

Indonesian Journal of Criminal Law Studies

ISSN 2548-1568 (Print) 2548-1576 (Online)

Vol. 10 Issue 2 (2025) 583-614

The title has been indexed by **SCOPUS**, **SINTA**

DOI: <https://doi.org/10.15294/ijcls.v10i2.22516>

Online since: November 4, 2025

**Indonesian Journal of
CRIMINAL
LAW STUDIES**

A peer-reviewed journal published by **Faculty of Law
Universitas Negeri Semarang, Indonesia.**

Online at <https://journal.unnes.ac.id/journals/ijcls/index>

Multi-Regime Law Enforcement of Transnational Organized Fisheries Crime: A Comparative Study of Indonesia and Australia

Maya Shafira^a✉, Andre Arya Pratama^b, Ahmad Irzal Fardiansyah^a,
Shofriya Qonitatin Abidah^c

^a Faculty of Law, Universitas Lampung, Indonesia

^b Faculty of Law, Universitas Gadjah Mada, Indonesia

^c Faculty of Law, Universitas Negeri Semarang, Indonesia

✉ Corresponding Email: maya.shafira@fh.unila.ac.id

Abstract

The context of law enforcement on IUU Fishing can't be separated from including other criminal acts as part of organized transnational fisheries crime in Indonesian waters. Multi-regime criminal activities are evident in the Case of the Run Zheng 03 and 05 Ships, which were detected carrying out illegal fishing and the Crime of Human Trafficking (TPPO) against Indonesian crew members in the Arafura Sea. Unfortunately, Articles 92 and 93 Paragraph 2 of the Fisheries Law, as well as the ratification of the Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing (PSMA) which are regulated in executive regulations, have found obstacles that are still systemic so that crimes in the context of fishing still require high-level supervision. Therefore, this problem must be overcome by conducting a comparative



Copyrights © Author(s). This work is licensed under a Creative Commons Attribution 4.0 International License (CC BY 4.0). All writings published in this journal are personal views of the author and do not represent the views of this journal and the author's affiliated institutions.

study with Australia, a best practice country that has also ratified PSMA, like Indonesia. This study uses a normative legal method, referring to applicable laws and regulations related to the case phenomenon. A comparative study also accompanies the research as a best practice in finding solutions to legal problems that can be seen in other countries. The results of the study show that the existing conditions show a lack of coordination system and capacity between ministries or institutions, such as between the Ministry of Transportation and the Ministry of Marine Affairs and Fisheries in joint supervision with law enforcement officers, and the designated ports are still unable to optimize fishing vessels entering the port. The information system between countries is still integrated manually. The threat of imposing criminal penalties on corporations as a paradigm for punishment and accommodating PSMA in technical provisions is also evidence of the government's lack of firmness in eradicating fisheries crimes. Thus, Australia can be an example of its efforts as a member of IUU Fishing by accommodating PSMA into the Fisheries Management Act, and the systematization of coordination between AFMA and the Australian Maritime Security Operations Center is running well without any coordination problems or overlapping authorities.

Keywords

Australia; IUU Fishing (Illegal, Unreported, and Unregulated Fishing); Transnational Organized Fisheries Crime; Port State Measures Agreement (PSMA).

HOW TO CITE:

Chicago Manual of Style Footnote:

¹ Maya Shafira, Andre Arya Pratama, Ahmad Irzal Fardiansyah, and Shofriya Qonitatin Abidah. "Multi-Regime Law Enforcement of Transnational Organized Fisheries Crime: A Comparative Study of Indonesia and Australia." *Indonesian Journal of Criminal Law Studies* 10, no 2 (2025): 583-614. <https://doi.org/10.15294/ijcls.v10i2.22516>.

Chicago Manual of Style for Reference:

Shafira, Maya, Andre Arya Pratama, Ahmad Irzal Fardiansyah, and Shofriya Qonitatin Abidah "Multi-Regime Law Enforcement of Transnational Organized Fisheries Crime: A Comparative Study of Indonesia and Australia." *Indonesian Journal of Criminal Law Studies* 10, no 2 (2025): 583-614. <https://doi.org/10.15294/ijcls.v10i2.22516>.

Introduction

The discourse on the phenomenon of legal violations in the fisheries sector is Illegal, Unreported, and Unregulated (IUU) Fishing, a rampant case in a country's fisheries management area. Sadly, foreign-flagged vessels commit these violations to carry out their fishing. The scope of IUU Fishing is no longer limited to the waters of the Exclusive Economic Zone (EEZ) but extends into the Indonesian sea territory.¹ Various forms of IUU Fishing activities that usually occur in Indonesia's marine areas include fishing without a license or manipulating the authorities using an unofficial license.² In addition, these vessels are often found using fishing gear that the government has prohibited, and the place of capture is not in the areas that should be permitted in their licenses. Of course, the phenomenon of violations manifests the practice of fisheries crime that has reached across national borders and is carried out in an organized manner (transnational organized fisheries crime) in the territory of Indonesia.³

The majority of the criminal landscape is carried out by unscrupulous vessels from neighboring countries in a transnational manner, with vessels that are so large, along with fishing gear that is said to be very sophisticated outside of the legal provisions in Indonesia. Recently, several IUU Fishing cases have been interesting because the offense is part of a transnational network that operates in a structured, systematic, and sustainable manner.⁴ The existence of this kind of illegal activity is certainly oriented to gain

¹ Saputra Yogi, "Pengaturan Tentang Pemanfaatan Dan Pengelolaan Sumber Daya Alam Perikanan Di Zona Ekonomi Eksklusif Indonesia Menurut Unclos 1982" (Universitas Andalas, 2020).

² Ananda Nurafifah Angraeni, "Implementasi Penegakan Hukum Pidana Terhadap Praktik Illegal Fishing Di Kabupaten Raja Ampat Berdasarkan UU No. 45 Tahun 2009 Tentang Perubahan UU No. 31 Tahun 2004 Tentang Perikanan," *Jurnal Riset Ilmu Hukum* 3, no. 2 (2021).

³ Ioannis Chapsos and Steve Hamilton, "Illegal Fishing and Fisheries Crime as a Transnational Organized Crime in Indonesia," *Trends in Organized Crime* 22, no. 3 (2019).

⁴ Andrea A Stefanus and John A E Vervaele, "Fishy Business: Regulatory and Enforcement Challenges of Transnational Organised IUU Fishing Crimes," *Trends in Organized Crime* 24, no. 4 (2021): 581–604.

economic benefits, with the potential for vast profits in taking fisheries resources without any restrictions. This is what is interpreted as a transnational IUU Fishing activity that transcends the boundaries of a country, with the involvement of a prohibited fisheries activity.

In this case, Destructive Fishing Watch (DFW) provides an assessment of Indonesia for fisheries cases that are multi-regime in nature. Specifically, violations are contained in the substantial Fisheries Law and other laws because other actions are attached to a case, such as Human Trafficking Crime (TPPO).⁵ As a representation of the US government, DFW assessed that Indonesia is in the category of countries in rank 2,⁶ as countries that do not meet the minimum standardization to eradicate IUU fishing and TPPO activities. Although in its statement, DFW in the report also mentioned that Indonesia has made progress on increasing efforts to investigate a case and prosecution that will potentially lead to TPPO and IUU Fishing. However, according to the author, the DFW report shows a discrepancy in the national situation in Indonesia.⁷

One of the cases that occurred was in April 2024, when transnational IUU Fishing and TPPO crimes were committed by several illegal Russian-flagged fishing vessels, MV Run Zeng (RZ) 03 and RZ 05, along with Indonesian vessels carrying fish, KM (Mitra Utama Semesta) MUS and KM Y. This case was accompanied by illegal fishing using fishing gear in the form of trawlers that damaged the fisheries ecosystem in Indonesian waters.

⁵ Ir H Djoko Tribawono, *Hukum Perikanan Indonesia* (Bandung: PT Citra Aditya Bakti, 2018).

⁶ The majority of Indonesia's fishery exports are derived from capture fisheries, which reached 6.71 million tons in 2024. However, the total export value by December 2024 is estimated to amount to only USD 5.97 billion, read on DFW Indonesia, "Challenges Indonesia Faces in Fisheries Exports," [dfw.or.id](https://dfw.or.id/challenges-indonesia-faces-in-fisheries-exports/), February 3, 2025, <https://dfw.or.id/challenges-indonesia-faces-in-fisheries-exports/>.

⁷ Aryuni Yuliantiningsih et al., "From Illegal, Unreported and Unregulated Fishing to Transnational Organised Crime in Fishery from an Indonesian Perspective," *ASEAN International Law*, 2022, 481–502.

Not to mention the case of oil smuggling accompanied by transnational TPPOs in Indonesia.⁸

The chronology of the case stems from a complaint received by the National Fishers Center about the existence of several crew members who tried to escape to the Aru Islands from KM MUS due to fraud because they did not know they were working on a foreign ship. Human Trafficking Crime, accompanied by the capture of curls using inappropriate fishing gear, shows a violation of Law Number 31 of 2004, the Fisheries Law itself. This is certainly different from cases of breaches that only refer to TPPO on migrant vessels. These vessels are caught for two violations that should further aggravate the criminal sanctions imposed on them.⁹

The crew of migrant fishing vessels should be informed in advance of the procedures and registration as a form of transparency as to whether or not they will be placed on a foreign vessel.¹⁰ In the case of ships named Run Zeng 05 and Ship 03, the crew were not informed that they would later work for a foreign vessel in the fisheries sector. They initially expected to be placed on Indonesian-flagged ships and obtain a valid work agreement containing their rights and obligations. Still, it turned out that in the middle of the journey, they were forced to move from the MUS ship to the Run Zeng 05 and 03 ships while sailing in the Arafura Sea area.

Of course, the removal of the victims by coercion is clearly part of a crime that must be sanctioned as stipulated in Law 45 of 2009 on Fisheries,

⁸ Patrick Vrancken, Emma Witbooi, and Jan Glazewski, "Introduction and Overview: Transnational Organised Fisheries Crime," *Marine Policy* 105 (2019): 116–22.

⁹ Sulaiman Rasyid, "Determination of the Jurisdiction of Fisheries Crimes as Transnational Organized Crimes," *Unnes Law Journal* 7, no. 1 (2021): 167–88.

¹⁰ Law must emphasize a balance between security and humane treatment, read on Anis Widyawati et al., "Crafting an Ideal Penitentiary Law: A Global Comparative Framework for Indonesia's Correctional System," *Legality: Jurnal Ilmiah Hukum* 33, no. 2 (2025): 417–44, <https://doi.org/https://doi.org/10.22219/ljih.v33i2.40358>.

given that the Russian-flagged vessels did not have a license to operate fishing in the territorial waters located in Indonesia.

The crimes committed by these vessels are certainly categorized as grave crimes as stipulated in the United Nations Convention against Transboundary Organized Crime (UNTOC), which in Article 2 (b) of UNTOC explicitly states that the crime of TPPO, as well as Illegal Fishing, is part of a serious crime punishable by imprisonment of at least four years. Even in Article 92 of the Fisheries Law, it has been stated that the penalty is at least 6 years. Article 93, Paragraph 2 also states that the operation of a foreign-flagged fishing vessel in the EEZ will be punishable by a maximum imprisonment of 6 years with a maximum fine of twenty billion rupiah.¹¹

The imposition of criminal penalties that have qualified as a category of serious crime primarily requires complete supervision because this kind of crime has been organized transnationally by ensnaring more than two people, and this phenomenon is rampant in the EEZ region in Indonesia.¹² However, illegal fishing and human trafficking are not the only phenomena occurring, as the National Fisher Center also released four more reports of illegal fishing and human trafficking of migrant fishing crews on foreign-flagged vessels.¹³ This is undoubtedly an evaluation for the government and raises a question about how far the government can mitigate, supervise, and take action against all types of crimes in the fisheries and marine sector. Marine surveillance is allegedly getting weaker, and not by what is regulated in the Ministry of Maritime Affairs and Fisheries Regulation Number 33 of 2021.¹⁴

¹¹ Undang-Undang Nomor 31 Tahun 2004 Tentang Perikanan (Lembaran Negara No. 118, Tambahan Lembaran Negara Nomor 4433).

¹² Yulia A Hasan, *Hukum Laut Konservasi Sumber Ikan Di Indonesia* (Bandung: Prenada Media, 2021).

¹³ D R Marhaeni Ria Siombo, *Hukum Perikanan Nasional Dan Internasional* (Jakarta: Gramedia Pustaka Utama, 2013).

¹⁴ Andrew M Song et al., "Collateral Damage? Small-Scale Fisheries in the Global Fight Against IUU Fishing," *Fish and Fisheries* 21, no. 4 (2020).

Several studies on marine fisheries crime have been widely discussed, including: First, regarding Organized crime in the fisheries sector threatens a sustainable ocean economy, an article by Emma Witbooi et al., 2019. Discussing organized crime in the fisheries sector, this article highlights that the global community is often "uninformed that transnational organized crime in fisheries is a distinct problem alongside unsustainable fishing practices". It is stated that countries are mainly unaware of the most appropriate legal tools to address organized crime in fisheries, and how these measures differ (but complement) those aimed at better fisheries management.¹⁵ Second, State jurisdiction to investigate and try fisheries crime at sea by Patrick Vrancken, 2019. This article examines how states can use their enforcement and adjudicative jurisdictions to address fisheries crime at sea. It is known that international law does not prevent action against transnational fisheries crime.¹⁶ Third, Establishment of Indonesian Maritime Power: Regulation of Transnational Organized Crime on Illegal, Unreported, and Unregulated (IUU) Fishing by Bambang Ali Kusuma et al., 2021. Discusses Indonesia's efforts to address illegal, unreported, and unregulated (IUU) fishing practices, which are increasingly seen as being linked to transnational organized crime (TOC). This study analyzes Indonesia's current legal framework and finds that, despite various fisheries laws, no specific regulations address IUU Fishing as a form of TOC. This weakens Indonesia's maritime power and causes significant economic and environmental losses. Therefore, this study recommends strengthening the maritime control system and regulatory framework to combat this threat effectively.¹⁷ Fourth, Enforcement approaches against illegal fishing in

¹⁵ Emma Witbooi et al., "Organized Crime in the Fisheries Sector Threatens a Sustainable Ocean Economy," *Nature* 588, no. 7836 (2020): 48–56, <https://doi.org/10.1038/s41586-020-2913-5>.

¹⁶ Patrick Vrancken, "State Jurisdiction to Investigate and Try Fisheries Crime at Sea," *Marine Policy* 105, no. July (2019): 129–39, <https://doi.org/10.1016/j.marpol.2018.12.026>.

¹⁷ Bambang Ali Kusuma et al., "Establishment of Indonesian Maritime Power: Regulation of Transnational Organized Crime on Illegal, Unreported, and Unregulated (IUU) Fishing," *International Journal of Criminal Justice Sciences* 16, no. 2 (2021): 251–66, <https://doi.org/10.5281/zenodo.4756074>.

national fisheries legislation by Blaise Kuemlangan et al., 2023. This article examines the law enforcement used to combat illegal fishing in national fisheries legislation worldwide, focusing on whether criminalization is more effective. The authors analyze the main fisheries laws of 93 countries and the European Union to understand the different enforcement methods, powers granted to authorities, determination of responsibility, and sanction schemes. Key findings show that most countries adopt a dual law enforcement approach, combining administrative and criminal processes and sanctions, suggesting that there is no single solution to this persistent global problem.¹⁸

This research will first discuss the existing conditions of Transnational Organized Fisheries Crime in the Case of the Run Zheng Ship in the Arafura Sea. Second, it will examine the practice of law enforcement of Transnational Organized Fisheries Crime by referring to the State of Australia as an effort to find best practices for the concept of law enforcement in the fisheries sector that the State of Indonesia can apply. This discussion is urgent to obtain concrete solutions and recommendations for law enforcement in the fisheries sector with the Multi Regime concept, which is interpreted as a form of law enforcement in the fisheries sector, not only covering the Fisheries Law, but also other regulations that are also violated due to the facts of different crimes that are revealed. Often, the fact that occurs is that illegal fishing accompanies the Crime of Human Trafficking with a cross-country scope (transnational).¹⁹ The elements of supervision and law enforcement in multi-regime cases such as this need to optimize institutional coordination of law enforcement

¹⁸ Blaise Kuemlangan et al., "Enforcement Approaches against Illegal Fishing in National Fisheries Legislation," *Marine Policy* 149, no. April 2022 (2023): 105514, <https://doi.org/10.1016/j.marpol.2023.105514>.

¹⁹ Mohamed Samy-Kamal, "Insights on Illegal, Unreported and Unregulated (IUU) Fishing Activities by Egyptian Vessels in Neighbouring Countries," *Fishes* 7, no. 5 (2022): 288.

officers on a domestic and international scale, so that later law enforcement officers can efficiently eradicate all forms of crimes related to illegal fishing.

Indeed, all activities carried out by KM Run Zheng 03 and 05, together with KM Yulian and KM Mus, can be considered criminal acts involving several parties, namely two or more from two different countries, China and Indonesia, to profit from illegal fishing in the Arafura Sea.

Therefore, this research is urgent to examine how the state, through its legal system, should respond to this organized transnational fisheries crime. This study will not only discuss the legal aspects of the Run Zeng case but also seek to identify a more comprehensive law enforcement model, such as the practices implemented by Australia, to provide concrete recommendations for strengthening law enforcement in Indonesia's fisheries sector in addressing multi-regime crimes.

Method

This study uses a normative juridical method with a comparative and case approach.²⁰ A normative legal approach was used to analyze the positive legal norms applicable in Indonesia and Australia in combating transnational organized fisheries crime (TOFC). A comparative approach compares countries' legal frameworks, policies, and law enforcement mechanisms. Meanwhile, a case approach is used to examine case studies of legal violations by the MV Run Zeng 03 and 05 vessels in the Arafura Sea, representing the complex, organized, and multi-regime characteristics of TOFC.

The data used in this study were obtained from literature reviews of national and international laws and regulations, reports from government

²⁰ Fauzi Rachman, *Metode Penelitian Kualitatif* (Bandung: Penerbit Lakeisha, 2022).

and non-government agencies (such as DFW Indonesia), and relevant scientific articles. The analysis was conducted qualitatively, focusing on how these legal instruments were implemented and their effectiveness in responding to TOFC.

Result and Discussion

A. Existing Conditions of Transnational Organised Fisheries Crime in the Run Zheng Ship Case in the Arafuru Sea

The phenomenon of IUU fishing, which is carried out in an organized and transnational manner, as in the case of the Run Zeng 03 and 05 vessels, violates national laws and touches on the fundamental values that form the foundation of national life and statehood. Philosophically, this violation contradicts the principles of justice, sovereignty, and the sustainability of natural resources, which are the collective rights of the nation. The state is morally obligated to ensure that marine resources are utilized fairly, sustainably, and not exploited by foreign parties who violate the law.²¹ From the perspective of environmental ethics and intergenerational justice, illegal and destructive exploitation of resources violates future generations' rights. It undermines the principle of global moral responsibility toward the ocean as humanity's shared heritage.

Legally, IUU fishing accompanied by human trafficking practices reflects violations of several national regulations such as Law No. 31 of 2004 in conjunction with Law No. 45 of 2009 on Fisheries and Law No. 21 of 2007 on the Eradication of TPPO, and may even be classified as a serious crime as outlined in the United Nations Convention Against Transnational Organized Crime (UNTOC). In this context, IUU Fishing cases require a

²¹ Maya Shafira et al., "Illegal Fishing: Optimalisasi Kebijakan Penegakan Hukum Pidana Sebagai Primum Remedium," *Jurnal Wawasan Yuridika* 5, no. 1 (2021): 40, <https://doi.org/10.25072/jwy.v5i1.391>.

sectoral legal approach and a multi-regime approach, given that the legal facts arising from a single incident may involve more than one criminal act across different legal regimes.²²

Meanwhile, sociologically speaking, IUU fishing and TPPO crimes have a profound impact on coastal communities and migrant fishermen, who are often victims of exploitation. The practice of recruiting and transferring crew members without transparent procedures demonstrates the weak social protection of vulnerable groups working in the maritime sector. This case shows that fishing crimes are not merely a matter of legal violations, but are part of socio-economic inequality, weak state oversight, and institutional dysfunction in protecting its citizens. The prevalence of illegal fishing accompanied by human trafficking crimes poses a serious threat due to its transnational scope.

The rise of illegal fishing, accompanied by human trafficking, is a serious criminal threat due to its transnational scope. One of the recent incidents in February 2024 was the unlawful capture of fish in WPP-NRI. Based on data obtained from Automatic Identification Systems (AIS), it was found that there were vessels that were carefully sailing towards the waters in Indonesia, which started from the area of China. The two ships that have been detected include Run Zeng 03 (IMO 9835549) and Run Zeng 05 (IMO 9835551), which were observed entering the EEZ to the east in Indonesian waters.

In the specific chronology, the two vessels were inspected in May 2023 at Tanjung Priok Public Port and found to have committed violations as stipulated in the international agreement, namely the Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing (PSMA). Indonesia has ratified the PSMA in

²² Ninin Ernawati et al., "Legal Enforcement for Iuu Fishing in Indonesian Sovereignty and Jurisdiction: A Case Analysis of the Capture of Foreign Vessels By the Indonesian Government," *Jurnal IUS Kajian Hukum Dan Keadilan* 10, no. 3 (2022): 448–61, <https://doi.org/10.29303/ius.v10i3.1078>.

developing legal substance, further outlined in Presidential Regulation 43/2016, related to Port State Provisions to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing.²³ The orientation of the PSMA itself is a mitigation effort regarding fish catches allegedly resulting from IUU Fishing that are distributed to markets; in this case, a forced cessation of operations will be carried out against unscrupulous IUU Fishing vessels.²⁴

In terms of implementing what is mandated by Presidential Decree No. 43/2016, the government has issued Ministerial Regulation of KP No. 39 of 2019, stipulating that there are ports that become places to implement PSMA based on Ministerial Decree of KP 52/2020, among others, as follows:

1. Nizam Zachman Ocean Fishing Port (PPS) Jakarta,
2. Bitung PPS,
3. PPS Bungus, and
4. Benoa Sea Port.

Based on the provisions of the PSMA, all fishing vessels flagged by other countries that will pass through / enter the territorial waters in Indonesia to transfer fish cargo or refuel, even for the initial change of the ship, must first obtain permission to anchor at the four ports. At that time, the Run Zeng 05 was found to have entered the PSMA port. Still, by not applying these provisions, it would not be easy to detect potential violations that could later occur on the ship, such as cases

²³ Klaus Von Lampe, "The Practice of Transnational Organized Crime," in *Routledge Handbook of Transnational Organized Crime* (Routledge, 2021), 200–214.

²⁴ Teresa Fajardo, "To Criminalise or Not to Criminalise IUU Fishing: The EU's Choice," *Marine Policy* 144 (2022): 12.

related to TPPO or massive illegal fishing.²⁵ Of course, this is due to the port authority not fully verifying foreign-flagged vessels; verification is needed as a form of certainty over valid licensing and all other activities on the ship.

However, some challenges remain for the government, such as a lack of coordination systems and capacity between ministries or agencies, such as between the Ministry of Transportation and the KKP. In this case, the PSM Inspection Team can inspect the vessels when the MCH has been in the designated port area. However, based on the information provided by KKP, many MCHs still conduct transit activities or refueling, even changing AKPs at ports that are not within the scope of the PSMA-designated ports. Ultimately, this becomes the most critical obstacle for the government to prevent IUU fishing activities based on the original purpose of the PSMA implementation.

Such a lack of coordination was seen when the government dealt with the cases of Run Zeng 03 and Run Zeng 05, where the vessels were detected docked at Tanjung Priok Public Port, and port officials had inspected them. In this case, the inspection found irregularities with the two vessels; however, there was no follow-up inspection, allowing them to escape from the port area until law enforcement officers finally arrested them.

Suppose KKP and the Ministry of Transport do not coordinate well. In that case, it is feared that law enforcement against the two vessels allegedly carrying out IUU Fishing activities will also be weak. Later, they will freely repeat these actions within the jurisdictional waters of Indonesia. Worse still, the port officer at the time did not detect the Run Zeng, which was categorised as a high-risk vessel.

²⁵ Jade Lindley, "Fisheries Crime and Ocean Resilience," in *The Palgrave Encyclopedia of Urban and Regional Futures* (Springer, 2021), 1–8.

Furthermore, the facilities available at designated ports are still inadequate for optimising the entry of fishing vessels into the port. In this case, as in the explanation of the PSMA provisions, ports that have received the mandate to implement the PSMA must certainly inspect the vessels optimally. There are 567 fishing ports in Indonesia, and the general ports range from 2,439 ports as per 2020 data. There is no exact number of designated ports in each country, as it depends on several factors such as the size of the sea area, the length of the coastline, the intensity of fishing activities, and the available port infrastructure. However, effective implementation of the PSMA requires a sufficient number of ports to cover the entire sea area and significant fishing activities.²⁶

Based on the number of ports owned by Indonesia, there are only 4 ports that are designated as PSMA ports or designated ports, so as a percentage, there are only 0.2% of ports from all ports in Indonesia. Of course, this seems to provide a criminal space for illegal KIA to launch its actions at ports that are not registered as designated ports. The effect is on law enforcement because of the lack of marine and security supervision (Port State Control). In Indonesia, this has not been done optimally due to the special provisions contained in the PSMA, and the procedures for handling it only apply to ports included in the designated ports category.

Based on the statement delivered by the CTF, the fishing ports in Indonesia are not designed as a place to berth a foreign fishing vessel with a size of >100 GT, which is so large. In this case, foreign vessels prefer to anchor at public ports not included in the PSMA port category. At the same time, assigning designated ports to ports is essential, especially for public

²⁶ Januar Dwi Putra, "Deteksi Dan Analisis Dugaan Praktik Penangkapan Ikan Secara Ilegal Di Wilayah Perairan Dan Yurisdiksi Indonesia," *Indonesia Ocean Justice Initiative*, 2024.

ports often used by foreign vessels to anchor and conduct shipping activities.²⁷

In addition to the lack of coordination and adequate infrastructure in implementing the provisions of the PSMA, there is an international information exchange system that is not fully integrated. The determinant of success in implementing the PSMA is the exchange of information related to the international area as a basis to reject vessels that have previously been indicated as individuals from IUU Fishing crimes from entering activities in other countries' ports.²⁸

Structuring the implementation of PSMA in the framework shows that the exchange of information should be done with the Global Information Exchange System (GIES) as a new thing that has been developed by UN FAO, where this kind of system has been used by many regional organisations with functions to manage fisheries systems (Regional Fisheries Management Organization). However, there is a challenge experienced by each country, which is that their ports cannot directly access the results of MCH inspections that the previous government has carried out. Thus, the implementation of verification with the communication of the countries concerned can only be done by manual and independent detection. In addition, the information and data used on the platform must be input by the PSM Authority Secretariat officers, respectively, which opens up opportunities for human error or manipulation of data.

These obstacles have implications for organised cross-border crime in Indonesian waters. The Run Zeng 03 and 05 vessels registered by Chinese and Russian operators involve KM Yulian and KM Mus as Indonesian-flagged vessels. In this case, there is a strong suspicion that

²⁷ Nendah Kurniasari, Christina Yuliaty, and Rismutia Hayu Deswati, "Posisi Praktek Pengelolaan Sumberdaya Kelautan Dan Perikanan Berbasis Hukum Adat Dalam Perspektif Hukum Nasional," *Jurnal Kebijakan Sosial Ekonomi Kelautan Dan Perikanan* 6, no. 2 (2016).

²⁸ Edi Susilo et al., *Hukum Perikanan* (Malang: Universitas Brawijaya Press, 2017).

they have been fishing without a valid licence in Indonesia and recruiting unauthorised crew members.

Regarding the applicable law in Indonesia, the acts committed by the perpetrators can be classified as serious criminal offences. Fish caught by foreign vessels without licences have the potential to be punished as in the Fisheries Law, namely in Article 92 and Article 93, Paragraph (2). He continued that, as Article 101 of the Fisheries Law states, in criminal offences classified as committed by corporations, the criminal sanctions given will be given to the corporation's management, with a fine, which is aggravated by one third of the imposition of a fine.²⁹

The criminal threats accommodated in the Fisheries Law certainly fulfil the requirements as a serious crime stipulated in UNTOC. In addition, in the alleged criminal offences in the fisheries sector, there are threats of criminal sanctions that accompany other criminal offences, such as Trafficking in Persons (TPPO). In the development of practice, law enforcement officials must examine transnational criminal offenses more deeply to determine their links to criminal groups located across borders as stipulated in the UNTOC.

Indonesia has historically tried cases of transnational organised fisheries crime with cases involving foreign-flagged fishing vessels, such as Silver Sea 2, STS-50, MV NIKA, and MV Viking, as well as cases related to trafficking in persons and slavery that have occurred in the Benjina area. The Benjina area in Maluku has found gross violations of human rights on the crew of fishing vessels (AKP) whose origins are from various countries. In this case, AKP is employed on fishing vessels under the ownership of PT Pusaka Benjina Resources and Group. Exploitation of marine resources in the waters is also carried out

²⁹ Surya Muhammad Gunarsa and Agustinus Pohan, "Pertanggungjawaban Hukum Bagi Korporasi Yang Melakukan Tindak Pidana Illegal Fishing," 2017.

illegally and massively by using fishing gear that damages the environment and expired licenses.

B. Comparative Study of Law Enforcement of Transnational Organised Fisheries Crime between Indonesia and Australia

Illegal, unreported, and unregulated (IUU) fishing is a crucial issue for countries, especially developing countries, which are particularly affected by its impact, especially for communities that are highly dependent on the fisheries sector as a source of income. In law enforcement, particularly regarding IUU fishing, this paper will discuss the efforts undertaken by Indonesia and Australia, which serve as best practices in combating transnational organized fisheries crime.

2.1 Legal Framework for Addressing Transnational Organized Fisheries Crime in Indonesia's Fisheries Sector

The fisheries sector is one of the key elements in Indonesia's national development. Several factors contribute to this, including the fact that many people work as fishermen, making fishing their primary source of income, and Indonesia's vast fisheries potential. Legal violations occur because foreign vessels continuously enter Indonesia's Exclusive Economic Zone to illegally catch large quantities of fish, causing state losses amounting to trillions. As stated by Minister Susi Pudjiastuti during the 25th session of the CCPCJ in Vienna, every country must recognize the presence of TOFC as an emerging international crime, threatening all nations, as many countries lack the commitment to combat crime in the fisheries sector. However, despite this, fisheries crime is an issue that must be addressed not only at the international level but also at the national level.³⁰

³⁰ Z Mubarak, "Illegal, Unreported and Unregulated Fishing and Transnational Organized Fisheries Crimes: Perspectives of Legal and Policy Measures of Indonesia," 2019.

Indonesia already has fairly comprehensive legal regulations regarding law enforcement in the fisheries sector. These include Law No. 17 of 1985 on the Ratification of UNCLOS 1982, Law No. 31 of 2004 on Fisheries, which was later amended to become Law No. 45 of 2009. The existence of Law No. 45 of 2009, which is a strategic policy and a positive step, serves as the foundation for law enforcement officials and fisheries judges in resolving legal issues related to illegal fishing. This law was formulated considering the fisheries code of ethics outlined in the 1995 Code of Conduct for Responsible Fisheries (CCRF) of the Food and Agriculture Organization (FAO).³¹

Fishery crimes are not limited to illegal fishing; they include illegal, unreported, and unregulated fishing (IUU Fishing). In addition to causing economic losses, such activities also impact political relations between nations, as they constitute violations of national sovereignty and are considered a threat to the sustainability of marine resources or fishing-related activities that could harm the order or security of a nation. The United Nations Convention on the Law of the Sea 1982 also addresses such actions. Therefore, Indonesia must enforce strict legal action against foreign fishermen or vessels that violate regulations, ensuring they are apprehended and prosecuted under the law.

A multi-regime approach can be used if IUU fishing offenders commit other crimes simultaneously. This approach means the investigation can be initiated through any criminal offense in any jurisdiction along the value chain. Law enforcement agencies can apply coherent laws in the fisheries sector, such as human trafficking laws, corruption laws, money laundering laws, immigration laws, environmental laws, labor laws, criminal laws, etc.

³¹ Muhammad Fatahillah Akbar, "Koherensi Pengaturan Illegal, Unreported, and Unregulated Fishing Di Indonesia," *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 8, no. 2 (2019): 245, <https://doi.org/10.33331/rechtsvinding.v8i2.319>.

On the other hand, Indonesia has taken various measures to support national policies combating IUU fishing by actively establishing bilateral and multilateral cooperation and utilizing regional and international cooperation forums to raise awareness of IUU fishing issues. One of the countries that has established collaboration with Indonesia is Australia, as Australia is one of the ten largest export destinations and faces the same challenges faced by fisheries, namely IUU fishing practices.³² However, in terms of its coherence with eradicating IUU fishing practices, Australia is one of the most successful countries in managing its fisheries in its EEZ. Australia has made strenuous efforts to eliminate IUU fishing in its waters by enacting strict regulations, which tend to be faster and more efficient in dealing with violations due to a centralized coordination system and the availability of administrative settlement options. Along with Indonesia, Australia is one of the countries with the largest EEZs in the world. It is a party to UNCLOS 1982 and several other instruments for preventing IUU fishing.

2.2 Comparative Analysis of Transnational Organized Fisheries Crime Enforcement: Lessons from Australia for Indonesia

The intensity of the Australian government in combating IUU fishing is undoubtedly an effort that should be a best practice for countries, especially since Indonesia and Australia also ratified the PSMA in their national legal provisions. However, the specific difference is that Australia accommodates the provisions of the PSMA in the law, not in implementing regulations in the ministerial realm, like Indonesia. By Articles 94 and 103 of Australia's 1991 Fisheries Management Act, Australia has ratified the

³² Chenika Fricila, R. Dudy Heryadi, and Dairatul Ma'arif, "Kerjasama Indonesia-Australia Dalam Menanggulangi Illegal, Unreported, Unregulated Fishing Di Laut Timor Australia Tahun 2017-2021," *Global Political Studies Journal* 6, no. 2 (2022): 89–106, <https://doi.org/10.34010/gpsjournal.v6i2.7996>.

PSMA: the agreement on Port State Measures to Prevent, Obstruct and Eradicate Illegal, Unreported and Unregulated Fishing.³³

Upon entry into force, the agreement will set minimum standards for Port State measures to combat illegal fishing by enhancing regional and international cooperation and blocking access to ports for vessels suspected of illegal fishing. Denial of access to ports and thus access to markets targets vessel profitability and is a significant disincentive to IUU fishing.

Under the Fisheries Management Act 1991, there are two ways that foreign-flagged vessels can be used in Australia's exclusive economic zone (EEZ). Firstly, an application can be made under the Fisheries Management Act 1991 to declare a foreign vessel, lawfully imported into Australia, as an Australian vessel for fishing in the Australian Fishing Zone. Secondly, a foreign fishing licence can be granted to use a foreign vessel in Australian waters. The Fisheries Management Act 1991 prohibits overseas-registered vessels from fishing in Australia's EEZ or territorial sea without a foreign fishing licence—Australian Government. The policy is that foreign-flagged fishing vessels are generally not authorised to fish in Australian waters. This policy restricts vessels suspected of IUU from accessing Australian fisheries or ports.³⁴

When foreign-flagged vessels enter Australian waters without authorisation to fish, they are arrested in surveillance and enforcement operations led by Border Protection Command, with assistance from AFMA fisheries officers. The Australian Maritime Security Operations Centre, also assisted by AFMA officers, coordinates these operations.

³³ Miaomiao Yin and Sen Wang, "Australia's Jurisdiction and Law Enforcement in Combating IUU Fishing in the Southern Ocean," *Marine Policy* 169 (2024): 106367.

³⁴ Muhammad Rafi Ardin Darmawan, Mansur Juned, and Rizky Hikmawan, "Countering Illegal, Unreported and Unregulated Fishing Through the Capacity Building Program in Indonesia-Australia Fisheries Surveillance Forum 2017-2019," *International Journal of Multicultural and Multireligious Understanding* 9, no. 10 (2022): 50–57.

Australia's action on IUU fishing has a strong regional focus. Millions of people in our region, across the Pacific, the shores of the Indian Ocean, and in Southeast Asia, depend on fisheries for food and livelihoods, making the contribution of fisheries to food security a key regional issue. Under the Torres Strait Fisheries Act 1984, which enacts the fisheries element of the Torres Strait Agreement between Australia and Papua New Guinea, Papua New Guinean nationals who are traditional Torres Strait Protected Zone residents can access Australian waters to conduct traditional fishing. Australian Government agencies, including those responsible for fisheries management, foreign affairs, aid, and maritime law enforcement, work together to implement programmes and measures to improve fisheries governance and law enforcement capacity, which, in turn, supports food security and regional stability.³⁵

Australia was instrumental in establishing the Regional Plan of Action to Promote Responsible Fishing Practices, including Combating Illegal, Unreported and Unregulated Fishing in Southeast Asia (RPOA-IUU) in May 2007, to help combat IUU fishing in Southeast Asia. RPOA-IUU aims to improve and strengthen overall fisheries governance and management in the region and promote the implementation of responsible fishing practices.

Only a small number of Australian vessels operate on the high seas. The Australian Government requires Australian-flagged fishing vessels to be licensed to fish in waters beyond the outer limits of the EEZ, and it is an offence for an Australian-flagged fishing vessel to operate on the high seas without the appropriate licence. If a vessel operator is suspected of unauthorised activity, legal action can be taken against the captain and vessel owner.

³⁵ Sonia Garcia Garcia, Kate Barclay, and Rob Nicholls, "Can Anti-Illegal, Unreported, and Unregulated (IUU) Fishing Trade Measures Spread Internationally? Case Study of Australia," *Ocean & Coastal Management* 202 (2021): 105494.

Australian-flagged vessels on the high seas must display markings per FAO standard specifications, facilitate the carriage of observers, complete catch and effort records, and operate vessel monitoring systems that report to AFMA. Australian-flagged vessels must also operate in a manner that does not breach Australia's obligations under international treaties and other arrangements to which Australia is a party.

By Australia's international obligations, the Fisheries Management Act 1991 was amended to strengthen Australia's ability to combat IUU fishing by allowing Australian citizens to be prosecuted for breaching RFMO conservation and management measures. Australia is also a member of several regional fisheries management organizations (RFMOs). Under these instruments, Australia helps combat IUU fishing in its surrounding marine areas by cooperating with governments in bilateral and multilateral agreements that allow for exchanging information and experience on efforts to prevent IUU fishing. Australia actively seeks the adoption of conservation and management measures by its member RFMOs.

Conclusion

Such cross-border fisheries crime is evident in the case of Run Zeng 03 and Run Zeng 05 vessels in the Indonesian EEZ, where there are multiple regimes of crime related to illegal fishing, namely operating without a license in the Arafuru sea and trafficking crimes using AKPs who are Indonesian citizens. This case proves that our law enforcement is still weak, as measured by Articles 92 and 93, Paragraph 2 of the Fisheries Law, so the crime risk still requires high supervision. As stated in Presidential Regulation 43/2016, Indonesia has ratified the PSMA as an international agreement to mitigate and eradicate IUU Fishing. The phenomenon of the criminal case of the Run Zeng 03 and Run Zeng 05 vessels is evidence that,

procedurally, the implementation of PSMA in Indonesia must be strengthened. The two Run Zeng vessels anchored at Tanjung Priok, Pelabuhan Ratu, and Ambon Bay harbors show that PSMA was implemented according to the provisions of the Ministerial Decree 52/2020. Foreign fishing vessels should enter designated ports, in this case, PPS Nizam Zachman, PPS Bungus, PPS Bitung, and PU Benoa.

The author suggests the Indonesian government can investigate the inspection findings through a good law enforcement process as a legitimate follow-up for legal certainty and justice. Indications of IUU fishing practices accompanied by cross-border human trafficking, as confirmed by the network of foreign and local flagged vessels, certainly require optimal institutional coordination, of course, between the MMAF, the Ministry of Transportation, and the police. The two Run Zheng vessels should be included in the IUU Watch List at RFMO under the category of high-risk vessels to limit the movement and network of these illegal vessels. In consideration of the large number of MCH entering public ports that are not classified as designated ports, legally, the government needs to reconstruct KepmenKP 52/2020, where there needs to be a provision in the form of adding PSMA-designated ports to fishing ports that are rampantly entered by MCH, such as Tanjung Priok harbor. Australia can be a model for its efforts to eradicate IUU Fishing by accommodating PSMA into the Fisheries Management Law, and systematizing coordination between AFMA and the Australian Maritime Security Operations Center to run well without coordination problems and overlapping authorities.

References

- Akbar, Muhammad Fatahillah. "Koherensi Pengaturan Illegal, Unreported, and Unregulated Fishing Di Indonesia." *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 8, no. 2 (2019): 245. <https://doi.org/10.33331/rechtsvinding.v8i2.319>.
- Angraeni, Ananda Nurafifah. "Implementasi Penegakan Hukum Pidana Terhadap Praktik Illegal Fishing Di Kabupaten Raja Ampat

- Berdasarkan UU No. 45 Tahun 2009 Tentang Perubahan UU No. 31 Tahun 2004 Tentang Perikanan.” *Jurnal Riset Ilmu Hukum* 3, no. 2 (2021).
- Chapsos, Ioannis, and Steve Hamilton. “Illegal Fishing and Fisheries Crime as a Transnational Organized Crime in Indonesia.” *Trends in Organized Crime* 22, no. 3 (2019).
- Darmawan, Muhammad Rafi Ardin, Mansur Juned, and Rizky Hikmawan. “Countering Illegal, Unreported and Unregulated Fishing Through the Capacity Building Program in Indonesia-Australia Fisheries Surveillance Forum 2017-2019.” *International Journal of Multicultural and Multireligious Understanding* 9, no. 10 (2022): 50–57.
- DFW Indonesia. “Challenges Indonesia Faces in Fisheries Exports.” [dfw.or.id](https://dfw.or.id/challenges-indonesia-faces-in-fisheries-exports/), February 3, 2025. <https://dfw.or.id/challenges-indonesia-faces-in-fisheries-exports/>.
- Ernawati, Ninin, Maya Shafira, Deni Achmad, Rehulina Tarigan, and Ninne Zahara Silviani. “Legal Enforcement for Iuu Fishing in Indonesian Sovereignty and Jurisdiction: A Case Analysis of the Capture of Foreign Vessels By the Indonesian Government.” *Jurnal IUS Kajian Hukum Dan Keadilan* 10, no. 3 (2022): 448–61. <https://doi.org/10.29303/ius.v10i3.1078>.
- Fajardo, Teresa. “To Criminalise or Not to Criminalise IUU Fishing: The EU’s Choice.” *Marine Policy* 144 (2022): 12.
- Fricila, Chenika, R. Dudy Heryadi, and Dairatul Ma’arif. “Kerjasama Indonesia-Australia Dalam Menanggulangi Illegal, Unreported, Unregulated Fishing Di Laut Timor Australia Tahun 2017-2021.” *Global Political Studies Journal* 6, no. 2 (2022): 89–106. <https://doi.org/10.34010/gpsjournal.v6i2.7996>.
- Garcia, Sonia Garcia, Kate Barclay, and Rob Nicholls. “Can Anti-Illegal, Unreported, and Unregulated (IUU) Fishing Trade Measures Spread Internationally? Case Study of Australia.” *Ocean & Coastal Management* 202 (2021): 105494.
- Gunarsa, Surya Muhammad, and Agustinus Pohan. “Pertanggungjawaban Hukum Bagi Korporasi Yang Melakukan Tindak Pidana Illegal Fishing,” 2017.

- Hasan, Yulia A, and M H SH. *Hukum Laut Konservasi Sumber Ikan Di Indonesia*. Bandung: Prenada Media, 2021.
- Januar Dwi Putra. "Deteksi Dan Analisis Dugaan Praktik Penangkapan Ikan Secara Ilegal Di Wilayah Perairan Dan Yurisdiksi Indonesia." *Indonesia Ocean Justice Initiative*, 2024.
- Kuemlangan, Blaise, Elizabeth Rose Amidjogbe, Julia Nakamura, Alessandra Tomassi, Rudolph Hupperts, Buba Bojang, and Teresa Amador. "Enforcement Approaches against Illegal Fishing in National Fisheries Legislation." *Marine Policy* 149, no. April 2022 (2023): 105514. <https://doi.org/10.1016/j.marpol.2023.105514>.
- Kurniasari, Nendah, Christina Yuliaty, and Rismutia Hayu Deswati. "Posisi Praktek Pengelolaan Sumberdaya Kelautan Dan Perikanan Berbasis Hukum Adat Dalam Perspektif Hukum Nasional." *Jurnal Kebijakan Sosial Ekonomi Kelautan Dan Perikanan* 6, no. 2 (2016).
- Kusuma, Bambang Ali, Lego Karjoko, Abdul Kadir Jaelani, I. Gusti Ayu Ketut Rachmi Handayani, and Muhammad Jihadul Hayat. "Establishment of Indonesian Maritime Power: Regulation of Transnational Organized Crime on Illegal, Unreported, and Unregulated (IUU) Fishing." *International Journal of Criminal Justice Sciences* 16, no. 2 (2021): 251–66. <https://doi.org/10.5281/zenodo.4756074>.
- Lampe, Klaus Von. "The Practice of Transnational Organized Crime." In *Routledge Handbook of Transnational Organized Crime*, 200–214. Routledge, 2021.
- Lindley, Jade. "Fisheries Crime and Ocean Resilience." In *The Palgrave Encyclopedia of Urban and Regional Futures*, 1–8. Springer, 2021.
- Mubarok, Z. "Illegal, Unreported and Unregulated Fishing and Transnational Organized Fisheries Crimes: Perspectives of Legal and Policy Measures of Indonesia," 2019.
- Rachman, Fauzi. *Metode Penelitian Kualitatif*. Bandung: Penerbit Lakeisha, 2022.
- Rasyid, Sulaiman. "Determination of the Jurisdiction of Fisheries Crimes as Transnational Organized Crimes." *Unnes Law Journal* 7, no. 1 (2021): 167–88.
- Samy-Kamal, Mohamed. "Insights on Illegal, Unreported and Unregulated

- (IUU) Fishing Activities by Egyptian Vessels in Neighbouring Countries.” *Fishes* 7, no. 5 (2022): 288.
- Shafira, Maya, Firganefi Firganefi, Diah Gustiniati, and Mashuril Anwar. “Illegal Fishing: Optimalisasi Kebijakan Penegakan Hukum Pidana Sebagai Primum Remedium.” *Jurnal Wawasan Yuridika* 5, no. 1 (2021): 40. <https://doi.org/10.25072/jwy.v5i1.391>.
- Siombo, D R Marhaeni Ria. *Hukum Perikanan Nasional Dan Internasional*. Jakarta: Gramedia Pustaka Utama, 2013.
- Song, Andrew M, Joeri Scholtens, Kate Barclay, Simon R Bush, Michael Fabinyi, Dedi S Adhuri, and Milton Haughton. “Collateral Damage? Small-Scale Fisheries in the Global Fight Against IUU Fishing.” *Fish and Fisheries* 21, no. 4 (2020).
- Stefanus, Andrea A, and John A E Vervaele. “Fishy Business: Regulatory and Enforcement Challenges of Transnational Organised IUU Fishing Crimes.” *Trends in Organized Crime* 24, no. 4 (2021): 581–604.
- Susilo, Edi, Erlinda Indrayani, Dhiana Puspitawati, and Yasniar Rahmawati. *Hukum Perikanan*. Malang: Universitas Brawijaya Press, 2017.
- Tribawono, Ir H Djoko. *Hukum Perikanan Indonesia*. Bandung: PT Citra Aditya Bakti, 2018.
- Undang-Undang Nomor 31 Tahun 2004 tentang Perikanan (Lembaran Negara No. 118, Tambahan Lembaran Negara Nomor 4433) (n.d.).
- Vrancken, Patrick. “State Jurisdiction to Investigate and Try Fisheries Crime at Sea.” *Marine Policy* 105, no. July (2019): 129–39. <https://doi.org/10.1016/j.marpol.2018.12.026>.
- Vrancken, Patrick, Emma Witbooi, and Jan Glazewski. “Introduction and Overview: Transnational Organised Fisheries Crime.” *Marine Policy* 105 (2019): 116–22.
- Widyawati, Anis, Ade Adhari, Ridwan Arifin, Helda Rahmasari, and Heru Setyanto. “Crafting an Ideal Penitentiary Law: A Global Comparative Framework for Indonesia’s Correctional System.” *Legality: Jurnal Ilmiah Hukum* 33, no. 2 (2025): 417–44. <https://doi.org/https://doi.org/10.22219/ljih.v33i2.40358>.
- Witbooi, Emma, Kamal Deen Ali, Mas Achmad Santosa, Gail Hurley, Yunus Husein, Sarika Maharaj, Ifesinachi Okafor-Yarwood, Inés

- Arroyo Quiroz, and Omar Salas. "Organized Crime in the Fisheries Sector Threatens a Sustainable Ocean Economy." *Nature* 588, no. 7836 (2020): 48–56. <https://doi.org/10.1038/s41586-020-2913-5>.
- Yin, Miaomiao, and Sen Wang. "Australia's Jurisdiction and Law Enforcement in Combating IUU Fishing in the Southern Ocean." *Marine Policy* 169 (2024): 106367.
- Yogi, Saputra. "Pengaturan Tentang Pemanfaatan Dan Pengelolaan Sumber Daya Alam Perikanan Di Zona Ekonomi Eksklusif Indonesia Menurut Unclos 1982." Universitas Andalas, 2020.
- Yuliantiningsih, Aryuni, Hartiwiningsih, Ade Maman Suherman, and Emmy Latifah. "From Illegal, Unreported and Unregulated Fishing to Transnational Organised Crime in Fishery from an Indonesian Perspective." *ASEAN International Law*, 2022, 481–502.

DECLARATION OF CONFLICTING INTERESTS

The authors states that there is no conflict of interest in the publication of this article.

FUNDING INFORMATION

None

ACKNOWLEDGMENT

None

HISTORY OF ARTICLE

Submitted : March 19, 2025

Revised : May 10, 2025

Accepted : October 31, 2025

Published : November 4, 2025

About Author(s)

Maya Shafira, S.H., M.H., was born in Teluk Betung on June 1, 1977. She completed her Bachelor of Laws (S1) at the Faculty of Law, University of Lampung in 1999, and obtained her Master of Laws (S2) from the same institution in 2001. From 2013 to 2019, she pursued doctoral studies at the Postgraduate Program in Legal Studies (PSDIH) at the Faculty of Law, University of Indonesia. In 2019, she continued her doctoral studies at the Postgraduate Program in Legal Studies at the Faculty of Law, University of Lampung, and successfully earned her Doctor of Law degree in 2025. She serves as a lecturer in the Department of Criminal Law at the Faculty of Law, University of Lampung, with areas of specialization in Administrative Criminal Law and Crime Prevention Policy in the Maritime and Fisheries Sector. She has held several academic and administrative positions, including Head of the Law Laboratory (2022–2024), Coordinator of the PR-PTN Law Laboratory Team (2023–2024), Secretary of the Criminal Law Department (2024–2025), and Head of the Criminal Law Department at the Faculty of Law, University of Lampung (2025). She also serves as Managing Editor of *Ius Poenale*, a SINTA-3 accredited journal of the Faculty of Law, University of Lampung.

Andre Arya Pratama, S.H., was born in Sukabumi, West Java, on February 3, 2001. He completed his Bachelor of Laws (S1) at the Faculty of Law, University of Lampung in 2023, and in 2025 he continued his postgraduate studies in the Master of Law Program at Universitas Gadjah Mada. Prior to pursuing his postgraduate education, he was actively involved in the Center for Legal Research Development and Scientific Publication (P3HPI) of the Faculty of Law, University of Lampung, where he served as an Editorial Staff Member for *Fiat Justisia* (SINTA 2) and *Ius Poenale* (SINTA 3).

Dr. Ahmad Irzal Fardiansyah, S.H., M.H., was born in Bandar Lampung on May 6, 1979. He completed his Bachelor of Laws (S1) at the Faculty of Law, University of Lampung in 2003, and later earned his Master of Law degree from the Faculty of Law, Diponegoro University. At the doctoral level, he completed his Doctor of Law (S3) at the Faculty of Law, Diponegoro University. He is currently a lecturer in the Undergraduate, Master, and Doctoral Programs at the Faculty of Law, University of Lampung. He has extensive experience in drafting academic manuscripts and regional regulations related to law and public policy. He currently serves as the Vice Dean for Academic Affairs and Cooperation at the Faculty of Law, University of Lampung for the 2025–2029 term. He is also a Higher Education National Accreditation Board (BAN-PT) Assessor (2022–present), an instructor at the Training and Education Agency of the Supreme Court (2025), and the Editor-in-Chief of *Ius Poenale Journal*, Faculty of Law, University of Lampung.

*This page intentionally
left blank*