

The Authority of the *Illegal Fishing* Task Force as Regulated in Presidential Regulation Number 115 of 2015 Concerning the Task Force for the Eradication of Illegal Fishing

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ABSTRACT

The purpose of this study is to analyze: 1) How is the enforcement of marine and fisheries laws, based on the applicable positive laws? 2) What is the authority of the *Illegal Fishing* Task Force, as regulated in Presidential Regulation Number 115 of 2015 concerning the Task Force for the Eradication of Illegal Fishing?. This research is a type of normative juridical research with a legislative approach, a conceptual approach, and a case study.

The results of the study show that: 1) Based on the consideration of law number 45 of 2009 concerning fisheries that waters within the sovereignty of the Unitary State of the Republic of Indonesia and the Exclusive Economic Zone of Indonesia as well as the high seas contain potential fish resources and as a land for fish cultivation is a blessing from God Almighty which is mandated to the Indonesian people who have a philosophy of life Pancasila and the Constitution The Republic of Indonesia in 1945, by paying attention to the existing carrying capacity and its preservation to be utilized as much as possible for the welfare and prosperity of the Indonesian people. That the utilization of fish resources has not provided a sustainable and equitable improvement in living standards through fisheries management, supervision, and an optimal law enforcement system. 2) Task Force 115 is authorized to carry out its duties and functions, which are as follows: a) Determining the targets of law enforcement operations; b) Collect data and information as an effort to enforce the law; c) Coordinate with relevant institutions; d) Establish and carry out Law Enforcement Operations by elements of Task Force 115 in the predetermined area; e) Carry out command and control; f) Develop and optimize the implementation of the *Vessel Monitoring System* (VMS).

Keywords: Task Force Authority, Illegal Fishing, Presidential Regulation, Number 115 2015, Eradication, Illegal Fishing

INTRODUCTION

Background

The wealth of marine natural resources owned by Indonesia is not in line with the many legal problems that occur in Indonesia's marine areas, currently maritime security in Indonesia is still vulnerable due to the problem of illegal fishing and various other threats and problems. It is not surprising that this problem still arises because it is a consequence of a country that has diverse natural resources that allow the entry of certain parties, especially foreign parties, into Indonesia's sea area to utilize these natural resources illegally.

The above conditions can actually be a driver for all stakeholders to be able to make Indonesia a sovereign maritime country. The maritime state can mean that the state has sovereignty over the sea area and the natural resources in it, besides that a maritime country must make the sea the backbone of its country's economy through all maritime activities.³ The sea area is the basis that must be maximized in order to increase the *power* of a country. Mahan stated that "*oceans unite and lands divide*", this means that the land area is a separate place from each other, but the sea area is a unifying area.^[1]

One of the causes of the marine environmental ecological crisis in Indonesia is *illegal fishing* activities. Rani said "illegal fishing practices or IUU (*illegal, unregulated, and unreported*) *fishing practices* in Indonesia carried out by foreign fishing vessels are the most detrimental to the state".³ According to the Ministry of Maritime Affairs and Fisheries, state losses due to Illegal Unreported and Unregulated (IUU) fishing are estimated to exceed Rp 365 trillion per year. The level of loss reaches 25% of the total fishery potential of Indonesia. Most of the foreign ships that carried out this action came from Indonesia's neighboring countries such as Malaysia, Vietnam, China, Myanmar, Thailand, and the Philippines. The perpetrators of illegal fishing in Indonesia carried out by transnational actors indicate that illegal fishing that occurs in Indonesian waters is a form of transnational crime.^[2]

The current condition is that there are still several practices that are detrimental to Indonesia's marine potential, such as illegal fishing. The Ministry of Maritime Affairs and Fisheries managed to catch six illegal fishing boats or fishing vessels in the North Natuna Sea on May 16, 2021. The supervision operation carried out by the KP. Tiger Shark 01, paralyzed six Vietnamese-flagged fishing boats. The six vessels are known to be illegally fishing for squid in the waters of the North Natuna Sea. The arrest of these six Vietnamese-flagged vessels adds to the long list of fishing vessels seized by the Directorate General of Marine Resources and Fisheries Supervision of the Ministry of Marine Affairs and Fisheries of the Ministry of Marine Affairs and Fisheries (KKP). A total of 92 vessels have been prosecuted during 2021, consisting of 70 Indonesian fishing vessels that violated the provisions and 22 foreign fishing vessels that stole fish (6 Malaysian-flagged vessels and 16 Vietnamese-flagged vessels).^[3]

The practice of illegal fishing, another transnational crime that still often occurs today, makes Indonesia's ideals to realize itself as a maritime country difficult to achieve. This practice shows that there are still problems related to law enforcement from the Government of Indonesia. In terms of regulation, there are still many laws and regulations in Indonesia that regulate maritime law enforcement and security so that it gives authority to several institutions in accordance with the regulations that mandate it. This condition results in overlap in the implementation of law enforcement at sea. The biggest vulnerability problem faced by the Indonesian nation to date is still revolving around maritime security issues such as: *sea robbery and piracy, illegal fishing, trans-national threat*, territorial violations, sea traffic related to separatist movements, increasingly sophisticated maritime terrorism threats and other forms of violations. All of this is certainly inseparable from maritime *or sea power*.^[4]

Illegal Fishing can be interpreted according to The *Contemporary English Indonesian Dictionary*, "Illegal" means illegal, prohibited or contrary to the law. Based on this literal understanding, it can be said that "*Illegal Fishing*" according to Indonesian means catching fish or fishing activities that are carried out illegally. In addition, although the *International Plan Of Action (IPOA-FAO)* Fishing has provided restrictions on the definition of *Illegal Fishing*, in a simpler and operational sense, *Illegal Fishing* can be interpreted as illegal fishing activities^[5].

Other problems caused by *illegal fishing* include the degradation of the aquatic environment, because there is still the use of fishing gear that is not environmentally friendly.⁵ In practice, illegal fishing perpetrators do not hesitate to use fishing equipment or Fish Aggregating Devices (FAD) that can damage the marine environment (destructive fishing). For example, fishing using fish bombs, the use of cyanide poison, anesthesia and the use of fishing gear such as trawls (tiger trawls). They are not aware that fishing in this way will exploit the marine habitat as a place for fish to live and reproduce.^[6]

Since it is regulated in international law and strengthened by national law, Indonesia has certainly made efforts to combat illegal fishing. One form of prevention and law enforcement efforts carried out by the government against perpetrators of the crime of fish theft (illegal fishing) is the promulgation of Law Number 31 of 2004 which was later amended by Law Number 45 of 2009 concerning Fisheries. However, it turns out that the law is not enough for the perpetrators of illegal fishing crimes in Indonesia. So it is natural that these efforts do not get too much attention.[\[7\]](#)

These problems must be solved seriously, so that law enforcement in the fisheries sector becomes very important and strategic in order to support fisheries development in a controlled and sustainable manner. The existence of legal certainty is an absolutely necessary condition in the enforcement of marine and fisheries laws. In order to support efforts to increase law enforcement against violations and crimes in the marine and fisheries sector, especially illegal fishing, the Task Force for the Eradication of Illegal Fishing was formed in an integrated *manner* by Susi Pudjiastuti as the Minister of Marine Affairs and Fisheries, as well as the Commander of the Task Force. The *Illegal Fishing* Task Force is directly responsible to the President.

The *Illegal Fishing Task Force* has a legal umbrella in the form of Presidential Regulation Number 115 of 2015 issued in October 2015. However, besides being considered to only spend the State Budget (APBN), some parties consider that the establishment of the *Illegal Fishing* Task Force can also cause an overlap of authority between law enforcers who are members of the *Illegal Fishing Task Force*. In addition to the above problems, the Indonesian state is also faced with problems related to the inadequate infrastructure connecting marine transportation. As an archipelagic country, the existence of a well-connected sea transportation route is very urgent. However, the concentration of marine logistics sources in the western part of Indonesia causes expensive shipping costs to and from the eastern sea region of Indonesia because transportation is generally carried out in one direction where ships have to sail again, but with a load that is not optimal.

Problem Formulation

1. How is the enforcement of marine and fisheries laws, based on applicable positive laws?
2. What is the authority of the *Illegal Fishing* Task Force, as regulated in Presidential Regulation Number 115 of 2015 concerning the Task Force for the Eradication of Illegal Fishing?

THEORETICAL FRAMEWORK

1. Authority Theory

This theory describes the granting of authority in government in political science, government science, and law are often found in the terms power, authority and power are often interchanged with the term authority. Power is usually in the form of a relationship in the sense that "there is one party that rules and the other party who is ruled" (*the rule and the ruled*).

Authority comes from the root word authority which is interpreted as authority, the right and power to do something. Authority is the so-called formal power, power derived from legislative power (given by law) or from administrative executive power. Authority that usually consists of several authorities is power over a certain group of people or power over a field of government[\[8\]](#).

2. Command Theory

In the concept of law as an order, Hart distinguishes between social regulations that regulate behavior such as social conventions regarding ethics, and rules that regulate obligations, and Hart argues that there is a difference between obligations based on morality, which can only be enforced through social consent and rejection, and obligations based on legal rules and imposed with physical sanctions. Then Hart distinguishes between the types of legal regulations, namely Primary and Secondary rules.

Hart's concept was inspired by John Austin's concept of positivism, namely *Law is a command set, either directly or circuitously, by a sovereign individual or body, to a member of members of some independent political society in which his authority is supreme*, that is, emphasizing that Law is a product of a predetermined person, thus making it a source of command or command. What is then assumed then, that the command or order is an expression of the will of several people which is further assumed then that the command or order is an expression of the will of several people, who are the ruling group and further lay the basis of the sovereignty of law-making lies with the state (ruler). Hart's theory of command was later refined because he saw the shortcomings of Austin's theory, which did not reflect the reality or the actual legal system.[\[9\]](#)

RESEARCH METHODOLOGY

The approach in this study uses a normative juridical approach. The normative juridical approach is an approach that is carried out based on the main legal material by examining theories, concepts, legal principles and laws and regulations related to this research. This approach is also known as the literature approach, namely by studying books, laws and regulations and other documents related to this research.[\[10\]](#)

The type of research that the author uses in the preparation of this writing is legal research conducted by researching legal materials consisting of primary legal materials, secondary legal materials, and tertiary legal materials. The materials are systematically arranged, studied with the phenomena that occur in the field, then a conclusion is drawn in relation to the problem being studied.[\[11\]](#)

RESEARCH RESULTS

Enforcement of Marine and Fisheries Law, Based on Applicable Positive Law

As the main condition in supporting the realization of a just, prosperous and civilized society based on Pancasila and the 1945 Constitution, public security and order are the main conditions that must be met.[\[12\]](#) Therefore, the law has a very important role for society, because the law is made in order to create certainty, justice and usefulness, it is necessary to regulate various existing interests, so that they do not clash with each other.[\[13\]](#) Indonesia puts the law in the highest position, because as a country based on law, the law must be the goal to protect the interests of the people.[\[14\]](#)

According to the 1958 Geneva Convention on the Law of the Sea, the criterion for determining the width of the continental shelf is the depth of the water of two hundred meters or the criterion of exploitability. Now the basis is the criterion of *natural prolongation of its land territory to the outer edge of the continental margin* or the criterion of 200 nautical miles, calculated from the baseline to measure the width of the territorial sea if the outer edge of the continental margin does not reach the distance of 200 nautical miles; c. Some gave birth to new legal regimes, such as the principle of the Archipelago State, the Exclusive Economic Zone and the mining of the International Seabed. This convention has an important meaning because for the first time the principle of the Archipelago State, which has been continuously fought for by Indonesia for twenty-five years, has succeeded in obtaining official recognition from the international community. The official recognition of the principle of the Archipelago State is important in order to realize a regional unity in accordance with the Djuanda Declaration of December 13, 1957, and the Nusantara Vision as enshrined in the Decree of the People's Consultative Assembly on the Outline of the State Direction, which is the basis for the realization of the Indonesian archipelago as a political, economic, socio-cultural and security defense unit.[\[15\]](#)

After the enactment of Law Number 5 of 1983 concerning Exclusive Economic Zones within the scope of the new international law of the sea, the fish resources belonging to the Indonesian nation have increased in number and have great potential to support efforts to improve the welfare and prosperity of all people. Article 33 of the 1945 Constitution stipulates that the earth and water and the natural resources contained therein are controlled by the State and used for the greatest possible prosperity of the people. This provision is a constitutional foundation and at the same time a direction for the regulation of various matters related to fish

resources. The provision expressly wants the implementation of State control over fish resources to be directed to the achievement of the greatest benefits for the prosperity of the people and therefore the use of fish resources must be able to realize justice and equity, as well as improve the lives of fishermen and small fish farmers and advance coastal villages. [16]

The legal consequences of the ratification of the United Nations Convention on the Law of the Sea in 1982 with Law Number 17 of 1985 concerning the Ratification of the United Nations Convention on the Law of the Sea 1982 place the Unitary State of the Republic of Indonesia with the right to utilize, conserve, and manage fish resources in Indonesia's exclusive economic zone and the high seas which are implemented based on international requirements or standards that are pretend. [17]

When noodles are very widespread, illegal *fishing* in Indonesian waters is carried out by local and foreign fishermen. There are not a few cases of arrests of "rogue" and foreign fishermen who deliberately enter Indonesian waters to take fish and other marine wealth. Therefore, if its use is carried out in contravention of the principles of fish resource management, for example, excessive exploration, fishing outside the predetermined zoning and the use of tools that can damage fish resources and/or environmental resources. All of these things can be categorized as illegal fishing, which of course will result in extinction and damage to the preservation of the environment and ecosystem around laut. [18]

For this reason, good cooperation is needed between law enforcement agencies in the fisheries sector, coordinating and sustainably by prioritizing the interests of the nation and state. The sanctions imposed on the perpetrators of *illegal fishing* crimes must be in accordance with the losses suffered by the Indonesian nation. After a long period of operationalization of Law Number 31 of 2004 concerning Fisheries (hereinafter referred to as the Fisheries Law), it turns out that the law has not been able to anticipate technological developments and the development of legal needs in the context of management and has not been able to answer these problems, both in law enforcement and the formulation of sanctions and coordination between law enforcers in the fisheries sector. For this reason, Law Number 45 of 2009 concerning Amendments to Law Number 31 of 2004 concerning Fisheries (hereinafter referred to as the Fisheries Law) was issued. [19]

Based on the consideration of law number 45 of 2009 concerning fisheries that the waters within the sovereignty of the Unitary State of the Republic of Indonesia and the Exclusive Economic Zone of Indonesia and the high seas contain potential fish resources and as a land for fish cultivation is a blessing from God Almighty which is mandated to the Indonesian people who have a philosophy of life Pancasila and the Constitution of the Republic of Indonesia of 1945, by paying attention to the existing carrying capacity and its sustainability to be utilized as much as possible for the welfare and prosperity of the Indonesian people. That the utilization of fish resources has not provided a sustainable and equitable improvement in living standards through fisheries management, supervision, and an optimal law enforcement system. [20]

Authority of the *Illegal Fishing* Task Force, in Presidential Regulation Number 115 of 2015 concerning the Task Force for the Eradication of *Illegal Fishing*

In Indonesia, this illegal *fishing* crime has been regulated in Law No. 45 of 2009 concerning Fisheries, as contained in Article 8 which states that "Everyone is prohibited from fishing and/or cultivating fish using chemicals, biological materials, explosives, tools and/or buildings that can harm and/or endanger the sustainability of fish resources and the environment in the fishery management area of the Republic Indonesian. This provision is the basis for law enforcement against *illegal fishing* crimes in Indonesia, so that anyone who enters Indonesian territory by illegal fishing will be dealt with in accordance with these provisions. However, *illegal fishing* crimes continue to be encountered. The crime of illegal fishing, when viewed from the operational perspective of fishing, can be grouped into 2 (two) parts, namely foreign or former foreign ships and native Indonesian ships. This grouping aims to distinguish between ships with fishing models with technology and boats that catch with manual methods, as well as fishing capacity (Gross Tonnage (GT), boat engines and nets) and fishermen who crew the ship. [21]

Illegal fishing is a classic problem that is often faced by countries that have many beaches because the problem has existed for a long time. However, until now the problem of illegal fishing has not been eradicated. This is because it is difficult to monitor a large number of sea areas at the same time. Even countries that already have advanced technology in the field of defense and security must have also been affected by *illegal fishing* crimes. Indonesia is one of the countries that has many beaches considering Indonesia's status as an archipelagic country. This, of course, results in Indonesia also being affected by *the problem of illegal fishing*. The areas that are vulnerable points are located in the Arafuru Sea, the Natuna Sea, the North of North Sulawesi (Pacific Ocean), the Makassar Strait, and West Sumatra (Indian Ocean).[\[22\]](#)

The issuance of Presidential Regulation Number 115 of 2015 concerning the Task Force for the Eradication of Illegal Fishing is a new breakthrough. The Jokowi – JK administration in law enforcement in the field of Marine Affairs and Fisheries. In this Presidential Regulation, it is clear that the problem of illegal fishing is one of the acute problems so that cooperation and coordination between ministries, state institutions and other agencies are needed. We can see the Politics of Law in Presidential Regulation 115 of 2015 in consideration of considering letters b and c as follows:

That violations and crimes in the fisheries sector, especially the crime of illegal fishing, are very concerning, therefore it is necessary to immediately take firm and integrated steps by all relevant government agencies to eradicate. That eradicating illegal fishing requires extraordinary law enforcement efforts that integrate the strengths of related government agencies with the right strategy, utilize the latest technology so that it can run effectively and efficiently, be able to cause a deterrent effect, and be able to restore state losses.

Based on these considerations, it appears that the government views the crime of *illegal fishing* as requiring extraordinary law enforcement because in addition to harming the country's economy from the fisheries sector, it is also a form of maintaining the country's sovereign territory at sea. The legal politics of the government in the fisheries sector in the era of the Jokowi-JK administration increasingly show that *illegal fishing* is an extraordinary criminal act that requires joint law enforcement between government agencies, so Presidential Regulation Number 115 of 2015 concerning the Task Force for the Eradication of *Illegal Fishing* Crimes was issued.[\[23\]](#)

The government established a Task Force as an effort to enforce the law against the practice of illegal fishing, the Task Force (Task Force 115) specifically cracked down on *illegal fishing* perpetrators through Presidential Regulation Number 115 of 2015 (Task Force 115) which is tasked with carrying out Law Enforcement Operations to eradicate illegal fishing. In addition, the task of Task Force 115 is to develop and carry out law enforcement operations in an effort to eradicate illegal fishing in the waters of Indonesian jurisdiction effectively and efficiently by optimizing the use of personnel and operational equipment, including ships, aircraft, and other technology owned by the Ministry of Maritime Affairs and Fisheries, the Indonesian National Army, the Navy, the National Police of the Republic of Indonesia, The Attorney General's Office of the Republic of Indonesia, the Maritime Security Agency, the Special Task Force for Upstream Oil and Gas Business Activities, PT Pertamina, and other related institutions.[\[24\]](#)

In the period from 2014-2017, the policy of sinking ships has been consistently implemented by the Indonesian government as a strategic policy to eradicate IUU fishing. Data released by the Ministry of Maritime Affairs and Fisheries in February 2018, shows that from October 2014 to October 2017, the number of IUU fishing vessels sunk reached 363 vessels, with details of 18 KII and 345 KIAs. The 345 KIAs sunk have details of 188 Vietnamese ships, 78 Philippine ships, 52 Malaysian ships, 22 Thai ships, 2 Papua New Guinean ships, 1 Chinese ship, 1 Belize ship, and 1 Nigerian ship.[\[25\]](#)

The authority obtained by the Indonesian Navy in efforts to eradicate illegal fishing according to Presidential Decree No. 115 of 2015 concerning the task force to eradicate illegal fishing is the authority of the delegation, because this Presidential Regulation is a spillover regulation whose authority lies or is sourced from the law, namely Law No. 31 of 2004 as amended by Law No. 45 of 2009 concerning Fisheries. The position of the TNI Navy itself in the element of the task force according to Presidential Decree No. 115 of 2015 concerning the

Task Force for the Eradication of Illegal Fishing According to article 4, the task force organization in carrying out its duties consists of:

1. Task Force Commander: by the Minister of Forestry and Fisheries;
2. Chief Daily Executive: by the Deputy Chief of Staff of the Indonesian Navy;
3. Deputy Chief Executive of Daily 1 : by the Head of the Maritime Security Agency
4. Deputy Chief Executive of Daily 2 : by the Head of the Security Maintenance Agency, National Police of the Republic of Indonesia; and
5. Deputy Chief Executive of Daily 3 : by the Deputy Attorney General for General Crimes, Attorney General of the Republic of Indonesia.[\[26\]](#)

According to Article 2, the task force is tasked with developing and implementing law enforcement operations in an effort to eradicate illegal fishing by optimizing the use of personnel and operational equipment belonging to the Ministry of Maritime Affairs and Fisheries, the Indonesian Navy, the National Police, the Attorney General's Office, Bakamla, SKK Migas, PT Pertamina, and related institutions. The Task Force duties as referred to in this Presidential Regulation also include unreported fishing activities. What is meant by unreported fishing activities are fishing activities:

1. Those that have never been reported or reported incorrectly to the authorized agencies, are not in accordance with national laws and regulations;
2. Conducted in areas that are the competence of regional fisheries management organizations, but have never been reported or reported incorrectly, are not in accordance with the reporting procedures of the organization.

Unreported Fishing *activities* that are common in Indonesia:

1. fishing that does not report the true catch or falsifies catch data;
2. fishing that is directly brought to other countries (*transshipment* in the middle of the sea).[\[27\]](#)

In Task Force 115 there are several institutions, including: the Ministry of Maritime Affairs and Fisheries, the Ministry of Foreign Affairs, the Ministry of Finance, the Ministry of Transportation, the Attorney General's Office, the Indonesian Navy, the National Police, the Maritime Security Agency, the Financial Transaction Reporting and Analysis Center (PPATK) and the State Intelligence Agency.[\[28\]](#)

Task Force 115 is authorized to carry out its duties and functions, which are as follows:

1. Determining the targets of law enforcement operations;
2. Collect data and information as an effort to enforce the law;
3. Coordinate with relevant institutions;
4. Establish and carry out Law Enforcement Operations by elements of Task Force 115 in the designated area;
5. Carry out command and control;
6. Develop and optimize the implementation of *the Vessel Monitoring System (VMS)*.

Furthermore, the Government regulates the mechanism for eradicating *illegal fishing* in the Standard Operating Procedures for Law Enforcement of the Task Force for the Eradication of Illegal Fishing. This is as stated in Article 2 of the Regulation of the Ministry of Maritime Affairs and Fisheries No. 37 of 2017. This regulation is a reference for Task Force 115 in carrying out law enforcement against crimes in the fisheries sector, in accordance with the provisions of applicable national and international laws.[\[29\]](#)

While criminal provisions in the fisheries sector are specifically regulated in the Fisheries Law, this is contained in Articles 83A to 104. Meanwhile, the responsibility for Foreign Citizens involved in the crime of

Illegal Fishing is contained in Article 93 of Law No. 45 of 2009 with a maximum penalty of imprisonment of 6 (six) years and a maximum fine of Rp.20,000,000,000.00 (twenty billion rupiah). [\[30\]](#)

CONCLUSION

The results of the study show that;

1. Based on the consideration of law number 45 of 2009 concerning fisheries that the waters within the sovereignty of the Unitary State of the Republic of Indonesia and the Exclusive Economic Zone of Indonesia and the high seas contain potential fish resources and as a land for fish cultivation is a blessing from God Almighty which is mandated to the Indonesian people who have a philosophy of life Pancasila and the Constitution of the Republic of Indonesia of 1945, by paying attention to the existing carrying capacity and its sustainability to be utilized as much as possible for the welfare and prosperity of the Indonesian people. That the utilization of fish resources has not provided a sustainable and equitable improvement in living standards through fisheries management, supervision, and an optimal law enforcement system
2. Task Force 115 is authorized to carry out its duties and functions, which are as follows: a) Determining the targets of law enforcement operations; b) Collect data and information as an effort to enforce the law; c) Coordinate with relevant institutions; d) Establish and carry out Law Enforcement Operations by elements of Task Force 115 in the predetermined area; e) Carry out command and control; f) Develop and optimize the implementation of *the Vessel Monitoring System (VMS)*.

BIBLIOGRAPHY

1. Ahmad Ridwan Dalimunthe, et al, Enforcement of Criminal Law on Illegal Fishing in Indonesian Seawaters Based on Indonesian Positive Law, RECTUM Journal, Vol. 4, No. 1, July 2022
2. Aji Sularso, Over Fishing, Over Capacity and Illegal Fishing (Case Study of the Arafura Sea), Ministry of Maritime Affairs and Fisheries, 2009
3. Andi Najemi, Implementation of the Ratification of the Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing in the Elimination of Illegal Fishing in Indonesia.
4. Andre Putra Rumegang, Authority of the Indonesian Navy in the Eradication of Illegal Fishing According to Presidential Decree of the Republic of Indonesia No. 115 of 2015 concerning the Task Force for the Eradication of Illegal Fishing, Lex et Societatis, Vol. IV/No. 2/Feb/2016/Special Edition
5. Ayub Torry Satriyo Kusumo, Optimizing the Management and Empowerment of the Outermost Islands in the Context of Maintaining the Integrity of the Unitary State of the Republic of Indonesia, Journal of Legal Dynamics, Volume 10, Number 3, September 2010.
6. Bernhard Limbong, Maritime Axis, Margaretha Pustaka, Jakarta, 2015
7. Desi Yunitasari, Law Enforcement in Indonesian Sea Areas Against Foreign Vessels Engaged in Illegal Fishing Refers to the United Nations Convention on Law Of The Sea 1982, Undiksha Journal of Citizenship Education Vol. 8 No. 1 (February, 2020)
8. Dhoni Yusra, The Influence of Law No. 2 of 2004 concerning the Resolution of Industrial Relations Disputes in Creating Legal Certainty in the Field of Manpower in Indonesia, (Jakarta: Faculty of Law, Esa Unggul University, 2006).
9. Didik Supriyoko, Ujang Bahar, and Mulyadi, The Effectiveness of the Bogor City Police Bhabinkamtibmas Officer Program in Handling Cases through Alternative Dispute Resolution, De'rechtsstaat Law Journal, Volume 2 No. 2, September 2016.
10. Dwiyani Putri, Indonesian Government Policy in Dealing with Illegal Fishing in Indonesia, Gema Keadilan Journal Edition
11. Elvinda Rima Harliza & Tomy Michael, Law Enforcement of Illegal Fishing, Pulpit of Justice Volume 13 Number 1 February 2020 – July 2020

12. Halimatul Maryani, State Jurisdiction in the Prevention and Eradication of Illegal Fishing in Indonesia, *Scientific Journal of Law Enforcement*, 6 (1) June 2019
13. Ilman Khairi and Martin Roestamy, Development of a Droit De Preference Principle Model on Business Place Ownership in Tanah Abang Market, Jakarta, *De'rechtsstaat Law Journal*, Volume 3 No. 2, September 2017.
14. Johnny Ibrahim, *Normative Legal Research Theory and Methodology* (Malang: Banyumedia Publishing, 2006), p. 299.
15. Joseph Tertia and Anak Agung Banyu Perwita, "Maritime Security in Indo-Pacific: Issues, Challenges, and Prospects", *Scientific Journal of International Relations*, Vol. 14 No. 1, 2018
16. M. Husseyn Umar, *Maritime Law and Shipping Issues in Indonesia*, Sinar Harapan, Jakarta, 2001
17. Mawardi Khairi, Government Legal Politics in Handling Illegal Fishing in Indonesia, *Fiat Justisia Journal of Law*, Volume 10, Issue 2 April-June 2016
18. Presidential Decree No.115 of 2015 concerning the Task Force for the Eradication of Illegal Fishing
19. Peter Salim, 2003, *The Contemporary English Indonesian Dictionary*, Modern English Press, Jakarta
20. Prajudi Atmosudirjo, *State Administrative Law*, Jakarta, Ghalia Indonesia
21. Rico Coco Tombokan, Law Enforcement Procedures Against Illegal Fishing Crimes in Indonesian Waters Based on Law Number 45 of 2009 concerning Fisheries, *Lex Crimen* Vol. X/No. 4/Apr/EK/2021
22. Rodrigo F. Y. Siwu, Prevention and Eradication of Illegal Fishing According to Presidential Regulation Number 115 of 2015, *Lex et Societatis* Vol. VII/No. 1/Jan/2019
23. Soerjono Soekanto, *Introduction to Legal Research* (Jakarta: UII Press, 1986), p. 34.
24. Theo Huijbers, *Philosophy of Law in Historical Trajectory*, Kansius, Yogyakarta, 2011
25. Wuri Handoyo, et al, Law Enforcement Efforts Against Illegal Fishing Perpetrators in the Natuna Waters of the Riau Islands, *Karimah Tauhid*, Volume 3 Number 3 (2024)

FOOTNOTES

- [1] Joseph Tertia and Anak Agung Banyu Perwita, "Maritime Security in Indo-Pacific: Issues, Challenges, and Prospects", *Scientific Journal of International Relations*, Vol. 14 No. 1, 2018, p. 79.
- [2] Norma Rani, Factors Causing the Delay of Indonesia-Thailand Cooperation in Handling Illegal Fishing Practices in Indonesia, *Journal of International Relations* Vol. 2 No. 3 of 2016, p. 112.
- [3] Bernhard Limbong, *Maritime Axis*, Margaretha Pustaka, Jakarta, 2015, p. 113.
- [4] M. Husseyn Umar, *Maritime Law and Shipping Issues in Indonesia*, Sinar Harapan, Jakarta, 2001
- [5] Peter Salim, 2003, *The Contemporary English Indonesian Dictionary*, Modern English Press, Jakarta, p. 65
- [6] Abdul Jaelani, Efforts to Enforce and Eradicate and Eradicate Illegal Fishing in Building Maritime Processes in Indonesia, *Journal of Legal Supremacy*, Vol. 3 No. 1 June, 2014, p. 181
- [7] Mawardi Khairi, Government Politics in Handling Illegal Fishing Crime in Indonesia, *Fiat Justitia Journal of Law*, Vol. 10 Issue, June 2, 2016, p. 244.
- [8] Prajudi Atmosudirjo, *State Administrative Law*, Jakarta, Ghalia Indonesia, p. 78
- [9] Dhoni Yusra, The Influence of Law No. 2 of 2004 concerning the Resolution of Industrial Relations Disputes in Creating Legal Certainty in the Field of Manpower in Indonesia, (Jakarta: Faculty of Law, Esa Unggul University, 2006), p. 65

- [10] Johnny Ibrahim, *Normative Legal Research Theory and Methodology* (Malang: Banyumedia Publishing, 2006), p. 299.
- [11] Soerjono Soekanto, *Introduction to Legal Research* (Jakarta: UII Press, 1986), p. 34.
- [12] 5Didik Supriyoko, Ujang Bahar, and Mulyadi, The Effectiveness of the Bogor City Police Bhabinkamtibmas Officer Program in Handling Cases through Alternative Dispute Resolution, *De'rechtsstaat Law Journal*, Volume 2 No. 2, September 2016, p. 188
- [13] Theo Huijbers, *Philosophy of Law in Historical Trajectory*, Kansius, Yogyakarta, 2011, p. 231
- [14] Ilman Khairi and Martin Roestamy, Development of Droit De Preference Principle Model on Business Ownership in Tanah Abang Market, Jakarta, *De'rechtsstaat Law Journal*, Volume 3 No. 2, September 2017, p. 120
- [15] Halimatul Maryani, State Jurisdiction in the Prevention and Eradication of Illegal Fishing in Indonesia, *Scientific Journal of Law Enforcement*, 6 (1) June 2019
- [16] Rodrigo F. Y. Siwu, Prevention and Eradication of Illegal Fishing According to Presidential Regulation Number 115 of 2015, *Lex et Societatis Vol. VII/No. 1/Jan/2019*
- [17] Dwiyani Putri, Indonesian Government Policy in Dealing with Illegal Fishing in Indonesia, *Gema Keadilan Journal Edition*
- [18] Ayub Torry Satriyo Kusumo, Optimizing the Management and Empowerment of the Outermost Islands in the Context of Maintaining the Integrity of the Unitary State of the Republic of Indonesia, *Journal of Legal Dynamics*, Volume 10, Number 3, September 2010, p. 321.
- [19] Ahmad Ridwan Dalimunthe, et al, Enforcement of Criminal Law on Illegal Fishing in Indonesian Seawaters Based on Indonesian Positive Law, *RECTUM Journal*, Vol. 4, No. 1, July 2022
- [20] Mawardi Khairi, The Government's Legal Politics in Handling Illegal Fishing in Indonesia, *Fiat Justisia Journal of Law* ISSN 1978-5186 Volume 10 Issue 2, April-June 2016, 246.
- [21] Aji Sularso, *Over Fishing, Over Capacity and Illegal Fishing (Case Study of the Arafura Sea)*, Ministry of Maritime Affairs and Fisheries, 2009, p. 49
- [22] Elvinda Rima Harliza & Tomy Michael, Law Enforcement of Illegal Fishing, *Pulpit of Justice* Volume 13 Number 1 February 2020 – July 2020
- [23] Mawardi Khairi, Government Legal Politics in Handling Illegal Fishing in Indonesia, *Fiat Justisia Journal of Law*, Volume 10, Issue 2 April-June 2016, p. 255
- [24] Andi Najemi, Implementation of Ratification of Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing in the Elimination of Illegal Fishing in Indonesia, 186
- [25] Desi Yunitasari, Law Enforcement in Indonesian Sea Areas Against Foreign Vessels Engaged in Illegal Fishing Refers to the United Nations Convention on Law Of The Sea 1982, *Undiksha Journal of Citizenship Education* Vol. 8 No. 1 (February, 2020),
- [26] Presidential Decree No.115 of 2015 concerning the Task Force for the Eradication of Illegal Fishing
- [27] Andre Putra Rumegang, Authority of the Indonesian Navy in the Eradication of Illegal Fishing According to Presidential Decree of the Republic of Indonesia No. 115 of 2015 concerning the Task Force for the Eradication of Illegal Fishing, *Lex et Societatis*, Vol. IV/No. 2/Feb/2016/Special Edition, 142.

[28] Rico Coco Tombokan, Law Enforcement Procedures Against Illegal Fishing Crimes in Indonesian Waters Based on Law Number 45 of 2009 concerning Fisheries, *Lex Crimen* Vol. X/No. 4/Apr/EK/2021, p. 114

[29] Ibid.

[30] Wuri Handoyo, et al, Law Enforcement Efforts Against Illegal Fishing Perpetrators in Natuna Waters, Riau Islands, *Karimah Tauhid*, Volume 3 Number 3 (2024), 3575