

ISSN: 2338 4638

Volume 10 Nomor 1 (2026)

6 ADALAH

Buletin Hukum & Keadilan

Enhancing Enforcement Strategies Against Illegal Fishing: A Socio-Legal Analysis of Water Police Operations in Jakarta Waters under Law No. 45 of 2009

Muharom, Muh Nasir, Abu Nawas
Universitas Dharma Indonesia UNDHI

 [10.15408/adalah.v6i1.50862](https://doi.org/10.15408/adalah.v6i1.50862)

Abstract:

Illegal fishing remains a persistent challenge in Indonesia, undermining economic sustainability, marine ecosystems, and maritime security. Despite the enactment of Law No. 45 of 2009 on Fisheries, enforcement effectiveness particularly at the operational level remains uneven. This study addresses this gap by examining the strategies employed by the Water and Air Police Directorate (Ditpolair) of Korpolaairud Baharkam Polri in combating illegal fishing in the waters of DKI Jakarta. Using a normative-empirical (socio-legal) approach, this research integrates statutory analysis with field data obtained through interviews and observations. The study evaluates enforcement practices, including maritime patrols, vessel

monitoring, licensing inspections, and inter-agency coordination. The findings reveal that while current strategies have contributed to suppressing illegal fishing activities, their effectiveness is constrained by structural and operational limitations, including inadequate patrol assets, jurisdictional complexity, and increasingly adaptive criminal networks. This study argues that enforcement remains predominantly reactive and insufficiently supported by integrated surveillance systems and institutional synergy. Strengthening technological capacity, enhancing inter-agency collaboration, and adopting intelligence-led enforcement are critical to improving outcomes. This research contributes to the discourse on fisheries law enforcement by offering a practical and policy-oriented framework to optimize anti-illegal fishing strategies in high-risk maritime zones.

Keywords: *Illegal Fishing, Law Enforcement Strategy, Water Police, Fisheries Law, Indonesia.*

A. INTRODUCTION

In ancient times, the legal status of the ocean was never questioned by anyone. Everyone is free to use the sea to meet their needs. At that time, the sea was more used for shipping and fishing purposes. In addition, there are also local community groups around the beach who use the sea to perform traditional ceremonies that they believe in. These activities are mostly carried out in marine areas adjacent to the coast, because marine technology, especially in the fields of shipping and fisheries, is still simple. The ability to sail the ocean is limited to a distance that is not too far from the shore.¹

Entering the 14th to 17th centuries, there was a race from Western nations such as Spain, Portugal, Italy, England, the Netherlands, and others to sail the seas in order to find a new continent. Their main goal was to find a spice-producing country, because at that time spices had a very high selling value on the European continent. These spices mostly come from the Maluku Islands located in Indonesian territory. Spice trade carried out in a chain from Maluku to Europe, so that the

¹ Sahara and Susanto, *The Benefits of the Existence of Customary Law in Managing Marine Natural Resources in Indonesia*, (Journal: Customary Law, 2024), Vol.3, No.1, p.52-56.

price of spices became more and more expensive. For that reason, many European sailors made long voyages. For example, Christopher Columbus in 1492 sailed with his crew in the belief that the earth is spherical. He sailed westward through the Atlantic Ocean and finally reached the Bahamas Islands, Cuba, and the new mainland that came to be known as America.²

On his next voyage in 1494, he discovered the island of Jamaica, while on the voyage of 1498 he discovered the island of Trinidad. In 1504, he explored the coast of Honduras. Meanwhile, Alfonso D'Albuquerque of Portugal in 1509 sailed along the coast of Africa until he arrived in India. He then succeeded in consolidating Portuguese rule in Asia and was appointed as the Portuguese Governor of India. In the same year, Diego Lopez de Sequira sailed around the island of Sumatra, while Francisco Serrano visited Java Island as well as several other islands in the archipelago. Dutch sailors such as A.A. Buyskes, Ellout, and Van Der Cappeller also managed to land on the island of Java in 1596. In 1602, the Dutch established a trade union called *the Verenigde Oost Indische Compagnie* (VOC). Asian nations are also not inferior in sea exploration.

² Diki Chandra, *The Exploration of the Dutch Ocean That Led to Colonialism in the Archipelago*, (Journal: Education, 2024), Vol.1, No.2, p.230-239.

One of them was Admiral Cheng Ho of China who in 1408 to 1411 sailed to Sri Lanka through the territory Nusantara. On the other hand, the archipelago itself has a long history of navigating the ocean. This is evident from the glory of the Srivijaya Kingdom which is known as a maritime kingdom and established political and trade relations with Asian nations. Likewise, the Majapahit Kingdom succeeded in uniting the archipelago. However, unlike the West, the maritime exploration of the Eastern nations did not develop into colonialism and imperialism.³

The exploration stopped almost at the same time as the collapse of the great empires of Southeast Asia. With the exploration of the West and the East at the same time, cross-continental and oceanic shipping is getting more crowded. As a result, the legal status of the ocean began to be questioned, with the main question: who has the right to own the ocean? Spain, Portugal, Italy, and the United Kingdom argue that the ocean can be owned by a country. Thus, those countries began to claim the rights to the sea. Italy claims the Mediterranean Sea, Spain claims the Pacific Sea, Portugal claims the Atlantic Ocean, while the United Kingdom claims the North Sea.

³ *Ibid.*, pp.245-247.

These claims were supported by scholars through their writings, thus triggering what became known as the Book Wars. One of them was Jhon Shelden from England who wrote *Mare Claussum* to defend Britain's claim to the North Sea.

However, the Netherlands as a small country feels disadvantaged because it is not free to sail. Therefore, the Netherlands rejected the claim by declaring that the sea should not be owned by anyone and should be open to all nations. This attitude was supported by the jurist Hugo de Groot or Grotius through his book *De Jure Pradae* written in 1604. In 1609, Grotius published Chapter 12 of the book under the title *Mare Liberium* or *The Free Sea*. From here, the embryo of the law of the sea began to form. Differences in views related to ocean ownership gave birth to the concepts of the Territorial Sea and the High Sea. The Territorial Sea is the part of the sea that is the territory of a coastal country, while the High Sea is the ocean that is located outside the territorial sea and is not controlled by any country.⁴

In order to avoid chaos that is detrimental to

⁴ Vinata, *Principles of Territorial Determination of the Seas of the Republic of Indonesia Based on the Convention on the Law of the Sea*, (Journal: *Law of the Sea*, 2023), Vol.2, No.1, p.8-10.

shipping, the rule of the *right of innocent passage was agreed*, which is the right for foreign ships to pass in the territorial sea of a coastal country without the need for prior permission. Subsequently, the rule of three nautical miles from the coastline was developed as the boundary of the Territorial Sea. This distance was determined based on the range capability of the cannon at the time. Meanwhile, outside the three-mile limit, the provisions of the high seas apply. The development of the law of the sea then progressed, until finally in the 20th century the United Nations organized a series of conferences on the law of the sea which resulted in the 1982 Convention on the Law of the Sea (UNCLOS).

The development of international law of the sea reached its peak in the 20th century. The United Nations (UN) then took an important step by organizing a series of legal conferences sea. This effort is intended to create comprehensive rules regarding the use of the ocean and the resources in it. One of the main milestones was the birth of the United Nations Convention on the Law of the Sea in 1982 or the *United Nations Convention on the Law of the Sea* (UNCLOS 1982). The Convention provides the basis for international law on the division of the seas, including the Exclusive Economic Zone (EEZ), continental shelf, territorial seas, and the high seas.

Indonesia as the largest archipelagic country in

the world has a strategic interest in the enactment of UNCLOS 1982. With the ratification of the convention through Law Number 17 of 1985, Indonesia gained international legitimacy to determine its maritime territory. This affirms Indonesia's sovereignty over the archipelagic waters that connect the islands from Sabang to Merauke. The concept of Nusantara Insight proposed by Indonesia through the 1957 Djuanda Declaration finally received international recognition. With this recognition, the sea not only functions as a separator between regions, but also as an adhesive and unifier for the entire territory of Indonesia. The sea is also seen as a natural resource with high economic value, both from the fisheries, marine transportation, and energy sectors. Therefore, the regulation of maritime law is not only oriented to utilization, but also to protection and supervision so that violations do not occur, especially by foreign parties. One of the problems that often arises is illegal, unreported, and inappropriate fishing practices rules (*illegal, unreported, and unregulated fishing*). Foreign vessels often enter the Indonesian Exclusive Economic Zone without having a Fishing License (SIPI).⁵

This action is clearly detrimental to the country,

⁵ Pangestu, *Illegal Fishing in Indonesian Jurisdictions in the Perspective of International Law*, (Jakarta: UIN Press, 2023), p.18-23.

both in terms of economy and sovereignty. For this reason, Indonesia through law enforcement officials at sea is obliged to carry out supervision and action. The National Police of the Republic of Indonesia has a central role in this matter. As part of the maritime security function, the National Police through the Marine and Air Police Corps (Korpolairud) carries out the task of supervision, prevention, and enforcement of violations of the law in Indonesian waters. The Corps of Policemen not only maintains the security of sea transportation routes, but also ensures law enforcement against criminal acts that occur at sea, including illegal fishing. Under the Korpolairud there is the Directorate of Maritime Police (Ditpolair) which has direct authority in the supervision of marine areas. The Directorate of Air and Police is in charge of carrying out patrols, conducting ship inspections, and taking action against every form of violation of the law at sea. One of the main focuses of the Ditpolair is to crack down on foreign-flagged fishing vessels operating without official permits.

With this authority, the Directorate of Polair is at the forefront of maintaining Indonesia's maritime sovereignty while protecting the wealth of national fishery resources. The Existence of the Directorate of Police Corps of the National Police is very important in the context of legal protection of Indonesia's maritime

areas. Through routine supervision activities, scheduled patrols, and strict enforcement of violations, the Ditpolair ensures that national and international maritime laws can be enforced. Thus, Indonesia's seas are not only a trade and transportation route, but also maintained as a sustainable economic resource.

The Directorate of Political Affairs of the National Police is one of the main implementing elements in the body of the National Police of the Republic of Indonesia which has the main task in the field of water policing. Its existence is based on the provisions of Article 13 of Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia which emphasizes that the National Police is tasked with maintaining public security and order, enforcing the law, and providing protection, protection, and services to the community.⁶ In the context of waters, this authority is realized through the Ditpolair as the spearhead of law enforcement at sea. Functionally, the Ditpolair has the main role in supervising, guarding, patrolling, and enforcing the law in the waters of Indonesian jurisdiction.

This function includes the prevention and prosecution of various forms of criminal acts at sea, including smuggling, piracy, human trafficking, as well

⁶ See Article 13 of Law Number 2 of 2002 *concerning the National Police of the Republic of Indonesia*.

as the practice of illegal fishing by vessels foreign-flagged. In addition, the Ditpolair is also responsible for providing search and *rescue assistance* for marine accidents, as well as supporting humanitarian operations in dealing with natural disasters in the waters.⁷

The organizational structure of the Ditpolair is under the Korpolaairud Baharkam Polri, which is hierarchically led by a Director. In carrying out its duties, the Ditpolair is supported by a number of sub-directorates and implementing units in the field. The sub-directorate includes the fields of patrol, investigation and investigation, as well as the supervision of aquatic resources. In addition, the Ditpolair also has a fleet of patrol boats of various sizes and capabilities placed in strategic areas, especially in waters prone to law violations. The legal basis for the existence and authority of the Ditpolair is not only regulated in Law Number 2 of 2002, but also strengthened by various other laws and regulations. For example, Law Number 45 of 2009 concerning Fisheries which regulates the crackdown on foreign vessels that carry out fishing without a license.

In addition, Law Number 17 of 2008 concerning Shipping also gives the National Police authority in enforcing the law against violations of shipping safety

⁷ Nugroho, *Analysis of the Effectiveness of Helicopter Control Vessels in Marine SAR Operations*, (Journal: Maritim, 2021), Vol.1, No.1, p.13-16.

and security. At the technical level, the authority of the Ditpolair is clarified through the Regulation of the Chief of the National Police of the Republic of Indonesia (Perkap) on the organization and organization work of the National Police, as well as special instructions related to sea operations. With a strong legal basis, the Ditpolair Korpolairud Baharkam Polri plays an important role in maintaining sovereignty and enforcing the law at sea. Its existence ensures that Indonesia's vast waters can be monitored and guarded from all forms of lawlessness, especially those involving foreign-flagged ships. This function is not only related to aspects of national security and sovereignty, but also concerns the protection of marine natural resources which are the main support of the national economy.⁸

Based on data on the handling of *illegal fishing* cases by the Ditpolairud Polda Metro Jaya for the last three years 2023 – 2025 as follows: In 2023, there were 3 cases of *illegal fishing*, with case settlement consisting of 2 cases delegated to the Jakarta Provincial Government's Food Security, Marine and Agriculture Service (KPKP) and 1 case was stopped through the mechanism of the Investigation Termination Order (SPPP), In 2024 there

⁸ Suryawati, *Marine Policy in the Framework of Maintaining and Managing Marine Natural Resources*, (Journal: Law, 2016), Vol.4, No.1, p.8-16.

will be a significant increase to 20 cases, with the settlement of 19 cases transferred to the KPKP Office of the DKI Jakarta Provincial Government and 1 case declared complete (P21) for the prosecution process and in 2025 there will be a decrease to 14 cases, with all cases (14 cases) delegated to the KPKP Office of the DKI Jakarta Provincial Government for further handling according to administrative authority in the fisheries sector.

RESULTS AND DISCUSSION

B. The Strategy of the Directorate of Police and the Baharkam Police in Tackling Illegal Fishing Crimes in DKI Jakarta Waters Based on Law Number 45 of 2009 concerning Amendments to Law Number 31 of December 2004 concerning Fisheries

The strategy to counter *illegal fishing* crimes is an integral part of law enforcement efforts in Indonesian waters, especially in the waters of **DKI Jakarta** which have strategic value in terms of economy, sea transportation, and fishery resources. The region is vulnerable to various forms of fishing crimes, such as illegal fishing, the use of prohibited fishing gear, the falsification of vessel documents, and fishing in prohibited zones. Normatively, the legal basis for countering illegal fishing is regulated in **Law Number 45 of 2009 concerning Fisheries**, which is an amendment to

Law Number 31 of 2004. This law gives legitimacy to law enforcement officials, including the National Police of the Republic of Indonesia, to carry out preventive and repressive actions against fisheries crimes.

In this context, **the Directorate of Police Korpolarud Baharkam Polri** has a very strategic position as an element of executing police duties in the water and air areas. Its main functions include patrolling, supervision, investigation, investigation, and enforcement of criminal acts that occur in the waters. The 1945 Constitution of the Republic of Indonesia emphasizes that the Indonesian state is a state of law that is obliged to provide legal protection and certainty for all citizens. The concept of this state of law is not only limited to the land aspect, but also covers the entire sovereign territory of Indonesia which includes:⁹ air, land, and waters. Thus, law enforcement efforts at sea are an integral part of the constitutional mandate to ensure that the law is truly present to protect the community and maintain the country's sovereignty. One of the tangible manifestations of this mandate is law enforcement efforts throughout Indonesia's sovereign territories, including in waters that have strategic positions both from economic, political, and security defense aspects.

⁹ Bernhard Limbong, *Maritime Axis*, Margaretha Pustaka, Jakarta, 2015, p. 28

The Indonesian sea not only functions as a transportation route, but also stores a wealth of abundant natural resources, ranging from fisheries, energy, to high-value biodiversity. All of these potentials certainly require strict management, protection, and supervision so that they are not exploited by irresponsible parties. As the largest archipelago in the world with more than 17,000 islands, Indonesia has the second longest coastline in the world after Canada. This geographical condition makes Indonesia a maritime country with very wide and open waters. On the one hand, the vastness of Indonesia's maritime area is a gift that provides many strategic advantages; But on the other hand, it also poses a great vulnerability to various forms of criminal acts, whether committed by individuals, organized criminal groups, or international syndicates. Indonesia's territorial waters, especially in strategic areas such as DKI Jakarta and its surroundings, are often the location of violations of the law. DKI Jakarta as the country's capital as well as the center of the national economy has its main port, namely Tanjung Priok, which is the gateway for goods and services to and from various regions in the world. The density of sea traffic in this region opens up wide opportunities for crimes, both conventional such as theft on ships, and transnational crimes such as narcotics smuggling, human trafficking, and *illegal fishing*.

The complexity of the problem in the water area requires law enforcement officers who have special competence and authority in the field of water police. Not all apparatus have the capacity to handle criminal acts at sea, considering the characteristics of the water area that is different from the mainland, both in terms of technical enforcement, supervision strategies, and legal aspects used. Therefore, the existence of police officers who are specifically on duty at sea is very important. The Directorate of Marine and Air Police (Ditpolairud) of the National Police, through the Maritime Police Corps (Korpolairud), plays a vital role in maintaining security, safety, and law enforcement at sea. The Directorate of Police¹⁰ Corps not only carries out patrols to prevent crimes, but is also tasked with cracking down on various criminal acts that occur in Indonesian waters. This task covers a very broad spectrum, ranging from conventional crimes such as theft on board, to more complex crimes such as *illegal fishing*, narcotics smuggling, smuggling of protected animals, to violations of laws related to the environment and marine pollution. Furthermore, the Directorate of Maritime Affairs and Fisheries is also responsible for building synergy with various related agencies, such as the Indonesian Navy, the Ministry of Maritime Affairs and Fisheries, and port authorities. This

¹⁰ Hidayat, A., & Wulandari, T. (2024). Maritime law enforcement strategies in Indonesia: The role of the Baharkam Police Corps.in combating illegal crime (4), 34-49.

cross-sector collaboration is very important, because marine security cannot be done by just one institution.

The vast waters and complex challenges demand an integrated approach for effective law enforcement. In addition, the role of the Directorate of Police is not only limited to the repressive function, namely the enforcement of criminals, but also includes preventive and pre-emptive functions. Through routine patrols, dialogue operations with fishermen and crew members, and legal counseling for coastal communities, the Ditpolair seeks to reduce the crime rate from an early age. With direct communication between police officers and coastal communities, potential crimes can be identified more quickly to prevent greater losses.

This preventive role is very important because the sea is an open area and difficult to reach completely. If the authorities only rely on enforcement after the crime has occurred, then the losses caused, both material and immaterial, are often too great. Therefore, routine patrol strategies, the use of technologies such as maritime radar, *Automatic Identification System* (AIS) and *Vessel Monitoring System* (VMS) as well as strengthening maritime intelligence are part of the operational pattern that must continue to be improved.

In the context of *illegal fishing*, the Directorate of Police Korpolaairud faces quite serious challenges. This type of crime usually occurs due to a combination of fishermen's economic factors, high demand for fish, environmental pressure, and weak supervision of officers such as in Jakarta Bay or around the waters of the Thousand Islands of DKI Jakarta. The mode used by illegal fishing perpetrators can vary, generally done in various ways to avoid the supervision of the perpetrators often use prohibited fishing gear such as trawl, cantrang that results in damage to the marine ecosystem, fishing without a permit or using inappropriate ship documents such as inactive permits or using fake documents, as for other modes by turning off tracking devices *Vessel Monitoring System* (VMS) so that it cannot be detected by officers and carry out fishing activities at night in areas that are prone to surveillance, perpetrators also often carry out *Illegal Transhipment* by moving catches to avoid official recording and often also manipulate the type and amount of catch when reporting which has an impact on the amount of tax payment or not paying the tax that As a result, it can harm the state. This kind of criminal act¹¹ not only causes losses to the State, but can also disrupt economic stability because this practice has the potential to lose revenue from the fisheries sector and decrease the

¹¹ Wijayanto, B. (2021). Strategy to strengthen the Baharkam Police Chief in overcoming illegal fishing. 2015 p. 60 ,

income of fishermen who fish legally, when viewed from the environmental side of *illegal fishing* practices with the use of prohibited fishing gear such as Trawl can result in damage to the marine ecosystem, namely the damage to coral reefs so that it has an impact on declining fish populations, as for the social impacts that arise, including causing social conflicts between fishermen due to unfair competition in the fight for increasingly limited fishery resources, therefore it needs serious attention from the government, serious law enforcement, Appropriate integrated and sustainable handling so that fishery resources are not threatened due to *overfishing* which can ultimately disrupt community food security, Enforcement of criminal acts at sea also has its own legal challenges. Indonesian criminal law, both the Criminal Code and the Criminal Code, do regulate the practice of *illegal fishing* and theft on fishing vessels, but in practice the application of these laws in marine areas must be adjusted to geographical conditions and water jurisdictions. In this case, the Ditpolair has special authority given through Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia, Law Number 32 of 2014 concerning Marine Affairs, and Law Number 45 of 2009 concerning Fisheries.

With this legal basis, the Directorate of Police Korpolaairud Baharkam Polri has strong legitimacy to

carry out its duties at sea. However, the effectiveness of law enforcement remains highly dependent on human resources, infrastructure, and technological support. Adequate patrol boats, maritime radar, satellite-based surveillance systems, and personnel training in the field of maritime law enforcement are absolute requirements that must be met so that the role of the Ditpolair can be optimal. No less important, the Directorate of Police and Urban Affairs must also be adaptive to the development of the modus operandi of crime at sea. For example, in the case of narcotics smuggling, perpetrators often use sea routes because they are considered more difficult to detect than land or air routes.

Similarly, in the case of *illegal fishing*, foreign vessels often use sophisticated methods to trick the authorities, including by falsifying licensing documents or shutting down the AIS system. This requires the Ditpolair to continue to develop a responsive and technology-based operational strategy. In the end, the existence of the Ditpolair Korpolairud Baharkam Polri is not only a complement to the police structure, but is the front line in maintaining Indonesia's maritime security. The duties and responsibilities carried out are not only technical, but also strategic, because they are directly related to efforts to maintain state sovereignty, protect natural resources, and maintain legal certainty in maritime areas. Thus, it can be emphasized that the Directorate of Police Corps

Baharkam Police is one of the main instruments of the state in realizing the mandate of the constitution as stated in the 1945 Constitution. Through a combination of preventive, pre-emptive, and repressive strategies that are carried out in a balanced manner, Ditpolair seeks to create a safe, orderly, and crime-free sea.

This effort is also clear evidence that the state is present in the sea, protecting every inch of the sovereign territory for the greatest prosperity of the Indonesian people. Through patrol activities, inspection of fishing vessels, and law enforcement actions against the perpetrators of violations, the police officers strive to prevent and overcome the practice *of illegal fishing* which occurred in Indonesian waters, including in the waters of Jakarta and the Thousand Islands. Based on data on the handling of cases carried out by the Directorate of Water and Air Police of the Metro Jaya Police in the period from 2023 to 2025, a number of cases of fisheries crimes related to *illegal fishing activities were found*.

Some of these cases include fishing vessels that use prohibited fishing gear such as trawls and cantrangs, ships that do not have valid shipping documents, and ships that use fishing licenses that have expired. These violations show that illegal fishing practices still occur in Jakarta waters so that they require serious handling from law enforcement officials. Seeing these conditions, an

effective strategy is needed from law enforcement officials, especially the Directorate of Water and Air Police, in tackling the crime of *illegal fishing*. The strategy is not only in the form of law enforcement actions against violators, but also includes prevention efforts through supervision, water patrols, and cooperation with relevant agencies in the marine and fisheries sectors. Strategy of the Directorate of Police Corps of the National Police in tackling *illegal fishing* crimes in Jakarta Waters:

1. Preventive Strategies Through Patrols Monitoring Waters

The main strategy carried out by the Directorate of Water and Air Police (Ditpolairud) is to carry out routine patrols in the waters of Jakarta and the Thousand Islands to prevent the occurrence of fisheries crimes. Based on case data for 2023-2025, almost all crackdowns on *illegal fishing* vessels were carried out while police patrol boats were carrying out routine patrols, such as KP VII-1010, KP VII-2007, KP VII-1016, and other patrol boats. Through these patrol activities, the police officers carried out:

- a. Inspection of ship documents;
- b. Inspection of fishing gear;
- c. Inspection of fishing business licenses

d. Supervision of fishing activities in the water area.

This step is a form of preventive effort so that the perpetrators do not violate fisheries regulations. In some cases, the inspected vessels are known to have committed violations such as:

a. Sailing without a Sailing Approval Letter (SPB);

b. Using prohibited fishing gear such as trawl or cantrang;

c. Using an expired arrest permit.

The patrol activities show that the surveillance strategy is an important instrument in enforcing the provisions stipulated in the Fisheries Law.

2. Law Enforcement Strategy (Repressive)

In addition to prevention efforts, the Ditpolairud also implements a repressive strategy in the form of legal action against illegal fishing perpetrators . Based on case data in 2024, there are 20 cases of fisheries crimes that have been successfully handled by the Metro Jaya Regional Police Directorate. All cases are processed in accordance with applicable legal provisions. Legal enforcement is carried out through several stages,

namely:

a. Inspection and arrest of ships

If a ship is found that is suspected of committing a violation, patrol officers will conduct an inspection of the ship. For example:

- 1) Kapal KM. Abadi Putra in 2023 is known to use prohibited fishing gear and does not have a Sailing Approval Letter;
 - 2) Kapal KM. Eka Jaya Baru in 2024 was found to be using an expired fishing license;
- b. Several other ships in the Thousand Islands area use prohibited fishing gear such as trawls, arad nets, arad nets, and cantrang. After an inspection, the ship and its crew were then secured to the Mako Ditpolairud for further legal proceedings. Confiscation of evidence

In the enforcement process, the police also confiscated evidence related to fisheries crimes, including:

- 1) Fishing vessels;
- 2) Prohibited fishing gear;

- 3) Ship documents;
- 4) Fish catch.

The confiscation of this evidence aims to support the evidentiary process in the investigation.

c. Determination of Suspects

After going through the initial examination process, the police designated the ship's captain as a suspect because he was responsible for the fishing activities carried out by the ship. The suspect was then charged with criminal provisions as stipulated in the Fisheries Law, including:

- 1) Article 85 concerning the use of fishing gear that is destructive or prohibited;
- 2) Article 93 paragraph (1) concerning violation of fisheries business licenses;
- 3) Article 98 concerning the obligation of ship shipping documents.

3. Inter-Agency Coordination Strategy

In handling the case *Illegal fishing*. The Directorate of Tourism does not work alone, but coordinates with other agencies that have authority in the fisheries sector. Based

on the available case data, most of the cases after being investigated by the Directorate of Police were then transferred to the Jakarta Provincial Food Security, Marine and Agriculture Service (KPKP). This shows

Presence Shape Work Same Delivery
Institutions . In law enforcement in the fisheries sector, including:

- a. Police (Ditpolairud);
- b. Marine and Fisheries Service;
- c. Fisheries Supervision Agency.

This coordination is needed so that the case handling process can run effectively and in accordance with the authority of each agency.

4. Fishing Gear Supervision Strategy

Based on existing case data, the most frequent violations are the use of prohibited fishing gear, such as:

- a. Trawl;
- b. Scott;
- c. A web of ploughs;
- d. A net of arat.

These fishing gear are banned because they can damage marine ecosystems and threaten the sustainability of fishery resources. Therefore, the Ditpolairud carries out strict supervision of the use of fishing gear by referring to national fisheries regulations that prohibit the use of fishing gear that damages the marine environment.

5. Fisheries Resources Protection Strategy

Efforts to counter *illegal fishing* carried out by the Ditpolairud also aim to protect national fishery resources. *Illegal fishing* can have various negative impacts, including:

- a. Damage to marine ecosystems;
- b. Reduced fish population;
- c. Economic losses for the country;
- d. The decline in the welfare of local fishermen.

With intensive patrols and law enforcement in Jakarta waters, the Ditpolairud seeks to ensure that fishing activities are carried out in accordance with the applicable legal provisions. With this strategy, it is hoped that *illegal fishing* crimes can be minimized and the management of fishery resources in Jakarta waters can be

carried out in a sustainable manner.

C. Supporting and Inhibiting Factors in the Implementation of the Duties of the Directorate of Police in Efforts to Prevent and Enforce Illegal Fishing Crimes in DKI Jakarta Waters

'One of the main supporting factors is the existence of a clear and firm legal foundation. The provisions in Law Number 45 of 2009 give authority to law enforcement officials, including the Ditpolair, to take preventive and repressive actions against illegal fishing perpetrators. Article 69 and Article 73 provide space for the authorities to stop, inspect, carry, and detain ships suspected of committing violations in Indonesian waters. With this legal basis, the Directorate of Police has legitimacy in carrying out law enforcement functions in the waters of DKI Jakarta, especially in strategic areas such as Jakarta Bay and Tanjung Priok Port.

Another supporting factor is the existence of institutional coordination between the Ditpolair and related agencies, such as the Ministry of Maritime Affairs and Fisheries (KKP), TNI NAVY, Bakamla, and local governments. In an effort to eradicate illegal fishing, joint patrols are often carried out as a form of synergy between law enforcement officials. This synergy is very important because fisheries crimes often involve cross-

border and use complex modus operandi. **Arana and Operational Infrastructure.** The availability of patrol boats, communication tools, monitoring radars, and trained personnel is a factor that greatly supports the effectiveness of Ditpolair's duties. DKI Jakarta's waters, as a congested sea traffic route, require intensive supervision, so the existence of a patrol fleet greatly determines the success of prevention. *In addition, community and fisherman participation, coastal community support,* and local fishermen are also important factors. Information from the public regarding suspicious ship activities¹² is often the initial source for the Ditpolair to take legal action. From the perspective of legal effectiveness theory, public legal awareness is an important element of the success of law enforcement.

In the implementation in the field, the most dominant inhibiting factor is the size of the water area that must be monitored. The waters of DKI Jakarta have the characteristics of being an open area that is directly connected to the Java Sea, so the mobility of ships is very high. This condition causes supervision to not be carried out optimally if it is not balanced with an adequate number of patrol boats and personnel. Other Disis

43 Roni Mulyanto et.al (The Role of the Police in the Prevention of Illegal Fishing for Fishermen Using Hela Trawls and Trawls from the Perspective of Siyasa Dusturiyah)2019 Page 65

Limited Facilities and Human Resources Although there is a patrol fleet, in practice, there are still limitations in the number of operational vessels, fuel, surveillance technology equipment, and the number of Ditpolair personnel who must supervise a large area.

This limited human resource can affect the speed of response to community reports and field patrol findings. Where the **Modus Operandi of Perpetrators is Increasingly Sophisticated**, illegal fishing *perpetrators* often use various methods to avoid prosecution, such as the use of false documents, changing the identity of the vessel, prohibited fishing gear, and operating at night or in jurisdictional border areas. The development of this mode requires the Ditpolair to improve maritime intelligence capabilities and the use of modern surveillance technology.

The current condition is still weak legal awareness of some fisheries business actors. There are still fishermen *or* Fisheries business actors who do not have adequate legal awareness regarding the prohibition of the use of prohibited fishing gear, fishing permits, and ship operating areas. This is an obstacle in prevention efforts because a repressive approach alone is not enough without legal education. As well as his lemma **Law Enforcement Coordination** In some cases, overlapping authority between law enforcement officials at sea can be

a technical obstacle in handling cases. Therefore, clarity is needed in the coordination mechanism between the Directorate of Police, PPNS Fisheries, the Indonesian Navy, and Bakamla.

In the 1945 Constitution of the Republic of Indonesia, it is emphasized that Indonesia is a state of law that is obliged to protect the entire Indonesian nation and all Indonesian bloodshed. The protection includes not only land areas, but also water areas that are an integral part of state sovereignty. Indonesia's vast maritime area, including the waters of DKI Jakarta, has strategic significance in the economic, political, and security fields. As the main route of international trade and the center of national economic activity, DKI Jakarta's waters have a vital role. The Port of Tanjung Priok, for example, is the busiest in Indonesia with a very dense flow of cargo ships, passenger ships, and fishing boats every day. However, the high level of these activities also raises vulnerability to criminal acts, one of which is *illegal fishing*. The Directorate of Water and Air Police (Ditpolair) of the National Police Corps is at the forefront of efforts to prevent, supervise, and enforce the law at sea. The Directorate of Polair has the main task of maintaining security and order in the waters, protecting state wealth, and enforcing the law against any criminal act in Indonesia's maritime jurisdiction. However, in carrying out its duties, the Ditpolair faces supporting

factors as well as inhibiting factors that affect the effectiveness of operations in the field:

6. Supporting Factors

a. Strong Legal Authority

The main strength of the Ditpolair lies in its clear legal legitimacy. This legal foundation is an important basis for carrying out every preventive and enforcement action.

1) Law Number 2 of 2002 concerning the National Police of the Republic of Indonesia. This law is the main basis for the authority of the National Police in maintaining security, public order, and enforcing the law in all areas of the Unitary State of the Republic of Indonesia, including the territorial waters. In the law, it is emphasized that the National Police is tasked with:

a) Maintaining public security and order. The Police, including the Directorate of Maritime Police (Ditpolair), have the main task of ensuring public safety and order throughout Indonesia's jurisdiction, both on land and at sea. In the waters, this task includes the supervision of shipping lanes, ports, and inland waters to prevent disturbances, piracy, fish theft, and other illegal activities. With this security maintenance, the

community can carry out economic, transportation, and social activities safely and in an orderly manner.

b) Enforce the law

The police play a role in law enforcement through a process that includes:

- (1) Investigation, which is the collection of initial information related to alleged criminal acts.
- (2) The investigation is in the form of a more in-depth examination of the perpetrators, evidence, and witnesses.
- (3) Enforcement, including arrest, confiscation, and legal proceedings in accordance with laws and regulations.

In the waters, the Ditpolair enforces the law against various maritime crimes such as *illegal fishing*, theft on ships, smuggling, human trafficking, and cross-border narcotics. The enforcement of this law not only provides a deterrent effect but also maintains national sovereignty and economic interests.

c) Providing protection, protection, and service to

the community. The function of the police is not only repressive, but also protective and preventive. Ditpolair provides:

- (1) Legal protection for fishermen, crew members, and coastal communities to avoid maritime crimes.
- (2) Protection, in the form of coaching and assisting the community in understanding their rights and obligations.
- (3) Services, such as legal counseling, security information assistance, and coordination to handle emergencies at sea.

With this approach, the community becomes more confident and active in maintaining the safety of the aquatic environment, as well as playing a role as a partner of the Ditpolair. Overall, these three functions form the three pillars of policing, namely maintaining order, law enforcement, and protecting the community, which are applied in an integrated manner to create optimal maritime and land security. For the Ditpolair, this mandate means that they are not only tasked with conducting sea patrols, but also have full authority in the prevention, supervision, and enforcement of criminal acts at sea, including cases of *illegal fishing* in waters. This law provides strong legal legitimacy so that the Ditpolair

can act decisively in maintaining the security of Indonesian waters, especially in vulnerable areas such as DKI Jakarta.

In the Criminal Code (KUHP), with the revision of Law Number 1 of 2023 concerning the Criminal Code (KUHP), which was officially ratified on November 18, 2025, and effective on January 2, 2026, is the material legal basis for ensnaring perpetrators of *illegal fishing* on fishing vessels. Article 476 of the Criminal Code states that whoever takes something which belongs in whole or in part to another person, with the intention of unlawful possession. In addition to Article 476, there are other articles that aggravate the penalty, for example :P Section 477 of the Criminal Code regarding theft with aggravation, which includes theft committed at night, carried out together, or in a certain place. Article 478 of the Criminal Code concerning minor theft if the value of the loss of goods taken is small, below a certain limit determined by the law. Article 479 of the Criminal Code concerning Theft by Violence.

With this norm, so that the theft article is still relevant because theft on a ship does not only occur on commercial ships but also occurs on fishing vessels with fishermen victims either to ships or fish cargo, the Directorate of Police has a positive legal basis to crack

down on the perpetrators of theft on ships, whether committed by individuals or groups, with criminal sanctions according to the level of seriousness of their actions. Undang-Law Number 17 of 2008 concerning Shipping and Law Number 45 of 2009 concerning Fisheries

These two laws expand the scope of the authority of the Ditpolair, not only limited to the enforcement of general crimes, but also in the supervision of the shipping sector of fishing vessels. Law No. 17 of 2008 concerning Shipping regulates the safety, security, and smooth operation of sea transportation. Provide a legal basis for Ditpolair to supervise shipping activities, including loading and unloading activities, anchor lego, and ship traffic flow in the port. Relevant to *Illegal fishing*, because these crimes often occur during the shipping or loading process of fishing vessels at the port. Law No. 45 of 2009 concerning Fisheries (amended by Law No. 31 of 2004) emphasizes the supervision and protection of marine resources, including preventing the practice of *Illegal fishing*. smuggling of marine products, and other criminal acts that harm state wealth.

Providing authority for law enforcement officials, including the Ditpolair, to conduct inspections, arrests, and even confiscation of vessels that violate fisheries laws. These two laws emphasize the role of the Ditpolair

not only as a guardian of maritime security, but also as a special law enforcer in the field of shipping and fisheries that directly intersect with the national economy in accordance with the ideals of the president and vice president, which is to strengthen the defense system of state security and encourage national independence through a sustainable Blue economy. With this legal basis, the Ditpolair has full legitimacy to carry out the functions of patrolling, investigating, and prosecuting crimes at sea, including practical cases of *illegal fishing*. The facilities and infrastructure of the Ditpolair Patrol Ship are equipped with a fleet of fast patrol boats and large ships placed in strategic locations, such as Jakarta Bay and Tanjung Priok Port. This fleet allows Ditpolair Carry out high mobility in pursuit of suspicious vessels High mobility is one of the main advantages of the Ditpolair patrol fleet. Fast patrol boats are designed to be able to maneuver agile, high speed, and endurance in chasing ships suspected of committing criminal acts. In practice, the speed and agility of patrol vessels allows Ditpolair to pursue suspicious vessels that are trying to escape, for example cargo stealing vessels, vessels transporting contraband, or illegal foreign fishing vessels (KIA). Operational flexibility allows Ditpolair to pursue both in dense waters such as Jakarta Bay and in wider open waters. Psychological effects also arise because the

high mobility of law enforcement officials provides a deterrent effect to criminals, as they know that the authorities are able to immediately intercept them. This high mobility is very important because the perpetrators of *illegal fishing* often act quickly and attempt to flee immediately after committing a crime. Effectively Reaching Large Waters Indonesia's waters, especially around DKI Jakarta, are very large and densely populated. The Ditpolair patrol boat allows for a wider scope of supervision. This is important because: DKI Jakarta waters are a strategic route and potential fishery resource. DKI Jakarta waters include the main entry routes for international trade through Tanjung Priok Port, fishing boat lanes, and passenger ship lanes. This position makes Jakarta's waters very strategic for national and international economic activities. However, the density of ship traffic and the wealth of resources from the fisheries sector also increase the risk of maritime crimes, such as piracy, theft on ships, *Illegal fishing* and smuggling of goods. Challenges of surveillance without an adequate patrol fleet Without a fleet of patrol boats and sufficient resources, many vulnerable points in the waters are not optimally supervised. This creates a "dark zone" in the sea, which can be used by criminals to carry out illegal acts without being detected. Limited personnel, ships, and surveillance facilities pose a serious

challenge to maritime law enforcement. Ditpolair Solutions in handling illegal fishing by rotating patrols and mapping vulnerable points To overcome this problem, the Ditpolair implements a scheduled patrol rotation system and mapping of crime-prone points. With this strategy, all water areas can be reached evenly. Trails that are often targeted for illegal fishing or *Illegal fishing* identified and received more attention. It is difficult for perpetrators of criminal acts to take advantage of the surveillance loopholes because the patrols cover the "dark zone". This approach allows the Directorate of Polair to maintain the security of strategic shipping lanes, protect ships, cargo, crew, and fishermen, and create safer DKI Jakarta waters for economic activities, transportation, and the fisheries sector.

This force is even more effective when combined with maritime monitoring technologies (such as *the Automatic Identification System / AIS* and radar and *Vessel Monitoring system / VMS*), so that patrols can be directed to the point where a crime is really prone to occur and does not waste time and resources. Conducting preventive patrols to reduce the potential for criminal acts In addition to chasing and arresting criminals, Ditpolair patrols also function as a preventive effort. The goal is to create a police presence at sea so as to suppress the intention of the perpetrator to commit a criminal act.

This form of preventive patrol includes: Routine patrols on major shipping lanes, such as Jakarta Bay and around the port of Tanjung Priok. Dialogical patrols, which are patrols carried out while interacting with fishermen, crew members, and port workers to provide legal counseling and build public trust. The presence of officers seen at crime-prone points can have a *deterrent effect*, because perpetrators feel that supervision is getting tighter. Field data collection during patrols also supports intelligence analysis, so that potential crimes can be mapped more accurately for future operations¹³. Thus, preventive patrols not only maintain physical security, but also build a sense of security for the maritime community while strengthening the position of the Ditpolair as the front line in enforcing the law at sea.

The patrol vessels are also equipped with modern navigation equipment, radar, AIS, and VMS as well as long-range communications, so that they are able to support the effectiveness of operations in the field. Cross-Agency Coordination Needed. Cross-agency cooperation is one of the important factors in supporting the success of the Ditpolair. Some of the agencies involved include: Customs, related to the supervision of goods entering and exiting the port. Customs plays a role in supervising the entry and exit of goods at the port, both export and

¹⁶ Haris, M. (2022). Policy and implementation of training in maritime law enforcement. Jakarta: Utama Maritime Publishers.

imported goods. This function is very important to prevent smuggling, illegal trade, and customs administration violations. In the context of cooperation with the Directorate of Police, Customs helps provide information related to the movement of suspicious goods that can cause criminal acts at sea, including narcotics, illegal liquor, fishery products, or other dangerous goods. Kesyahbandaran and the Port Authority, related to ship traffic regulation. The Kesyahbandaran and Port Authority (KSOP) have the main function in regulating, supervising, and controlling ship traffic at the port and ensuring compliance with shipping rules. The synergy with the Ditpolair is important so that ship traffic supervision runs in an orderly, safe manner, and minimizes the occurrence of criminal acts such as ship theft, *illegal docking*, and manipulation of shipping documents. The Sea and Coast Guard Unit (KPLP), related to shipping safety, is under the Ministry of Transportation, which is tasked with maintaining shipping safety, including the prevention of marine accidents, marine pollution, and the rescue of ships that experience disasters. KPLP coordinates with the Ditpolair in terms of sea patrols to reduce potential accidents and ensure that each ship meets applicable safety standards.

The Supervisor of Marine Resources and Fisheries (PSDKP), related to the protection of fish resources, PSDKP is an agency under the Ministry of Maritime

Affairs and Fisheries that is authorized to supervise fishery activities, including the prevention of fishing practices. *illegal fishing, destructive fishing*, and fish theft by foreign ships. In its collaboration with Ditpolair, PSDKP provides information as well as conducts joint operations to maintain the sustainability of fish resources in Indonesian waters, including in the waters of DKI Jakarta. The Indonesian National Army Navy (TNI AL), related to the security of the TNI Navy's maritime defense, has the main task of maintaining Indonesia's sovereignty and maritime defense. In relation to the Directorate of Police, the Indonesian Navy is often involved in joint operations, especially in handling serious crimes such as large-scale narcotics smuggling, piracy, or territorial violations by foreign ships. The Indonesian Navy also provides strategic support in the form of military fleets, radar, and naval combat power that are not owned by the Ditpolair. This collaboration not only increases the effectiveness of supervision but also narrows the space for criminal offenders to move. Technology and Information System Support Ditpolair has utilized a number of modern technologies, including *Automatic Identification System*(AIS), to monitor the movement of the vessel. *Automatic Identification System*(AIS)¹⁴ is a satellite and radio-based VHF

¹⁴ Ahmi, A., & Nugroho, D. (2023). The use of AIS and VMS technology in detecting illegal fishing in Indonesian waters.

system that is used to identify and monitor the movement of ships in a *real-time*. Each ship equipped with AIS will emit data in the form of ship identity, geographical position, speed, direction, and shipping destination. For the Directorate of Police, AIS is very important to monitor the flow of ship traffic in the congested waters of DKI Jakarta.

With this technology, the apparatus can detect suspicious movements such as ships suddenly stopping in a congested path, performing unnatural maneuvers, or turning off AIS transponders to avoid surveillance. *Vessel Monitoring System* (VMS), to track fishing vessels VMS is a satellite-based fishing vessel monitoring system developed by the Ministry of Maritime Affairs and Fisheries (KKP). This system functions to track the location, movement, and activity of fishing vessels, both domestic and foreign, automatically. VMS is very useful in the prevention of fisheries crimes such as illegal fishing, fishing outside the permit zone, or fish theft by foreign vessels. In relation to the Ditpolair, VMS helps focus patrols in vulnerable areas so that operations are more effective and efficient. *CCTV* at the port, to detect suspicious activities during loading and unloading *Closed Circuit Television* (CCTV) in the port area serves as a means of direct supervision of loading and unloading activities, the movement of port workers, vehicles, and docked ships. With *CCTV*, Ditpolair officials and port

authorities can identify potential criminal acts such as theft of goods or cargo of fishing vessels, infiltration by disinterested parties, and smuggling of prohibited goods. CCTV is also supporting evidence in the investigation process if a criminal act occurs in the port area.

This technology helps early detection and accelerates the process of tracing theft. The involvement of Coastal Community policing is one of the effective strategies of the Directorate of Police. Fishermen, port workers, and coastal communities are involved as partners in supervision. Quick information from the public can be an *"early warning system"* that accelerates the actions of the authorities. This is in line with the principle of community participation in maintaining national security as stipulated in Article 30 of the 1945 Constitution.

In addition to the above factors, the contributing factors are also in terms of Geographical Conditions and Fishery Resources. The waters of DKI Jakarta, especially Jakarta Bay, have quite complicated geographical characteristics. This area is filled with various types of ships, ranging from traditional fishing boats, cargo ships, to passenger ships. The density of these activities causes the level of vulnerability to criminal acts to increase, because there are many potential points that perpetrators

can use to carry out their actions. In addition, the waters of Jakarta are part of the Java sea which is dominated by shallow waters and has high productivity while the waters of DKI Jakarta are directly connected to the cluster of thousand islands which are the main buffer of the marine ecosystem in the region, overall the waters of DKI Jakarta have considerable potential for fishery resources, especially for the types of Pelangis and Demersal fish as well as with several community areas that depend on the fisheries sectors such as Marunda, Cilincing, Muara Baru, Muara Angke, Kamal and the thousand islands. So that from the supervision sector it becomes difficult to do, the complexity of the area is increasing with reclamation activities and the expansion of port areas in the waters of DKI Jakarta, these activities not only change the coastal landscape but also have an impact on the flow pattern of fishermen's fishing areas and shipping routes are flooded with a large number of fishing boats and there are several areas where residents earn income as fishermen.

Fishermen's Perspective that the sea belongs to Bersama The perspective of some fishermen who consider the sea as a common property without clear boundaries also affects the pattern of utilization of fishery resources in the waters of DKI Jakarta. This understanding encourages the assumption that everyone

has the right to fish in any area regardless of zoning rules or applicable legal provisions. The use of fishing gear that has been passed down from generation to generation has become a habit that is difficult to change, even though some of the tools are not environmentally friendly or have been banned from use, so that these conditions lead to the practice *Illegal fishing*. It still often happens, both because of fishermen's limited knowledge of regulations, and because of economic factors that demand maximum catch in a short time. Without a change in mindset and increased awareness of the importance of the sustainability of marine resources, this practice has the potential to continue and have an impact on ecosystem damage and declining catches in the future. Therefore, an educational approach, continuous coaching, and firm but humane law enforcement from the Directorate of Polair are needed to change the fishermen's paradigm towards legal and sustainable fisheries practices in accordance with.

Bureaucracy of Confidential Licensing Management

The complexity of bureaucracy in the management of fisheries business licensing is one of the factors that encourage the practice *Illegal fishing* in the waters of DKI Jakarta. The administrative process which is considered

convoluted, time-consuming, and there is still a burden of costs that are felt to be burdensome makes some fishermen reluctant to take care of permits officially. This condition is further exacerbated by the lack of understanding of fishermen on the digital system that is now used in the management of licensing documents so that for some traditional fishermen, limited access to technology and low digital literacy are the main obstacles in following the established procedures. As a result, they tend to choose shortcuts by staying at sea without complete documents or using inappropriate permits, which ultimately falls into the category of *illega fishing*. Therefore, it is necessary to simplify bureaucracy, increase transparency of costs, and provide assistance and education to fishermen regarding the use of digital systems so that compliance with the rules can increase and illegal fishing practices can be minimized.

The Changing Modus Operandi of Perpetrators

Perpetrators of *illegal fishing* generally use very varied modes, even often changing so that they are not easily detected by the authorities, perpetrators tend to adjust the way they operate so that they are not easily detected by officers such as moving fishing locations, they operate at night, and use modified tools in the form of nets and weights used by hiding in the main storage

room of the deck (Palkah) or in the engine room if they have finished carrying out fishing activities to deceive officers, in addition to manipulating licensing documents, changing the identity of the ship by changing the color of the ship, and turning off the *Vessel Monitoring System* (VMS) tracking device if it comes out of the fishing zone that has been determined by the government according to the permit so that in some cases the perpetrators take advantage of the loophole in the rules by pretending to do Activities that are legal but actually violate the applicable provisions of a dynamic and changing pattern of modes show that *illegal fishing* is increasingly complex and organized so that it requires an adaptive supervision strategy and consistent and firm law enforcement.

Lack of Legal Awareness of Fishermen

Another obstacle lies in the internal factors of the fishing community. The lack of legal awareness among the fishing community is the main factor in the occurrence of *illegal fishing* in DKI Jakarta waters because some fishermen have not fully understood the applicable fisheries rules related to the use of permitted fishing gear, fishing area limits, and licensing obligations, this is exacerbated by the lack of socialization and coaching from the Fisheries Service and related agencies so that violations of the Fishing is often thought of as a

hereditary thing. This lack of supervision opens up great opportunities for illegal fishing perpetrators to carry out their actions. In addition, fishermen's awareness of legal awareness is still low. The vast area of waters, lack of supervision, and the richness of fishery resources are often used by perpetrators to carry out *illegal fishing*. This condition shows that the security of the water area does not only depend on the apparatus, but also on the readiness and internal concern of the fishermen themselves.

Coordination and Bureaucratic Constraints

Although there has been cross-agency cooperation in marine surveillance, the reality is that coordination in the field is still often constrained. One of the main causes is the convoluted bureaucracy between institutions and the overlap of authority. For example, the Ditpolair has authority in the maintenance of kamtibmas and law enforcement at sea, while the PSDKP is authorized in fisheries supervision, the KPLP in the field of shipping safety, and the Indonesian Navy in marine defense. When a violation occurs, there is often confusion about who is authorized to handle it, so that quick action on the ground is hampered. This condition not only reduces the effectiveness of law enforcement, but also provides an opportunity for criminals to take advantage of the void of enforcement.

The main supporting factors of the Ditpolair Korpolairud Baharkam Polri lie in clear legal authority, the availability of patrol fleets, cross-agency coordination, the use of technology, and the support of coastal communities. However, significant inhibiting factors are fleet limitations, human resources, complex geographical conditions, varied modes of actors, weak legal awareness of fishermen, and bureaucratic constraints. Thus, an effective strategy must be a combination of improving technological facilities, adding trained human resources, and strengthening coordination across agencies. This is important so that the enforcement of the law against *illegal fishing*, especially in the waters of DKI Jakarta, can be carried out optimally in accordance with the mandate of the constitution and the principles of the rule of law. To overcome these obstacles, several strategic steps can be taken: the law against *illegal fishing*, especially in the waters of DKI Jakarta, can be carried out optimally in accordance with the mandate of the constitution and the principles of the state of law. To overcome these obstacles, several strategic steps can be taken:

1. Fleet and Technology Addition

One of the biggest obstacles for the Directorate of Tourism and Tourism in maintaining the security of DKI Jakarta waters is the limited number of patrol boats and

modern monitoring equipment. With a large sea area, the number of existing fleets is not yet able to reach all vulnerable points. Therefore, the addition of patrol boats is an urgent need so that the mobility of the apparatus is more effective in carrying out supervision and enforcement. In addition, the use of technology such as *Automatic Identification System (AIS)*, *Vessel Monitoring System (VMS)*, marine radar, and the installation of *CCTV* in vulnerable areas will increase early detection capabilities. This modern technology can speed up the process of identifying, tracking, and arresting perpetrators of *illegal fishing*. With a combination of an adequate patrol fleet and advanced monitoring technology, maritime surveillance can be more optimal and able to reduce the chances of crime occurring.

2. Improving Human Resources (HR)

The quality and quantity of Ditpolair personnel also determine the effectiveness of supervision and law enforcement. Currently, the number of available personnel is often not proportional to the workload, especially since most of the focus is directed to major crimes such as narcotics and *illegal fishing*. For this reason, strategic steps in the form of increasing the number of personnel are important so that the distribution of tasks is more proportional. Not only in terms of numbers, quality improvement through

education and special training must also be strengthened, for example training on modern sea patrol techniques, the use of monitoring technology, and strategies to deal with new modus operandi of actors. With trained and competent human resources, the Ditpolair will be able to carry out prevention, supervision, and enforcement functions more effectively and professionally.⁷⁵

3. Optimization of Cross-Agency Coordination

In the context of law enforcement at sea, the Directorate of Police does not work alone. There are many other agencies that also have authority, such as the Ministry of Education, KPLP, PSDKP, Customs, and the Indonesian Navy. However, overlapping authorities often hinder the effectiveness of cooperation. Therefore¹⁵, an integrated coordination mechanism is needed across agencies that can clarify the division of duties and authorities. One solution is the establishment of an integrated command center that allows for real-time information exchange between agencies. With optimal coordination, each institution can complement each other, narrow legal gaps, and improve the efficiency of operations in the field. This will also minimize bureaucracy that has often been an obstacle in quick action in the field.

¹⁵ *Setiawan, J. (2023). Certification and evaluation in law enforcement training programs. Medan: Maritime Technology Publisher.*

4. Increased Awareness of fishing boat crews

In addition to the efforts of law enforcement officials, internal factors are also very decisive. Many cases of *illegal fishing* occur due to the lack of understanding of fishing boat crews related to the law and consider what is usually done for generations by the fishing community. To overcome this, there needs to be a policy that requires every vessel to install a surveillance system, such as *the Vessel Monitoring System (VMS)*, fishing vessel crews also need to get socialization and training on maritime safety, applicable fisheries rules related to the use of permitted fishing gear, fishing area limits, and licensing obligations. The collective awareness of fishermen will be the first fortress that is able to minimize opportunities and provide accurate information if *illegal fishing* occurs in the sea.

5. Empowerment of Coastal Communities

Coastal communities, such as fishermen, dockers, and maritime communities, are often the closest parties to activities at sea. Therefore, they have great potential to be involved in crime prevention efforts. The concept of *community policing* can be strengthened by making the community an active partner of law enforcement officials, both in the form of providing information and direct participation in surveillance activities. Directorate

of Police officials can form a coastal community communication forum that regularly holds meetings to share information related to potential crimes. With the relationship of mutual trust between the apparatus and the community, a strong synergy will be created so that marine surveillance becomes more effective.

The five strategic steps are complementary approaches. The addition of fleets and technology will strengthen infrastructure aspects, increasing human resources will strengthen human capacity, optimizing coordination will increase efficiency between institutions, increasing awareness of fishing vessel crews will close internal gaps, while empowering coastal communities will add external strength through public participation. If all of these strategies are carried out consistently and integrated, then obstacles in the prevention and enforcement of theft crimes on board can be significantly minimized.

D. CONCLUSION

The strategy of the Directorate of Water Police (Ditpolair Korpolaairud Baharkam Polri) in tackling illegal fishing in the waters of DKI Jakarta has been carried out through preventive, repressive, and coordinated approaches in line with Law Number 45 of 2009 concerning Fisheries. Preventive measures include patrols, supervision, and legal awareness programs,

while repressive actions focus on law enforcement against offenders. Coordination with relevant institutions further strengthens the effectiveness of these efforts. However, the implementation is not yet optimal due to several constraints, including limited facilities, insufficient personnel, budget limitations, and low legal awareness among fishing communities. On the other hand, the existence of a strong legal framework and inter-agency cooperation serves as key supporting factors. Therefore, improving infrastructure, enhancing human resource capacity, strengthening coordination, and increasing public legal awareness are essential to ensure more effective prevention and enforcement of illegal fishing in DKI Jakarta waters.

REFERENCE:

Abdulkadir Muhammad, Hukum dan Penelitian Hukum, Bandung: Citra Aditya Bakti, 2017.

Achmad Ali, Menguak Teori Hukum (Legal Theory) dan Teori Peradilan (Judicialprudence), Jakarta: Kencana, 2018.

Adi Nugroho, Hukum Pidana Khusus: Kejahatan di Laut dan Udara, Bandung: Refika Aditama, 2022.

Adrian Sutedi, Hukum Laut dan Penyelesaian Sengketa Internasional, Jakarta: Sinar Grafika, 2021.

Agus Suryono, Polisi Perairan: Strategi Penanggulangan Kejahatan Maritim, Bandung: Refika Aditama, 2018.

Ahmad Nurhadi, Ekonomi Kelautan dan Perikanan Indonesia, Jakarta: RajaGrafindo Persada, 2019.

A. Muri Yusuf, Metode Penelitian: Kualitatif, Kuantitatif, dan Penelitian Gabungan, Jakarta: Kencana, 2017.

Arief Wibowo, Keamanan dan Pertahanan Maritim Indonesia, Yogyakarta: Gadjah Mada University Press, 2020.

Badan Pemelihara Keamanan Polri (Baharkam Polri),
Profil dan Fungsi Ditpolairud Baharkam Polri,
Jakarta: Mabes Polri, 2020.

Bakamla Republik Indonesia, Strategi Pengamanan Laut
Nasional, Jakarta: Bakamla, 2022.

Binsar, Hukum Maritim Indonesia, Yogyakarta: Genta
Publishing, 2022.

Djisman, Hukum Pidana: Perbandingan dan Penerapan,
Bandung: Nuansa Aulia, 2019.

F. Sugeng Susanto, Penelitian Hukum, Yogyakarta:
Genta Publishing, 2015.

Haryanto, Transportasi Laut Indonesia: Jalur Niaga dan
Penumpang di Perairan Jakarta, Jakarta: Rajawali
Pers, 2019.

Hidayat, Kriminalitas Laut dan Strategi Pencegahannya,
Surabaya: Airlangga University Press, 2018.

International Organization for Migration (IOM), Human
Trafficking and Irregular Migration by Sea in
Southeast Asia, Geneva: IOM Publications, 2020.

Johnny Ibrahim, Teori dan Metodologi Penelitian
Hukum Normatif, Malang: Bayumedia, 2012.

Kementerian Energi dan Sumber Daya Mineral RI, Outlook Energi Indonesia 2021, Jakarta: KESDM, 2021.

Kementerian Kelautan dan Perikanan RI, Pedoman Penegakan Hukum di Laut Indonesia, Jakarta: KKP Press, 2021.

Kementerian Perhubungan RI, Laporan Tahunan Keselamatan dan Keamanan Pelayaran, Jakarta: Ditjen Perhubungan Laut, 2020.

Lexy J. Moleong, Metodologi Penelitian Kualitatif, Bandung: PT Remaja Rosdakarya, 2018.

Marwan Effendi, Penegakan Hukum di Laut Indonesia, Bandung: Refika Aditama, 2019.

Masykur, Partisipasi Masyarakat dalam Penegakan Hukum, Yogyakarta: UII Press, 2018.

M. Yahya Harahap, Pembahasan Permasalahan dan Penerapan KUHAP, Jakarta: Sinar Grafika, 2020.

Ni'matul Huda, Hukum Laut Internasional, Jakarta: Rajawali Pers, 2018.

Pangestu, *Illegal Fishing di Wilayah Yurisdiksi Indonesia dalam Perspektif Hukum Internasional*, Jakarta: UIN Press, 2023.

Brian Payne dan Randy Gainey, *Criminology and Maritime Crime*, New York: Routledge, 2020.

Peter Mahmud Marzuki, *Penelitian Hukum*, Jakarta: Kencana Prenada Media Group, 2013.

Puspitawati, *Hukum Maritim Internasional*, Jakarta: Rajawali Pers, 2019.

Rokhmin Dahuri, *Pengelolaan Sumber Daya Wilayah Pesisir dan Lautan Secara Terpadu*, Jakarta: PT Pradnya Paramita, 2019.

Salim H.S., *Hukum Tata Negara Indonesia: Konsep dan Aplikasi*, Jakarta: Prenadamedia Group, 2015.

Salim H.S. dan Erlies Septiana Nurbani, *Penerapan Teori Hukum pada Penelitian Tesis dan Disertasi*, Jakarta: RajaGrafindo Persada, 2017.

Santosa, *Keamanan Maritim dan Penegakan Hukum di Laut*, Jakarta: Rajawali Pers, 2021.

Sefriani, *Hukum Internasional: Suatu Pengantar*, Depok: Rajawali Pers, 2021.

Soerjono Soekanto, Pengantar Penelitian Hukum, Jakarta: UI Press, 2014.

Soerjono Soekanto dan Sri Mamudji, Penelitian Hukum Normatif: Suatu Tinjauan Singkat, Jakarta: RajaGrafindo Persada, 2015.

Soetandyo Wignjosoebroto, Hukum: Konsep dan Metode, Malang: Setara Press, 2013.

Sugiyono, Metode Penelitian Kuantitatif, Kualitatif, dan R&D, Bandung: Alfabeta, 2017.

Sukardi, Manajemen Sumber Daya Manusia dalam Organisasi Publik, Yogyakarta: Pustaka Pelajar, 2017.

Susanto, Hukum Laut Internasional: Perspektif Penegakan Hukum di Indonesia, Bandung: Refika Aditama, 2020.

Sutopo, Keamanan Maritim Berbasis Komunitas, Jakarta: Prenada Media, 2020.

Wahyu Nugroho, Keselamatan dan Keamanan Pelayaran Internasional, Jakarta: Rajawali Pers, 2020.

Winarno, *Keamanan Maritim dan Ancaman Non-Tradisional di Asia Tenggara*, Yogyakarta: CAPS, 2020.

Zainal Arifin, *Strategi Penegakan Hukum terhadap Kejahatan Maritim*, Malang: Intrans Publishing, 2018.

Zainuddin Ali, *Metode Penelitian Hukum*, Jakarta: Sinar Grafika, 2016.

R. Soesilo, *Kitab Undang-Undang Hukum Pidana Beserta Penjelasannya*, Bogor: Politea, 2008.

Indonesia, *Kitab Undang-Undang Hukum Acara Pidana*, Jakarta: Djambatan, 1999.

Indonesia, *Undang-Undang Nomor 2 Tahun 2002 tentang Kepolisian Negara Republik Indonesia*.

Indonesia, *Undang-Undang Nomor 12 Tahun 2012 tentang Pendidikan Tinggi*.

Indonesia, *Undang-Undang Nomor 17 Tahun 2008 tentang Pelayaran*.

Indonesia, *Undang-Undang Nomor 45 Tahun 2009 tentang Perubahan atas Undang-Undang Nomor 31 Tahun 2004 tentang Perikanan*.

Indonesia, Undang-Undang Nomor 1 Tahun 2023 tentang Kitab Undang-Undang Hukum Pidana.

Indonesia, Peraturan Kepala Kepolisian Negara RI Nomor 6 Tahun 2017 tentang Tugas di Lingkungan Polairud.

Indonesia, Peraturan Kepala Korpolarud Nomor 1 Tahun 2018 tentang Susunan Organisasi.

Andi Supriyadi, "Kerjasama Regional dalam Penanggulangan Kejahatan Maritim di Asia Tenggara," *Jurnal Hukum*, Vol. 6 No. 1, 2020.

Ardhian Wibisono, "Yurisdiksi Negara Pantai atas Kapal Asing," *Jurnal Hukum*, Vol. 8 No. 1, 2021.

Ariyanti, "Kebijakan Penegakan Hukum dalam Sistem Peradilan Pidana," *Jurnal Hukum*, Vol. 2 No. 2, 2019.

Darmadi, *Urgensi Pendidikan Pancasila dan Kewarganegaraan*, Bandung: Alfabeta, 2013.

Diki Chandra, "Penjelajahan Samudera Bangsa Belanda...," *Jurnal Pendidikan*, Vol. 1 No. 2, 2024.

Dirhamsyah, "Maritime Security Governance di Indonesia," *Jurnal Keamanan Nasional*, Vol. 5 No. 2, 2020.

Husrin, dkk., *Geostrategi Maritim Indonesia*, Yogyakarta: Gadjah Mada University Press, 2020.

Kurniasanti, "Penanggulangan Kejahatan Perompakan Laut di Indonesia," *Jurnal Hukum*, Vol. 6 No. 1, 2020.

Musa, "Tugas Pokok Direktorat Polisi Perairan...," *Jurnal Hukum Laut*, Vol. 5 No. 3, 2021.

Nasihah, "Tindak Pidana Pencurian Ikan...," *Jurnal Hukum dan Perikanan*, Vol. 5 No. 2, 2018.

Nugroho, "Efektivitas Kapal Pengendali Helikopter...," *Jurnal Maritim*, Vol. 1 No. 1, 2021.

Sahara dan Susanto, "Hukum Adat dalam Pengelolaan SDA Laut," *Jurnal Hukum Adat*, Vol. 3 No. 1, 2024.

Suryawati, "Kebijakan Kelautan...," *Jurnal Hukum*, Vol. 4 No. 1, 2016.

Syahputra, "Penegakan Hukum oleh Polairud...," *Jurnal Hukum dan Keamanan*, Vol. 2 No. 2, 2024.

Syahrin, "Koordinasi Antar Instansi dalam Kejahatan Laut," *Jurnal Keamanan Maritim*, Vol. 8 No. 1, 2020.

Trikuncoro dan Ridho, "Pemanfaatan SDA di Laut Lepas," *Jurnal Maritim*, Vol. 2 No. 4, 2024.

Vinata, "Penentuan Laut Teritorial RI...," *Jurnal Hukum Laut*, Vol. 2 No. 1, 2023.

Wiliawati, "Eksistensi UNCLOS 1982...," *Jurnal Hukum*, Vol. 2 No. 2, 2022.