

SYNERGY OF LAW ENFORCEMENT AGENCIES IN HANDLING ILLEGAL FISHING CASES IN ACEH WATERS

Ade Irma Suryani Nasution, Annisa Mutia Pranita, Desty Bulandari, Lutvia Resta Setyawati, Panji Suwarno

Faculty of National Security, Indonesia Defense University
Indonesia Peace and Security Center (IPSC) Sentul, Bogor 16810
E-mail: adeirmasuryaninst@gmail.com; Phone Number: (021) 87951555.

Received: 07/06/2021; Reviewed: 28/07/2021; Accepted: 14/08/2021.

DOI: <https://doi.org/10.24815/kanun.v23i2.21247>

ABSTRACT

Illegal fishing cases often occur in waters at the edge of Indonesia. This article is focused on examining and analyzing the synergy between the authorized institutions in the process of monitoring and handling illegal fishing cases that occur in the waters of Aceh province. This study uses a descriptive qualitative research design. The four authorized institutions coordinate the performance of each other to help each other's role to reduce illegal fishing violations in Aceh Province. LANAL Sabang helped mobilize forces to carry out law enforcement at sea from the threat of violations as well as to safeguard marine resources. PSDKP Lampulo is the foundation for supervising marine and fishery resources in Aceh Province. Panglima Laot has more authority in regulating laot customary law and fishing communities in general. DKP Aceh is the axis of the service and movement for the protection and utilization of marine resources in Aceh Province.

Key Words: illegal fishing; law enforcement agencies; synergy; aceh province.

INTRODUCTION

Indonesia is an archipelagic country that has wide waters with abundant marine natural resources. Unfortunately, the fisheries and marine industry sectors are still of little value. One of the causes is the frequent occurrence of illegal fishing activities, both by local ships and foreign ships in the waters of the archipelago (Adwani, 2018; Adwani & Sulaiman, 2020). Cases of illegal fishing in Indonesia often occur in waters at the edge of Indonesia, where these areas are easily accessible by fishing boats and have security that tends to be less than optimal.

The province of Aceh, which is located at the western tip of Indonesia, is directly adjacent to the Indian Ocean and is one of the areas prone to illegal fishing activities. The strategic position of the Aceh region with a land area of 57,365.65 km², a coastline length of 2,666.27 km², and an area

of water that reaches 295,370 km² plus has a large enough potential for marine resources, which is around 272.7 thousand tons/year, which can attract the interest of tourists. Unscrupulous fishermen to take action (Wahyuddin, 2017).

There are several cases of illegal fishing that have occurred in the waters of Aceh province, namely in 2011 there were 6 cases, in 2012 there were 15 cases, in 2013 there were 4 cases, in 2015 there were 3 cases (Wahyuddin, 2017), then in 2014 there were 4 cases, and in 2017 there were 6 cases in the waters of Aceh (Marefanda & Tjoetra, 2019). The latest incident was also an illegal fishing violation in the waters of Banda Aceh and Aceh Jaya by two fishing thieves in July 2020 (Permana, 2020).

The number of illegal fishing cases that always occur in Aceh every year makes the competent institutions have to improve their performance coordination to minimize the occurrence of these cases. The authorized institutions referred to in this study are the Lampulo Marine and Fishery Resources Supervision Base (PSDKP) as the representative of the Indonesian Ministry of Maritime Affairs and Fisheries in Aceh Province, LANAL Sabang as the representative of the Indonesian Navy. The Department of Maritime Affairs and Fisheries (DKP) of Aceh Province as the representative of the Regional Government of Aceh Province, as well as the Supervisory Community Group (Pokmaswas) or commonly referred to as Panglima Laot as representatives of the Aceh fishing communities (Abdullah, Arifin, & Tripa, 2017).

Cooperation between institutions that have legal force within the province of Aceh in terms of maintaining the security of Aceh's waters from the threat of illegal fishing needs to be strengthened. This institutional coordination is carried out to achieve harmony that can produce good results for all parties involved in the institution (Darwinto, 2016). The coordination strength of each authorized institution greatly influences the results of the supervision and handling of illegal fishing cases in Aceh waters.

This article is focused on examining and analyzing the synergy between authorized institutions in the process of monitoring and handling illegal fishing cases that often occur in the waters of Aceh province. The results of this analysis are expected to be input or suggestions to the Aceh government and add insight to the readers.

RESEARCH METHODS

This study used a descriptive qualitative research design. Qualitative research is research that produces descriptive data in the form of written or spoken words from individuals/groups and observed behavior (Sari, 2020). The data sources used consisted of primary data sources obtained by conducting online interviews with representatives from LANAL Sabang, PSDKP Lampulo, DKP Aceh, and Panglima Laot. Then the secondary data sources consist of journals, books, media, and official websites. So, the research process is carried out by collecting data, analyzing data, and making research reports. Data analysis is presented in the form of descriptive analysis. Based on these results, conclusions can be drawn based on the interpretation of the data that has been analyzed.

DISCUSSIONS AND ANALYSIS OF RESULTS

Illegal fishing based on the International Plan of Action (IPOA) initiated by FAO is defined as IUU Fishing, which is a fishing activity that is carried out illegally, not regulated by existing regulations, or its activities are not reported. to an authorized institution (Syahrani, 2017). The case of illegal fishing in Aceh, whose sentence was just announced, occurred in February 2019 with the arrest of 2 foreign fishing boats (KIA) with the Malaysian flag, manned by Thai crew members who were caught in the ZEEI waters of the Malacca Strait by KP HIU 12 using KM. KHF 1980 (64.19 GT) and KM. KHF 2598 (63.74 GT) was finally sentenced to destroy its ship at the Kotaraja Lampulo Ocean Fishery Port, Aceh on March 18, 2021. In addition to the sinking of the ship, other

pieces of evidence were destroyed, namely trawl nets, two Global Positioning System units (GPS), two radio units, a compass, and a vase license book (KKP, 2021). Not only foreign fishermen but the practice of illegal fishing is also carried out by local Acehnese fishermen. The mode most often used is to use fishing gear that is not following the provisions. For example, in the case of fishermen who catch fish using trawls in the waters of Samatiga and Arongan Lambalek, West Aceh District (Marefanda & Tjoetra, 2019) and use explosives (bombs) on the island of Aceh and the Gleu Pacu area, Aceh Besar (Antara, 2021).

1) LANAL Sabang

Cases of illegal fishing in Aceh always occur every year. LANAL Sabang is a representative of the Indonesian Navy in charge of carrying out efforts to realize maritime security in Aceh, including law enforcement activities. Regarding the entry of foreign fishermen who do IUU fishing, LANAL cooperates with KOARMADA I and fosters public education through training. LANAL socialization to the community includes basic responses related to reporting when they find IUU fishing activities by fishermen from foreign countries. In addition, LANAL carries out joint exercises with neighboring countries that have maritime boundaries in Aceh, for example, India. This activity is intended to define territorial boundaries so that IUU fishing cases can be minimized.

Meanwhile, law enforcement steps at sea from the threat of IUU fishing can also be observed from the synergy between LANAL and PSDKP. Ships of other countries that enter the sea territory in Aceh illegally are sought to be identified as early as possible to take immediate action. For example, the Indonesian Navy arrested an IUU fishing vessel from another country that entered Aceh's waters and then submitted a follow-up investigation to the PSDKP. Violations of IUU fishing will be tried in court to be subject to sanctions in the form of confiscation and fines. The cooperation between LANAL and PSDKP is based on the MoU of the KKP and the Indonesian Navy Headquarters.

Tackling IUU fishing is a manifestation of one of the roles in the trinity of the Navy, namely constabulary, in addition to military and diplomacy. The constabulary role is carried out in the form of mobilizing force to carry out law enforcement at sea from the threat of violations as well as to safeguard marine resources. In carrying out this role, the Navy coordinates with other law enforcement agencies at sea, including PSDKP.

Not only in the form of operations to arrest IUU fishing perpetrators, but the Navy also involves the community, especially fishermen, through socialization so that they understand the reporting steps if when sailing to catch fish they find violations. Coastal village development is carried out by LANAL by directing the community, especially fishermen, to develop their role as suppliers of maritime security information after being given socialization regarding the law at sea. In the socialization, the community was introduced to the types of violations of the law at sea, including IUU fishing (Nasution, 2018).

2) PSDKP Lampulo

The Indonesian government is also committed to protecting its sovereign territory from disturbance to the continuity of its natural resources. The government in this case is the Ministry of Marine Affairs and Fisheries (KKP) through the Directorate General of Marine and Fishery Resources Supervision (Ditjen PSDKP). The Directorate General of PSDKP has 14 Technical Implementation Units consisting of 6 PSDKP Bases and 8 PSDKP Stations spread throughout Indonesia. The Lampulo PSDKP base is a technical implementation unit assigned to the Aceh Province.

The Lampulo Marine and Fishery Resources Monitoring Base (PSDKP) is one of the UPTs of the Directorate General of PSDKP which in every program and activity supports the implementation of the vision and mission of the Directorate General of PSDKP and KKP. Based on the Regulation of the Minister of Marine Affairs and Fisheries Number 33/PERMEN-KP/2016

concerning the Organization and Work Procedure of the Technical Implementation Unit for Supervision of Marine and Fishery Resources, the Marine and Fishery Resources Supervision Base has the task of carrying out the supervision of Marine and Fishery Resources based on the prevailing laws and regulations. apply. Supervision of marine and fishery resources covering the fields of capture fisheries, aquaculture as well as processing, transportation, and marketing of fishery products is carried out through several supervision instruments that have been stipulated under the Technical Instructions through the Decree of the Director-General of PSDKP. In general, the operational work area of monitoring activities for Resources to PSDKP Lampulo includes WPPNRI 571 and WPPNRI 572 with 5 SDKP Monitoring Units (Satwas) and their respective working areas consisting of West Aceh Satwas, Simeuleu Satwas, Padang Satwas, Sibolga Satwas, and Satwas Bengkulu (KKP, 2019).

PSDKP Lampulo has a role in supervising the management of marine and fishery resources. In this strategic role, PSDKP Lampulo carries out various monitoring and handling activities to support the achievements of marine and fisheries development, especially in the enforcement of sovereignty in marine and fisheries development in eradicating and overcoming IUU fishing. The activities carried out and the achievements obtained by PSDKP Lampulo in carrying out its strategic role as the foundation for supervising marine and fisheries resources based on the KKP (2020), include:

- a. Improved operational monitoring of the utilization of marine and fishery resources by performing: First, monitoring of fishing vessels by issuing fishing vessel monitoring policies is mandatory for all fishing vessels over 30 GT, these fishing vessels are installed with a VMS transmitter that is integrated with the fishing vessel monitoring center. Second, development of supervision facilities and infrastructure by procuring a fleet of supervisory vessels, building supervision infrastructure, and procuring fishery supervisory facilities.

- b. Improved operational supervision of fishery resources through: First, supervision of compliance with fishing vessels through preventive measures for illegal fishing activities carried out before fishing operations (before fishing), during landing (during fishing), and after landing (post landing). Second, supervision of aquaculture business which aims to ensure that aquaculture business is under the provisions of regulations in the field of fisheries. Third, supervision of business processing and marketing transportation of fishery products is carried out through verification and supervision of the business of processing and transportation, marketing of fishery products, then followed up with the process of enforcing regulations related to violations of permits granted. Forth, empowerment and development of Pokmaswas to participate in marine and fishery resource monitoring activities. The role and function of Pokmaswas so far have been quite effective in providing accurate information on violations in the utilization of marine and fishery resources that are submitted to law enforcement officials.
- c. Increased operational control of marine resources through: First, supervision of aquatic ecosystems and water conservation areas related to the use of explosive and toxic materials, potassium and other hazardous materials in the utilization of marine resources. Second, monitoring the use of coastal and small islands related to iron sand mining, conversion of mangrove land into fishponds, mangrove logging, coral mining and iron sand mining that cause sedimentation and damage to aquatic ecosystems. Third, supervision of marine services and non-living resources includes supervision of the use of sea sand, marine activities and non-living resources, as well as supervision of legal or licensed BMKT management, supervision of BMKT management.
- d. Improving the operation and maintenance of supervisory vessels through: First, IUU fishing countermeasures operations through marine operations with the aim of ensuring that during fishing activities (while fishing) compliance with the provisions and permits granted and

preventing and overcoming IUU fishing activities. Second, cooperation in supervision operations between PSDKP Lampulo and related agencies, namely the Navy, POLAIR, and BAKAMLA. Third, the guidance and career development of supervisory ship crews is carried out through Crew capacity building activities.

- e. Settlement of marine and fisheries crimes aims to enforce violations in the marine and fisheries sector, besides that the handling of violations can provide a deterrent effect.

The policy for supervising marine and fishery resources at the Lampulo PSDKP is directed at increasing the capacity and capability of supervising marine and fishery resources in the context of realizing an Aceh free of illegal fishing and activities that damage marine and fishery resources. In field operations, PSDKP Lampulo empowers Pokmaswas to participate in conducting field supervision (according to point 2.d). Pokmaswas aims to assist the performance of PSDKP in conducting supervision. The Pokmaswas empowered in Aceh Province is Panglima Laot.

3) Panglima Laot

Panglima Laot is part of the Community Monitoring Group (Pokmaswas) which was formed and empowered by PSDKP to serve as a community group that actively participates in monitoring the utilization of marine and fishery resources. The existence of Panglima Laot as Pokmaswas is based on Ministerial Decree Number 58 of 2001 concerning Procedures for the Implementation of the Community Supervision System in the Management and Utilization of Marine and Fishery Resources. Panglima Laot as part of Pokmaswas makes Panglima Laot's position clearer and firmer in preventing illegal fishing in Aceh's waters and providing benefits for Panglima Laot in terms of finance and to remain trustworthy by the public and the private sector.

Long ago, Panglima Laot was an organization that carried out tax collections carried out under the Syahbandar on all ports in Aceh. This is in line with the history of Aceh during the time of Sultan Iskandar Muda, Aceh's position in the westernmost region of Indonesia, making it an area

that is often visited or a stopover for Europeans who come from the west (Vlekke, 2008). Panglima Laot then became the Enforcer of Laot Customary Rules throughout Aceh and continues to this day (Hurgronje, 1996). Panglima Laot in general has a role to regulate all matters relating to the coast and the sea, including preventing illegal fishing. Prevention of illegal fishing is stated in Article 28 paragraph 2 of Aceh Qanun Number 10 of 2008 concerning Customary Institutions. Panglima Laot's duties in preventing illegal fishing are aimed at maintaining public welfare and avoiding environmental damage due to the use of prohibited fishing gear. Public awareness of the losses that will be felt when illegal fishing activities make people follow the Laot Adat rules given by Panglima Laot.

Panglima Laot of Sabang City stated that the boundaries of Panglima Laot's jurisdiction were based on Lhok. Lhok refers to the area inhabited by a group of fishermen who will later be led by Panglima Laot Lhok. If the community suspects or finds illegal fishing activities, the community will report it to Panglima Laot Lhok (Raihan & Ahmad, 2017). Dispute resolution based on the Laot Customary Law will refer to an agreement with Panglima Laot. Panglima Laot Lhok's authority in resolving disputes is limited to disputes that do not contain criminal elements and occur at sea. If the dispute that occurs contains a criminal element, the dispute will be submitted to the competent authority.

Panglima Laot's territory covers the coastal area to the high seas (Puspita, 2017). The physical space of the coastal area under the authority of Panglima Laot includes bineh pasie (coastal), leun pukat (area for towing trawlers), kuala, and teupien (boat landing edges, both in the bay and kuala areas), and laot luah (high seas).). The extent of Panglima Laot's territory towards the high seas in principle follows the legal rules as far as the extent to which marine resources can be managed economically by the community. Meanwhile, physical spaces related to coastal ecosystems include uteun bangka (mangrove forest), uteun pasie, uteun aron (fir forest), neuheun (ponds), and lancang sira (salt fields).

Based on the level, Panglima Laot Lhok is responsible for resolving problems at the Lhok level, if the dispute cannot be resolved at the Lhok level, it will be resolved at the Regency/City level by the Regency/City Panglima Laot. If it still cannot be resolved at the Regency/City level, then the dispute resolution is delegated to the Provincial Panglima Laot. If the existing dispute concerns another country, the Provincial Panglima Laot will report the dispute to the competent authorities for immediate settlement. The role of Panglima Laot is the function of Panglima Laot as a liaison element between the government and the fishing community as well as as an assistant to the government in the success of fisheries and marine development programs (Marefanda & Tjoetra, 2019).

4) DKP Aceh

Apart from the Navy (LANAL Sabang), the Ministry of Maritime Affairs and Fisheries (PSDKP Lampulo), and fishing community (Panglima Laot), the Aceh Government also has responsibility for supervision and handling in managing Aceh's marine and fishery resources from illegal fishing efforts. The agency from the Aceh Regional Government responsible for this is the Aceh Provincial Marine and Fisheries Service (DKP Aceh). The Aceh Maritime Affairs and Fisheries Service (DKP Aceh) is a representative agency of the Aceh Province regional government which has the main task of assisting the Governor in carrying out government affairs in the marine and fisheries sector which is the authority of the Aceh region and assistance tasks assigned to the Aceh region as stated in Governor Regulation Number 125 2016. The Aceh Marine and Fisheries Service are located on Jalan Sisingamangaraja Ujung, Kutaraja Ocean Fishery Port Complex (PPS), Aceh Province. The Aceh Maritime Affairs and Fisheries Service carries out its duties based on the Governor's Regulation and Qanun, namely laws and regulations similar to regional regulations that regulate the administration of government and community life in Aceh Province (DKP, 2020).

The Department of Maritime Affairs and Fisheries of the Aceh Province together with other agencies participates in supervising fishing activities, especially activities related to illegal fishing. Many illegal fishing activities occur in Aceh Province, both illegal fishing activities for local fishermen and illegal fishing for foreign fishermen. On this basis, the local government has formulated an "Action Plan for Supervision and Prevention of Illegal Fishing". This activity involves various elements by carrying out developments aimed at making legal products, such as government regulations, etc. In Aceh, there is an inter-agency forum consisting of the Aceh Maritime Affairs and Fisheries Service, POLAIR, TNI AL, Panglima Laot, and related agencies. They usually hold ad hoc meetings every three months to discuss joint work plans. This forum was guided by DKP Aceh as the axis of service and movement in Aceh Province. The number of stakeholders involved in efforts to tackle illegal fishing is a problem in itself. The existence of an imbalance in roles with other organizations or institutions makes the local government try to synergize tasks by bringing all parties together to sit down and discuss together through this forum. LANAL Sabang, PSDKP Lampulo, and Panglima Laot related to the supervision of fishing activities indirectly assist the Department of Marine Affairs and Fisheries in dealing with cases of illegal fishing in Aceh Province.

CONCLUSIONS

The number of illegal fishing cases that have occurred in Aceh has forced law enforcement agencies to increase their synergy and coordination in their performance to minimize the occurrence of these cases. The authorized law enforcement agencies are the Lampulo Marine and Fishery Resources Monitoring Base (PSDKP) as the representative of the Indonesian Ministry of Maritime Affairs and Fisheries in Aceh Province, and LANAL Sabang as the representative of the Indonesian Navy. The Department of Maritime Affairs and Fisheries (DKP) of Aceh Province as the representative of the Regional Government of Aceh Province, as well as the Supervisory

Community Group (Pokmaswas) or commonly referred to as Panglima Laot as representatives of the Aceh fishing communities.

The four authorized institutions coordinate the performance of each other to help each other's role to reduce illegal fishing violations in Aceh Province. The performance roles of each of these authorized institutions include: PSDKP Lampulo is the foundation for supervising marine and fishery resources in Aceh Province, assisted by a supervisory community group from the Aceh fishing community, Panglima Laot. Panglima Laot has more authority in regulating laot customary law and fishing communities in general. Then LANAL Sabang helped mobilize forces to carry out law enforcement at sea from the threat of violations as well as to safeguard marine resources. Furthermore, the Aceh Maritime Affairs and Fisheries Service is the axis of the service and movement for the protection and utilization of marine resources in Aceh Province.

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