of Bintan Island, Riau Archipelago.

Based on information from the Meteorology and Geophysics Agency (BMKG) on the particular date, ocean currents in the waters where the oil spill was heading south towards Bintan Island. This data indicates the potential for the oil spill to be carried by currents to the north coast of Bintan Island.

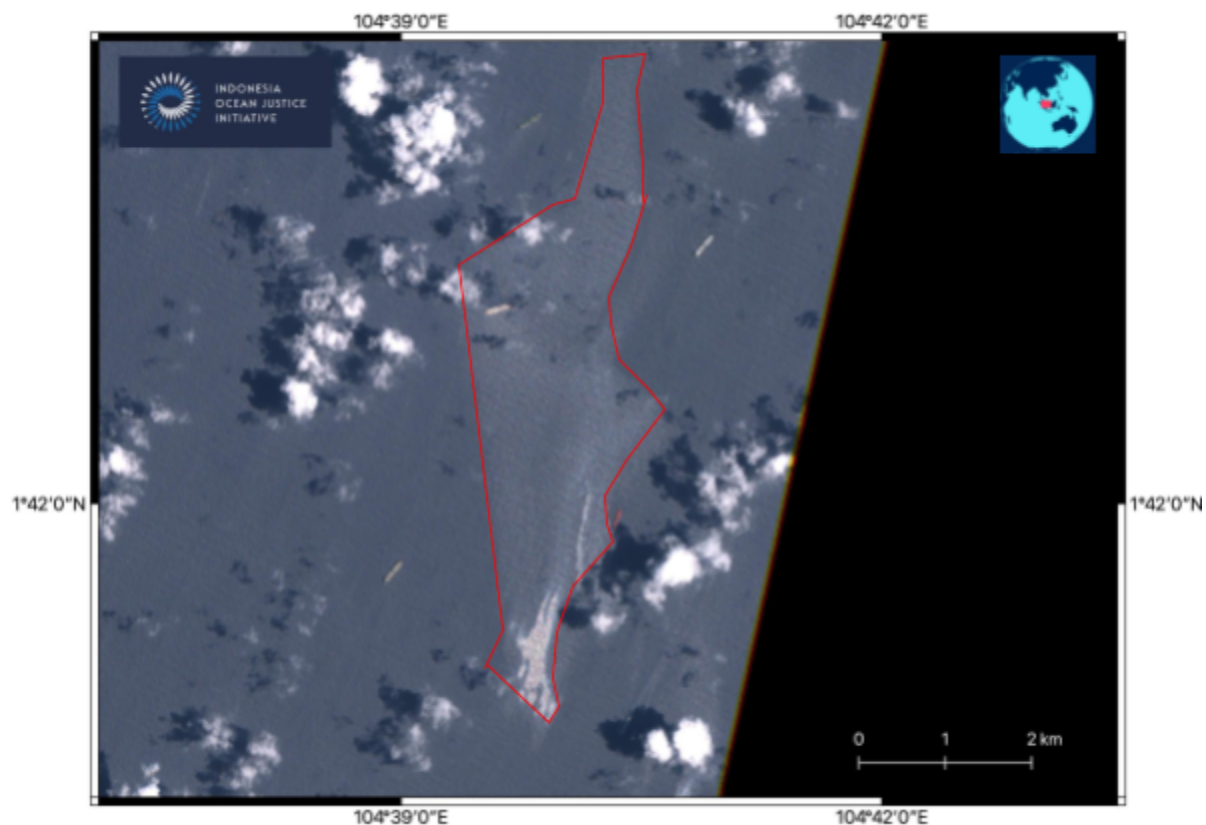


Figure 2. Satellite Imagery Captured Oil Spills (red polygon) In The East of Johor Waters, Malaysia's EEZ, on March 16 2023. The location of the oil spill is only about 50-60 km from Bintan Island Coast. (Source: Sentinel-2)

IUU Fishing in the North Natuna Sea

IOJI detected several suspected illegal, unreported and unregulated (IUU) fishing by Vietnamese foreign fishing vessels (KIA) in the North Natuna Sea during February-March 2023. Operating in a non-disputed area, as many as 6 vessels were detected through the Automatic Identification System (AIS) and 16 ships tracked via satellite imagery.

Gabriella Gianova, a member of the IOJI maritime security research team noted, “it could be that what was detected by AIS and the satellite imagery is the same fishing vessel. So it cannot be added up to 22 ships.”

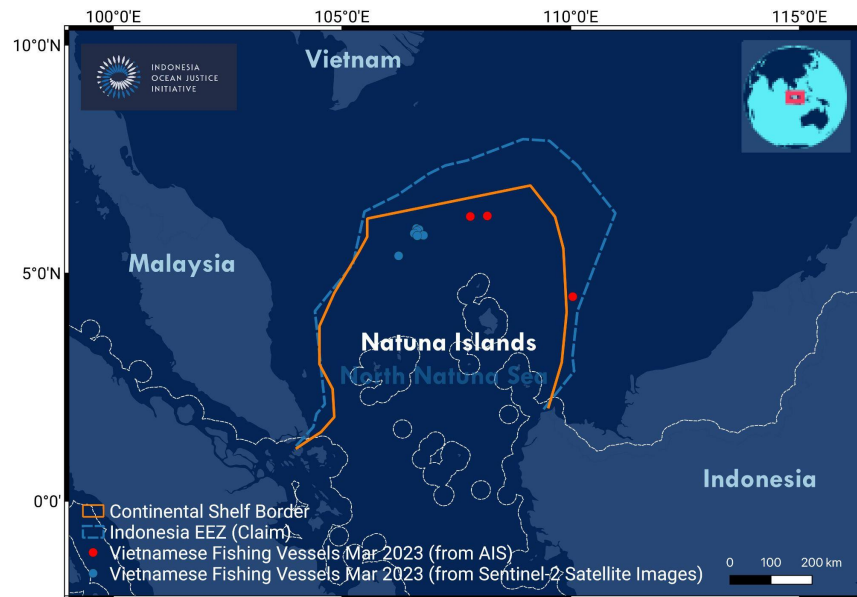


Figure 3. Vietnamese fishing vessels detection in **non-disputed area** of the North Natuna Sea, February 2023 Source: AIS and satellite imagery

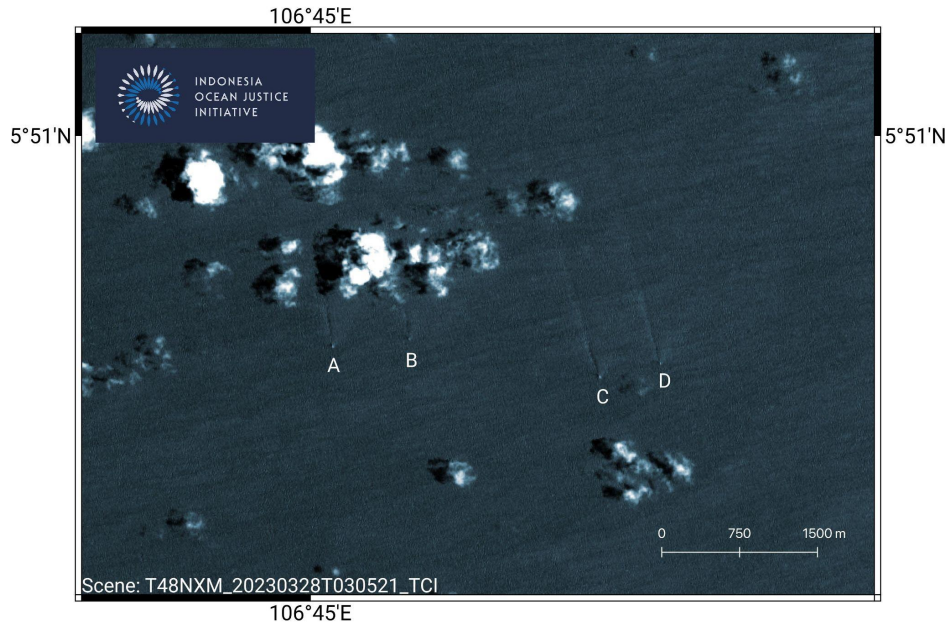


Figure 4. Two pairs of Vietnamese fishing vessels are observed by using satellite imagery on March 28, 2023 in the non-disputed area of the North Natuna Sea

The satellite image in Figure 3 above was captured one day after the Ministry of Maritime and Fisheries (MMAF) succeeded in arresting a Vietnam KIA perpetrator of illegal fishing in the same zone, namely the western zone, the North Natuna Sea. Based on the MMAF press release, the Orca 03 patrol boat caught Vietnamese fishing boats using pair trawls.

IOJI's findings are in line with the study of Finnish fisheries expert, Petri Suuronen. In a study entitled "A Path to a Sustainable Trawl Fishery in Southeast Asia" published in 2020, he found 10,000-15,000 Vietnamese KIA using the pair trawl method.

Pair trawling is a fishing activity carried out by two vessels, each with a towline. The towing force of the two ships allowed them to cast a bigger net. This method also has the potential to strengthen the fuel efficiency of both ships.

In addition to fishing vessels, IOJI also detected at least 8 Vietnam Fisheries Resources Surveillance (VFRS) vessels patrolling along the Indonesia-Vietnam continental shelf boundary between 1 December 2022 to 9 February 2023.

The findings prove that even before the agreement on the EEZ boundaries between the two countries in December 2022, VFRS ships had been operating intensively in the

area of overlapping EEZ claims included in Indonesia's EEZ. That is, they have violated the sovereignty of Indonesia.

In addition, the Vietnamese government as the flag state must ensure that Vietnamese-flagged vessels are not involved in Illegal, Unreported and Unregulated Fishing (IUU Fishing).

Responding to IOJI's presentation on conditions in the North Natuna Sea, a diplomat with the Directorate of Law and Regional Agreements of the Ministry of Foreign Affairs, Ahmad Almaududdy Amri stated "Even though the Indonesia-Vietnam agreement was signed by the two countries on December 22 2022, there is still a process of internalizing the agreement to arrive at the ' enter into force".

Therefore, ahead of the finalization of the post-agreement national law, "Indonesia is in a good-faith position by carrying out 'self-restraint' in order to create conducive conditions. Please be patient waiting for the release of the latest boundaries."

While the Commander of the Indonesian Navy's Fleet Command, Rear Admiral Erwin S. Aldedharma acknowledged several obstacles to his institutional duties in the North Natuna Sea. One of them is logistics and fuel support. "Our logistics and fuel are still limited, so we are unable to maximize our tasks in the vast North Natuna Sea," said Erwin.

Deputy for Operations and Training of Bakamla RI, Laksda Bakamla Bambang Irawan, S.E., M.TR. Opsla stated, "IUU fishing is still the highest threat in Indonesian waters." He added that the value of the Indonesian Marine Safety Index (IKL) is at 53 or "Adequate". "As a matter of course, we still need improvements to strengthen maritime security," he said.

"In order to also improve maritime security, we mapped out projected threats in Indonesian waters as well as prepared a plan related to the implementation of Government Regulation (PP) Number 13 of 2022," said Bambang.

The PP regulates national policies related to security, safety and law enforcement in Indonesian Waters Territories and Indonesian Jurisdictional Areas.

Meanwhile, Member of Commission 1 of the Republic of Indonesia's House of Representatives, Muhammad Farhan, is aware of the overlapping authorities related to Indonesia's maritime security. "There must be a clear definition of authority and

responsibility between all the identified 13 ministries and agencies responsible for maintaining security at sea in order to reduce the threats that occur," said Farhan.

In addition, "Indonesia should also start discussing plans to respond to Indo-Pacific geopolitical narratives, including China's 'nine-dash line' claims. As the Chair of ASEAN this year, Indonesia must be able to promote a regional situation that is peaceful, free and anti-nuclear."

The complete detection report can be read [here](#) (English) and [here](#) (Indonesian).

For further information and request of interview/data, please find us through:

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Notes to editors:

1. The Indonesia Ocean Justice Initiative (IOJI) is a think-tank and policy advocacy institution that supports Indonesia, as the largest archipelagic country in the world, to realize marine governance based on the principles of effective protection, sustainable use, and equitable welfare.

IOJI collaborates with the government and non-government actors to influence decision-making processes at the national, regional and international levels by providing various scientific evidence-based policy recommendations. IOJI also works to assist and empower people whose lives depend on the sea, such as small fishermen, coastal communities and migrant seafaring workers, in defending and fighting for their basic rights.

2. SkyTruth is an independent, non-governmental organization with a mission to share images from space to promote conservation efforts for nature and people. Cerulean is a SkyTruth project that is capable of detecting marine pollution in the form of oil spills by applying sophisticated and easily accessible analytical tools. IOJI and SkyTruth have been in collaboration since September 2022.
3. The area that is the main focus for detecting suspected illegal fishing is the North Natuna Sea (LNU). Meanwhile, the detection of marine pollution in the form of oil spills focuses on the Java Sea, Bintan Island waters (bordering the Singapore Strait) and Sumatra Island waters.

4. The collection of data and information regarding the movement of ships in Indonesian jurisdiction and waters is carried out through Automatic Identification System (AIS) technology from MarineTraffic and satellite imagery from Sentinel-2 belonging to the European Space Agency (ESA).
5. Data and information regarding alleged marine pollution were obtained through the Cerulean software technology developed by SkyTruth. Cerulean is software that uses computer vision algorithms and has the ability to detect marine pollution from oil spills using satellite imagery data. Satellite images taken by the European Space Agency's (ESA) Sentinel-1 were used and analyzed by Cerulean so that specific polluted areas could be identified.