

DEPARTMENT OF TRANSMIGRATION AND
SETTLEMENT OF FOREST SQUATTERS

**DECREE OF THE MINISTER OF TRANSMIGRATION AND THE SETTLEMENT
OF FOREST SQUATTERS**

NUMBER : KEP-14/MEN/1999 ; DATED : FEBRUARY 24, 1999

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**THE ESTABLISHMENT OF AN ASSISTANCE TEAM ON THE UTILIZATION
OF FOREIGN FISHING VESSELS DECLARED AS HAVING
BEEN SEIZED FOR THE STATE**

THE MINISTER OF TRANSMIGRATION AND THE SETTLEMENT OF FOREST SQUATTERS,

- Considering** :
- a. that as a follow-up to Article 13 of Decree of the Minister of Re-settlement and the Settlement of Forest squatters No. KEP-125/MEN/1998 on the guideline for the utilization of foreign fishing vessels declared as having been seized for the state, it is deemed necessary to establish an Assistance Team on the Utilization of Foreign Fishing Vessels Declared as Having Been Seized for the State;
 - b. that to this end it is necessary to stipulate a Ministerial Decree.

- Bearing in mind** :
- 1. Act No. 15/1997 on Re-settlement Affairs;
 - 2. Presidential Decree No. 16/1994 on the Implementation of the state's budget of revenues and expenditures as already amended several times, the latest by Presidential Decree No. 6/1999;
 - 3. Presidential Decree No. 25/1994 on the coordination in the implementation of re-settlement and the settlement of forest squatters;
 - 4. Presidential Decree No. 61/1998 on the Position, Tasks, Organization Structure and Working System of Ministries as already amended by Presidential Decree No. 102/1998;
 - 5. Presidential Decree No. 122/M/1998 on the establishment of the Development Reform cabinet;
 - 6. Presidential Decree No. 174/1998 on the utilization of fishing vessels declared as having been seized for the state;

7. Decree the Minister of Re-settlement No. Kep-64/MEN/1986 on the procedure for the drawing up of legislation within the Ministry of Re-settlement;
8. Decree of the Minister of Re-settlement and the Settlement of Forest Squatters No. KEP-150/MEN/1995 on the Organization and Working System of the Ministry of Re-settlement and the settlement of forest squatters jis Decree of the Minister of Re-settlement and the Settlement of Forest squatters No. KEP-155/MEN/1996 on the organization and working system of the center for re-settlement training and Decree of the Minister of Re-settlement and the Settlement of Forest squatters No. KEP-124/MEN/1997 on the organization and working system of the center for research and development of the production techniques of re-settlement;
9. Decree of the Minister of Re-Settlement and the Settlement of Forest squatters No. KEP-124/MEN/1998 on the establishment of a working team based on Presidential Decree No. 174/1998 on the utilization of foreign fishing vessels declared as having been seized for the state;
10. Decree of the Minister of Re-Settlement and the Settlement of Forest squatters No. KEP-125/MEN/1998 on the guideline for the implementation of the utilization of foreign fishing vessels declared as having been seized for the state.

- Observing** :
1. Letter of the Secretary General of the Ministry of Re-settlement and the Settlement of Forest squatters No. 5943.UM.03.51 dated November 13, 1998 on the establishment of an execution team of the inter-ministerial team often;
 2. Letters in reply to the letter of the Secretary General of the Ministry of Re-settlement and the Settlement of Forest squatters referred to above, as conveyed by the attorney general's office, the Ministry of Finance, the Ministry of Agriculture, the Ministry of Communications, the Ministry of Manpower, the Ministry of Cooperatives and Fostering of Small-and-medium-scale enterprises, the Ministry of Justice, the Indonesian Navy, the Indonesian Police and the Armed Forced Intelligence Agency (BIA).

HAS DECIDED :

To stipulate : **THE DECREE OF THE MINISTER OF RE-SETTLEMENT AND THE SETTLEMENT OF FOREST SQUATTERS ON THE ESTABLISHMENT OF AN ASSISTANCE TEAM FOR THE UTILIZATION OF FOREIGN FISHING VESSELS DECLARED AS HAVING BEEN SEIZED FOR THE STATE.**

FIRST : To establish an Assistance Team for the Utilization of Foreign Fishing Vessels Declared as Having Been Seized for the State, hereinafter referred to as the Assistance Team, with the membership structure being as referred to in Attachment I to this decree.

- SECOND** : The Assistance Team as meant in the FIRST dictum shall accommodate 3 (three) operational functions involving :
- a. law enforcement;
 - b. licensing and supervisory enforcement;
 - c. research and development
- THIRD** : To perform the functions as meant in the SECOND dictum, the Assistance Team as meant in the FIRST dictum shall be assigned the following :
- a. cooperating with relevant government agencies to monitor, obtain and collect the data about foreign fishing vessels with problems;
 - b. making an inventory of the number and the condition of foreign fishing vessels apprehended/processed by law-enforcing apparatuses and declared as being seized for the state on the basis of a court ruling with a permanent legal force;
 - c. reporting and providing input to the minister of resettlement and the settlement of forest squatters matters related to the utilization and fostering former foreign fishing vessels seized for the state to be utilized for fishermen/re-settled fishermen;
 - d. building up a common vision in the application of the law so that foreign fishing vessels undergoing a process of settlement do not sustain any damage;
 - e. helping and bolstering the process of legal settlement so that foreign fishing vessels violating the territorial waters of Indonesia can be tried in a speedy judicial process;
 - f. reporting the implementation of the assignments to the Secretary General.
- FOURTH** : To support the implementation of the tasks of the team as meant in the THIRD dictum, a secretariat of the Assistance Team shall be set up with the membership structure being as set forth in Attachment I to this decree.
- FIFTH** : The secretariat of the Assistance Team as meant in the FIRST dictum shall be assigned to undertake secretarial activities.
- SIXTH** : In performing its tasks, the Assistance Team shall be accountable and convey reports to the Secretary General in his capacity as the chairman of the inter-ministerial team of ten.
- SEVENTH** : The organizational structure of the Assistance Team shall be referred to in Attachment II to this decree.

- EIGHTH** : The costs arising as a result of the stipulation of this decree shall be borne by the budget of the Ministry of Re-settlement and the settlement of forest squatters.
- NINTH** : This decree shall take effect as from the date of stipulation under a provision that in the case of error in future, proper rectification shall be introduced.

Stipulated in : Jakarta
On : February 24, 1999

MINISTER OF RE-SETTLEMENT AND
THE SETTLEMENT OF FOREST SQUATTERS

SGD.

A.M. HENDROPRIYONO

ATTACHMENT 1 :

**MEMBERSHIP STRUCTURE OF THE ASSISTANCE TEAM FOR THE UTILIZATION
OF FOREIGN FISHING VESSELS DECLARED AS HAVING BEEN SEIZED FOR THE STATE**

I. EXECUTION TEAM			
NO	N A M E	JOB TITLE/AGENCY	POSITION
1	Brig.Gen Husni Thamrin	Expert staffer of the Minister in charge of economy, financing development and investment.	Chairman
2	Drs. H. Junaidi. MM	Expert staffer of the minister in charge of population and the quality of life of resettled people.	Deputy chairman
3	Asral, SH	Head of leadership administration section, General Affairs Bureau, Ministry of re-settlement of Forest Squatters.	Secretary concurrently head of secretariat
4	Soenyoto, SH	Secretary of the Directorate General of public Judicature Agency, Ministry of Justice.	Member of law enforcement division
5	Jabadi Suprodjo, SH	Head of sub-Directorate of Prosecution, Directorate of Economic Criminal Laws, the Attorney General's Office.	Member of law enforcement division
6	Letcol Mar.M. Dwi Putro T.	"Paban Madya" of A-32 Directorate A of the Armed Forces Intelligence Agency (BIA)	Member of law enforcement division concurrently member of licensing and supervisory division
7	Col. (Navy) (Sailor) IWR Argawa	"Paban VI Binkuat Sops Kasal" of the Indonesian naval headquarters.	Member of law enforcement division concurrently member of research and development division
8	Brig.Gen Pol. Drs. Anwari, SH	Head of the police legal service, headquarter of the Indonesian Police.	Member of law enforcement division

I. EXECUTION TEAM			
NO	N A M E	JOB TITLE/AGENCY	POSITION
9	Suhestu, SH	Acting head of bureau of legal affairs and public relations, ministry of re-settlement and the settlement of forest squarters.	Member of law enforcement division
10	Ir.H. Ali Supardan MSc.	Director of fostering of farming business and yield processing, directorate general of fisheries, ministry of agriculture.	Member of the licensing and supervisory division
11	H.T.A. Anshosri M.	Head of sub-directorate of foreign manpower, directorate general of fostering and education of manpower, manpower ministry.	Member of the licensing and supervisory division
12	Drs. Sutjipto	Head of sub-directorate of measurement and registration of vessels, directorate of shipping and maritime, directorate of sea communications, ministry of communications.	Member of the licensing and supervisory division
13	Drs. Arman Nazar	Head of sub-directorate of "Limba Pos" directorate of "Lantaskin", directorate general of immigration, ministry of justice.	Member of the licensing and supervisory division
14	Badia Sibuea	Head of regulation and legislation section. ministry of agriculture	Member of the licensing and supervisory division
15	Hendrawan Supandji, SH	Head of financial affairs bureau of the Attorney General's Office.	Member of research and development division
16	Ir. Maman Rahman	Director of fisheries and animal husbandry, ministry of cooperatives and fostering of small-and-medium-scale.	Member of research and development division
17	Drs. Eddy Wahyudi Effendi	Director of fostering of state's assets, ministry of finance enterprises.	Member of research and development division.

II. SECRETARIAT TEAM			
NO	N A M E	JOB TITLE/AGENCY	POSITION
1	Joko Moersito, SH	Head of regulation and legislation, bureau of legal affairs and public relations, ministry of re-settlement and the settlement of forest squatters.	Deputy head of the secretariat
2	Ir. Slamet Riyadi, Msc.	Head of sub-section guidance for the implementation of aid, section of foreign cooperation bureau of planning affairs, ministry of re-settlement and the settlement of forest squatters.	Member
3	Darmanta, SH	Head of sub-section of legal advice, section of legal counseling and aid, ministry of re-settlement and the settlement of forest squatters.	Member
4	Hermanto Krs.S.IP	Staffer of sub-section of ministerial administration, section of leadership administration, general affairs bureau, ministry of re-settlement and the settlement of forest squatters.	Member
5	Ika Budiyan	Staffer of sub-section of ministerial administration, section of leadership administration, general affairs bureau, ministry of re-settlement and the settlement of forest squatters.	Member

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