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RPOA NORM LOCALIZATION FOR INDONESIA IN HANDLING IUU FISHING

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Abstract

The success of the Indonesian Maritime Policy cannot be separated from Indonesia's own role, which initiated the establishment of RPOA-IUU Fishing. Global IUU Fishing securitization has led to the localization of anti-IUU fishing in the region and domestic. As a recognized global norm in the Southeast Asia region, IUU Fishing is known to have an impact on comprehensive security in the Southeast Asian region so that a regional regime is formed to fight IUU Fishing. This research aims to find out why norm localization takes place in some countries but not in others such as Vietnam, Thailand, and Laos. What kind of urgency needs more attention from these countries which not comply, than ratifying the anti-IUU fishing norms in each country's NPOA on IUU Fishing? A qualitative methodology is pursued in this article to identify the formation of official documents. Specifically, discourse analysis is utilized to help understand the intentions of actors through constructive analysis of social phenomena in the obtained documents. There are some important findings due to this research, such as different level of urgency in countries, not all neighbour countries of Indonesia find it important to Norm Localized IUU Fishing.

Keywords *: Non-Traditional Security, IUU Fishing, RPOA-IUU Fishing, Norm Localization*

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I. INTRODUCTION

This paper discusses the phenomenon of anti-Illegal, Unreported, and Unregulated (IUU) fishing norm localization in Southeast Asia and the role of national governments as localization actor. Indonesia has been successful in absorbing the mandatory anti-IUU fishing global norm into its national legal framework. It argues that the localization of anti-IUU fishing norm requires the interest of the national governments as norm localization agent; incumbent governments need to perceive the anti-IUU fishing norm implementation as part of their legitimacy. Different interests among the Southeast Asian member states on the enforcement of anti-IUU fishing norm and marine environment protection meaning that not all of the states have adopted global anti-IUU fishing norm. The norm of anti-IUU fishing such as the International Plans of Action (IPOAs) on IUU fishing which was declared by FAO in 2001.

International relations disruptions are not only happened just recently. Most of the issue of international relations happened even before World War

II, and the experiences mostly happened during the post-Cold War. [1] Within the international relations, the fundamental changes can be observed from the shift of the concept of security towards the broader meaning. The perception of military use as a threat and the act of balancing the threat is a part of traditional security thoughts. The thought is now has expanded to include and face non-traditional security threats. In present times, security threats do not come only from the states, but also from the non-state actors. Food security, health, water, natural disaster, migration, energy, transnational and cybersecurity issues are the issues that characterize interactions between the states.1

The development of the security concept from traditional to non-traditional security implicates that the states must rely on multilateral security cooperation which involves military and non-military actions. States are realizing the need for collective defence, which in the past used for facing the external threat, in facing the threats of non-traditional security. Following the end of the Cold War, states realize that the threats also come within the region as the internal threat. [2]

Liberalism emphasizes interdependence, collective security, and the existence of inter-state interests to protect individual rights and the freedom of individuals in other countries.[3]

Post-colonial states aim to achieve their respective autonomy within international relations and looking for the policies that in line with their respective social, political and economic conditions. Regions with a strong background of colonialism, such as Southeast Asia obtained the opportunity to reorganize social, political, and economic institutions as the action that reflects the rules of post-colonial international society.[4]

Decentralization of government systems is important to be carried out to overcome the instability caused by the differences of each state in tackling their respective issues.[5] Collective security is a solution through emphasizing the consolidation between the states so that the states within the cooperation do not pose a threat to other states within the region. Collective security that in

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[1] Melly Caballero-Anthony and Alistair D. B. Cook, Non-traditional Security in Asia: *Issues, Challenges and Framework for Action* (Singapore: ISEAS, 2013), 5.

[2] Borot Wardoyo, *Perkembangan, Paradigma, dan Konsep Keamanan Internasional dan Relevansinya untuk Indonesia [The development, Paradigm, and the Concept of International Security and its relevancy for Indonesia]* (Klaten: Nugra Media, 2015), 171-6.

[3] Roland Paris, "Peacebuilding and The Limits of Liberal Internationalism," *International Security* 22 (1997): 59.

[4] Robert Jackson from William Clapton, Risk and Hierarchy in International Society (Taylor and Francis, 2009) 19.

[5] Àlvaro de Soto in Mary Kaldor and Iavor Rangelov, The Handbook of Global Security Policy (Wiley Blackwell, 2014), 304.

line with the Cold War-era, collective security stresses the importance of collective cooperation in facing external threats.[6] Indonesia, as the main country within Southeast Asia and the founding member of ASEAN, faced the dilemma prior to the implementation of Indonesian Maritime Policy (KKI, *Kebijakan Kelautan Indonesia* – from now on "IMP").[7] The Ministry of Maritime and Fisheries Affairs faced the difficulties regarding the internal and external conflict of interest in implementing the National Plan of Action (NPOA) every four years as FAO suggested. Since Sukarno-led Old Order to New Order led by Suharto, Indonesia's policy on development focused on agrarian infrastructure building and tended to forget the characteristics of Indonesia as maritime country.

Indonesia is the largest archipelagic states with more than 16,000 islands, breadth of the coastline area that extends 81,000 km2 and rich with potential natural resources. The Indonesian geographical landscape provides 80% of the territory being the sea area which consists of 3,1 million km2 of the territorial sea, and 3 million km2 of the sea area of the Exclusive Economic Zone (EEZ). In contrast, the land area only covers 1,937 million km2. The vastness of the sea area made Indonesia notorious for its rich marine natural resources and biodiversity. The natural resources and biodiversity not only consists of resources from coastal ecosystems such as mangroves, coral reefs, and seagrass beds but also resources in fisheries and petroleum.[8]

Activities of IUU fishing have reported since as early as Sukarno's administration. However, since the main goal of the Suharto's administration is food self-sufficiency, the New Order government focuses on the development of agriculture. Nevertheless, Joko Widodo's administration aims to make Indonesia as a global maritime fulcrum. The widespread occurrence of IUU fishing is a problem that has existed from the former Indonesian leaderships. Ordinarily, IUU fishing in Indonesia revolves on the procedural aspect of fishing, such as violation of Indonesian EEZ, which threatens the boundary of Indonesian sovereignty. Other than the core issue of IUU fishing itself, there are also IUU fishing-related problems that present. These are, among others, smuggling of illegal immigrants, small weapons and light arms smuggling, smuggling of narcotics and other non-traditional security problems such as food security,

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[6] Wardoyo, *Konsep Keamanan Internasional*, 172-177.

[7] KKI—*Kebijakan Kelautan Indonesia* (Indonesian Maritime Policy) is promulgated on seven pillars namely management of marine resouces and development of human resouces; defense, law enforcement and safety at sea; marine governance and institutions; the economy and marine infrastructure and welfare improvement; management of marine space and protection of the marine environment; marine culture; and marine diplomacy.

[8] Coordinating Ministry of Maritime Affairs, "Introduction," 14 November 2018, https://maritim.go.id/konten/telah-terbit-majalah-kemaritiman-edisi-perdana-tahun-2018/.

terrorism and environmental safety.[9] IUU fishing is not a threat that originates from military forces, but instead, it is a violation of national sovereignty by non-state actors.[10] Therefore, that is why Indonesia needs to use its military capacity to ensure that Indonesian EEZ are untouched by foreign fishers.

The Coordinating Minister for Maritime and Investment Affairs, Luhut B. Pandjaitan stated that even amidst the global economic downturn, the average economic growth of Indonesia is at 5.7% supported by the richness of natural resources. Thus, the fight for Indonesia to become the world maritime fulcrum, as visioned by President Joko Widodo, Minister Susi Pudjiastuti, and her staffs at the Ministry of Maritime and Fisheries Affairs, was announced success.

Indonesia is the only country in Southeast Asia that has established a maritime policy.[11] Also, Indonesia has implemented various regulations that regulate the fisheries sector, such as the regulation on the size of fishing vessels, fishing permit, and fishing methods. However, weak enforcement of IUU fishing regulation in other states in Southeast Asia resulted in frequent IUU fishing violations in the Indonesian sea.[12] The violations are evident from the number of foreign vessels captured at Indonesian EEZ and the nationalities of the crew of fishing vessels that repatriated to their respective home countries. The crews from Vietnam by far are the most frequent violators of IMP, and the repatriation of the crew was carried out through Batam sea.

With the adoption of IMP through Presidential Regulation No. 16 of 2017, losses from IUU fishing could be reduced. These losses resulted from IUU fishing are among others, full exploitation, overexploitation and the depletion of fisheries resources. IUU fishing business carried out without considering the long-term social, economic, and environmental impact.[13] However, the implementation of IMP is indeed still too early; thus, this would likely to cause minimum socialization to other countries in Southeast Asia whose fishing vessels still enter the Indonesian borders. As stated above, fishing vessels from several countries in Southeast Asia have proven carried out IUU fishing

[9] FAO-UN. (2018). Illegal, Unreported and Unregulated (IUU) Fishing: Links between IUU Fishing and other crimes.

[10] Winston P. Nagan and Craig Hammer, "The Changing Character of Sovereingty in International Law and International Relations," *Columbia Journal of Transnational Law* 43 (2004): 141.

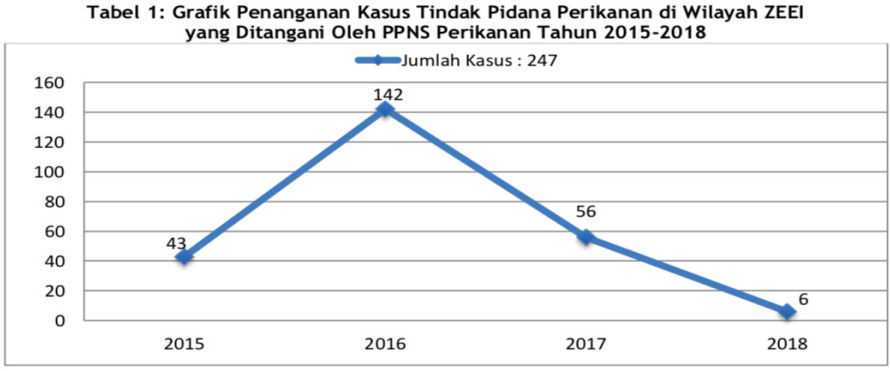
[11] Since 1985 Indonesia has ratified UNCLOS into Law No. 9 of 1985 & Ministerial Decree of KM-P 815/1985. Even, in 1965 there was Banda Sea Agreement (1965-1980). Muhammad Bilahmar, Newton Project, 2018.

[12] Kemenko Kemaritiman, "KKI Perkuat Poros Maritim Dunia [Indonesian Maritime Policy Strenghten the World Maritime Fulcrum," *Majalah Kemaritiman* 1, no. 1 (2018): 13-14.

[13] Environmental Justice Foundation (EJF). *Pirates and Profiteers- An International Campaign Against Illegal Fishing* (London: The Environmental Justice Foundation, 2005), 4. Retrieved from https://ejfoundation.org/resources/downloads/Pirates-Profiteers.pdf.

within Indonesian waters. Consequently, the fishing moratorium as a way to prevent IUU fishing needs to be done. This moratorium would deter foreign fishing vessels that enter Indonesian waters for fishing, and Indonesian waters would be free from IUU fishing. Other factors that drove Thai and Chinese fishers to carry out IUU fishing in Indonesian waters was the fishing moratorium taken by the respective countries in their waters. This was explained by then Director-General of Supervision of Marine and Fisheries Resources of Indonesian Ministry of Maritime and Fisheries Affairs (PSDKP KKP), Eko Djalmo. [14] Appointment of Susi Pudjiastuti as the Minister of Maritime and Fisheries by President Joko Widodo resulted in a significant reduction of IUU fishing violations by foreign vessels in Indonesia. The following chart demonstrates the number of IUU fishing cases on Indonesian EEZ. The actions to mobilize Indonesian Coast Guard (Bakamla) and Water Police, taken by Minister Susi to capture the violators of IUU fishing regulations have given deterrent effect against foreign fishing vessels operating in the Indonesian EEZ.

Figure 1. Graph of Handling Fisheries Crime Cases in the ZEEI area hadled by PPNS Fisheries in 2015-2018.[15]



The eradication of IUU fishing practice significantly resulted in the sustainability of marine resources and the prevention of marine environmental damages. As in handling of other forms of non-traditional security threats, the eradication of IUU fishing cannot only be done by the concerned state individually but needs to be done multilaterally. Regional Plan of Action for Combating Illegal, Unreported, and Unregulated Fishing (RPOA-IUU) agreed

[14] Kompas.com, "Ini Faktor Penyebab Maraknya Illegal Fishing di Wilayah Perairan RI," 18 April 2017. https://nasional.kompas.com/read/2017/04/18/19452311/ini.faktor.penyebab.maraknya.ille at October 19th 2018.

[15] Sherief Maronie, "Telaah Penegakkan Hukum Tindak Pidana Perikanan Wilayah Perairan Zona Ekonomi Eksklusif Indonesia," accessed 8 October 2018, http://kkp.go.id/an-component/media/upload-gambar-pendukung/djpdspkp/Penegakan%20Hukum%20TPP%20di%20Wilayah%20ZEEI%20(11%20Mei%2018).pdf

in May 2007 involves the participation of Southeast Asian countries such as Brunei Darussalam, Cambodia, Indonesia, Malaysia, Papua New Guinea, Philippines, Singapore, Thailand, East Timor, Vietnam and Australia.[16] The meeting between the regional states continued with the last workshop held in November 2017. The workshop was carried out to deliberate the measures and policies to prevent IUU fishing in the respective countries in accordance with domestic and international regulation. Under this cooperation, every state is expected to establish a better National Plan on Action on IUU (NPOA-IUU) at the national and regional level.[17]

However, since 2017 until the present, not all Regional Action Plan (RPOA-IUU) supports the management of fisheries affairs in the region to protect the maritime resources, manage fisheries capacity, and implement anti-IUU measures within the region. The following table shows the members of Southeast Asian RPOA-IUU with the respective available NPOA-IUU.

Table 1 NPOA-IUU[18]

No.	Country	NPOA-IUU	NPOA Policy
1.	Indonesia	Available	2009, 2012; Minister of Marine Affairs and Fisheries
2.	Australia	Available	2005; Department of Agriculture (2014)
3.	Thailand	-	
4.	Brunei Darussalam	Available	2011 ; 2013;Department of Fisheries
5.	Kamboja	-	
6.	Malaysia	Available	2013: Jabatan Perikanan Malaysia
7.	Papua New Guinea	-	
8.	Filipina	Available	2013 : Republic of The Philippines – CTI (*Coral Triangle Initiatives*)
9.	Singapore	-	
10.	Timor Timur	Available	2011; 2013 CTI
11.	Vietnam	-	

From the table above, it is understood that not all the states in the region has established and implemented NPOA. Therefore, we could understand that for some countries, IUU fishing is not an urgency. For non-compliant states that do not have NPOA established, the respective state must put the best effort to ensure its fishing vessel not to violate the Indonesian EEZ. The success

[16] Retrieved from http://www.rpoaiuu.org, April 5th 2018.
[17] KKP. "Kerja Sama Lintas Negara Berantas Illegal Fishing [Cross-border Cooperation Eradicates Illegal Fishing]." retreived 23 March 2018, https://news.kkp.go.id/index.php/kerja-sama-lintas-negara-berantas-illegal-fishing/ retrieved at March 23rd 2018.
[18] See http://www.rpoaiuu.org/npoa-iuu/

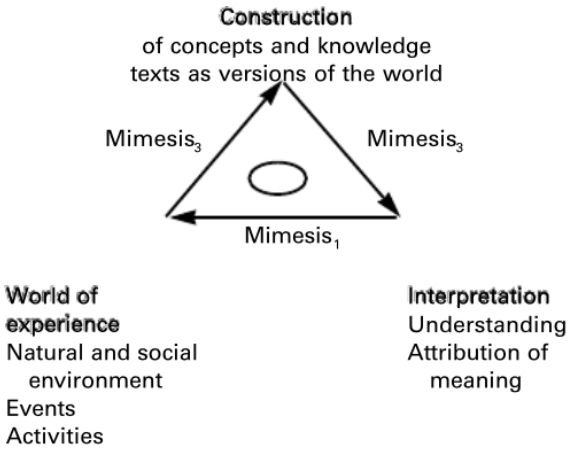
of anti-IUU fishing securitization brought a strategic implication that Indonesia is well-respected within the region. Indonesia has been able to maintain its EEZ independently at the same, Indonesia also attempts to transmit the influence its approach in IUU fishing handling so that the region would become the region with sustainable and prosperous maritime resources, followed by other strategic benefits such as the effective handling of other non-traditional crimes.

The present article employs a qualitative method. Deep understanding of a regional norm so that the state could accept the norm necessitate the identification and the concerns over the conditions that drive the interaction process between the states. The interaction processes would create contestation with the goal to reflect the creation or re-creation of the existing norms. The attribution of the meaning of this process is dependent upon the political impact perceived by the norm-receiving state. Identification through qualitative method is chosen to identify the formulation of the official documents. This writing employs discourse analysis since there is a social phenomenon that happened and requires a constructive analysis that helps to understand the intent of the content of the obtained documents.[19]

Knowledge is obtained through the exercise of social construction by exchanging experiences. Flick claims it as a 'mimesis', namely, pre-understanding obtained from written source and direct experience. Mimetic processes are used to obtained experience based on the previous experiences that create understanding and interpretation through qualitative analysis. A qualitative approach in the constructivist analysis is relevant to be used for analyzing the data obtained. This approach, coupled with interviews with the members of the study area, would result in gained access to constructivist understanding.[20]

[19] Antje Wiener, "Enacting Meaning-in-use: Qualitative Research on Norms and International Relations," *Review of International Studies* 35, no. 1 (2009): 175.
[20] Uwe Flick, Ernst von Kardorff and Ines Steinke, *A Companion to Qualitative Research* (Sage Publication, 2004), 92.

Table 2 Mimesis Process of Understanding[21]



II. INDONESIA AS AN INITIATOR OF IUU FISHING IN THE REGION

The securitization of IUU fishing issue in Indonesia has been argued as an independent issue that shows social construction. The securitization successfully builds the urgency through actions and statements of the state actors finally endorsed by the Presidential Regulation. Built upon the Buzan's argument on the securitization process, research by Keliat shows the importance of urgency of a new security issue for Indonesia. Financial losses resulted from the huge number of exploited fishes discussed by Keliat. Since IUU fishing as a part of maritime security focus has already constructed, the definition of IUU fishing needs to be flexible and adaptable to be developed along with the needs.[22]

Joko Widodo's government (2014 – present) aims to make Indonesia as a world maritime fulcrum because of the realization of Indonesia as an archipelagic nation with uncountable marine resources. Losses from the exploitation of marine natural resources made IUU fishing, formerly a non-security issue, become the security issue because it relates to national prosperity and the enforcement of Indonesia's sovereignty. When IUU fishing becomes a security issue, the handling, supervision and law enforcement would include both military and non-military elements.[23]

[21] *Ibid.*, 93.

[22] Makmur Keliat, "Keamanan Maritim dan Implikasi Kebijakannya Bagi Indonesia," *Jurnal Ilmu Sosial dan Ilmu Politik* 13 no. 1 (2009): 111-129.

[23] M. Rizqi Isnurhadi, "Sekuritisasi Illegal, Unreported, Unregulated Fishing (IUUF) di Perairan Indone-

Indonesia has made IUU fishing as an urgent issue, following this, Indonesia has mobilized various agencies such as Indonesian Navy, Indonesian Air Force and the Ministry of Maritime and Fisheries Affairs to enforce the national law against the violators of IUU fishing law in Indonesia. However, Vietnam which the ships registered often caught violating the regulations of IUU fishing in Indonesian seas, claimed Indonesian enforcement measures as violations of 1982 Law of the Sea Convention and bilateral Memorandum of Understanding. Despite this, the Vienna Convention 1969 provides justification for Indonesia's enforcement. Under the Vienna Convention, Indonesia has the right and obligations to enforce the law within the limit of its sovereignty.[24]

III. IUU FISHING PREVENTION REGIME

All states agree that that the marine natural resources need to be preserved. Therefore, international community needs to have institutions that posses norms, decisions, rules and procedures that would help to unite the hope for sustainable use of marine natural resources. According to Krasner, this demonstrates the existence of the regime for IUU fishing cases at various stakeholder levels. The regime for protection against IUU fishing has been prepared from the international, regional and domestic levels. [25] It is necessary to have a commitment of overall cooperation between the government and marine ecosystem researchers as the supervisor and the controller of the marine resource exploitation. The present international regime is robust in handling the IUU fishing. Sea as the majority element of earth surface and the aspect of global trade and navigation has made the use of the sea as the shared responsibility. The main threat against the anti-IUU fishing regime is crimes against the marine environment and food sources. Cooperation between Indonesia and Australia adopted the Code of Conduct for Responsible Fisheries (CCRF) established by the FAO. The bilateral cooperation is carried out through bilateral meetings, joint patrols, technical assistance. These bilateral meetings resulted in the proven success of IUU fishing reduction.[26]

sia di Era Pemerintahan Joko Widodo [Securitization of IUU Fishing in Indonesian Waters during Joko Widodo Government]," *Jurnal Hubungan Internasional* X, no.2. (2017).

[24] Fariz Hibatullah, "Implementasi Unilateralisme ZEE Indonesia Terkait Kasus IUU Fishing Studi Kasus: IUU Fishing Indonesia-Vietnam 2014-2015 [The Implementation of Unilateralism of Indonesia EEZ related to IUU fishing the Case of IUU Fishing of Indonesia – Vietnam 2014-2015]" (Thesis, Airlangga University, 2018).

[25] Rachel Baird, "Illegal, Unreported and Unregulated Fishing: An Analysis of the Legal, Economic and Historical Factors Relevant to Its Development and Persistence," *Melbourne Journal of International Law* 5 (2004).

[26] Claudia Radekna Salfauz. "Efektivitas Code of Conduct for Responsible Fisheries di Samudra Hindia. Studi Kasus: Kerjasama Indonesia dan Australia Menanggulangi Illegal Unregulated Unreported (IUU)

Started with FAO IPOA established in 2001, seventy-five states agreed on IUU fishing as a threat that requires monitoring, inter-country cooperation, publicity, development of technical capabilities, the responsibility of flag state, measures of the coastal state, market measurement agreed internationally, and the establishment of Regional Fisheries Management Organization (RFMO). [27] In the Southeast Asia region, Indonesia and Australia were initiators of RPOA, followed by nine other states. RPOA was established voluntarily at the ministerial level as the initiator. Even though RPOA is not legally binding, it still aims for a reduction in violations of IUU fishing. [28]

Existing literature shows that there are various arguments in seeing IUU fishing from many perspectives. Some opinion sees regionalism demonstrates the mutualistic relationship. However, there are not a few scholars who consider that regionalism would leave the focus of this country that would disrupt the state's focus in achieving security and preventing IUU fishing. In addition, this literature reviews summarizes that regionalism shows the binding of values and norms formed by the related regime. Nevertheless, the norm could not always be absorbed and implemented ideally by the member states. Therefore, the present contribution raises the question on the norm absorption of IUU fishing regime by the member states, in this case, Indonesia. The author chooses Indonesia as a country study since Indonesia has implemented NPOA and successfully reduced the cases of IUU fishing. Indonesia's entry into RPOA indicates the importance of absorption of policies and the expansion of domestic policy within the regional framework. The existing gap consequently become the gap in observing the norm absorption by state actors that have implemented the national framework. Therefore, the present study will contribute to the understanding of Indonesia's strategic position in facing the threat of IUU fishing in the region through RPOA mechanism.

IV. LOCALIZATION OF ANTI-IUU FISHING NORMS IN THE REGION

The concept of maritime geopolitics within the global security is an urgency that resulted from Bush's Global War on Terror started in 2001. The concept links how IUU fishing connected to terrorism, such as bypassing of

Fishing [The Effeciveness of Code of Conduct for Responsible Fisheries in the Indian Ocean. Case Study: Indonesia – Australia Cooperation in" *Journal of International Relations* 1, no. 2 (2015):57-63.

[27] Denzil G. Miller & Elise Clark, "Promoting responsible harvesting by mitigating IUU fishing: a three-block and OODA construct?" *Australian Journal of Maritime and Ocean Affaris* 11, no. 1 (2019): 1-36.

[28] Murray Johns, "Enhancing Responsible Fishing Practices in South East Asia to Combat Illegal, Unreported, and Unregulated (IUU) Fishing," *Australian Journal of Maritime & Ocean Affairs* 5, no. 3 (2013): 112-119. DOI: 10.1080/18366503.2013.10815741.

the national border by terrorist utilizing the fishing vessels engaged in IUU fishing. Enforcement of maritime area for states become important as a means to maintain the order at the border. Moreover, cooperation between the states at the border emphasizes maritime areas as the 'terrorist transit triangle'. Migration from a region to another region has become a important issue to be highlighted because the migration process would involve different migration policies that need to be complied to. The concept of security is still developing and interconnected with each other.[29] The concept emerged from terrorism as a non-traditional security issue and culminating in maritime security issues that affect global human migration.

According to Buzan, in the concept of securitization, every issue can become a security issue, particularly when the public perceived the issue as the issue that poses a threat to public security. Consequently, the issues that are not actually within the security issue can be a security issue along with the development. The threat against national sovereignty could originate from domestic or foreign origin. Buzan also analyzed the five sectors of security; these are, politics, military, economics, social and the environment. These five cannot be separated from each other, even though in each sector, states have different problematics.

The existence of a comprehensive norm for handling and eradication of IUU fishing found within IPOA-IUU. IPOA-IUU subsequently set as the target within RPOA-IUU. With the implementation of the said RPOA-IUU, the region would achieve the four dimensions of security; these are, (1) political security; (2) food security; (3) economic security; and (4) environmental security. The said four dimensions are understood as follow. The fish stocks in a region could serve as the essential food sources as well as for trade within or outside of the region. By upholding the responsible fishing, enforcement of preventive measures and sanctions, as well as eradication of IUU fishing is essential to ensure food security and poverty alleviation within the region.[30]

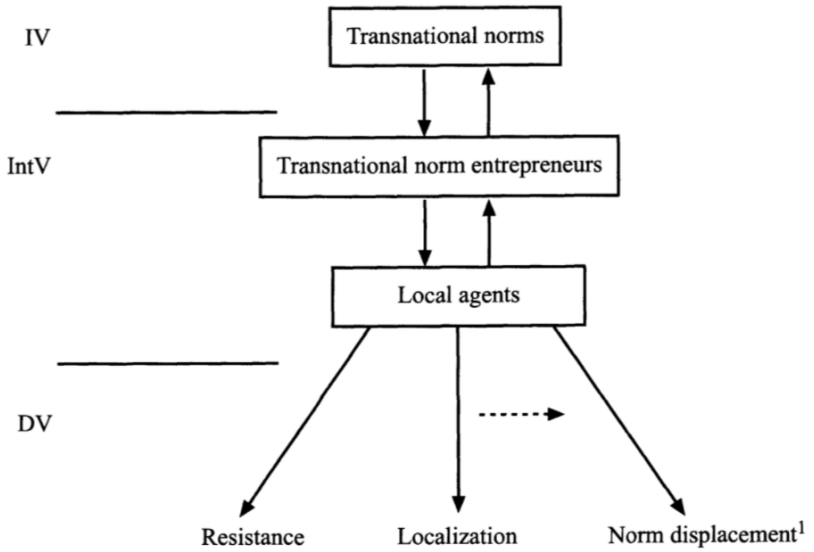
V. FRAMEWORK ON TRANSNATIONAL NORMS RESPONSE

Acharya posited the importance of a strategy to carry out norm diffusion by domestic actors, followed by the localization of norms into the region. In order for the norm to be accepted by other states in the region, three conditions shall be met. These are, (1) the propagated norms are the universal norms,

[29] Paul J. Carnegie, et. al. eds, *Human Insecurities in Souteast Asia* (Singapore: Springer, 2016), 70-72.
[30] See: RPOAIUU.org

such as the prohibition of racism, biological issue, and obligation under human rights issues. In the present case, IUU fishing could be regarded as a universal norm, because IUU fishing has a strategic impact for the future of natural resources, transnational crime prevention, and enforcement of national sovereignty. (2) The need for transnational actors to carry out norm socialization, in the present case, are the Indonesian representatives as a part of RPOA-IUU fishing; and (3) even though the final goal is to transmit to the norm to the region, there is a need to carry out conversion rather than dispute or contestation by the domestic/local actors.[31]

Figure 2 local response framework for transnational norms[32]



The application of norm localization is carried out through non-coercive means, which means that the actors include the rules resulting from the collective agreement between the states. The localized global instruments are among others, the Law of the Sea Convention, UN Fish Stock Agreement (UNFSA), the FAO Compliance Agreement, the FAO Code of Conduct for Responsible Fisheries, the International Plan of Action (IPOA) to Prevent, Deter and Eliminate IUU Fishing. The localization is not coercive in nature and depends on the local representatives to adopt and use foreign ideas. Non-coercive nature of RPOA-IUU is observed from the non-establishment of NPOA by several RPOA-IUU states. Despite this, RPOA-IUU results in a tangible outcome and

[31] Amitav Acharya, "How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism," *International Organization* 58, no.2 (2018): 242.
[32] *Ibid.*

the instrument could last, particularly for Indonesia.

By applying offramework offered by Acharya within the present discussion, several aspects must be considered regarding the norm acceptance into the domestic rules of the respective states. Some reactions that could be received by the state are:

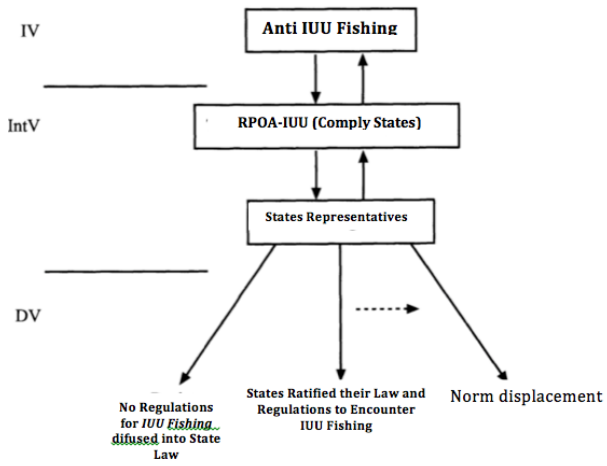
(1) Resistance, meaning that there would be no changes carried out by the state in national documents and instruments. Even when the state still approaches the goal of local or internal norms, continuous rejection leads to the failure of norm transmission;

(2) Localization, meaning that the state would create new instruments and tasks, the targeted norm would be changed or modified. However, the hierarchy of norm-implementing agencies would not change, or changed following the existing examples;

(3) Replacement, meaning that the state would replace the existing local norms. This rarely occurs because the new norms are universal norms that are actually the objective of the cooperation.

The following chart illustrates the application on Archarya's framework on anti-IUU fishing norm acceptance at the level of RPOA-IUU as a part of the Southeast Asia region:

Figure 3 Framework for Anti IUU Fishing Norms in RPOA and Indonesia



VI. COUNTERMEASURES FOR IUU FISHING IN THE SOUTHEAST ASIA REGION

The importance of IUU fishing policy is undisputed. Various issues related to IUU fishing such as destruction of marine natural resources, people smuggling, illicit trade, and more importantly, the intervention could be eliminated. Southeast Asia is experiencing depletion of marine natural resources due to IUU fishing.[33] As the earlier discussion shows, the author interested in analyzing the extent of the normalization of anti-IUU fishing in Indonesia is understood. The issue at hand could be analyzed by understanding the background of the RPOA establishment and the existence of Indonesia's influence on RPOA. The achievement of comprehensive security implicated by the enactment of anti-IUU fishing regulations that cover various non-traditional security domains in the region. Piracy/armed robbery at sea, maritime terrorism, organized crime at sea, human trafficking, climate change, potential threats to the number of fish and marine biota are the threats that accompany the practice of IUU fishing.[34] Ideally, norm diffusion for non-traditional crimes should occur in all NPOA IUU fishing of each RPOA member countries.

The issue of IUU fishing has been successful in undertaking the securitization process. This is evident from the great number of state practices that make binding regulation against IUU fishing at the global or regional level. Binding regulation is essential for the sustainability of the marine ecosystem. A sustainable marine ecosystem that would be the legacy for the future generation has become the main headline of previous research on IUU fishing securitization. The handling of IUU fishing is not only should be done unilaterally but also multilaterally involving between the states that prone to IUU fishing. Some areas in Southeast Asia that prone to IUU fishing to occur is the South China Sea, Sulu Sea of Sulawesi, and the Asia Pacific waters.

Indonesia has carried out bilateral cooperation through the creation of MoUs with the neighbouring countries. These MoUs are among others, Indonesia – Thailand, Indonesia – Vietnam, Indonesia – Philippines, and Indonesia – Australia MoU. Under the existing cooperation, the efforts taken are Joint Border Committee (JBC), Joint Commission for Bilateral Cooperation (JCBC), Wide MCS System and Code of Conduct for Responsible Fisheries (CCRF) that realized with the annual meetings and joint patrols.[35] The han-

[33] Kurt W. Radtke & Raymond Feddema*, Comprehensive Security in Asia: Views from Asia and the West on a Changing Security Environment*, (Netherlands: Brill, 2000), 141.

[34] Aditi Chatterjee, "Non-Traditional Maritime Security Threats in the Indian Ocean Region," *Maritime Affairs: Journal of the National Maritime Foundation of India*. 10, no. 2 (2018): 77-95. DOI: 10.1080/09733159.2014.972669.

[35] Simela Victor Muhamad, "Illegal Fishing di Perairan Indonesia: Permasalahan dan Upaya Penanganannya Secara Bilateral di Kawasan," *Politica* 3, no. 1 (2012).

dling of IUU fishing between the countries is carried out not only due to food security and environmental concerns, but also there are security concerns over terrorist activities and other transnational crimes. Multilateral cooperation is formed between the countries in Southeast Asia through the establishment of RPOA IUU Fishing. This establishment is inseparable from the already present IPOA-IUU. The IPOA-IUU, which was initiated by the FAO, emphasized the states to fight against IUU fishing to preserve human survival on earth. The destruction and losses of marine natural resources would be the threat against the food, human and environment as a whole. [36] The emphasis by FAO also supported by the statement of ASEAN Regional Forum (ARF). ARF stressed the relevancy of the fight against IUU fishing with the implementation of Law of the Sea Convention. ARF establishes maritime cooperation as an agenda to fight against transnational crimes and other non-traditional security challenges.[37]

VII. CONCLUSION

As a final note, the author stresses that there is reciprocal communication between the three actors. Communication and opinion polls during the multilateral meetings between the three actors would be discussed on each policy-making. The communications on IUU fishing policy rules then converted and adjusted according to the needs of each party. Therefore, the said IUU fishing policy can change over time within the NPOA as domestic policies, RPOA as regional policies, and IPOA as international policies. As a universal norm, the anti-IUU fishing norm must be constructed into a policy as an effort to make the world that could sustain and support the needs of the people live within it.

To realize sustainable living, the world's population has an obligation to maintain and preserve marine resources. This universal agreement subsequently changed into a norm that limits the taking of the marine natural resources, in particular fisheries resources. Other than to extend the life of marine resources, the policy can comprehensively provide prohibition and restriction against various transnational crimes such as illegal drug trafficking. Just like catching two birds with one stone, through the implementation of NPOA IUU

APEC Fisheries Working Group, "Case Study on the Impacts of Illegal, Unreported and Unregulated (IUU) Fishing in the Sulawesi Sea," Singapore, APEC Secretariat, 2008.

[36] FAO, *The State of World Fishereis and Agriculture 2016: Contributing to Food Security and Nutrition for All* (Rome: FAO, 2016).

[37] ASEAN Regional Forum, "Statement on Cooperation to Prevent, Deter, and Eliminate Illegal Unreported, and Unregulated Fishing," 7 August 2017, http://aseanregionalforum.asean.org/wp-content/uploads/2019/01/ARF-Statement-on-Cooperation-to-Prevent-Deter-and-Eliminate-Illegal-Unreported-and-Unregulated-Fishing-Manila-the-Philippines-7-August-2017.pdf.

fishing in Indonesia, Indonesia also aims for outward-looking policy to project the norm regionally. The author here believe that Indonesia can be an example of maritime policy-making and as the world maritime fulcrum.

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