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## **Environmental Justice and Protection of Coastal Communities from Human Trafficking**

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**Abstract.** *This study aims to analyze how environmental justice can protect Indonesian coastal communities from human trafficking and forced labor, using the case of the sea fence in Tangerang Regency as an illustration. The fisheries sector is a known site for forced labor and human trafficking, where fishing vessel crews experience debt bondage, withheld wages, and slavery-like conditions. At the same time, coastal development that dispossesses fishing grounds from fishing communities destroys their livelihoods and deepens the economic desperation exploited by traffickers. A normative-juridical method, grounded in a socio-legal perspective, is used, combining legal and conceptual approaches based on primary legal materials and peer-reviewed journals. The findings indicate that environmental injustice-the degradation of coastal ecosystems and the privatization of marine space without environmental impact assessments or public participation-and human trafficking are interconnected: the loss of legitimate livelihoods pushes vulnerable groups toward exploitative work at sea. Based on the constitutional mandate that natural resources must be used for the welfare of the people and the value of environmental justice, this study concludes that protecting coastal ecosystems and the rights of fishing communities is itself an action against human trafficking, particularly women and children.*

**Keywords:** *Environmental Justice; Coastal Communities; Fisheries; Human Trafficking; Sea Fences.*

### **1. Introduction**

The fisheries sector is one of the worst-hit areas for forced labor and human trafficking in Indonesia. Fishing crews often experience exploitation akin to modern-day slavery-excessive working hours, withheld or unpaid wages, debt bondage, and substandard conditions far from

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any shore.<sup>1</sup>This situation is not an isolated abuse; it is a predictable result of a labor market that recruits the most economically desperate.

The construction of a 30.16-kilometer physical barrier-a “sea fence”-along the northern coast of Tangerang Regency, Banten, marks a new chapter in the crisis over maritime sovereignty and the constitutional rights of traditional fishermen in Indonesia. The sea fence stretches across coastal areas spanning several districts, cutting off sensitive fishing grounds. The structure is large-scale, constructed of six-meter-high woven bamboo panels supported by shade nets and reinforced with thousands of sandbags. The placement of this physical barrier in open waters has fundamentally changed the legal status of these coastal waters: transforming them from public space-or *\*res communis\**-into areas illegally privatized for corporate investment. This unilateral act of exclusion violates the customary maritime rights of coastal communities who have historically relied entirely on the sea for their survival.<sup>2</sup>This shows the existence of injustice in economic distribution which forces small-scale fishermen to bear the burden of ecological damage caused by unauthorized development projects.

Indonesia criminalizes such exploitation through its Anti-Trafficking in Persons Act, which defines human trafficking as including exploitation through violence, debt bondage, and practices similar to slavery, both at sea and on land.<sup>3</sup>However, criminalization only addresses the symptoms; it fails to address the conditions that make coastal communities vulnerable to recruitment in the first place.

This situation is further exacerbated by environmental injustice. The construction of a sea fence stretching approximately thirty kilometers along the coast of Tangerang Regency has blocked fishermen's access to their traditional fishing grounds, reduced catches, increased operational costs, and damaged boats, severely disrupting the livelihoods of coastal communities.<sup>4</sup>When the ocean that sustains a community is privatized or degraded, the economic foundations of that community collapse.

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<sup>1</sup>Satriya Aldi Putrazta, et al., “Human Rights Protection from Modern Slavery for Indonesian Crew Members in Tegal Regency (A Study of Crew Members of the INFISA Community),” *UNES Legal Review*, Vol. 6 Number 1 (2023), p. 1785, <https://doi.org/10.31933/unesrev.v6i1.973>.

<sup>2</sup>Fikarudin, W., Ade Darajat Martadikusuma, & Sandy Yudha Pratama. (2025). A Legal Review of the Sea Fence Case in Tangerang Regency from a Progressive Law Perspective. *Al-Zayn: Journal of Social Sciences & Law*, Vol. 3 No. (2), pp. 382–396. <https://doi.org/10.61104/alz.v3i2.1035>

<sup>3</sup>Article 1 and Article 2 of Law Number 21 of 2007 concerning the Eradication of Human Trafficking Crimes, State Gazette of the Republic of Indonesia 2007 Number 58.

<sup>4</sup>Selma Dwi Amalia, et al., “Legal Problems of Sea Fencing Impacting Fishermen's Livelihoods in Tangerang, Banten,” *Forschungsforum Law Journal*, Vol. 2 Number 2 (2025), p. 194, <https://doi.org/10.35586/flj.v2i02.10822>.

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This development has proceeded without regard for environmental protection and public participation. The sea fence was built without a valid environmental impact assessment or a legally binding marine spatial planning permit, contradicting the principles of prevention, vigilance, and sustainable development, and ignoring public participation, a constitutional right and guarantee of ecological justice.<sup>5</sup>The result is a stark example of environmental injustice affecting vulnerable coastal populations.

The law recognizes these rights. The framework for the management of coastal zones and small islands explicitly recognizes the rights of coastal communities to their traditional fishing grounds and living spaces, and the protection of fishers is the subject of separate regulations.<sup>6</sup>When these rights are violated, refugees are pushed to do whatever work is left, no matter how exploitative.

This connection reflects a constitutional commitment. The Constitution mandates that the land, waters, and natural resources contained therein must be controlled by the state and used for the greatest welfare of the people, a mandate betrayed when marine space is privatized for business at the expense of the livelihoods of coastal communities.<sup>7</sup>Therefore, environmental justice and the protection of vulnerable communities are two sides of one constitutional obligation.

The uniqueness of this study lies in its connection between two fields that are usually treated separately: environmental and agrarian law on the one hand, and anti-human trafficking law on the other. Rather than viewing human trafficking solely as a criminal justice issue, the study locates one of its root causes in environmental injustice-the displacement and impoverishment of coastal communities-thus connecting the author's field of environmental and coastal law with the conference theme.<sup>8</sup>The case of the sea fence in Tangerang makes this relationship clearly visible in one concrete dispute.

This urgency is heightened by Indonesia's maritime geography and its position as a major source of exploitation for fishing crews. Coastal populations that lose their livelihoods due to environmental degradation are vulnerable to exploitation, making protecting coastal

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<sup>5</sup>Setyo Amirullah, "Legal Review of the Construction of Sea Fences from the Perspective of Environmental Protection and Public Participation," *Al-Zayn: Journal of Social Sciences & Law*, Vol. 3 Number 2 (2025), p. 733, <https://doi.org/10.61104/alz.v3i2.1140>.

<sup>6</sup>Article 60 of Law Number 27 of 2007 concerning Management of Coastal Zones and Small Islands, as amended by Law Number 1 of 2014, State Gazette of the Republic of Indonesia Number 23 of 2014.

<sup>7</sup>Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia.

<sup>8</sup>Setyo Amirullah, *Op.Cit.*, p. 734.



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ecosystems and fishing rights not only an environmental issue but also a key step in protecting humanity.<sup>9</sup>

The conflict intensified when the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN)-under the leadership of Minister Nusron Wahid-confirmed the existence of land certificates, specifically Right to Build (SHGB) and Ownership Rights (SHM) certificates, that had been issued unclearly in open sea waters. A total of 263 fictitious land plots in the Tangerang sea area were registered in 2023, consisting of 234 SHGB certificates owned by PT Intan Agung Makmur, 20 SHGB certificates owned by PT Cahaya Inti Sentosa, 9 SHGB certificates owned by individuals, and 17 SHM certificates owned by individuals. This discovery confirmed the occurrence of a systemic "sea grab" resulting from the abuse of sectoral authority. Based on this finding, ATR/BPN revoked and canceled all of these certificates, as they were deemed legally flawed due to errors in the objecto.<sup>10</sup>

Based on the above description, this study aims to analyze how environmental justice-protection of coastal ecosystems and the rights of fishing communities-can function to protect these communities, and especially women and children, from human trafficking and forced labor, using the case of the sea fence in Tangerang as an illustration.

## 2. Research methods

This study uses a normative juridical method, which is based on a socio-legal perspective, by examining legal norms and principles governing environmental protection, coastal community rights, and the prevention of human trafficking, along with the social realities of coastal evictions.<sup>11</sup>This approach applies a legal approach to relevant laws and a conceptual approach to the ideas of environmental justice, displacement, and vulnerability.

This analysis draws on the principles of environmental law-precaution, precaution, sustainability, and public participation-as a framework for evaluating coastal development and its human consequences.<sup>12</sup>Primary legal material consists of the Constitution and related laws; secondary material consists of peer-reviewed journal articles and authoritative legal literature.

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<sup>9</sup>Satriya Aldi Putrazta, et al., Op.Cit., p. 1784.

<sup>10</sup>Muhammad Febri Pribadi, et al., Privatization of Marine Space and Coastal Zoning Challenges: A Case Study of the Tangerang Sea Wall. (2026). Journal of Social Sciences and Education, Vol. 1 No. (4), pp. 349-360. <https://doi.org/10.65310/t2n5j463>

<sup>11</sup>Peter Mahmud Marzuki, 2017, Legal Research: Revised Edition, Kencana, Jakarta, p. 133.

<sup>12</sup>Koesnadi Hardjasoemantri, 1999, Environmental Law, Gadjah Mada University Press, Yogyakarta, p. 12.



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### **3. Results and Discussion**

#### **3.1. Forced Labor and Human Trafficking in the Fisheries Sector**

Working on a fishing vessel exposes crew members to a unique set of hazards: isolation at sea, long periods out of sight, and dependence on the captain. Under these conditions, exploitation thrives—crew members are forced to work eighteen or more hours a day, are paid inadequately or not at all, and are held captive through debt and deception.<sup>13</sup>

The same study documented that the human rights of these crew members, although protected in writing by national laws and international conventions, are poorly enforced in practice, allowing modern slavery to persist and even increase.<sup>14</sup> The gap between formal protection and the realities of life is the space in which human traffickers operate.

A legal framework for the placement and protection of migrant fishing crews does exist, but enforcement is weak, and recruitment often occurs through unofficial agents who deceive prospective workers about wages and working conditions.<sup>15</sup> Fisheries governance exacerbates this problem, as regulation of the sector itself has historically focused on the resource rather than the people who harvest it.<sup>16</sup>

The isolation of fishing vessels is itself a means of control. Once a vessel is at sea, a crew member cannot simply leave; passports and seaman's books are confiscated, wages are withheld indefinitely, and complaints are met with threats of violence or neglect. The vessel becomes a place where traditional labor protections disappear.<sup>17</sup>

This abuse falls within the legal definition of human trafficking, which includes exploitation achieved through coercion, debt bondage, and slavery-like practices, regardless of where it occurs. Therefore, the fisheries sector requires not only labor law solutions, but also the full support of an anti-trafficking framework, combined with attention to the upstream conditions

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<sup>13</sup>Satriya Aldi Putrazta, et al., Op.Cit., p. 1788.

<sup>14</sup>*Ibid.*, p. 1792.

<sup>15</sup>Article 4 and Article 64 of Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers, State Gazette of the Republic of Indonesia 2017 Number 242.

<sup>16</sup>Law Number 31 of 2004 concerning Fisheries, as amended by Law Number 45 of 2009, State Gazette of the Republic of Indonesia Number 154 of 2009.

<sup>17</sup>Satriya Aldi Putrazta, et al., Op.Cit., p. 1789.



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that supply its victims.<sup>18</sup>The conditions upstream are largely caused by the eviction of coastal areas.

Indonesia has long been identified as a major source of human trafficking and forced labor from fishing crews, recruited domestically and deployed on long-distance fishing vessels operating under the flags of several countries. The recurrence of these cases, despite the existence of a legal framework, highlights both a supply and enforcement problem: a persistent flow of impoverished coastal workers with few alternatives.<sup>19</sup>

To address the supply problem, we need to look beyond the ship's deck, to the villages where the crew members come from. In villages that still have a viable fishing economy, the lure of exploitative recruitment weakens; in villages whose economies have been devastated, the lure becomes irresistible. Thus, coastal conditions shape the scale of human trafficking at sea.<sup>20</sup>This is the bridge from environmental law to anti-human trafficking law.

### 3.2. Environmental Displacement of Coastal Communities: The Case of Sea Fences

The case of the sea fence in Tangerang illustrates how coastal development can displace fishing communities. The fence prevents fishermen from reaching their usual fishing grounds, resulting in decreased catches, increased operational costs, and damaged vessels. Meanwhile, the marine ecosystem itself is harmed by disrupted water flow and accelerated sedimentation.<sup>21</sup>

The same analysis concluded that the project prioritized business interests over the well-being of coastal communities, was contrary to the principles of social justice and the public interest, and that those already experiencing economic hardship would be the ones most disadvantaged.<sup>22</sup>The eviction here is not metaphorical, but real: a wall made of poles that separates people from the sea that feeds them.

This outcome was made possible by a failure of environmental governance. Built without a valid environmental impact assessment, the project violated the requirement that any activity with significant environmental impacts undergo such an assessment before proceeding.<sup>23</sup>The

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<sup>18</sup>Article 1 of Law Number 21 of 2007 concerning the Eradication of Human Trafficking Crimes, State Gazette of the Republic of Indonesia 2007 Number 58.

<sup>19</sup>Satriya Aldi Putrazta, et al., Op.Cit., p. 1787.

<sup>20</sup>Selma Dwi Amalia, et al., Op.Cit., p. 195.

<sup>21</sup>Selma Dwi Amalia, et al., Op.Cit., p. 196.

<sup>22</sup>*Ibid.*, p. 200.



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absence of genuine public assessment and participation makes this project a case of environmental injustice.<sup>24</sup>

Ecological and social damage are inseparable. The fence disrupts water flow and accelerates sedimentation, destroying habitats—mangrove forests, seagrass beds, and fisheries—that depend on the community's livelihoods, so that damage to nature and damage to humans are one and the same.<sup>25</sup>

The participatory dimension is equally important. A development of this magnitude requires meaningful consultation with affected coastal communities, yet the project is proceeding amidst unequal access to information, minimal public consultation, and even criminalization of those who oppose it—the very opposite of the participation guaranteed by environmental law.<sup>26</sup> When the people most affected are silenced, environmental injustice is compounded by procedural injustice.

This case also raises questions about land and sea ownership. When coastal land has been altered or shifted through natural processes such as abrasion, the legal status of land rights becomes disputed, and this uncertainty can be exploited to claim and control marine space that should remain communally owned. Therefore, the agrarian dimension of this dispute cannot be separated from its environmental dimension.<sup>27</sup>

Overall, the sea fence episode is best understood not as an isolated permitting failure, but as a structural injustice: powerful interests controlling a shared resource, a regulatory system that fails to prevent this, and communities left to suffer the consequences. It is precisely these structures that environmental justice aims to address.<sup>28</sup> Calling it an injustice, not just an aberration, is the first step toward an adequate response.

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<sup>23</sup>Article 22 and Article 36 of Law Number 32 of 2009 concerning Environmental Protection and Management, State Gazette of the Republic of Indonesia 2009 Number 140.

<sup>24</sup>Setyo Amirullah, Op.Cit., p. 736.

<sup>25</sup>Selma Dwi Amalia, et al., Op.Cit., p. 198.

<sup>26</sup>Setyo Amirullah, Op.Cit., p. 737.

<sup>27</sup>Selma Dwi Amalia, et al., Op.Cit., p. 199.

<sup>28</sup>Setyo Amirullah, Op.Cit., p. 738.



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### **3.3. From Dispossession to Vulnerability: How Environmental Injustice Fuels Human Trafficking**

The link between environmental injustice and human trafficking stems from economic desperation. When fishers lose access to their fishing grounds and their catches plummet, they lose the legitimate livelihoods that have sustained them, and the resulting poverty becomes a condition exploited by human traffickers.<sup>29</sup>

Recruitment into exploitative fishing jobs takes advantage of this group of economically desperate people, who are lured with promises of good wages and decent working conditions, only to be trapped in debt and deceptive contracts.<sup>30</sup> Coastal workers who lose their jobs and have no other alternatives are ideal targets for such recruitment.<sup>31</sup>

Viewed from this point of view, maritime fences and slave ships are two ends of one chain. Environmental injustice on coasts creates vulnerabilities that are exploited by human trafficking at sea, so protecting coasts is essentially an act of preventing human trafficking.

This chain of cause and effect isn't unique to Tangerang. Wherever coastal development, pollution, or resource depletion robs fishing communities of their livelihoods, the same dynamics emerge: legitimate livelihoods disappear, debts mount, and exploitative recruiters come with offers desperate people can't refuse. Environmental injustice plays a structural role in human trafficking.<sup>32</sup>

Understanding this chain has practical implications: preventing human trafficking cannot be limited to criminal law and borders. Prevention must extend upstream, including environmental and agricultural policies, the protection of fisheries and coastal ecosystems, and the enforcement of rights that safeguard the economic security of coastal communities.<sup>33</sup> In other words, prevention starts on land long before it reaches the ship.

The vulnerabilities created by eviction are also self-reinforcing. A fisherman who loses access to the sea and becomes indebted is in a poor position to verify recruiters' promises, read complex contracts, or reject exploitative offers; poverty erodes the ability to protect oneself. Environmental injustice thus produces not only need but also powerlessness.<sup>34</sup>

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<sup>29</sup>Selma Dwi Amalia, et al., Op.Cit., p. 202.

<sup>30</sup>Satriya Aldi Putrazta, et al., Op.Cit., p. 1786.

<sup>31</sup>Satriya Aldi Putrazta, et al., Loc.Cit.

<sup>32</sup>Selma Dwi Amalia, et al., Op.Cit., p. 204.

<sup>33</sup>Satriya Aldi Putrazta, et al., Op.Cit., p. 1791.

<sup>34</sup>Satriya Aldi Putrazta, et al., Op.Cit., p. 1786.

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Therefore, measures that restore the livelihoods of coastal communities-reopening fishing access, rehabilitating ecosystems, compensating displaced persons-are not just economic or environmental policies, but also anti-trafficking policies. These measures rebuild the resilience that enables coastal communities to resist exploitation, addressing the crime at its roots, not just at its ends.<sup>35</sup> Prevention and recovery here become the same action.

#### **3.4. Legal Protection for Coastal Communities: Coastal Zone Law, Fishermen Protection, and Assessment**

The law provides tools to break this cycle. The law on the protection and empowerment of fishers obligates the state to protect the livelihoods of fishing communities, guarantee their access to fishing grounds, and support them against threats to their economic security.<sup>36</sup>

The coastal zone framework reinforces this by recognizing the rights of coastal communities to their living spaces and traditional fishing areas, making development that violates these rights illegal without due process and consent.<sup>37</sup> Enforcing these rights itself is a form of protection against the vulnerabilities that trigger human trafficking.

Environmental impact assessments and public participation are the procedural guarantees that make these substantive rights effective. If the required assessments and public participation are respected, projects that would displace coastal communities can be stopped before damage occurs, which is why the neglect of these requirements in the case of sea fences is so impactful.<sup>38</sup> Conservation laws add a further layer of protection, protecting the coastal ecosystems-mangrove forests and fisheries-on which these communities depend.<sup>39</sup>

The right to a good and healthy environment is itself a constitutional and legal right, and the law gives communities the right to defend this right, including through participation in decision-making and access to justice when environmental damage threatens their lives and

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<sup>35</sup>Selma Dwi Amalia, et al., Op.Cit., p. 205.

<sup>36</sup>Article 3 and Article 5 of Law Number 7 of 2016 concerning the Protection and Empowerment of Fishermen, Fish Farmers, and Salt Farmers, State Gazette of the Republic of Indonesia Number 68 of 2016.

<sup>37</sup>Article 60 and Article 61 of Law Number 27 of 2007 concerning Management of Coastal Zones and Small Islands, as amended by Law Number 1 of 2014, State Gazette of the Republic of Indonesia Number 23 of 2014.

<sup>38</sup>Setyo Amirullah, Op.Cit., p. 739.

<sup>39</sup>Article 21 of Law Number 5 of 1990 concerning the Conservation of Natural Resources and Ecosystems, as amended by Law Number 32 of 2024, State Gazette of the Republic of Indonesia Number 195 of 2024.



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livelihoods.<sup>40</sup> For coastal communities, this right is a legal basis that allows them to fight eviction before it forces them into exploitation.

However, effective protection depends more on enforcement than on the existence of laws. The case of the sea fence illustrates what happens when judgment is ignored, participation is neglected, and community rights are left unprotected: laws on paper fail to protect the people they are supposed to protect, and the door to exploitation is left open.<sup>41</sup> Therefore, strengthening coastal and environmental law enforcement is a direct contribution to preventing human trafficking.

The agrarian foundation must not be ignored. The principle that all rights to land and natural resources have a social function means that no private interest may use coastal areas in a way that undermines the livelihoods of surrounding communities, and that state control over the sea is held as a trust for the people who depend on it.<sup>42</sup> When read in conjunction with the constitutional welfare mandate, this principle condemns the privatization of fishing grounds at the expense of the people.

The maritime fence case ultimately reveals a law enforcement deficit, not a loophole. The laws protecting fishermen, coastal zones, and the environment are fundamentally adequate; what has failed is the will and ability to enforce them against powerful private interests. Strengthening enforcement—restoring community judgment, participation, and rights—is the concrete reform this case demands.<sup>43</sup>

### 3.5. Protecting Women and Children in Coastal Communities

In marginalized coastal communities, women and children bear a disparate burden. When household incomes plummet, women may be pushed into unsafe or exploitative work, and children become vulnerable to child labor and recruitment into human trafficking, including into the fishing economy itself.<sup>44</sup>

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<sup>40</sup>Article 65 and Article 70 of Law Number 32 of 2009 concerning Environmental Protection and Management, State Gazette of the Republic of Indonesia Number 140 of 2009.

<sup>41</sup>Selma Dwi Amalia, et al., Op.Cit., p. 203.

<sup>42</sup>Article 6 and Article 2 of Law Number 5 of 1960 concerning Basic Agrarian Principles, State Gazette of the Republic of Indonesia Number 104 of 1960.

<sup>43</sup>Setyo Amirullah, Op.Cit., p. 740.

<sup>44</sup>Article 59 and Article 66 of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, State Gazette of the Republic of Indonesia Number 297 of 2014.



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The law on sexual violence crimes strengthens protection for women who are vulnerable to sexual exploitation in conditions of economic hardship such as this.<sup>45</sup> Therefore, protection responses must be sensitive to gender and children, recognizing that environmental displacement does not affect all members of coastal communities equally.<sup>46</sup>

Children in coastal communities are particularly vulnerable. When family incomes plummet, children may be pulled out of school and forced to work, including in fishing and related activities, where they are vulnerable to the same debt traps and abuses as adult crew members. Therefore, the framework guaranteeing child protection against economic exploitation is directly affected by evictions in coastal areas.<sup>47</sup>

Protection responses must combine environmental and social aspects. Restoring access to fisheries and coastal ecosystems removes the economic pressures that push families toward exploitative choices, while child protection and anti-violence laws protect those who remain targeted. These two aspects are mutually reinforcing, and neither alone is sufficient.<sup>48</sup> Protecting coastal areas and protecting women and children in those areas is, in practice, a single program.

Women in fishing households often support the post-harvest economy-processing, trading, and repairing nets-so a collapse in catches would decimate their incomes as much as the fishermen's. Because of this job loss, some are entangled in labor migration organized through the same informal channels that lead to human trafficking, repeating the pattern that ensnares the crew members.<sup>49</sup>

Therefore, a gender- and child-sensitive response must look beyond boats to the entire coastal household economy, protecting women's livelihoods devastated by displacement, and protecting children from the forced labor and human trafficking that follow. Coastal protection must be designed with these varying vulnerabilities in mind.<sup>50</sup> Only in this way can environmental protection be translated into protection for the most vulnerable members of society.

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<sup>45</sup>Law Number 12 of 2022 concerning Crimes of Sexual Violence, State Gazette of the Republic of Indonesia 2022 Number 120.

<sup>46</sup>Satriya Aldi Putrazta, et al., Op.Cit., p. 1790.

<sup>47</sup>Article 13 and Article 761 of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, State Gazette of the Republic of Indonesia Number 297 of 2014.

<sup>48</sup>Satriya Aldi Putrazta, et al., Op.Cit., p. 1793.

<sup>49</sup>Selma Dwi Amalia, et al., Op.Cit., p. 201.

<sup>50</sup>Satriya Aldi Putrazta, et al., Op.Cit., p. 1794.



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### **3.6. Environmental Justice, Constitutional Mandates, and the Protection of Vulnerable Communities**

Environmental justice provides a unifying principle. This principle states that the benefits and burdens of natural resource use should be shared equitably, and that the most vulnerable should not bear the costs of development that benefits others. The privatization of marine space at the expense of fishing communities, according to this view, is a clear example of environmental injustice.<sup>51</sup>

This principle is based on the Constitution and agrarian law. The constitutional mandate that natural resources must serve the welfare of the people, and the principle that land and resource rights have a social function, together require that coastal resources be managed for the benefit of the community and not controlled by private interests.<sup>52</sup> The same constitutional logic that condemns the deprivation of fishermen's rights also condemns the exploitation that results from that deprivation.

Read together, these principles reframe coastal ecosystem protection as a measure of human protection. Maintaining community access to the sea means protecting its members from the desperation exploited by human traffickers, so environmental justice and protecting vulnerable communities from human trafficking are ultimately the same task.<sup>53</sup>

Environmental justice also carries a procedural promise: that those affected by decisions about nature have a voice in those decisions. Genuine public participation, access to information, and access to justice are not formalities, but rather tools used by vulnerable communities to defend themselves against eviction, and the denial of these in the case of the sea fence is itself a form of injustice.<sup>54</sup> Restoring these procedural rights is part of restoring the substantive protections that coastal communities should receive.

This foundation also aligns with the objectives of Islamic law, which include preserving life (*hifz al-nafs*) and the environment, while condemning the destruction of the earth and the oppression of the weak. Protecting the coast and its inhabitants from exploitation, within this

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<sup>51</sup>Koesnadi Hardjosoemantri, Op.Cit., p. 45.

<sup>52</sup>Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia; and Article 6 of Law Number 5 of 1960 concerning Basic Agrarian Principles, State Gazette of the Republic of Indonesia 1960 Number 104.

<sup>53</sup>Setyo Amirullah, Op.Cit., p. 741.

<sup>54</sup>Koesnadi Hardjosoemantri, Op.Cit., p. 52.

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framework as well as within the constitutional framework, fulfills the obligation of justice towards nature and the vulnerable.<sup>55</sup>

This analysis emerges from several reform directions. First, environmental impact assessments and marine spatial permits should be treated as non-negotiable prerequisites for any coastal development, with meaningful participation of affected fishing communities and effective sanctions for projects that proceed without these requirements.<sup>56</sup>

Second, law enforcement protecting fishermen and coastal zones must be strengthened so that fishing access rights and living space are maintained in practice, not just stated, with restoration and compensation if evictions have occurred.<sup>57</sup> Third, anti-trafficking law enforcement in the fisheries sector must be linked to these upstream measures, treating coastal livelihood protection as an integral part of preventing human trafficking, rather than as a separate issue.

When implemented together, these measures will transform the abstract values of environmental justice into concrete protections for vulnerable coastal communities. They will address human trafficking not only after it occurs, through prosecution, but also before it occurs, by eliminating the deprivation and despair that feed it—an approach proportionate to the structural nature of the problem.<sup>58</sup>

## 4. Conclusion

Human trafficking and forced labor in Indonesia's fisheries sector are fueled not only by weak maritime law enforcement but also by environmental injustice along the coast. The case of the sea fence in Tangerang demonstrates how development that robs fishing grounds from fishing communities—built without environmental impact assessments or public participation—destroys legitimate livelihoods and deepens the economic desperation exploited by traffickers. The wall separating fishermen from the sea and the vessels that enslave them are two ends of the same chain. Based on the constitutional mandate that natural resources serve the welfare of the people and the value of environmental justice, protecting coastal ecosystems and the rights of fishing communities—through coastal zone and fisher protection laws, environmental impact assessments, and genuine public participation—is therefore a countermeasure against human trafficking. Protecting the coast, and especially the women and children of coastal

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<sup>55</sup>Setyo Amirullah, Op.Cit., p. 742.

<sup>56</sup>Setyo Amirullah, Op.Cit., p. 743.

<sup>57</sup>Selma Dwi Amalia, et al., Op.Cit., p. 206.

<sup>58</sup>Satriya Aldi Putrazta, et al., Op.Cit., p. 1795.



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communities, means protecting them from exploitation; environmental justice and the protection of vulnerable groups are one task.

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**Topic:** *Strengthening Legal Frameworks for Combating Human Trafficking and Enhancing Protection of Women and Children*

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