

Law Enforcement Settlement Illegal Fishing Criminal Act by The West Java Regional Police's Water and Air Police

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Abstract. This study examines law enforcement against illegal fishing by the Water and Air Police (Polairud) of the West Java Regional Police. Illegal fishing is a serious issue in Indonesia's fisheries management, causing economic losses, environmental degradation, and threatening the sustainability of marine resources. The study aims to analyze the legal framework related to illegal fishing and the authority and role of Polairud West Java in law enforcement. The research employs a qualitative descriptive method with a juridical-sociological approach. Data were collected through literature review, legal documents, Polairud reports, and fisheries statistics. Narrative analysis was used to explain the law enforcement process, including prevention, intervention, and case resolution of illegal fishing incidents. The results indicate that Indonesia's legal framework is relatively comprehensive through Law No. 31 of 2004 jo. Law No. 45 of 2009 and its implementing regulations. Polairud West Java plays a strategic role through maritime patrols, investigations, seizure of vessels and fishing equipment, and community education. The effectiveness of law enforcement is influenced by inter-agency collaboration, availability of resources, and surveillance technology. The study concludes that increasing personnel and resources, using modern technology, fostering inter-agency cooperation, and conducting continuous community education are key strategies to reduce illegal fishing and support the sustainability of fisheries.

Keywords: fisheries; Illegal fishing; law enforcement; Polairud West Java; sustainability.

1. Introduction

In a state based on the rule of law, law is the main pillar driving the foundations of social, national, and state life. One of the main characteristics of a state based on the rule of law lies in its tendency to assess the actions of its citizens based on legal regulations. This means that a state based on the rule of law always regulates every action and behavior of its citizens based on applicable laws.

Criminal law itself is a tool or means for resolving problems in society. Criminal law can provide justice and appropriate solutions for that society. Criminal law is a set of regulations that govern actions, whether they require or prohibit actions or prohibitions, as stipulated in the law, with criminal sanctions for violators.¹ Meanwhile, the criminal law applicable in Indonesia can be divided into two types, criminal law known in the Criminal Code (KUHP) and Special Criminal Law which is regulated outside the KUHP.²

Indonesia is known as the world's largest archipelagic country, with over 17,000 islands and a coastline of approximately 99,093 km. This geographical location makes Indonesia one of the countries with the greatest potential for marine and fisheries resources. Fish resources are a natural resource that serves as the economic pillar of coastal communities and significantly contributes to the country's foreign exchange. However, this enormous potential is often not matched by optimal management, thus opening up opportunities for illegal fishing practices, including illegal fishing.³

Illegal fishing poses a serious threat to Indonesia's food security, economy, and marine ecosystem sustainability. Illegal, unreported, and unregulated (IUU) fishing practices not only harm local fishermen who depend on marine resources but also cause state losses estimated at trillions of rupiah annually.⁴ This phenomenon demands firm and consistent law enforcement from law enforcement officials who have authority in the water sector.

From a positive legal perspective, fisheries crimes have been regulated in Law Number 31 of 2004 concerning Fisheries which was later updated by Law Number 45 of 2009. These provisions expressly regulate the prohibition of fishing in a manner that damages the environment, using prohibited fishing gear, and carrying out fishing without a valid permit.⁵ The existence of this

¹Rahman Syamsuddin, 2014, Weaving Law in Indonesia, Mitra Wacana Media, Jakarta, p. 192

²Rodliyah, 2017, Special Criminal Law: Elements and Criminal Sanctions, 1st Edition, PT. Raja Grafindo Persada, Jakarta, p. 1

³Mochtar Kusumaatmadja, International Maritime Law, Bandung: Alumni, 2010, p. 12.

⁴Ministry of Maritime Affairs and Fisheries, Annual Report on Illegal Fishing in Indonesia 2022, Jakarta: KKP, 2022, p. 45.

⁵Law Number 45 of 2009 concerning Amendments to Law Number 31 of 2004 concerning Fisheries.

regulation demonstrates the state's commitment to preserving marine resources and protecting the interests of coastal communities who depend on the fisheries sector.

However, enforcing the law against illegal fishing is no easy task. Problems often arise at the implementation level, ranging from limited maritime patrol facilities, extensive surveillance areas, to the complexity of perpetrators' modus operandi. In such circumstances, the role of the Water and Air Police (Polairud) becomes crucial. Polairud is a key element of the Indonesian National Police (Polri), tasked with maintaining security and order in territorial waters and with the authority to enforce the law against fisheries crimes.⁶

In West Java, the significant potential for marine fisheries is often directly proportional to the rise in illegal fishing cases. West Java's coastal areas border the Java Sea and the Indian Ocean, making them vulnerable to illegal fishing activities, both by unlicensed domestic fishermen and foreign vessels. This situation demands strict oversight and effective law enforcement to maintain legal sovereignty at sea.⁷

This research stems from concerns and curiosity based on data showing that illegal fishing practices in West Java often involve the use of prohibited fishing gear, such as trawls and seines. Even within Indonesia's borders, fishing activities often take place outside designated zones. These practices not only violate the law but also negatively impact the marine ecosystem and have the potential to trigger horizontal conflicts between fishermen.⁸ In this context, the role of the West Java Regional Police's Water Police is key to ensuring that law enforcement is carried out in accordance with the principles of legal justice and legal certainty.

Normatively, Polairud has a clear basis of authority, as stipulated in National Police Chief Regulation No. 13 of 2017 concerning Water and Air Police. This regulation provides the foundation for Polairud to carry out its functions of monitoring, preventing, and prosecuting criminal acts in Indonesian waters.⁹ With this authority, the West Java Regional Police's Water Police not only act as law enforcement officers, but also as the vanguard in preserving marine resources from the threat of illegal exploitation.

However, in practice, Polairud often faces various obstacles, such as limited patrol fleets, a lack of trained human resources in the maritime sector, and

⁶Barda Nawawi Arief, *Anthology of Criminal Law Policy*, Jakarta: Kencana, 2014, p. 67.

⁷BPS West Java, *West Java Marine Statistics 2023*, Bandung: BPS, 2023, p. 88.

⁸Dr. H. Agus Salim, *Fisheries Crimes in Indonesia: An Analysis of Criminology and Criminal Law*, Jakarta: Rajawali Press, 2021, p. 102.

⁹Regulation of the Chief of the Republic of Indonesia National Police Number 13 of 2017 concerning Water and Air Police.

minimal cross-sector coordination with other agencies, such as the Ministry of Maritime Affairs and Fisheries and the Indonesian Navy.¹⁰ These conditions mean that efforts to eradicate illegal fishing are less than optimal. Therefore, a more comprehensive law enforcement strategy is needed, involving cross-sector coordination and increasing the capacity of authorities.

On the other hand, it's also important to view law enforcement from a justice perspective. According to Satjipto Rahardjo, law enforcement isn't just about applying rules textually, but also about how the law can deliver substantive justice in society.¹¹ This means that in dealing with illegal fishing cases, Polairud does not only emphasize the repressive aspect, but also needs to pay attention to the preventive and educational aspects for fishermen so that illegal fishing practices can be minimized.

Based on the description above, it can be seen that law enforcement against illegal fishing crimes in West Java is an important issue that requires more in-depth study, both from a normative and empirical perspective. Therefore, this research will focus on the role of the West Java Regional Police's Water and Air Police in enforcing the law in resolving illegal fishing crimes, including an analysis of the obstacles faced and solutions that can be implemented with the title "LAW ENFORCEMENT IN RESOLUTION OF ILLEGAL FISHING CRIMINAL ACT BY THE WEST JAVA REGIONAL POLICE'S WATER AND AIR POLICE"

2. Research Methods

Research methods are essentially a function of the research problem and objectives. Therefore, discussions of research methods cannot be separated from, and must always be closely related to, the research problem and objectives. The methods used in this research include the approach, research specifications, data sources and types, data collection techniques, and data analysis techniques.

3. Results and Discussion

3.1. Legal Regulations Regarding Illegal Fishing Crimes in Indonesia

Illegal fishing is a serious threat to the sustainability of fishery resources in Indonesia. To address this issue, the government has established several legal regulations governing fishing activities. Law No. 31 of 2004 in conjunction with Law No. 45 of 2009 concerning Fisheries serves as the primary legal framework for law enforcement in the fisheries sector. This law regulates the rights and obligations of fishermen, fishing area boundaries, and prohibitions on the use of illegal fishing gear. Furthermore, this regulation stipulates criminal,

¹⁰Soerjono Soekanto, *Factors Influencing Law Enforcement*, Jakarta: Rajawali Pers, 2007, p. 34.

¹¹Satjipto Rahardjo, *Legal Studies*, Bandung: Citra Aditya Bakti, 2006, p. 115.

administrative, and civil sanctions for violators. The government also issues Government Regulations and Ministerial Regulations to follow up on the Fisheries Law. These regulations cover fishing permits, vessel supervision, and marine ecosystem protection. The purpose of these regulations is to maintain the sustainability of fish stocks and prevent environmental damage. This legal framework provides law enforcement with a basis to take action against illegal fishing.

The Fisheries Law provides a clear definition of illegal fishing, including the use of destructive fishing gear, fishing in prohibited areas, and fishing beyond designated quotas. This definition assists police, including the Water Police (Polairud), in identifying violations. Furthermore, the law establishes investigative and enforcement authority for relevant authorities. Criminal sanctions under this law include imprisonment and fines, which vary depending on the type of violation. For example, fishing without a permit can be punishable by up to six years in prison and a fine of tens of millions of rupiah. The law also stipulates confiscation of vessels, fishing gear, and catches as part of the punishment. With strict regulations, the government seeks to create a deterrent effect for perpetrators of illegal fishing.

Other implementing regulations supporting the Fisheries Law include Government Regulation No. 60 of 2007 concerning Fishing and Ministerial Regulation No. 71 of 2016 concerning Supervision of Fisheries Resources. These regulations outline fishing permit procedures, prohibited zones, and permitted fishing gear. These regulations provide technical details that facilitate law enforcement officers in field operations. These implementing regulations make the implementation of the Fisheries Law more focused. Officials can assess fishermen's compliance based on clear standards. These implementing regulations also establish inter-agency coordination mechanisms. This is crucial to prevent overlapping authority.

In addition to positive law, the government also emphasizes enforcing international law. Indonesia is a member of the FAO and the Convention on the Law of the Sea (UNCLOS).¹² This membership regulates fishing boundaries, fishing rights, and the protection of marine resources across borders. Illegal fishing by foreign vessels is a serious concern. The Fisheries Law and related regulations provide the legal basis for authorities to arrest violating foreign vessels. Legal action can include vessel detention, fines, and legal proceedings in Indonesian courts. This international legal basis gives authorities the legitimacy to act decisively.

¹²UNCLOS 1982; FAO, Code of Conduct for Responsible Fisheries, 1995.

Analysis of illegal fishing cases in West Java shows varying modes of violation.¹³ Many vessels use prohibited trawl fishing gear and fish bombs. Some vessels fish in prohibited zones and during fish breeding periods. Some vessels also originate from neighboring countries and operate illegally. Data from 2023 shows that the West Java Water Police (Polairud) handled 25 cases of illegal fishing. Of these, 18 vessels were successfully prosecuted, while the rest were released due to lack of evidence. These cases highlight the need for stricter oversight and consistent law enforcement.

The Fisheries Law empowers authorities to take preventive measures. Authorities can examine vessel documents, conduct inspections, and monitor fishermen's activities.¹⁴ These inspections aim to prevent violations before they occur. Authorities can also provide warnings and education to fishermen. With a preventative approach, authorities not only take action but also encourage compliance with the law. This prevention helps reduce the risk of damage to marine ecosystems.

Furthermore, authorities have the authority to confiscate vessels, fishing gear, and catches found to be illegal. Confiscation is a form of legal sanction and evidence. Seized vessels are typically taken to port for investigation. This confiscation also serves as a deterrent for those involved in illegal fishing. Confiscated catches are often auctioned off in accordance with legal procedures. Confiscation is carried out in accordance with regulations to avoid disputes.

Legal cases in court demonstrate the effectiveness of the regulations. Many violators have been sentenced to prison terms and fines under the Fisheries Law. However, there are also obstacles, such as lengthy legal processes and incomplete evidence. This has led to early release of some perpetrators. Authorities need to improve the quality of evidence and coordination with the prosecutor's office. Legal evaluations indicate the need for improved enforcement procedures.

In addition to criminal law, the Fisheries Law also regulates administrative sanctions. Fishermen who violate permit regulations can have their permits revoked. Local governments can impose additional sanctions in the form of warnings or administrative fines. These administrative sanctions aim to encourage compliance without resorting to criminal proceedings. A combined criminal and administrative approach is effective in reducing violations.

Legal arrangements also include inter-agency coordination. The police, Indonesian Navy, Maritime Affairs and Fisheries Agency, and the prosecutor's office collaborate in enforcement operations.¹⁵ This coordination is crucial for

¹³Research data from the West Java Regional Police Water Police 2023 (internal report).

¹⁴Law No. 31 of 2004 in conjunction with Law No. 45 of 2009 concerning Fisheries.

¹⁵Satjipto Rahardjo, *Law Enforcement in Indonesia*, Bandung: Citra Aditya Bakti, 1993, p. 60.

more effective operations and to reduce overlapping authority. The exchange of intelligence data between agencies helps target illegal vessels more precisely. This collaboration also increases the authority's legitimacy in the eyes of the public.

The Fisheries Law and its implementing regulations provide a clear legal framework. However, implementation in the field faces challenges such as a lack of personnel, equipment, and monitoring technology.¹⁶ Furthermore, the vast and inaccessible maritime areas present unique challenges. Authorities need to maximize existing resources and utilize modern technology. Collaborating with coastal communities is also a crucial strategy.

Legal education and outreach are part of the prevention strategy. Fishermen are provided with an understanding of regulations, legal fishing gear, and legal sanctions.¹⁷ This program helps build a culture of legal compliance in coastal communities. Evaluation results show increased compliance among fishermen after receiving education. Thus, preventive and educational approaches complement law enforcement.

Technology-based surveillance is also implemented to detect illegal fishing. Polairud uses radar, GPS, and satellite monitoring.¹⁸ This system facilitates the identification of vessels operating in prohibited areas. The technology helps authorities plan patrols and take targeted action.

The research revealed gaps in regulations. Several new fishing gears are not specifically regulated.¹⁹ This is exploited by perpetrators to conduct illegal activities. Authorities need regulatory updates to close legal loopholes.

The foreign vessel case demonstrates the need for international coordination. The Fisheries Law provides the legal basis for taking action against foreign vessels in Indonesia's EEZ.²⁰ Collaboration with neighboring countries is also needed to suppress illegal fishing across borders.

Investigations conducted by authorities must meet strict legal standards. Evidence must be complete and documentation accurate. This is crucial to ensure the legal process runs smoothly and violators are punished.

¹⁶Peter Mahmud Marzuki, *Legal Research*, Jakarta: Kencana Prenada Media, 2010, p. 160.

¹⁷Satjipto Rahardjo, *Law in the Perspective of Society*, Bandung: Citra Aditya Bakti, 2005, p. 102.

¹⁸Soerjono Soekanto, *Sociology of Law: An Introduction*, Jakarta: Rajawali Pers, 1990, p. 95.

¹⁹Jimly Asshiddiqie, *Constitution and Law Enforcement in Indonesia*, Jakarta: Rajawali Pers, 2006, p. 132.

²⁰Law No. 31 of 2004 in conjunction with Law No. 45 of 2009 concerning Fisheries; FAO, 1995.

Data analysis shows an increase in illegal fishing cases during certain fishing seasons. Authorities adjust patrols and surveillance accordingly. This strategy is effective in suppressing violations during peak catch periods. Court cases also highlight the need for additional training for officers. Personnel must understand fisheries laws, procedures, and techniques. With training, officers can be more effective in enforcing the law.

Strict sanctions have been proven to have a deterrent effect. Seized vessels and convicted perpetrators reduce the likelihood of repeat violations. However, consistent law enforcement remains key.

Collaboration with academics and NGOs also aids regulatory development. They provide scientific data and recommendations for legal improvements. This approach makes regulations more evidence-based and adaptive.

Overall, Indonesia's legal regulations on illegal fishing are quite comprehensive. However, implementation faces resource constraints, vast territories, and regulatory gaps. A combined approach of criminal law, administrative law, education, and technology is the most effective strategy.

3.2. The Authority and Role of the West Java Regional Police's Water and Air Police

The West Java Regional Police's Water and Air Police play a central role in monitoring the province's vast and highly vulnerable maritime territory. West Java's waters encompass a long coastline, small islands, and busy shipping lanes, necessitating a complex surveillance strategy. The Water Police (Polairud) are tasked with conducting routine patrols, gathering intelligence, and taking action against vessels violating fisheries regulations. They also coordinate with various agencies, such as the Indonesian Navy (TNI AL), the Maritime Affairs and Fisheries Agency, and conservation agencies, to strengthen surveillance effectiveness. Furthermore, the Water Police have the authority to detain vessels found violating regulations, confiscate illegal fishing gear, and detain crews for legal proceedings. These activities are carried out in an integrated manner to ensure comprehensive law enforcement. The Water Police are also responsible for recording and reporting the results of their operations regularly to the West Java Regional Police. Each patrol is prepared with thorough intelligence analysis to predict potential violations. This activity emphasizes a balance between law enforcement and marine ecosystem protection. Thus, the Water Police are at the forefront of preventing and combating illegal fishing in West Java.²¹

The West Java Regional Police's Water Police (Polairud) operational area has several hotspots prone to illegal fishing, including the waters around Cirebon Port, Indramayu Port, and the Thousand Islands in West Java. These hotspots are

²¹Satjipto Rahardjo, *Law Enforcement in Indonesia*, Bandung: Citra Aditya Bakti, 1993, p. 60.

frequently used by domestic and foreign vessels seeking illegal profits. Therefore, Polairud has strategically located surveillance posts to monitor vessel movements and minimize violations. Each post is equipped with sophisticated communications equipment, radar, and GPS to facilitate coordination between posts. Officers at the posts also conduct satellite monitoring and gather intelligence on violation methods. With this information, patrol operations can be carried out more precisely. Furthermore, the surveillance posts also serve as education centers for local fishermen regarding fisheries regulations. Patrols and surveillance activities are conducted on a scheduled and random basis to maintain operational effectiveness. Polairud records every passing vessel as intelligence data for legal proceedings if violations are discovered. The existence of these surveillance posts is one of the keys to Polairud's success in suppressing illegal fishing cases.²²

The West Java Regional Police's water patrols cover open waters and marine conservation zones, using speedboats and modern equipment. Each patrol typically involves a team of 10–15 personnel, including officers, crew, and technicians. These patrols aim to detect vessels engaged in illegal fishing, secure evidence, and take preventive and repressive action. During operations, the patrol team monitors shipping lanes, vessel speed, and fishing gear. If violations are found, the water patrols can detain vessels, confiscate illegal fishing gear, and bring cases to court. Patrols also serve to document water conditions, including ecosystem damage caused by overfishing. These activities are carried out routinely and intensively, usually 3–4 times a week, adjusting to weather and fishing vessel schedules. Each patrol begins with an intelligence briefing to identify vulnerable points and operational targets. The water patrols record each finding as an official report that serves as the basis for legal action. With this system, sea patrols can work effectively in preventing and prosecuting illegal fishing.²³

The Water Police (Polairud)'s authority also extends to operations at ports and coastal areas, including inspections of vessels departing or returning from sea. Each vessel is inspected for permit documents, fishing gear, and the volume of catch carried. These inspections aim to ensure fishermen's compliance with fisheries regulations and prevent the entry of illegal catches into the market. Water Police personnel at ports collaborate with officers from the Maritime Affairs and Fisheries Agency to verify documents. Inspection results are recorded in a database system used for reporting and legal follow-up. Vessels that fail to meet requirements may be subject to immediate administrative sanctions or detention. This activity also serves as a deterrent, as fishermen become more vigilant in complying with regulations. Inspections at ports are an integral part of

²²Peter Mahmud Marzuki, Legal Research, Jakarta: Kencana Prenada Media, 2010, p. 160.

²³Barda Nawawi Arief, Selected Chapters on Criminal Law, Bandung: Citra Aditya Bakti, 2009, p. 165.

the Water Police's comprehensive surveillance strategy. Therefore, Water Police's authority encompasses the entire fisheries chain, from sea to port.

The Water Police (Polairud) utilizes modern technology to increase the effectiveness of surveillance and patrols. GPS and radar systems help monitor vessel movements in real time. Satellite monitoring is used to detect foreign vessels operating in Indonesian waters without authorization. The data obtained is analyzed to determine patrol routes and hotspots for violations. The Water Police (Polairud) has also developed a geographic information system to map prohibited zones and violation routes. This information is used in operational planning and strategy evaluation. Modern technology also accelerates inter-agency coordination and supports the collection of legal evidence. The use of technology enables the Water Police (Polairud) to work more efficiently, especially in vast and difficult-to-reach maritime areas. Personnel are regularly trained to optimally utilize this technology. With a technology-based approach, the effectiveness of law enforcement increases and the risk of illegal fishing violations decreases.²⁴

Investigative activities conducted by the Water Police (Polairud) include evidence collection, witness interviews, and case documentation. Each illegal fishing case is recorded in detail, including the identity of the vessel, crew, location, fishing gear, and catch volume. This evidence is used to strengthen the legal file before being submitted to the prosecutor's office. The investigation process also involves coordination with other law enforcement agencies to ensure the legal process is carried out according to procedure. The Water Police (Polairud) utilizes data from patrols, port surveillance, and intelligence to support the investigation. Every relevant finding is recorded in an official report and used as material for evaluating subsequent operational strategies. This investigation aims to ensure that every violation is properly processed by law. Personnel involved in the investigation receive special training to understand fisheries regulations and legal procedures. This method makes the law enforcement process more systematic and effective. Robust investigations also increase the deterrent effect for perpetrators of illegal fishing.²⁵

Collaboration with the Indonesian Navy and the Maritime Affairs and Fisheries Agency strengthens the patrol and enforcement strategy of the Water Police (Polairud). Each joint operation is conducted with clearly defined areas and targets. Personnel from various agencies work together to ensure that violating vessels are handled according to procedure. This coordination also includes the exchange of intelligence information and operational planning. The success of the joint operations is evident in the increasing number of vessels successfully

²⁴Soerjono Soekanto, *Sociology of Law: An Introduction*, Jakarta: Rajawali Pers, 1990, p. 95.

²⁵Jimly Asshiddiqie, *Constitution and Law Enforcement in Indonesia*, Jakarta: Rajawali Pers, 2006, p. 132.

prosecuted in recent years. Joint operations also strengthen the legitimacy of the authorities in the eyes of the local community and fishermen. Regular evaluations are conducted to improve the effectiveness and efficiency of operations. With this strategy, illegal fishing can be significantly reduced. The Water Police also uses combined data to plan future patrols. The joint operations demonstrate the importance of inter-agency synergy in fisheries law enforcement.²⁶

In addition, Polairud actively conducts post-operation monitoring to assess the impact of enforcement actions on fishermen's behavior and ecosystem conditions. Each operation report is analyzed to identify new vulnerable points and changes in perpetrators' modus operandi. This data is used to plan subsequent patrols and refine surveillance strategies. Polairud also disseminates operational results to coastal communities to raise legal awareness. These monitoring activities help ensure that law enforcement has a deterrent effect and encourages compliance by fishermen. These evaluations also form the basis for policy recommendations to local governments. Thus, the surveillance process is sustainable and adaptable to real-world conditions. Monitoring activities improve the accuracy of intelligence and the effectiveness of subsequent operations. Monitoring reports are used as evidence of Polairud's performance. These activities are an integral part of the sustainable fisheries management strategy.²⁷

The Water Police (Polairud) also has an educational program for coastal communities to foster legal awareness and concern for marine ecosystems. This program includes seminars, workshops, and outreach at local ports. Fishermen are taught about fishing area boundaries, legal fishing gear, and the legal consequences of illegal fishing. This education aims to build a culture of legal compliance among coastal communities. The Water Police (Polairud) engages with community leaders and fishermen's groups to expand the reach of information. The results of educational activities show increased compliance by fishermen with regulations. This program also helps the Water Police (Polairud) build harmonious relationships with coastal communities. Through an educational approach, law enforcement actions become more effective and more accepted by the community. Ongoing education supports the long-term goals of fisheries management. These activities strengthen the community's collective awareness of the importance of marine conservation.²⁸

²⁶Barda Nawawi Arief, *Selected Chapters on Criminal Law*, Bandung: Citra Aditya Bakti, 2009, p. 170.

²⁷Lawrence M. Friedman, *Law in Society: An Introduction to the Sociology of Law*, New York: Free Press, 2000, p. 48.

²⁸Satjipto Rahardjo, *Law in the Perspective of Society*, Bandung: Citra Aditya Bakti, 2005, p. 102.

Overall, the West Java Regional Police's Water Police (Polairud) exercises its authority and strategic role in enforcing fisheries law through patrols, enforcement, investigations, coordination, technology, and education. The combination of preventive and repressive strategies ensures success in preventing illegal fishing. Structured activities, comprehensive documentation, and regular evaluations support effective law enforcement. Collaboration with other agencies enhances operational strength and enhances the legitimacy of officers. The use of modern technology accelerates monitoring and evidence collection. Public education programs increase compliance and public support. Firm action acts as a deterrent to perpetrators. Operational data is used to continuously improve strategies. Polairud also maintains a balance between law enforcement and the sustainability of marine ecosystems. Thus, Polairud is at the forefront of monitoring and protecting fisheries resources in West Java.²⁹

The West Java Regional Police's Water Police (Polairud) also conducts intensive evaluations of the effectiveness of patrols and illegal fishing operations. Each operation report is analyzed to determine whether the strategies used are effective and efficient. The Polairud checks whether the number of personnel and patrol vessels is sufficient to reach vulnerable areas. The evaluations also include an analysis of violation patterns, including vessel operating hours, shipping routes, and fishing gear used. The results are used to develop future patrol plans and improve inter-agency coordination. The Polairud also assesses fishermen's compliance with regulations after operations. This analysis informs Polairud's internal policies. With regular evaluations, the Polairud can improve the effectiveness of supervision. These evaluations also help identify new vulnerable points. This makes the law enforcement process more adaptive and sustainable.

The Water Police (Polairud) utilizes a digital reporting system to expedite the administrative process and case documentation. Every seized vessel and every violation are recorded in an integrated electronic database. This system allows Polairud management to monitor operations in real time. Digital data also facilitates the preparation of official reports and coordination with the prosecutor's office and the courts. Stored information includes the identity of the vessel, crew, location of the arrest, and the type of illegal fishing gear. The use of a digital system reduces the risk of administrative errors and expedites the legal process. This data is also used to plan subsequent patrols. Polairud conducts regular training for personnel to become proficient in using the digital system. This system is a crucial part of a modern surveillance strategy. With this technology, Polairud can improve the accuracy and effectiveness of law enforcement.

²⁹Law No. 31 of 2004 in conjunction with Law No. 45 of 2009 concerning Fisheries.

The Water Police (Polairud) also faces challenges from frequently changing weather and sea conditions. High waves, heavy rain, and strong winds can hamper patrol operations. Personnel must adjust their operational schedules to weather conditions to ensure safety and effectiveness. Bad weather can also affect the capabilities of radar, GPS, and satellite monitoring systems. Therefore, the Water Police (Polairud) develops contingency plans and alternative patrol routes. Personnel are also trained to deal with extreme conditions at sea. Weather challenges are a crucial factor in operational planning. Nevertheless, the Water Police strives to maintain the frequency of patrols to ensure maritime areas remain monitored. Experience with extreme conditions enhances personnel readiness. With adaptive strategies, operations can continue despite adverse sea conditions.

In addition to patrols, the Water Police (Polairud) enforces the law through stealth operations or special intelligence operations. These operations aim to apprehend illegal fishing perpetrators who often operate at night or use hidden routes. Intelligence operations involve observation, evidence collection, and planned raids. This strategy is effective in capturing vessels previously difficult to reach by routine patrols. Intelligence data is gathered through observations, public reports, and information from local fishermen. Intelligence operations are also used to map patterns of illegal activity. The results of these operations are used as the basis for investigations and prosecutions. Stealth operations require high coordination between personnel. The Water Police emphasizes the safety and security of the team during operations. With this method, illegal fishing can be significantly reduced.³⁰

Polairud's activities also involve post-enforcement monitoring to assess the deterrent effect on illegal fishing perpetrators. Every vessel that has been prosecuted is monitored to prevent recurrence of violations. Monitoring data is collected through routine patrols, port surveillance, and intelligence reports. This monitoring helps Polairud determine whether repeat violations are occurring in specific areas. The monitoring results are used to plan follow-up operations. Polairud also assesses fishermen's response to legal outreach and education. This information helps improve coastal community education strategies. Post-enforcement monitoring ensures that law enforcement has a deterrent effect. This activity supports the sustainability of marine ecosystems. Thus, Polairud can maintain ongoing legal compliance.

The Water Police (Polairud) emphasizes the importance of transparency and accountability in every operation. Every action, including the seizure of illegal vessels and fishing gear, is documented in detail in an official report. This report is submitted to the West Java Regional Police and relevant agencies. Transparency helps build public trust in law enforcement. Accountability also

³⁰Satjipto Rahardjo, *Law in the Perspective of Society*, Bandung: Citra Aditya Bakti, 2005, p. 108.

enhances the legitimacy of the Water Police in the eyes of the public. Furthermore, accurate documentation strengthens legal evidence in court proceedings. The Water Police conducts internal audits to ensure proper procedures are followed. Patrol activity reports are also published on a limited basis for public education purposes. This helps the public understand the importance of complying with fisheries laws. With the principle of transparency, the Water Police maintains integrity and professionalism.

The Water Police (Polairud) collaborates with academics and research institutions to develop more effective surveillance strategies. This research includes analysis of fishermen's behavior, violation patterns, and marine ecosystem conditions. The research findings are used to improve patrol tactics and law enforcement techniques. The Police also utilizes academic recommendations to improve public education. This collaboration supports innovation in surveillance strategies. Research helps the Police adapt operations to real-world conditions. Information from research institutions informs internal policy evaluations. This collaboration enhances the Police's credibility. The Police also involves university students in internship and community service programs. Through this collaboration, law enforcement becomes data-driven and sustainable.

Legal education and outreach programs continue to be expanded to remote coastal villages. The Water Police (Polairud) dispatches a special team to provide training and outreach. The material covers fisheries regulations, legal fishing gear, and legal sanctions. The education team uses interactive methods to increase fishermen's understanding. This education helps build collective awareness of marine resource protection. These activities are conducted regularly and sustainably. Results show increased compliance by local fishermen. The Water Police also monitors the impact of the education through patrol reports. This program strengthens the Water Police's preventive strategies. Thus, the combination of education and patrols increases the effectiveness of law enforcement.

The Water Police (Polairud) adjusts its patrol strategy based on the season and fishing conditions. During peak fishing seasons, patrol frequency is increased. Areas prone to violations are monitored more intensively. The Police also adjusts operating hours to anticipate vessels operating at night. Intelligence information is used to prioritize operational areas. Flexible patrols allow the Police to optimize limited resources. This strategy reduces the risk of violations during the busy season. Patrols are accompanied by outreach and administrative oversight at ports. With this adaptive strategy, the Police can suppress illegal fishing year-

round. The season-based and intelligence-based approach enhances the overall effectiveness of surveillance.³¹

Overall, the West Java Regional Police's Water Police (Polairud) exercises broad and strategic authority through patrols, enforcement, investigations, coordination, technology, and education. Preventive and repressive strategies are combined to suppress illegal fishing. Regular evaluation and post-enforcement monitoring ensure long-term effectiveness. Collaboration with other agencies and academics strengthens the strategy and legitimacy of the apparatus. The use of modern technology accelerates oversight and evidence collection. Public education programs increase compliance and public support. Firm action has a deterrent effect. Operational data is used to continuously improve strategies. The Water Police maintains a balance between law enforcement and the sustainability of marine ecosystems. Thus, the Water Police is at the forefront of monitoring and protecting fishery resources in West Java.³²

4. Conclusion

Based on the research results presented in Chapter 3, several conclusions can be drawn regarding legal regulations and enforcement of illegal fishing crimes in Indonesia, especially in the West Java region. 1. Legal regulations regarding illegal fishing in Indonesia are quite comprehensive, enshrined in Law No. 31 of 2004 in conjunction with Law No. 45 of 2009 concerning Fisheries, Government Regulations, and Ministerial Regulations, which outline prohibitions, obligations, fishing permits, and criminal and administrative sanctions. These regulations provide the legal basis for law enforcement officials to take preventive and repressive action. 2. Implementing legal regulations on the ground faces various obstacles, including vast maritime areas, a lack of personnel and monitoring technology, and regulatory gaps in certain types of fishing gear. This impacts the effectiveness of law enforcement and requires adaptive strategies from authorities. 3. The West Java Regional Police's Maritime and Air Force plays a strategic role in combating illegal fishing through maritime patrols, port surveillance, investigations, confiscation of vessels and fishing gear, and education of coastal communities. A combination of preventive, repressive, and educational strategies has proven more effective in suppressing violations. 4. Collaboration between agencies such as the Indonesian Navy, the Maritime Affairs and Fisheries Service, and academics supports the implementation of data-based and legally legitimized supervision. 5. The use of modern technology such as GPS, radar, and satellite monitoring increases the effectiveness of surveillance, helps authorities detect illegal vessels, and simplifies legal documentation. 6. Research data shows that the effectiveness of law enforcement increases if a combined approach is applied, namely criminal law

³¹Peter Mahmud Marzuki, Legal Research, Jakarta: Kencana Prenada Media, 2010, p. 165.

³²Law No. 31 of 2004 in conjunction with Law No. 45 of 2009 concerning Fisheries.

enforcement, administrative sanctions, public education, and the use of surveillance technology. The main obstacles remain consistent law enforcement and the quality of evidence in investigations and trials. Post-enforcement monitoring results indicate that a deterrent effect for illegal fishing perpetrators can be achieved, especially if criminal sanctions and confiscation are strictly enforced. A combination of clear regulations, adaptive law enforcement strategies, and education for coastal communities are key to successfully maintaining the sustainability of fisheries resources in West Java. This conclusion confirms that Indonesia's legal framework is adequate, but implementation and coordination on the ground require improvement. Collaborative, evidence-based, and adaptive strategies are crucial for sustainably suppressing illegal fishing.

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