

SKRIPSI

**IMPLEMENTASI AGREEMENT ON PORT STATE MEASURES TO
PREVENT, DETER, AND ELIMINATE ILLEGAL, UNREPORTED AND
UNREGULATED FISHING TAHUN 2009 TERHADAP HUKUM NASIONAL
INDONESIA**

Diajukan Sebagai Salah Satu Syarat Untuk Memperoleh Gelar Sarjana Hukum

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PREVENT, DETER, AND ELIMINATE ILLEGAL, UNREPORTED AND
UNREGULATED FISHING TAHUN 2009 DENGAN HUKUM NASIONAL
INDONESIA**

**(Borimas Pernandes, BP 131011236, Hukum Internasional (PK VII), Fakultas
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ABSTRAK

Indonesia adalah negara yang memiliki lebih dari tujuh belas ribu pulau besar dan kecil yang tersebar diseluruh wilayah Indonesia dan memiliki panjang pantai sebesar 95.181 km serta mempunyai panjang maksimum kepulauan sebesar 2.750 mil dan lebar maksimum sebesar 1.150 mil. Dengan kekayaan alam dan potensi laut yang sangat besar menjadikan Indonesia target dari kegiatan penangkapan ikan secara ilegal, tidak dilaporkan dan tidak diatur (*IUU Fishing*) dimana kerugian yang ditimbulkan mencapai 101.040 triliun rupiah setiap tahun nya. Permasalahan yang dibahas yakni (1) Bagaimanakah implementasi *Agreement On Port State Measures To Prevent, Deter, And Eliminate Illegal, Unreported And Unregulated Fishing* Tahun 2009 dengan hukum nasional Indonesia? (2) Bagaimanakah upaya negara pelabuhan dalam memerangi kegiatan IUU Fishing menurut *Agreement On Port State Measures To Prevent, Deter, And Eliminate Illegal, Unreported And Unregulated Fishing* Tahun 2009? Metode penelitian yang digunakan adalah penelitian hukum normatif atau studi kepustakaan. Berdasarkan penelitian yang penulis lakukan, diperoleh kesimpulan bahwa: (1) Implementasi *Agreement On Port State Measures To Prevent, Deter, And Eliminate Illegal, Unreported And Unregulated Fishing* Tahun 2009 berdasarkan Pasal 11 UUD 1945 dan Undang-Undang Nomor 24 Tahun 2000 Tentang Perjanjian Internasional seharusnya perjanjian tersebut diratifikasi melalui Keputusan Presiden bukan melalui Peraturan Presiden Nomor 43 Tahun 2016 tentang pengesahan *Agreement On Port State Measures To Prevent, Deter, And Eliminate Illegal, Unreported And Unregulated Fishing*. (2) Dalam memerangi *IUU Fishing* terdapat beberapa upaya yang dilakukan yaitu upaya preventif melalui sistem *Monitoring, Control, and Surveillance (MCS)*, dan Satuan Tugas Pemberantasan Penangkapan Ikan Secara Ilegal. Selain itu juga ada upaya administratif yaitu permohonan awal masuk pelabuhan, pengizinan dan penolakan, pemeriksaan dan penindaklanjutan, penyampaian hasil pemeriksaan dan tindakan setelah pemeriksaan.

Kata kunci : *IUU Fishing*, Penelitian Hukum Normatif, *MCS*

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ABSTRAK

Indonesia is a country that has more than seventeen thousand large and small islands scattered throughout Indonesia and has a coastline of 95,181 km and has a maximum length of the archipelago of 2,750 miles and a maximum width of 1,150 miles. With the natural wealth and enormous potential of the sea, Indonesia targets illegal, unreported and unregulated fishing (IUU Fishing) where losses incurred reach 101,040 trillion rupiahs annually. The problems discussed are (1) How is the implementation of Agreement On Port State Measures To Prevent, Deter, And Eliminate Illegal, Unreported And Unregulated Fishing in 2009 against Indonesian national law? (2) How is Indonesia's effort to combat IUU Fishing activities by Agreement On Port State Measures To Prevent, Deter, And Eliminate Illegal, Unreported And Unregulated Fishing in 2009? The research method used is normative legal research or literature study. Based on the writer's research, it can be concluded that: (1) Implementation of Agreement On Port State Measures To Prevent, Deter, And Eliminate Illegal, Unreported And Unregulated Fishing Year 2009 based on Article 11 of 1945 Constitution and Law Number 24 in 2000 About International Agreement Should the agreement be ratified by Presidential Decree not by Presidential Regulation No. 43 of 2016 on the ratification of Agreement On Port State Measures To Prevent, Deter, And Eliminate Illegal, Unreported And Unregulated Fishing. (2) In fighting IUU Fishing there are several efforts made through Monitoring, Control, and Surveillance (MCS) system, according to Agreement On Port State Measures To Prevent, Deter, And Eliminate Illegal, Unreported And Unregulated Fishing In 2009, Preliminary entry of ports, permits and rejection, inspection and follow-up, delivery of examination results and action after examination.

Keywords : IUU Fishing, Normative Legal Research, MCS