

# International Cooperation to Deal With Fishery Crime

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Presenting on ALSA Local Chapter Universitas Udayana

Webinar on International Law

Indonesian Regulations as the World Maritime Axis to Deal with  
Fishery Crime

Saturday, 21st August 2021

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## IUU Fishing Rugikan Indonesia Rp 45 Triliun Per Tahun

Rabu 09 Sep 2020 19:56 WIB  
Red: Irwan Kelana

suaramerdeka.com/nasional/pr-04105260/kejahatan-perikanan-berkembang-menjadi-kejahatan-transnasional

Nasional Internasional Jawa Tengah Semarang Raya Ekonomi Olahraga Bola Psis

## Kejahatan Perikanan Berkembang Menjadi Kejahatan Transnasional

Andika Primasiwi - Senin, 29 Juli 2019 | 15:00 WIB

**The Reality  
of Fisheries  
Crime in  
Indonesia**

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**Illegal,  
Unreported,  
And  
Unregulated  
(IUU)  
Fishing.**

# IUU FISHING

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- Serious threat to the sustainability of marine and fishery resources, in addition to causing ecological damage.
- According to the Food and Agriculture Organization (FAO), the world lost 11-26 million tons of fishery resources as a result of IUU fishing.
- Impact on economic losses and various social problems in many countries.
- Many parties who commit the crime of illegal fishing are involved in other transnational organized crime activities, such as money laundering, bribery, drug smuggling, weapons smuggling, human trafficking, forced labor, tax crimes, smuggling of goods, and so on.

- United Nations Convention on the Law of the Sea 1982
- Food and Agriculture Organization Compliance Agreement 1993.
- United Nations Implementing Agreement 1995.
- Code of Conduct For Responsible Fisheries 1995.
- International Plan of Action to Prevent, Deter and Elimination Illegal, Unreported and Unregulated Fishing 2001 (IPO on IUU Fishing 2001).

# **IUU Fishing**

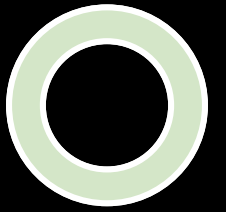
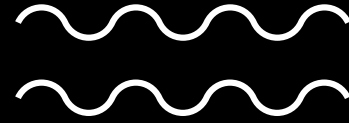
## **International Regulations**

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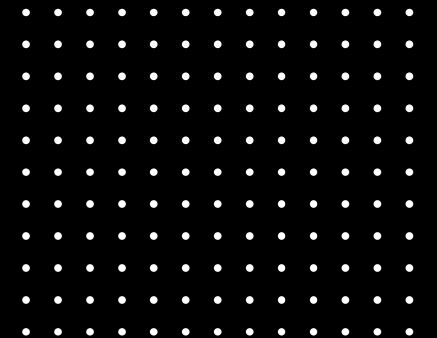
# IUU Fishing INDONESIAN REGULATIONS

- Kitab Undang-undang Hukum Pidana
- UU Nomor 5 Tahun 1983 tentang Zona Ekonomi Eksklusif Indonesia
- Undang-Undang Nomor 31 Tahun 2004 tentang Perikanan sebagaimana telah diubah dengan Undang-Undang Nomor 45 Tahun 2009
- UU Nomor 27 Tahun 2007 tentang Pengelolaan Wilayah Pesisir
- Undang-Undang Nomor 43 Tahun 2008 tentang Wilayah Negara
- UU Nomor 17 Tahun 2008 tentang Pelayaran
- UU Nomor 32 Tahun 2014 tentang Kelautan
- UU No. 11 Tahun 2020 tentang Cipta Kerja
- Peraturan Presiden Nomor 178 Tahun 2014 Tentang Badan Keamanan Laut

Indonesian law and international law have actually regulated IUU fishing, **but they have not been categorized as transnational organized crime**



**Today**



## UN Convention Against Transnational Organized Crime (Article 3. Scope of application, par.2)

- a. it is committed in more than one state;*
- b. it is preparation, planning, direction or control takes place in another state;*
- c. it is committed in one state but involves an organized in criminal activities in more than one state or;*
- d. it is committed in one state but has substantial effect in another state.*

*organized criminal group: a structured group of three or more persons. Existing for period of time and acting in concert with offences, established in accordance with these convention in order to obtain, directly or indirectly a financial or other material benefit". (Article 2. a)*

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# Transnational Organized Crime

# INDONESIA'S EFFORTS

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Indonesian English

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## Kemenko Marves Tekankan Indonesia akan Perangi Kegiatan Penangkapan Ikan Ilegal dan Lindungi Pelaut Serta ABK

Dibaca: 46 | Oleh Biro Komunikasi | Rabu, 24 Februari 2021

mediaindonesia.com/politik-dan-hukum/389102/indonesia-ajak-anggota-pbb-cegah-kejahatan-transn

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Bitcoin Up

Minggu 07 Maret 2021, 16:35 WIB

## Indonesia Ajak Anggota PBB Cegah Kejahatan Transnasional

Cahaya Mulyana | Politik dan Hukum

# KEJAHATAN PERIKANAN: Indonesia Perjuangkan Kesepakatan Pencegahan di PBB

Indonesia terus berusaha agar kejahatan perikanan menjadi perhatian global dan melahirkan kesepakatan pencegahan di PBB.

Newswire - Bisnis.com  
28 Mei 2017 | 08:25 WIB

TEMPO 76 INDONESIA MERDEKA

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## Menteri Susi Serukan Illegal Fishing Jadi Kejahatan Lintas Negara

Reporter: Dias Prasongko  
Editor: Rahma Tri  
Senin, 22 Juli 2019 19:28 WIB

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### Peringati International Day for Fight Against IUU Fishing, Menteri Trenggono Ajak Seluruh Negara Bersatu Berantas IUU Fishing

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## Ini Rekomendasi Indonesia terkait Kejahatan Perikanan

Selasa, 30 Juli 2019 | 22:52 WIB  
Oleh : HA

## **efforts to make it a transnational organized crime (internal)**

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- Take firm steps and do not compromise on the practice of IUU fishing.
- Strengthening surveillance infrastructure.
- Respect other Countries' Sea Laws by not breaching the rules (do not practice IUU fishing in the waters of other countries).
- improving law enforcement (Throughout 2021, KKP has arrested 94 vessels consisting of 70 Indonesian fishing vessels violating the provisions and 24 foreign fishing vessels stealing fish (6 Malaysian-flagged vessels, 2 Philippine-flagged vessels and 16 Vietnamese-flagged vessels). The KKP also continues to demonstrate its commitment to maintaining the sustainability of marine and fishery resources by arresting 62 perpetrators of fishing using destructive fishing methods such as fish bombs, stun or poison).
- Economic incentives for compliant business actors.
- Strengthening governance especially on fisheries.

- Make IUU Fishing a global enemy that must be eradicated for the sustainable fisheries.
- Combating transnational organized crime certainly cannot be done by one country and needs to be carried out through international cooperation.
- Global transparency and treaty agreements in every port of the country (related to vessel data, especially on the high seas)
- Implementing of Blue Paper 15 on Illegal, Unreported, and Unregulated Fishing & Blue Paper 16 on Transnational Organized Crime in Fisheries.
- Establishment of internationally accepted basic norms, optimizing the role of international institutions/organizations, and establishing a permanent network in case handling to improve coordination and cooperation between countries and with international institutions.
- *Together commitment and action*, to make IUU fishing as transnational crime and discuss it at the UN so that it can become a hard law.

**efforts to make it a transnational organized crime (external)**

## REFERENCES

- *Desia Rakhma Banjarani*, *Illegal Fishing* dalam Kajian Hukum Nasional dan Hukum Internasional: Kaitannya dengan Kejahatan Transnasional , *Jurnal Kertha Patrika*, Vol. 42, No. 2 Agustus 2020, h. 150-162.
- *Kartini Sekartadji*, 2006, Trans Organized Crime (TOC): Trend Kejahatan Baru dan Permasalahannya di Indonesia; Makalah dalam Penataran Singkat Pengembangan Bahan Ajar Hukum Internasional, Bagian Hukum Internasional Fakultas Hukum Undip, 6-8 Juni 2006, Semarang.
- *Mahendra Putra Kurnia*, 2019, Pemerintah Daerah dan Indonesia Sebagai Poros Maritim Dunia (Hambatan dan Tantangan), ISILL Book Series Aspek Hukum Pengelolaan Sumber Daya Kelautan dan Perikanan di Indonesia, hlm 17-34.
- *Siaran Pers Kementerian Kelautan dan Perikanan Nomor: SP.558/SJ.5/VI/2021*.
- and several websites for images and news that are accessed on August 17, 2021 at 15.00 WITA.

**Terima Kasih**



**Thank You**

