

Ashmore reef nelayan rote dan masalah pelintas batas perairan
Indonesia Australia 1974 - 2007 = Ashmore reef rotenese fishermen and
cases of the cross borders between Indonesian Australian waters 1974 -
2007 / Noor Fatia Lastika Sari

Noor Fatia Lastika Sari, author

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Abstrak

Pulau Pasir, atau dikenal Australia dengan nama Ashmore Reef, telah lama menjadi tujuan utama nelayan-nelayan tradisional dari Indonesia Timur, yang salah satunya berasal dari Dusun Papela, Pulau Rote, Nusa Tenggara Timur, sejak abad ke-18. Berubahnya batas-batas wilayah yang disepakati oleh kedua negara turut mempengaruhi aktivitas nelayan tradisional di perairan timur Indonesia yang telah berlangsung berabad-abad tersebut. Di beberapa tahun belakangan ini, muncul sejumlah kasus penangkapan nelayan tradisional Pulau Rote yang dianggap sebagai pelintas batas karena melaut hingga ke perairan utara Australia. Peristiwa lintas batas ini lantas memancing reaksi dari kedua negara yang saling mempertanyakan implikasi kesepakatan yang telah mereka capai melalui Nota Kesepakatan di tahun 1974. Melalui pengkajian terhadap aspek geografis dan historis, serta hukum laut internasional, penelitian ini menunjukkan bagaimana sikap kedua negara dalam menghadapi ketidaksepahaman terkait kasus-kasus pelintas batas ke Ashmore Reef/Pulau Pasir.

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Pulau Pasir, an island used to be known by the Australians by the name of Ashmore Reef, has been regularly visited mainly by Indonesian traditional fishermen, especially from the village of Papela, Rote Island, Nusa Tenggara Timur, since the 18th century. The changing sea borders between Indonesia and Australia, which has already been agreed by both of the countries, are certainly affecting the traditional fishermen's activities in the south-eastern side of Indonesia that has took place for centuries. In these past few years, apprehension of the traditional fishermen came out to the surface. They've been subjected as cross-borders due to their sails to the Australian waters. The apprehension of the cross-borders provoke reactions from both countries, questioning the implications of the agreement they've signed, the 1974's Memorandum of Understanding. Through assessing the geographical and historical aspects, as well as understanding the international law of the sea, this thesis presents a complete elaboration concerning on how both countries overcome the issues, the disagreements, and the rising cases of the cross-borders sailing to Ashmore Reef/Pulau Pasir.