
RESEARCH ARTICLE

Legal Protection of *Portunus Pelagicus*: An International Fisheries Law Perspective in the Republic of Indonesia's Fisheries Management Area 713

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ABSTRACT

The demand for *Portunus pelagicus* exports is increasing, which is encouraging more *Portunus pelagicus* capture. As a result, *portunus pelagicus* resources become available. The aim of this study is to examine the legal protection of *portunus pelagicus* based on international fisheries law in the Fisheries Management Area of the Republic of Indonesia (WPPRI) 713 and law enforcement against illegal rajuangan capture. The research method is qualitative research using an empirical normative approach. The findings revealed that the Indonesian government has incorporated international fisheries law into national legislation governing the management of *Portunus pelagicus* in Indonesian fisheries management areas. Administrative sanctions are used by law enforcement to punish non-compliant *Portunus pelagicus* fishing. In comparison to criminal and civil sanctions, this sanction is effective because it can be directly enforced by administrative officials. The government and the community share responsibility for the protection, utilization, and preservation of *portunus pelagicus* so that future generations are able to enjoy it.

KEYWORDS

Legal protection; *portunus pelagicus* (*portunus* spp); international fisheries law; WPPRI 713.

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1. Introduction

Portunus pelagicus is one of fish resources that live in shallow waters between 30 and 60 meters below the water's surface. Until now, *portunus pelagicus* export demand has remained high.1 According to data, rising market demand for *portunus pelagicus* has elevated the commodity to the top tier of foreign exchange earners. In 2021, the export value of *portunus pelagicus* was US\$613.24 million, a 66.86% year-on-year (yoy) increase, and reached a five-year high in export value.2 Because of the increased market demand, fishermen have increased their exploitation rate, raising concerns about the unsustainable use of *portunus pelagicus* resources.3 Based on the Minister of Maritime Affairs and Fisheries of the Republic of Indonesia's Decree No. 19 of 2022 concerning Estimated Potential of Fish Resources, Number of Allowable Catches, and Utilization Rate of Fish Resources in the State Fisheries Management Area of the Republic of Indonesia, specifically for *portunus pelagicus* in WPPRI 713, the utilization rate is 0.9,

¹Meuthia Maharani Kanedi, Priyanto Rahardjo, Mira Maulita, ASPEK BIOLOGI RAJUNGAN (*Portunus pelagicus*) DI PESIRIS KABUPATEN LAMPUNG TIMUR, PROVINSI LAMPUNG, Buletin JSJ, 2 (1), 2020 49-56 <http://ejournalbalitbang.kkp.go.id/index.php/JSJ/article/view/87571>.

I. ²DATABOKS. EKSPOR RAJUNGAN DAN KEPITING RI CETAK REKOR PADA 2021. <https://databoks.katadata.co.id/datapublish/2022/07/14/ekspor-rajuangan-dan-kepiting-ri-cetak-rekor-pada-2021>

³Hakim Miftakhul Huda dkk, Status dan Permasalahan Pemanfaatan Sumber Daya Rajungan di Indonesia. J. Kebijakan Sosek KP Vol. 11 No. 2 Desember 2021: 119 - 126. <http://dx.doi.org/10.15578/jksekp.v11i2.9536j>

estimated potential tons 9,253, number of allowable catches 4,627, utilization rate 1.5.4 Unmeasured catches and the influence of climate change have an impact on marine habitats, this results in a decrease in portunus pelagicus stocks in the future.⁵ Thus, portunus pelagicus is an export commodity and a source of foreign exchange for the country.

All Portunus pelagicus species from the Americas, Africa, Asia, and Australia are in poor condition. They are on the verge of extinction. 43 of the 122 countries with kingfish populations require protection. Conservation needs to happen before the species declines irreversibly.⁶ Furthermore, the United States, the largest importer of portunus pelagicus in 2022, saw a 23.8 percent decrease in imports, while China saw a +0.7% decrease. Global portunus pelagicus imports have fallen by 11.2 percent since 2022, from 419,425 tons to 372,312 tons. ⁷ Portunus pelagicus is an export commodity that supports both the country's and fishermen's income, so fishermen's earnings are determined by their catch. The use of Portunus pelagicus as a natural resource is a significant challenge that requires careful management. Almost every part of the portunus pelagicus's body can be used, beginning with the meat, shell, and skin. The numerous advantages of Portunus pelagicus have resulted in overfishing symptoms. (Excessive fishing). One of the causes of the decline in portunus pelagicus populations in several portunus pelagicus producing centers in Indonesia is uncontrolled portunus pelagicus utilization and unsupportive aquatic environmental conditions.⁸ Thus, it is necessary to conserve portunus pelagicus for future availability.

Makassar Strait is one of the eleven Indonesian Fisheries Management Areas (WPPRI) 713 in Indonesia including: Makassar Strait, Bone Bay, Flores Sea, and Bali Sea. ⁹ Illegal fishing in protected waters has an impact on conservation objectives¹⁰ which are to protect the sustainability of species and ecosystems, preserve biodiversity and prevent potential conflicts between users by regulating permitted activities ¹¹. In dealing with the status of the sea, international legal references refer to the 1982 United Nations Convention on the Law of the Sea (UNCLOS), an international treaty governing the sea, and international cooperation in monitoring and law enforcement.¹² and become a reference for countries that have ratified if there is a problem of intersection with the state if there is no specific agreement governing. Another international instrument that promotes long-term fisheries management is the 1995 FAO Code of Conduct for Responsible Fisheries (CCRF). The aim of the CCRF is to ensure effective fisheries conservation and management measures that take into account environmental, social and economic considerations. ¹³ In international law, CCRF is then followed up in the Regulation of the Minister of Fisheries and Customs of The Republic of Indonesia Number 16 of 2022 concerning the Amendment of The Regulation of The Minister of Fisheries And Customs of Indonesia Number 17 of 2021 concerning the Management of Lobsters (Panulirus spp.), Cocker (Scylla spp.), AND RAJUNGAN (Portunus spp.) In The Region of The Republic of Indonesia.¹⁴ The regulation is a government effort to provide protection to portunus pelagicus. Thus the Makassar Strait as a Fisheries Management Area is prone to illegal fishing and needs legal protection.

⁴Keputusan Menteri Kelautan Dan Perikanan Republik Indonesia Nomor 19 Tahun 2022 Tentang Estimasi Potensi Sumber Daya Ikan, Jumlah Tangkapan Ikan Yang Diperbolehkan, Dan Tingkat Pemanfaatan Sumber Daya Ikan Di Wilayah Pengelolaan Perikanan Negara Republik Indonesia. <https://jdih.kkp.go.id/peraturan/df947-2022kepmen-kp19.pdf>.

⁵C. Greg Lutz, Crabs, *Reference Module in Food Science*, Elsevier, 2022, ISBN 9780081005965, <https://doi.org/10.1016/B978-0-323-85125-1.001241> (<https://www.sciencedirect.com/science/article/pii/B9780323851251001241>)

⁶ Cumberlidge N, Ng PKL, Yeo DCJ, Magalhaes C, Campos MR, Alvarez F, Naruse T, Daniels SR, Esser LJ, Attipoe FYK, Clotilde-Ba F-L, Darwall W, Mclvor A, Ram M, Collen B. 2009. *Freshwater crabs and the biodiversity crisis: importance, threats, status, and conservation challenges*. *Biological Conservation* 142: 1665–1673.

⁷ Food and Agriculture Organization of The United Nations. *Crab - Improving demand, weak prices*. 27/04/2023. <https://www.fao.org/in-action/globefish/market-reports/resource-detail/en/c/1637995/>

⁸ Insaniah Rahimah dkk. *KESESUAIAN DAERAH PENANGKAPAN RAJUNGAN (Portunus pelagicus) MENGGUNAKAN ANALISIS SPASIAL PARAMETER LINGKUNGAN DAN HASIL TANGKAPAN DI PULAU LANCANG*. *Marine Fisheries* 10(2): 165-176, November 2019. E-ISSN 2541-1659.

⁹ Kkp. PERATURAN MENTERI KELAUTAN DAN PERIKANAN REPUBLIK INDONESIA NOMOR 18/PERMEN-KP/2014 TENTANG WILAYAH PENGELOLAAN PERIKANAN NEGARA REPUBLIK INDONESIA. <https://jdih.kkp.go.id/peraturan/18-permen-kp-2014-ttg-wilayah-pengelolaan-perikanan-negara-republik-indonesia.pdf>

¹⁰ Harasti, David et al. 2019. "Illegal Recreational Fishing Causes a Decline in a Fishery Targeted Species (Snapper *Chrysophrys Auratus*) within a Remote No-Take Marine Protected Area." *PLoS ONE* 14(1).

¹¹ Lei Zhan. *Global Fisheries Management and Community Interest*. *Sustainability* 2021, 13, 8586. <https://doi.org/10.3390/su13158586> <https://www.mdpi.com/journal/sustainability>.

¹² ETTY R. AGOES. *HUKUM LAUT INTERNASIONAL (UNCLOS 1982): IMPLEMENTASI DAN TANTANGAN KE DEPAN* <https://kkp.go.id/an-component/media/upload-gambar-pendukung/DitJaskel/publikasi%20materi/ahli-hukum-laut/Etty%20R.%20Agoes-New%20KKP%20UNCLOS%202021.pdf>

¹³ Food and Agriculture Organization of the United Nations. *Code of Conduct for Responsible Fisheries*. <https://www.fao.org/fishery/en/code>

¹⁴ Peraturan Menteri Kelautan Dan Perikanan Republik Indonesia Nomor 16 Tahun 2022 Tentang Perubahan Peraturan Menteri Kelautan Dan Perikanan Nomor 17 Tahun 2021 Tentang Pengelolaan Lobster (Panulirus spp.), Kepiting (Scylla spp.), Dan Rajungan (Portunus spp.) Di Wilayah Negara Republik Indonesia. <https://jdih.maritim.go.id/cfind/source/files/permen-kp/2022/2022pmkp016.pdf>

This research is different from the research of Akbar John et al¹⁵, stating that one of the causes of species extinction is the destruction of *Portunus pelagicus* spawning. Meanwhile, Insaniah Rahimah et al¹⁶, examined the characteristics of waters suitable for spatial catching of king portunus pelagicus (*P. pelagicus*) as a basis for determining the suitability of catching areas of king portunus pelagicus (*P. pelagicus*). Furthermore, Friyuanita Lubis¹⁷ et al, research in Asahan Waters saw that portunus Pelagicus resources caught with gillnets were not suitable for use in the growth of juvenile *Portunus pelagicus*. The three studies above have one thing in common: portunus pelagicuss require good management to ensure their long-term viability. Meanwhile, this study differs from previous studies in that it investigates the legal protection of portunus pelagicuss based on international fisheries law in WPPRI 713, as well as the law enforcement of portunus pelagicuss caught in violation of statutory provisions. The importance of this research is centered on protecting *Portunus pelagicus* by promoting its conservation, utilization, and preservation for the benefit of future generations.

2. Method

This is a qualitative study that employs normative and empirical approaches. The normative aspect relies on descriptive secondary data from international treaties such as UNCLOS 1982 and CCRF 1995, as well as national legal sources such as laws and regulations issued by the Indonesian government. To address the first issue, normative and empirical approaches are used. Meanwhile, to address the second issue, this study employs an empirical approach, which includes both primary data in the form of interviews with respondents chosen by the researchers and secondary data in the form of geographical conditions and residents in the research location, which is Nisombalia Village, Marusu District, Maros Regency, one of which is WPPRI 713. Furthermore, the data is qualitatively analyzed and described.

3. Results and Discussion

3.1 The Implementation of International Fisheries Law in the Management of *Portunus pelagicus* in Indonesia

Indonesia is one of the countries that has a large sea area of 3,257,357 square kilometers and a land area of about 1,919,440 km²¹⁸. The sea area is twice the land area, this condition is very beneficial for the country because the potential of our natural resources is abundant, one of which is fish resources. The potential of fish resources is a mainstay of economic income in Indonesia. Based on data from the Directorate of Marine Space Management, the export value of Indonesian fishery products in 2019 amounted to Rp. 73,681,883,000, there was 10% compared to the export results in 2018. Commodities sought after from our marine products such as portunus pelagicus, squid, shrimp, tuna, octopus and seaweed. These marine products need to be maintained and maintained through management and supervision.¹⁹

The basic framework of international fisheries law refers to UNCLOS 1982, which was ratified by the Indonesian government with Law No.17 of 1985, and was further implemented in Law No.6 of 1996. UNCLOS 1982 regulates law enforcement in general within the jurisdiction of the state but does not specifically address fisheries. According to Article 2 of the 1982 Convention on the Law of the Sea, a country's sovereignty includes the inland sea for archipelagic countries, archipelagic waters, and up to the designated sea lanes, including airspace and seabed, as well as sovereignty based on conventions and other international agreements.²⁰ It should be noted that the life cycle of portunus pelagicuss occurs in several locations, including the open sea (off-shore) for portunus pelagicuss that are still larvae and spawning, and coastal waters (in-shore) for those in the juvenile to adult category. As a result, the life of *Portunus pelagicus* is said to be dynamic, and it is classified as a capture fishery that must be managed properly.²¹ Therefore, coastal states can apply their legal rules to fishing in their sovereign territory.

¹⁵Akbar John dkk. *Conservation of Asian horseshoe crabs on spotlight*. *Biodiversity and Conservation* (2021) 30:253–256
<https://doi.org/10.1007/s10531-020-02078-3>.

¹⁶Insaniah Rahimah. *KESESUAIAN DAERAH PENANGKAPAN RAJUNGAN (Portunus pelagicus) MENGGUNAKAN ANALISIS SPASIAL PARAMETER LINGKUNGAN DAN HASIL TANGKAPAN DI PULAU LANCANG*. *Marine Fisheries*. Vol. 10, No. 2, November 2019 .P-ISSN 2087-4235 .E-ISSN 2541-1659 . 165-176.

¹⁷Friyuanita Lubis dkk. *ANALISIS RAJUNGAN (Portunus pelagicus), KOMPOSISI BYCATCH DAN ALAT TANGKAP JARING DARI TANGKAPAN NELAYAN DI PERAIRAN KABUPATEN ASAHAN SUMATERA UTARA*. *Journal of Aceh Aquatic Science* Volume 5, Nomor 2, 2021 ISSN: 2580-264X, E-ISSN: 2745-7230 .<http://jurnal.utu.ac.id>.

¹⁸Indonesia.Go.Id.Menyiapkan Tata Kelola Laut Berkelanjutan.RABU, 26 JULI 2023. INDONESIA.GO.ID/KATEGORI/RAGAM-AIS-FORUM-2023/7295/MENYIAPKAN-TATA-KELOLA-LAUT-BERKELANJUTAN?LANG=1#:~:TEXT=INDONESIA%.

¹⁹Direktorat Jenderal Pengelolaan Ruang Laut.Konservasi Perairan Sebagai Upaya menjaga Potensi Kelautan dan Perikanan Indonesia.01 Juli 2020.<https://kkp.go.id/djprl/artikel/21045-konservasi-perairan-sebagai-upaya-menjaga-potensi-kelautan-dan-perikanan-indonesia>.

²⁰United Nations Convention on the Law of the Sea of 10 December 1982.

https://www.un.org/depts/los/convention_agreements/texts/unclos/UNCLOS-TOC.htm

²¹Adam dkk.MODEL NUMERIK DIFUSI POPULASI RAJUNGAN DI PERAIRAN SELAT MAKASSAR*Jurnal Ilmu-ilmu Perairan dan Perikanan Indonesia*, Desember 2006, Jilid 13, Nomor 2: 83-88

The impact of UNCLOS 1982 ratification allows the State of Indonesia to enact Law 31 of 2004 concerning Fisheries and amend it with Law 45 of 2009.²² The Fisheries Law has implemented the provisions of Article 61 which regulates the obligation of coastal states to organize individual interests in fishing. Based on Article 7 paragraph (1) letter a of the Fisheries Law, a Mackerel Fisheries Management Plan in the State Fisheries Management Area of the Republic of Indonesia was prepared with the Regulation of The Minister of Fisheries and Germany of The Republic of Indonesia Number 16 of 2022.²³ Furthermore, WPPRI 713 intersects with 9 (nine) provinces namely East Kalimantan, South Kalimantan, East Java, Bali, West Nusa Tenggara, East Nusa Tenggara, South Sulawesi, West Sulawesi, Central Sulawesi and North Sulawesi.²⁴ The potential of Fish Resources in WPPRI 713 is as follows:

Table 1
Estimation of potential Fish Resource Groups in WPPRI 713

No.	Fish Resources Group	Potential 2011(ribu ton/tahun) ²⁵	Potential 2016(ribu ton/tahun) ²⁶	Potential 2022(ribu ton/tahun) ²⁷
1.	Small Pelagic Fish	605,4	104,5	284,302
2.	Large Pelagic Fish	193,6	419,3	162,506
3.	Demersal Fish	87,2	77,24	374,500
4.	Coral Fish	34,1	365,4	167,403
5.	Penaeid Shrimp	4,8	37,3	56,835
6.	Lobster	0,7	1,0	765
7.	<i>Portunus pelagicus</i>	-	5,0	6,21
8.	Mackerel	-	6,7	9,253
9.	Squid	3,9	10,0	11,370
Total Potential		929,7	1.026,6	538,31

Source: Secondary data processed in 2023

Based on Table 1 above, the estimated potential of *portunus pelagicus* in 2011 was not recorded, but in the 2022 *portunus pelagicus* estimate there was a 3% increase compared to 2016. Although there is an increase, the state and society in utilizing it still pay attention to its utilization and conservation. As it is known that many fishermen depend their lives from catching *portunus pelagicus*, one of the mainstay commodities of the country's foreign exchange. Thus *portunus pelagicus* as one of the fish resources gets legal protection.

The CCRF is one of the codes of conduct for responsible fisheries that establishes standards of behavior for fishing countries. The CCRF is non-binding and voluntary in nature, and the Indonesian government has incorporated it into the Fisheries Law in the

²²Yulia dkk. Illegal fishing by foreign vessels against fish resources In Sulawesi Sea Waters, Indonesia. IOP Conf. Series: Earth and Environmental Science 860 (2021) 012095. doi:10.1088/1755-1315/860/1/012095. <https://repository.unibos.ac.id/xmlui/bitstream/handle/123456789/5859/Illegal%20fishing%20by%20foreign%20vessels%20against%20fish>.

²³Keputusan Menteri Kelautan Dan Perikanan Republik Indonesia nomor 16/Kepmen-Kp/2022 Tentang Rencana Pengelolaan Perikanan Rajungan Di Wilayah Pengelolaan Perikanan Negara Republik Indonesia

²⁴Potensi Sumber Daya Kelautan Dan Perikanan WPPNRI 713. <https://www.scribd.com/document/446251861/Potensi-Sumber-Daya-Kelautan-Dan-Perikanan-WPP-NRI-713>

²⁵Potensi Sumber Daya Kelautan Dan Perikanan Wppnri. AMaFRad Press 713. <https://www.scribd.com/document/446251861/Potensi-Sumber-Daya-Kelautan-Dan-Perikanan-WPP-NRI-713>

²⁶Keputusan Menteri Kelautan dan Perikanan Nomor 47/KEPMEN-KP/2016 Tahun 2016. Estimasi Potensi, Jumlah Tangkapan Yang Diperbolehkan, Dan Tingkat Pemanfaatan Sumber Daya Ikan Di Wilayah Pengelolaan Perikanan Negara Republik Indonesia. <https://peraturan.bpk.go.id/Details/159734/kepmen-kkp-no-47kepmen-kp2016-tahun-2016>.

²⁷Keputusan Menteri Kelautan Dan Perikanan Republik Indonesia Nomor 19 Tahun 2022 Tentang Estimasi Potensi Sumber Daya Ikan, Jumlah Tangkapan Ikan Yang Diperbolehkan, Dan Tingkat Pemanfaatan Sumber Daya Ikan Di Wilayah Pengelolaan Perikanan Negara Republik Indonesia. <https://kkp.go.id/an-component/media/upload-gambar-pendukung/DitJaskel/peraturan/Kepmen%20KP%20Nomor%2019%20Tahun%202022%20tentang%20Estimasi%20Potensi%2C%20JTb%20dan%20Tingkat%20Pemanfaatan%20SDI%20di%20WPPNRI.pdf>

hope that it can be used as a guideline in the responsible management of fish resources.²⁸ The consequence of Indonesia's adoption of the CCRF into the Fisheries Law provides an obligation to implement and supervise the implementation of the CCRF through national legal instruments that have been made and report the implementation of the CCRF to the FAO.²⁹ The implementation of the Fisheries Law's code of conduct regulates fisheries management, fishing operations, aquaculture development, fisheries integration into coastal area management, post-harvest handling and trade, fisheries research, and MCS. Furthermore, fisheries management guidelines outlined in the Fisheries Law are being followed in the management of *Panulirus* spp, *Scylla* spp, and *Portunus* spp which are regulated in the Regulation of The Minister of Fisheries and Germany of The Republic Of Indonesia No.16 of 2022, as stipulated in the regulation of the Minister of Fisheries And Germany of the Republic of Indonesia. In 2022, as stipulated in Article 11, catching portunus pelagicus for consumption purposes is permitted if the following conditions are met: not in spawning condition, minimum weight per tail of 60 kg, and use of passive and environmentally friendly fishing gear, except if the catch is for the purpose of research, education, assessment, and demonstration on Indonesian territory.³⁰ Thus, the management of portunus pelagicus in Indonesia is guided by the CCRF.

3.2 Law Enforcement against the Illegal Portunus Pelagicus Catching

The regulation of catching portunus pelagicus has been regulated in Permen KKP No.16 of 2022 is the implementation of international fisheries law and is the responsibility of the government to convey to the community to take responsibility for the sustainability and preservation of portunus pelagicus. Based on this regulation, the portunus pelagicus that can be caught is the size of its 10 cm or weighing above 60 grams. The location of the allowed portunus pelagicus fishing according to the National Commission on Fish Resources Assessment based on the amount of catch allowed, the level of utilization by taking into account the estimated potential of fish resources is the reference of whether or not it is permissible to catch portunus pelagicus. According to the estimated potential of fish resources in WPPRI 713, portunus pelagicus has a potential of 9,253 tons per year. This indicates that the portunus pelagicus can be employed. As a result, portunus pelagicus fishing must be governed by regulations.

One of the regencies directly adjacent to WPPRI 713 is Maros Regency. This regency is one of the regencies in South Sulawesi province which is located at latitude 40° 45' and 50° 07' south and longitude 109° 205' and 129° 12' east. Nisombalia Village is a village in Marusu Sub-district, Maros Regency, which is a coastal village with borders: north of Maros Baru Sub-district, south of Makassar City, west of Makassar Strait, and east of Maros Baru Sub-district, Mandai Sub-district, and Turikale Sub-district. It has an area of 25.43 km², with a coastline topography. The population is 4,239 people consisting of 2,143 women and 2,096 men.³¹ with the following occupational distribution

Table 2
Type of Occupation of Nisombalia Village Population³²

Occupation	Total	%
Fisherman	486 orang	36,21
Farmers and ranchers	100 Orang	7,45
Self-employed	706 Orang	52,60
Civil Servant	25 Orang	1,86
Teaching staff	23 Orang	1,71
Health workers	2 Orang	0,14
Total	1.342 Orang	100,0

Source of secondary data processed in 2023.

Fishing is the second most common occupation in Nisombalia Village. Kuri Caddi Beach is one of the coastal areas where portunus pelagicus can be caught. According to respondents, the local community's main source of income is catching portunus pelagicus. Portunus pelagicus caught by fishermen or collectors is sold to Makassar City exporters. The portunus pelagicus will be processed

²⁸Yulia dkk.Siri'na Pacce: A Form of Fulfillment of Women's Rights through Code Conduct of Responsible Fisheries.Volume 5 Issue 01 JALREV 5 (1) 2023.<https://repository.unibos.ac.id/xmlui/bitstream/handle/123456789/4103/17024-45207-2-PB.pdf?sequence=1&isAllowed=y>

²⁹PANGEMANAN dkk..Implementasi Code of Conduct for Responsible Fisheries dalam menanggulangi Illegal, Unreported, Unregulated Fishing di Zona Ekonomi Eksklusif Indonesia.<https://etd.repository.ugm.ac.id/penelitian/detail/34573>.

³⁰Permen KKP No.16 Tahun 2022 Tentang Perubahan Atas Peraturan Menteri Kelautan Dan Perikanan Nomor 17 Tahun 2021 Tentang Pengelolaan Lobster (*Panulirus* spp.), Kepiting (*Scylla* spp.), Dan Rajungan (*Portunus* spp.) Di Wilayah Negara Republik Indonesia

³¹Maros Regency Statistics Agency. Geografi. <https://maroskab.bps.go.id/subject/153/geografi.html#subjekViewTab3>

³²Ibid

into canned portunus pelagicus, which will be exported.³³ As a result, fishermen or collectors must adhere to the predetermined standards for catching portunus pelagicus as outlined in KKP Regulation No.16 of 2022; if they do not, exporters will refuse to accept the catch of fishermen or collectors. Because exported fishery production activities must meet international standards in the fishery product quality assurance control system, tracing the origin of portunus pelagicus is an inseparable chain that begins with production, continues with distribution, and ends with product consumption. The Fish Quarantine, Quality Control, and Fishery Product Safety Agency is in charge of overseeing fishery product results; if they do not meet international standards, canned portunus pelagicus is not suitable for export.

Furthermore, to prevent the capture of portunus pelagicus that does not meet the standards, the Maros Regency Fisheries Service conducts socialization and education on the provisions of permissible portunus pelagicus capture when conducting inspections to assess the handling and processing of live portunus pelagicus until it is boiled and supplied to portunus pelagicus processing factories. Referring to KKP Regulation No.16 of 2022, catching portunus pelagicus that are not in accordance with the provisions will be given administrative sanctions in the form of written warnings, government coercion in the form of cessation of fishing activities, administrative fines and document freezing³⁴. The procedure for implementing administrative sanctions in the ministerial regulation above is guided by the Fisheries Law. Furthermore, administrative sanctions are one of the law enforcement in legislation, and this sanction is considered effective compared to criminal law and civil law because administrative sanctions can be directly enforced by administrative officials, in contrast to criminal law and civil law must wait for a permanent court decision first, and the process can take a long time.³⁵ Thus, law enforcement against catching portunus pelagicus that are not in accordance with the provisions of the law uses administrative sanctions enforcement.

According to researchers, international fisheries laws such as UNCLOS 1982 and CCRF 1995 have been implemented in the Law on Waters, the substance of which includes zones under Indonesian jurisdiction with all of the rights and obligations imposed on the state. Similarly, the Fisheries Law includes procedures for fisheries management, coastal management, and other activities. The provisions of the law are then elaborated by Permen KKP No.16 of 2022, one of which regulates the procedures for managing Portunus pelagicus in Indonesia. Portunus pelagicus is currently one of the world's most in-demand export products. The situation of portunus pelagicus fishing in the Indonesian fisheries management area is not the same. In WPPRI 713, portunus pelagicus can be caught by observing the width of the carapace and the allowed weight of the portunus pelagicus. Until now, portunus pelagicus has primarily been used to generate revenue for the state and fishermen. As a result, there must be a balance between utilization and conservation. As a result, government and community conservation efforts are required to protect Portunus pelagicus for future generations. Thus, protecting, utilizing, and conserving Portunus pelagicus is not only the responsibility of the government, but also of the community.

4. Conclusion

The implementation of international fisheries law in the management of Portunus pelagicus in Indonesia refers to the 1982 UNCLOS, which regulates general law enforcement in the state's jurisdiction, and as a result of the 1982 UNCLOS ratification, the State of Indonesia is given the authority to establish the Fisheries Law. The CCRF's code of conduct has been incorporated into the Fisheries Law by the Government of Indonesia and is used as a guideline in the responsible management of fish resources. Then followed up with Permen KKP No.16 of 2022. Nisombalia Village is one of the villages included in WPPRI 713, In catching Portunus pelagicus, fishermen and collectors are guided by international standards in the quality assurance control system of catches so that they can be exported.

Law enforcement against portunus pelagicus caught in violation of statutory provisions is based on Permen KKP No.16 of 2022, which states that portunus pelagicus caught in violation of statutory regulations will face administrative sanctions. Researchers believe that this sanction is effective because it can be directly enforced by administrative officials, as opposed to criminal and civil sanctions, which take time to obtain a decision with permanent legal force.

³³Input Rakyat Makassar.*BKIPM Makassar Inspeksi Pengumpul Rajungan di Maros.Selasa (12/3/2019).*<https://inputrakyat.co.id/bkipm-makassar-inspeksi-pengumpul-rajungan-di-maros/>

³⁴Pasal 19 ayat (2) Permen KKP No.16 Tahun 2022 Perubahan Atas Peraturan Menteri Kelautan Dan Perikanan Nomor 17 Tahun 2021 Tentang Pengelolaan Lobster (*Panulirus spp.*), Kepiting (*Scylla spp.*), Dan Rajungan (*Portunus spp.*) Di Wilayah Negara Republik Indonesia

³⁵Wicipto Setiadi.*Sanksi Administratif Sebagai Salah Satu Instrumen Penegakan Hukum Dalam Peraturan Perundang-Undangan.* Jurnal legislasi Indonesia. Vol 6, No 4 (2009).ISSN 2579-5562..<https://e-jurnal.peraturan.go.id/index.php/jli/article/view/336/220>

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