

**THE LAW ENFORCEMENT ON ILLEGAL FISHING IN INDONESIAN
SEA UNDER INDONESIAN LAW AND INTERNATIONAL LAW**

UNDERGRADUATE THESIS



**This undergraduate thesis is submitted as one of the requirements to obtain the
degree of Bachelor of Laws at the Faculty of Law
Universitas Muhammadiyah Yogyakarta**

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2017

DECLARATION PAGE

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

I hereby declare that the undergraduate thesis which is entitled “**THE LAW ENFORCEMENT ON ILLEGAL FISHING IN INDONESIAN SEA UNDER INDONESIAN LAW AND INTERNATIONAL LAW**”, its content is truly the work of my own and I did not do plagiarism or quotation in ways that the inconsistent with the prevailing ethic in the scientific community. On this statement, I am ready to bear the risk/any sanction imposed to me in accordance with applicable regulations, if the future found a breach of scientific ethics, I am willing to accept the sanctions.

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MOTTO

“There is no problem cannot be solved as long as there is a commitment to solve it.”

“Tidak ada do’a yang lebih indah selain do’a agar skripsi ini cepat selesai.”
God always takes the simplest way.

“Pendidikan merupakan perlengkapan paling baik untuk hari tua.”

Aristoteles

If you want success, but you avoid the effort to achieve success by reason of fear of failure, then your fear is fear to be successful.

Professor Schein

Everything will come to those who keep trying with determination and patience.

Edison

DEDICATION

This Undergraduate Thesis dedicate to

My Lord, Allah SWT

Prophet Muhammad SAW

My beloved parents

Haryono

Sri Suwanti

My advisors

Dr. Muhammad Nur Islami, S.H., M.Hum

Yordan Gunawan, S.H., Int. MBA., M.H

FOREWORD

Alhamdulillahirabbil'alamiin, all praises belong to Allah, the Lord of the Universe, the Almighty and the Most Gracious, who has given His blessing, guidance, love, opportunity, health, and mercy. Finally I could accomplish my undergraduate thesis under the title “The Law Enforcement on Illegal Fishing in Indonesian Sea under International Law and Indonesian Law” is submitted as the final requirement in accomplishing undergraduate degree at International Program for Law and Sharia, Faculty of Law, Universitas Muhammadiyah Yogyakarta.

In arranging this thesis, a lot of people have provided motivation, advice, and support for me. In this valuable chance, I am the researcher intended to express my gratitude and appreciation to all of them. First, my deepest appreciation goes to my beloved parents, my mother Sri Suwanti for the endless love, pray, and support, and my father Haryono for your pray, love, support, guide and affection are being my strength all the way through my life and always remind me to keep going and never giving up.

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Rise Andari Harti Saswiki

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LIST OF STATUTES

International

United Nations Convention on the Law of the Sea (UNCLOS) 1982

International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU Fishing)

Indonesia

Law No. 45 Year 2009 in Conjunction with Law No. 31 Year 2004 on Fishery

Law No. 32 Year 2014 on Marine

Law No. 17 Year 2008 on Cruise

Law No. 1 Year 2014 in Conjunction with Law No. 27 Year 2007 2014 on Management of Coastal Area and Small Islands.

Government Regulation No. 60 Year 2007 on Fish Resources Conservation

Government Regulation No. 30 Year 2008 on the Implementation of Research and Fisheries Development

Ministerial Decree of Marine and Fisheries No. KEP/50/MEN/2012

LIST OF ABBREVIATION

| | |
|----------|--|
| UNCLOS | United Nations Convention on the Law of the Sea |
| IPOA-IUU | International Plan of Action to Prevent, Deter and Eliminate |
| Fishing | Illegal, Unreported and Unregulated Fishing |
| FAO | Food and Agricultural Organization |
| EEZ | Exclusive Economic Zone |
| CCAMLR | Commission for Conservation of Atlantic Marine Living Resources |
| CCRF | Code of Conduct for Responsible Fisheries |
| RFMO | Regional Fisheries Management Organization |
| RPOA- | Regional Plan of Action Illegal, Unreported and Unregulated |
| IUUF | Fishing |