

Strategy of the North Sumatra Regional Police's Water Police Directorate to Action Destructive Fishing Crimes in the Waters of North Sumatra

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Abstract

This study aims to analyze the forms of destructive fishing crimes, examine the prevention strategies implemented by the North Sumatra Regional Police's Water Police Directorate (Ditpolairud), and identify obstacles in law enforcement. The research method used is empirical juridical (socio-legal research) with a legislative, conceptual, and case approach, and analyzed qualitatively descriptively. The results of the study indicate that destructive fishing practices in North Sumatra still occur in various forms, such as the use of explosives, poisons, and prohibited fishing gear (pair trawls), which have serious impacts on marine ecosystem damage and the welfare of coastal communities. The North Sumatra Regional Police's Water Police Directorate's strategy is implemented through three main approaches: preventive through community development and water patrols, repressive through law enforcement against perpetrators, and collaborative through cross-sector synergy. However, the effectiveness of these strategies still faces various obstacles, such as the vastness of the surveillance area, limited resources, socio-economic factors of the community, and low community participation. This study concludes that overcoming destructive fishing requires a more comprehensive and responsive approach by integrating law enforcement, community empowerment, and strengthening inter-agency coordination to realize sustainable fisheries management.

Keywords : *Destructive Fishing, Ditpolairud , Law Enforcement, Strategy, North Sumatra*

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Introduction

Indonesia as an archipelagic country the largest in the world has potential source Power very large and strategic maritime for development economy national . However , the potential the face threat Serious from practice *illegal fishing* , including *destructive fishing* , which has an impact direct to sustainability ecosystem sea and well-being public coastal areas . Globally , the practice of destructive fishing has identified as one of the factor main degradation ecosystem sea and subsidence stock world fisheries , so that become attention in management fishery sustainable *fisheries* .

Destructive fishing refers to activities fishing using method or destructive tools , such as material explosives , poisons , and tools catch No friendly environment . Practice This No only cause fish deaths mass extinction , but also destroys important habitats like reefs corals in need time dozens until hundreds year For recovered . In context security maritime , practice This even categorized as multidimensional threat because impact on aspects ecology , economy , and social public coast [1] . Impact economy later will influence prosperity and harmony something House ladder [2] .

At the level nationally , including in the North Sumatra region, the practice *destructive fishing* Still become complex problems . Published studies in journal international show that implementation policy countermeasures *Illegal, unreported, and unregulated fishing* (IUU Fishing) in North Sumatra is still face various obstacles , such as weakness supervision and coordination between Institutions [3] . This is show that although regulations has available , effectiveness implementation in the field Still not optimal.

In a way empirical , case real *destructive fishing* in North Sumatra can found in the Medan Belawan area , where the practice use tool destructive catch like *trawl tiger*) still ongoing although has prohibited by the government . The practice This proven cause damage base sea , destroy reefs coral , and reduce fish population age very important young for regeneration source Power fishery [4] . Practice This happen caused by factors economy , low awareness law society , as well as weakness supervision [5] . In addition , the vastness of the water area that must be supervised as well as limitations facilities and infrastructure apparatus enforcer law become challenge main in effort eradication crime the [6] .

Research conducted by Rina Fariani Saragih and Gregory Trencher (2020) regarding disaster management strategies fish bombs in Indonesia (with studies case South Nias , North Sumatra , and Puhwato) found that factor main cause *blast fishing* difficult overcome is lack of budget and resources Power For action prevention . Different with Puhwato which is successful lower number case Because existence good coordination between authorities and society as well as distribution source effective power [1] . In addition , the pressure exploitation source Power fisheries that are not sustainability is also reflected from decline potential results catches in several areas, such as waters Sibolga , which shows indication pressure to fish stocks due to activity unprovoked arrests under control .

Impact from practice This No only limited to damage environment , but also has implications direct to life social economy community . Research in the Central Tapanuli region shows that damage ecosystem sea consequence practice illegal fishing cause increasing vulnerability economy House ladder fishermen , because decline results catch and instability source livelihood [7] . This is show existence connection close between sustainability ecosystem sea and well-being public coastal areas . In addition , the impact from *destructive fishing* No only loss economy term short , but also a disaster ecological term long . Reef destroyed coral consequence fish bombs are needed time up to 20 years For recover back . If the practice This Keep going left alone , the loss can reach billions of rupiah and will be very detrimental generation upcoming [8] .

From the perspective law , practice *destructive fishing* is action crimes that have been arranged in a way firm in Constitution Number 31 of 2004 concerning Fishery as has changed with Constitution Number 45 of 2009 [9] . However Thus , enforcement law on the ground Still

face various challenges , such as limitations facilities and infrastructure , the vastness of the water area , and low awareness law public .

In context said , the role apparatus enforcer law , in particular Directorate Police Water and Air (DITPOLAIRUD), is becoming very important in do supervision , prevention and enforcement to practice *destructive fishing* . However , the effectiveness role the Still need reviewed in a way deep For find better coping strategies comprehensive and sustainable .

Based on background behind said , research This aim to : (1) analyze forms action destructive fishing crimes in the waters of North Sumatra, (2) examining the strategies implemented by the North Sumatra Regional Police's Water Police Directorate in its handling , and (3) identifying obstacles faced in enforcement law to action criminal said . Research This expected can give contribution theoretical in development knowledge law fishery as well as contribution practical for apparatus enforcer law and maker policy .

Literature Review

1. Draft Destructive Fishing Crime

Destructive fishing is one of the form crime fishing activities carried out with destructive ways ecosystem sea , such as use material explosives , materials chemistry poisonous , and tools catch the one who doesn't friendly environment . According to Dirk Zeller and Daniel Pauly, the practice of illegal fishing sustainable , including destructive fishing, contributes to decline global fish stocks and marine habitat destruction [10] . In general ecologically , destructive fishing causes damage reefs corals in need time dozens year For recover , even in a number of case nature irreversible . In addition , the practice this is also disturbing chain food sea and lower diversity biological [11] .

Research by Hampton-Smith et al. confirms that practice *blast fishing* is one of the the most destructive form Because capable destroy structure reefs coral in a way instant and causes decline diversity biological sea [12] . In fact , in scale term length , activity This can cause system collapse fishery local consequence loss of fish habitat.

In addition , the practice *cyanide fishing* is also becoming global attention . Studies in journal *Ecological Indicators* show that use cyanide in live fishing No only damage coral , but also causes death of non-target biota and creating impact broad ecological [13] . Second practice This show that destructive fishing is not only impact on the environment , but also on sustainability economy fisheries . In perspective Indonesian law , destructive fishing is categorized as as action criminal fishery as arranged in Constitution Number 31 of 2004. Law Number 45 of 2009 concerning Fisheries , which are firm forbid use material explosives and substances poisonous in activity fishing [9]

2. Ecological, Social and Economic Impacts of Destructive Fishing

Impact ecologically destructive fishing has Lots reviewed in literature international research classic by Fox et al. (2006) in *Ecological Applications* show that explosion fish bombs can change structure reefs coral become difficult rubble recover in term long time [14] . In fact , other research in *Marine Pollution Bulletin* state that in some location , no happen recovery experience although has passed more from One decade since occurrence damage .

More further , McManus et al. (1997) in *Environmental Management* explain that destructive fishing is direct lower cover coral live *coral cover* and disrupt the regeneration process ecosystem [15] . Damage This impact on the chain food sea as well as lower productivity fisheries . However thus , some studies show that recovery ecosystem Still allows If there is intervention effective management . Research in Indonesia (Spermonde Archipelago) shows that recruitment coral Still can happen if destructive fishing pressure is stopped [16] . This is confirm importance control practice destructive as prerequisite main recovery ecosystem sea . Apart from the impact ecologically , destructive fishing also has implications significant social and economic impacts . Research show that damage reefs coral consequence bombs and cyanide impact on the decline results catch fisherman in term long , so that increase vulnerability economy public coast [17] . Globally , destructive fishing is also linked with inequality access

source power , conflict between fishermen , as well as decline welfare community coast . In term long , practice This precisely harm perpetrator That Alone Because lower productivity fisheries .

3. Factors Causing Destructive Fishing

Literature international show that The causes of destructive fishing are multidimensional. Hampton-Smith et al. (2021) found that weakness enforcement law and governance are factor the main driving force practice This still ongoing , even more dominant compared to factor poverty [12] .

On the other hand , studies in Indonesia show that factor social like patron- client relationship , conflict authority , as well as availability material explosives and poisons participate strengthen destructive fishing practices . In addition , there is a market that absorbs results catch from practice illegal also becomes driver main sustainability activity the .

Study economics by Pet- Soede et al. (1999) also emphasizes that even though destructive fishing is damaging environment , practice This still done Because give profit economy term short for fisherman [18] . This is show existence dilemma between need economy and sustainability environment .

4. Coping Strategy Action Criminal Fisheries and Mitigation Efforts

Countermeasures action criminal law in general done through three approach main , namely :

- a. Approach preventive , namely effort prevention through education and socialization ;
- b. Approach repressive , namely enforcement law to perpetrator ;
- c. Pre- emptive approach , namely effort build awareness Community law [19] .

In context crime fisheries , approach this is also reinforced with the concept of integrated coastal management and community-based surveillance, which emphasizes importance involvement public in supervision source Power sea [20] . In literature international , enforcement effective law become key main in tackling destructive fishing. Hampton-Smith et al. (2021) emphasizes that combination between enforcement strong laws and management based community (*co-management*) is the most effective strategy [12] .

In addition , studies in various countries show that success Combating destructive fishing is highly dependent on integration between policy , supervision , participation society and technology monitoring . Weakness enforcement law often become factor main failure in control practice This , as also happened in the Southeast Asia region [21] .

5. The Role of Ditpolairud in Law Enforcement in Water Areas

Directorate Police Water and Air (Ditpolairud) has authority in guard security and order in the waters , including in enforcement law to action criminal fisheries . The role of Ditpolairud includes :

- a. patrol and surveillance waters ,
- b. enforcement law to violation ,
- c. investigation action criminal ,
- d. Work The same cross sector with agency related .

According to study Suhaidi et al. (2022), effectiveness enforcement law against illegal fishing in North Sumatra is very dependent on coordination between institution as well as support adequate facilities and infrastructure . However , in in practice , Ditpolairud Still face various obstacles , such as limited patrol fleet , wide surveillance area , and low awareness law public coastal (Yasir et al., 2024).

Research Methodology

Study This use type study **juridical empirical** (socio-legal research), namely research that examines law No only as a norm (law in books), but also as behavior real in society (law in action) [22] . Approach This chosen Because study aim For analyze implementation of enforcement strategies law by the North Sumatra Regional Police's Water Police Directorate against action criminal act of destructive fishing in territorial waters .

The approach used is in study This includes :

1. **Approach statute approach** , namely with examine regulation related legislation with action criminal fisheries , in particular Constitution Number 31 of 2004. Law Number 45 of 2009 concerning Fisheries .
2. **Approach conceptual (conceptual approach)** , namely with study concepts law related enforcement law , crime fisheries , and destructive fishing.
3. **Approach case approach** , namely with analyze cases of destructive fishing that occurred in the waters of North Sumatra.

Data analysis was performed in a way qualitative , namely with processing data in form descriptive and interpretive . The analysis techniques used is descriptive-analytical , namely describe the facts that occurred in the field and then analyzed based on applicable theories and regulations . Approach analysis This is also supported by the theory system law from Friedman who emphasized connection between structure , substance , and culture law in enforcement law [23] . Stages data analysis includes :

1. Data reduction , namely sorting relevant data with focus study ;
2. Data presentation , namely organize data in form narrative systematic ;
3. Withdrawal conclusion , namely formulate results study based on the data that has been analyzed [24] .

Results

1. Legal Regulations for the Crime of *Destructive Fishing* in Indonesia

Framework law action criminal *destructive fishing* in Indonesia especially arranged in Constitution Number 31 of 2004 concerning Fishery as has changed with Constitution Number 45 of 2009. Article 8 paragraph (1) of Law No. 31/2004 prohibits everyone to do fishing and/ or fish farming with use material chemicals , materials biological , materials explosives , tools , methods , or buildings that can endanger sustainability source fish resources and/ or environment . Sanctions criminal arranged in Article 84 paragraph (1) with threat criminal maximum imprisonment of 5 years and a maximum fine of IDR 2,000,000,000.00 [25] .

In addition , the Regulation of the Minister of Maritime Affairs and Fisheries Number 36 of 2023 regulates in a way more details about tool prohibited fishing , including *pair trawl hela base pull two*) which is often used in the waters of North Sumatra [26] . The government has also publish Regulation Government Number 11 of 2023 concerning Measured Fishing Regulations in a way strict fishing zones , industrial zones , and downstreaming results fishery [27] .

In a way policy , Minister of Maritime Affairs and Fisheries has stipulates Ministerial Decree Number 114/KEPMEN-KP/2019 concerning National Action Plan for Surveillance and Mitigation Activity Fishing in a Damaging 2019-2023 [28] . This RAN set five main targets : (a) availability regulations related *destructive fishing* ; (b) mapping activity *destructive fishing* ; (c) decrease activity *destructive fishing* ; (d) participation active society ; and (e) improvement capacity source Power man [29] .

2. Strategy of the North Sumatra Regional Police's Water Police Directorate in Countermeasures *Destructive Fishing*

Based on implementation data Enhanced Routine Activities (ROUTE) *Destructive Fishing* period 24 February 2025 to 24 April 2025, the appointed Ditpolairud Polda Sumut as Task Force draw carry out three main strategies [26] :

Preventive Strategy : Community Development and Water Patrols

Preventive strategies is effort prevention before occurrence action Criminal . North Sumatra Regional Police Water Police Directorate implement two forms activity preventive :

First , the activity *Community Development* in the form of coaching and counseling to public coast as many as 294 activities . Counseling This aim For increase awareness law fisherman about impact negative *destructive fishing* to ecosystem ocean and sustainability source fish

resources . Extension materials covers prohibition use fish bombs , materials chemistry poisonous , electric , and tools prohibited fishing as arranged in Minister of Maritime Affairs and Fisheries Regulation Number 36 of 2023 [26] .

Second , activities Patrol Waters as many as 153 activities . Patrol This routine but improved intensity during KRYD period . Patrol waters No only functioning as supervision , but also as effort detection early to potential violation .

Preventive strategies This in line with draft policy criminal *policy* that uses non-penal approach . As put forward in research by Lewerissa et al., prevention *destructive fishing* need done through penal and non-penal approaches simultaneous [29] .

b. Repressive Strategy: Law Enforcement

Repressive strategy implemented through activity enforcement law to perpetrator *destructive fishing* . During KRYD period , Ditpolairud North Sumatra Police succeed do 1 activity enforcement law with secure perpetrators who use tool catch forbidden type Trawl hela base pull two (*pair trawl*) .

Evidence that was secured includes :

1. 1 set (2 units) of ships trawl pull two and its accessories ;
2. 1 set of tools catch *pair trawl* ;
3. Fish results catch [26] .

Perpetrator subject to Article 85 in conjunction with Article 9 of Law of the Republic of Indonesia Number 45 of 2009 concerning Change on the Republic of Indonesia Law Number 31 of 2004 concerning Fisheries . Threats the punishment is criminal maximum imprisonment of 5 years and a maximum fine of IDR 2,000,000,000.00 [26] .

Enforcement law to *destructive fishing* according to study Susilawati and Taufik must fulfil three element accountability criminal : (1) act nature oppose law ; (2) ability responsible answer ; and (3) the existence of error [25] . The judge's considerations in drop decision covers consideration juridical (fulfillment) element article), philosophical (impact environment term long) , and sociological (aggravating and mitigating circumstances) [25] .

Collaborative Strategy : Cross-Sector Synergy

preventive and repressive strategies , the North Sumatra Regional Police's Water Police Directorate also implements a collaborative strategy . through coordination with various parties . This is seen from participation in the Zoom Meeting held by Korpolaairud Baharkam Indonesian National Police together Directorate of Water Police of the Regional Police For discuss results implementation of KRYD [26] .

Synergy cross sector become must remember complexity handling *destructive fishing* . At the level national , Ministry of Maritime Affairs and Fisheries through Directorate General Supervision Marine Resources and Fisheries (PSDKP) has authority supervision carried out by the Supervisor Fisheries , Investigator Fisheries Civil Servants (PPNS) , as well as Work The same with the Indonesian Navy and the Indonesian National Police [27] . Involvement public civil through The Community Monitoring Group (Pokmaswas) also became element important in system supervision [30] [29] .

3. Factors that Influence Strategy Effectiveness

Study This identify a number of factor affecting effectiveness of the North Sumatra Regional Police's Water Police Directorate strategy :

a. Supporting Factors

1. Commitment Leader : Director North Sumatra Regional Police Water Police , Senior Commissioner of Police Pahala HM Panjaitan, SIK, M.Si show commitment reflected strength from determination North Sumatra Regional Police Water Police Directorate as Task Force KRYD Draw [26] .
2. Support Regulation : Availability framework adequate laws , including the Fisheries Law , Ministerial Regulation Number 36 of 2023, and various policy technical other .

3. Coordination Vertical : There is coordination with Water Police Corps Baharkam Indonesian National Police allows creation standard integrated operations in a way national .

b. Inhibiting Factors

1. The vastness of the waters : The waters of North Sumatra are very vast with dot, dot, dot widespread vulnerability become challenge alone for optimization patrol .
2. Limitations Resources : Limited amount personnel , ships patrols and budget become constraint classic faced .
3. Condition Social - Economic Community: Research in other areas shows that factor economy become driver main public fisherman do *destructive fishing* [29] . Fishermen with tool catch simple tend use method instant For increase results catch .
4. Weakness Community Participation : Not yet optimal role Community Monitoring Group (Pokmaswas) in detect and report activity *destructive fishing* [29] .

4. Analysis of the Strategy of the North Sumatra Regional Police's Water Police Directorate in Responsive Legal Theory Perspective

In perspective theory law responsiveness developed by Philippe Nonet and Philip Selznick, the effectiveness enforcement law No only measured from amount cases being processed , but also from his abilities respond need social and values justice substantive . It is also important to have a correct understanding about divinity in order to be able to form attitudes and behavior man in life social [31] . Dedi's research (2026) applied theory law responsive in context *destructive fishing* and finding that enforcement existing laws tend nature repressive-positivistic and often ignore to root problem socio-economic fisherman [32] .

Strategies implemented North Sumatra Regional Police Water Police Directorate show a good start going to a more approach responsive . This is seen from balance between enforcement law (repressive) and development community (preventive) . Activities *Community Development* which covering coaching and counseling show existence awareness that change behavior public fisherman No can achieved only through threat punishment is necessary more settings comprehensive and protection more laws balanced so as not to harm one parties , as well as ensure certainty law in its implementation in Indonesia [33] . Criminal law can given as part from law functioning public arrange prohibited acts as well as the accompanying sanctions [34] .

However however , still required strengthening aspect restorative . Enforcement ideal law in case *destructive fishing* should No only drop sanctions criminal , but also requires recovery function environment (restoration) and involving wisdom local in supervision source Power sea [32] . In addition importance enforcement more laws humanist , preventive , and based scientific [35] .

Conclusion

The strategy of the North Sumatra Regional Police's Water Police Directorate in overcome action criminal *Destructive fishing* in the waters of North Sumatra is being carried out through three main pillars . *First* , preventive strategies in the form of *community development* (activities) guidance and counseling) and patrols waters For prevent occurrence action criminal as well as increase awareness law public coastal areas . *Second* , repressive strategies through enforcement successful law secure perpetrator use tool catch prohibited pair *trawl* with threat 5 years imprisonment imprisonment and a fine of Rp2 billion . *Third* , collaborative strategy through coordination with Water Police Corps Baharkam Police and agencies related . Factors that influence effectiveness of the strategy includes commitment leadership and support regulations as factor supporters , as well as vastness of the water area , limitations source power , condition socio-economic society , and its weakness participation Community Development Group as factor inhibitor .

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