

The Function of Supervision of Marine and Fishery Resources (PSDKP) in Fishing Activities in Central Java Province

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Abstract. Indonesia has marine and water resources, but fishing crime is a threat. This article seeks to determine the function of Supervision of Marine and Fishery Resources (*Pengawasan Sumber Daya Kelautan dan Perikanan/PSDKP*) institutions related to the supervision of fishing activities in Central Java Province, find out the obstacles to supervision in fishing activities in Central Java Province, and identify and analyze the legal supervision that the authorities should carry out the law enforcement in the Central Java Province. This research was conducted using a normative juridical approach. The results of the study showed that: 1) the supervision of fishing activities was carried out in Central Java Province by the PSDKP by Law No. 45 of 2009, but supervision still uses inadequate infrastructure, 2) obstacles in supervision are infrastructure, budget, resources, human resources and lack of coordination between institutions, 3) legal supervision should be carried out by the apparatus is community empowerment and collaborating with other institutions.

Keywords: fishing, surveillance, fisheries, central java.

1 Introduction

Indonesia is a large archipelagic country in Asia and the second largest in the world. As an archipelagic country, Indonesia has 17,506 islands, with an area of more than 7.7 million km², and 2/3 of the area is waters with an area of more than 5.8 million km², a coastline of more than 81,000 km and 2.7 million km² marine zone. Indonesian Exclusive Economic Zone (*Zona Ekonomi Eksklusif Indonesia/ZEEI*) [1][2]. The size of the area will have an impact on the extent of supervision. There are a lack of supervision in Indonesian waters, so illegal fishing problems often occur, both in Indonesian waters in general and Central Java waters in particular. As of July 2021, 125 illegal fishing boats have been caught by the Ministry of Maritime Affairs and Fisheries in Indonesian waters [3]. In the Central Java region, 44 cases of illegal fishing and fishing destruction occurred in the first quarter of 2020 and 38 cases in the first quarter of 2021 [4].

Efforts to enforce discipline and supervision of illegal fishing activities by the Marine and Fisheries Service of Central Java Province are guided by Law No. 31 of 2004 amended by Law No. 45 of 2009 concerning Fisheries. In the conditions that occur, the supervision that the government has carried out has not given significant results, so that cases or practices of illegal fishing still occur, it is necessary to analyze so that any weaknesses in supervision can be anticipated.

In this study, the problem to be studied is the supervision of illegal fishing. According to Sirajun [5], supervision is defined as an act of carrying out an assessment, which is carried out to compare the activities carried out with the goals that have been previously planned. Thus, supervision carried out certainly has a function, which is expressed by Sule & Saefullah [6] that the function of supervision is to ensure that the planning that has been determined will be carried out in the implementation of activities.

According to Prayudi in Koencoro [7], supervision is carried out in various forms: political, juridical/legal, economic, moral and ethical.

Supervision is carried out in several ways, namely as follows: supervision from within the organization (internal control), supervision from outside the organization (external control), preventive supervision, and repressive supervision [8].

Supervision is also carried out according to methods tailored to the needs in carrying out such supervision. The methods of supervision carried out are as follows: direct supervision, namely supervision carried out by officers directly to the location; indirect supervision, namely supervision carried out by analyzing secondary data; and formal supervision, namely supervision carried out on behalf of the organization's leadership and informal supervision, namely supervision carried out without using formal procedures.

There is an analysis of illegal fishing, so the limitation on the term Illegal fishing is the notion of illegal, unreported, and unregulated (IUU). Illegal fishing literally can be interpreted as illegal fishing activities that are not regulated by existing regulations or whose activities are not reported to a public fisheries management institution or agency [9][10].

It refers to the definition issued by the International Plan of Action (IPOA) as illegal, unreported, unregulated (IUU) initiated by FAO in the context of implementing the Code of Conduct For Responsible Fisheries (CCRF). The definition of Illegal Fishing is explained as follows.

- a. Fishing activities are carried out by a certain country or foreign vessels in waters that are not under its jurisdiction without permission from the country that has jurisdiction.
- b. Fishing activities are carried out by fishing vessels with flags of one of the countries that join as members of regional fisheries management organizations.
- c. Fishing activities that are contrary to the laws of a country or international provision.

Based on the description above, it can be taken a formulation of the problem as follows:

- a. How is the function of the PSDKP agency related to the supervision of illegal fishing activities in Central Java?
- b. What obstacles did PSDKP institutions face in supervising illegal fishing activities in Central Java?
- c. What are the efforts made to overcome the obstacles faced by PSDKP in Central Java?

2 Research Method

This study uses a normative juridical approach, using deductive thinking methods. Thus, the object analyzed with a qualitative approach is a research method that refers to the legal norms contained in the legislation.

This research specifically uses analytical descriptive research by describing a problem in certain areas and situations.

The method of data collection is done through literature study, namely data derived from laws and regulations, official government documents and literature. In this study, secondary data consists of primary, secondary, and tertiary legal materials. To complete the data, interviews were conducted with the relevant agencies.

3 Results and Discussion

3.1 Cases of Illegal Fishing

Cases of illegal fishing occur both on a national and regional scale.

a. National Illegal Fishing Cases

In 2021 the Ministry of Maritime Affairs and Fisheries arrested 130 vessels consisting of 84 fishing vessels violating Indonesian water laws and 46 foreign fishing vessels committing illegal fishing in Indonesian waters. Foreign ships caught in Indonesian waters consisted of 15 Malaysian-flagged vessels, 6 Philippine-flagged vessels, and 25 Vietnamese-flagged vessels [11].

b. Cases of Illegal Fishing on a Regional Scale

In the Central Java region, 44 cases of illegal fishing and destruction of fishing in the first quarter of 2020 and 38 cases of illegal fishing and destruction of fishing in the first quarter of 2021 [4]. According to PSDKP Cilacap data in 2021, for the Central Java area 2021, there were 5 cases of fisheries crime. From 2022 to April, there were 8 cases regarding administrative sanctions [12].

c. Data on Handling Fisheries Violations

In 2016 there were 237 cases, and 220 cases were legalized. In 2017 there were 197 cases, and 163 cases were legalized. In 2018 there were 193 cases, and 161 cases were legalized. In 2019 there were 151 cases, and 114 legal processes were processed. In 2020, there were 139 cases, and 106 cases were prosecuted. In 2021 there were 91 cases, and 76 cases were prosecuted. According to data from Cilacap PSDKP Station, Central Java Province, in 2021, 5 cases of fisheries violations have been handled, of which 5 cases are included in fisheries crimes [12]. Thus, it can be seen that Central Java Province has the potential to occur in cases of illegal fishing.

d. Fishery Supervisory Vessel Data

In the implementation of fisheries supervision, Cilacap PSDKP Station has one fishery monitoring vessel measuring 30 meters in the northern region of Central Java Province and six-speed boats capable of operating up to a distance of 12 miles and operating in the southern region of Central Java Province [12].

3.2 Functions of PSDKP Institutions Related to Fishing Activities in Central Java Province

In the waters in Central Java Province, there are also cases of illegal fishing, which are very detrimental to the state and society both materially and immaterially. The illegal fishing mode that occurs in Central Java is also carried out in other areas; catching fish without a permit or not having a fishing license (*Surat Izin Penangkapan Ikan/SIPI*), a fishery business license (*Surat Izin Usaha Perikanan/SIUP*), a fish transportation permit (*Surat Izin Kapal Pengangkut Ikan/SIKPI*) and business actors who have a fishing license but does not run a business in accordance with applicable regulations [9].

This illegal fishing mode has been followed up by the Ministry of Maritime Affairs and Fisheries through the Directorate General of Supervision of Marine and Fishery Resources (PSDKP) by conducting fisheries supervision [13]. The PSDKP Technical Implementation Unit carries out fisheries supervision (*Unit Pelaksana Teknis/UPT*), which is supported by the Marine and Fishery Resources Supervision Unit (PSDKP Satker or *Satuan Kerja*) and the Marine and Fishery Resources Monitoring Post (PSDKP Post), which are spread throughout Indonesia. In Indonesia, there are 57 PSDKP Satker and 131 PSDKP Posts. To carry out this task, the Cilacap PSDKP has 4 branches called supervisory units or Satwas namely the Pekalongan Satwas, Pati Satwas, Trenggalek Satwas and Malang Satwas, in this case entering the Central Java Province only Pekalongan Satwas and Pati Satwas. PSDKP Cilacap and the four Satwas have 115 employees consisting of General Functional Employees, Fisheries PPNS and Contract Employees [12].

To carry out its duties and functions, the PSDKP Satker carries out its duties in accordance with Law No. 45 of 2009 concerning Amendments to Law No. 31 of 2004 concerning Fisheries Article 66 Paragraph (2), namely fisheries supervision is carried out by fishery supervisors who are tasked with overseeing orderly fisheries supervision. as determined by law. The supervision is carried out on the following things that are included in Article 66 Paragraph (3), namely fishing activities, fish cultivation, hatchery, processing and distribution of fish in and out, quality of fishery products, distribution of fish medicine in and out, conservation, pollution due to human activities, germplasm, fishery research and development, and genetically engineered fish. However, this study will only discuss the supervision of fishing in practice.

In the waters of Central Java Province, supervision is carried out as stated in Article 66 of Law No. 45 of 2009; supervision is carried out to ensure the orderliness of fisheries. As stated by Anggraini [14], supervision is an act of assessing the implementation of activities in accordance with the rules.

On the other hand, supervision is carried out in various ways, namely by supervision with VMS (Vessel Monitoring System), surveillance patrol boats and the use of socialization to increase public knowledge about the impact of illegal fishing activities. According to Prayudi's opinion in Koencoro [7], supervision is carried out in various forms.

In addition to explaining the form of supervision, supervision can also be carried out in several ways on internal control [8]. The Director General of PSDKP has rules to take precautions so that there are no violations in fisheries. In preventive action, the Director General of PSDKP made several efforts so that it can be used as a guide in conducting supervision, namely: 1) Determining regulations related to the system of procedures, relations and work procedures; 2) Determining the position, duties, authorities, and responsibilities [15].

In fisheries supervision, there are also repressive actions, namely by using the CMS method, which is carried out in accordance with the direct supervision method by the apparatus or organizational leaders directly at the location where the work is carried out by using an inspective, verification or investigative method. According to data from the Ministry of Maritime Affairs and Fisheries, namely the Director General of PSDKP, fishing supervision can only be carried out at 75.64% of the entire Central Java region. It is due to the lack of infrastructure owned by the Ministry of Maritime Affairs and Fisheries.

3.3 Constraints of the PSDKP Institution in Supervision of Fishing Activities in Central Java Waters

In the context of the territorial waters of Central Java Province, the obstacles that occur in the supervision of marine and fishery resources are several things, namely as follows:

- a. **Infrastructure**
The infrastructure in question is related to the number of surveillance fleets owned by the total area being monitored. In Central Java Province, territorial waters are divided into two parts: the north and south. Therefore, more surveillance fleets are also needed to oversee fishing activities. If this is not done, the addition of the fleet will be a big obstacle in supervising fishing activities. PSDKP Cilacap has one fishery monitoring vessel of 30 meters operating in the northern region of Central Java Province and six speedboats operating in the southern region of Central Java Province.
- b. **Budget**
The budget here includes the budget used for purchasing, procurement and maintaining infrastructure and the budget for carrying out supervisory activities. Especially the main focus is related to the maintenance of the fleet both in the waters and on land in the form of 2-wheeled and 4-wheeled vehicles because the operating area in the coastal area, of course, has a different service life from vehicles in ordinary plain areas so that the maintenance carried out is quite intensive for ensuring the vehicle operates optimally.
- c. **Human resources**
The extent of supervision carried out by the PSDKP institution is not proportional to the number of existing human resources; supervision is not only in Central Java but also in Yogyakarta Province and parts of East Java Province.
- d. **Coordination with other agencies**
Coordination with other agencies that have a relationship with the implementation of supervision of fishing activities. The lack of optimal coordination between the relevant agencies makes the supervision of fishing activities not run optimally.

Based on the obstacles faced in conducting supervision, it can be seen that the supervision method carried out is direct and formal. Supervision is carried out by authorized officers using an inspective, verification or investigative method and supervision is carried out by authorized officers as contained in Article 66A of the Law of the Republic of Indonesia No. 45 of 2009 (Article 66A) [8].

3.4 PSDKP Institution's Efforts to Overcome Obstacles in Conducting Supervision Activities to Prevent Illegal Fishing Practices

The methods used to conduct surveillance in the territorial waters of Central Java Province are as follows:

- a. **Increase community participation in conducting supervision**
Community participation is one of the program targets at the Directorate General of PSDKP, which must be increased yearly. Increasing the role of the community is carried out through outreach and direct involvement of the community in terms of supervision, especially for people living in areas adjacent to fishing activities.
- b. **Improve coordination between agencies so that the supervision of fishing activities can run optimally**
Coordinating with other agencies to realize efficient and maximum supervision of fishing activities is important. So, coordination between agencies must continue to be

improved through several joint programs and activities to help overcome other obstacles, especially those related to infrastructure and human resources.

4 Conclusion

The conclusions in this paper are as follows: Supervision of fishing activities carried out in Central Java Province by the PSDKP Satker follows Law No. 45 of 2009, but there are still some obstacles to violations of fishing activities in Central Java Province. Obstacles in supervision are infrastructure, budget, human resources and lack of coordination between institutions with the same main tasks and functions in supervision and patrol. Efforts that can be made to overcome obstacles in supervision are by empowering the community to carry out supervision due to limited resources owned by the PSDKP Satker and collaborating or collaborating with other agencies.

The suggestions in this study are as follows: Supervision and patrol for all water areas in Central Java will not be able to be carried out thoroughly unless it strengthens coordination and cooperation between related agencies. Steps are needed to overcome obstacles in supervising fishing activities so their implementation can run optimally and minimize illegal fishing activities.

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