

PENEGAKAN HUKUM ATAS KEGIATAN ILLEGAL FISHING DI PERAIRAN INDONESIA

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ABSTRAK

Illegal fishing adalah kegiatan penangkapan ikan yang bertentangan dengan perundang-undangan suatu negara atau ketentuan internasional. Kebijakan hukum terhadap pelaku tindak pidana perikanan pada dasarnya diarahkan pada pertanggungjawaban pelaku tindak pidana perikanan (illegal fishing). Undang-Undang RI No. 45 Tahun 2009 tentang perubahan atas Undang-Undang RI No. 31 Tahun 2004 tentang Perikanan telah mengatur tentang tindak pidana (delik) di bidang perikanan yang dibagi menjadi 2 kategori, yaitu kategori pelanggaran dan kejahatan. Efektifitas penegakan hukum masih kurang dikarenakan masih ada beberapa hambatan antara lain faktor substansi, struktural, sarana prasarana pendukung, masyarakat dan budaya masyarakat itu sendiri. Pemerintah Indonesia telah melakukan upaya dalam meminimalkan hambatan tersebut melalui beberapa strategi dalam rangka memberantas praktik ilegal fishing di perairan Indonesia.

Kata kunci : Kebijakan hukum, tindak pidana, illegal fishing.

LAW ENFORCEMENT OF ACTIVITIES ILLEGAL FISHING IN INDONESIAN WATERS

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ABSTRACT

Illegal fishing refers to activities which contravene a state's fisheries law and regulations, or international conventions. Legal policy against fisheries offenders is basically directed at the accountability of fisheries offenders (illegal fishing). The Republic of Indonesia Law Number. 45 of 2009 concerning amendments to the Republic of Indonesia Law Number. 31 of 2004 concerning Fisheries has regulated criminal acts (offenses) in the field of fisheries which are divided into 2 categories, namely the category of violations and crimes. The effectiveness of law enforcement is still lacking because there are still a number of obstacles, including the substance, structural, supporting infrastructure, the community and the culture of the community itself. The Indonesian government has made efforts to minimize these obstacles through several strategies in order to eradicate the practice of illegal fishing in Indonesian waters.

Keywords: Legal policy, criminal, illegal fishing