

## **ABSTRACT**

The research aims to analyze the responsibility of Indonesian Government on the issue of the sinking of foreign ship against illegal fishing. The methodology of the research used normative legal research with political aspect. The result of the research shows that Indonesian Government has no responsibility upon the loss and damage of the countries whose the ships was sunk by Indonesian Government. The fact that Indonesia does not fulfill the requirements to be held responsible. Indonesia does not conduct internationally wrongful act nor violate international obligation. On the other hand, there is no regulation which regulates the prohibition on the sinking of foreign ship neither national law nor international law. Based on UNCLOS, the punishment cannot be imposed on the perpetrators who conduct illegal fishing in the Exclusive Economic Zone unless there is an agreement from both countries. Besides, the Article 69 paragraph 4 of Law Number 45 Year 2009 on the Amandment of Law Number 31 Year 2004 on Fisheries stated that Indonesia is allowed to sink the foreign ship based on the sufficient preliminary evidence. The research recommends Indonesian Government should be careful in making the policies, especially on the issue on the sinking of foreign ship. Moreover, Indonesia has been bound by international obligation.

*Keywords: state responsibility, illegal fishing, the sinking of foreign ship*