

The Efforts Of The Indonesian Government In Overcoming Seed Smuggling Benur Lobsters Overseas

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Abstract

This article explains Indonesian government's efforts to overcome the smuggling of lobster seeds abroad. In explaining this issue, the writer uses the descriptive-qualitative method. The results of the discussion show that Indonesia continues to make efforts to stop smuggling lobster seeds or benur out of the country. The government has made various efforts to tackle the crime of smuggling lobster seeds through synergy with the Ministry of Maritime Affairs and Fisheries, the Navy, Air and Water Police, and Customs. The Ministry of Maritime Affairs and Fisheries is trying to eradicate lobster seed smuggling by launching four ships quickly for the perpetrators of lobster seed smuggling spread across Batam, Jambi, Kupang and Jakarta. The four ships were named Hiu Biru 01, Hiu Biru 02, Hiu Biru 03 and Hiu Biru 04. The Ministry of Maritime Affairs and Fisheries through the Director General of Capture Fisheries Circular Letter No.B.22891/DJPT/Pl.130/XI/2020 dated November 26, 2020 stopped the export of Lobster Benur Seeds. Air and Water Police Polri has also carried out various methods which are classified into two efforts, namely preventive and repressive efforts. Preventive efforts include providing assistance with fishing gear for lobster seed cultivation, patrols by the Water and Air Police Unit, socialization on the prohibition on catching and sending lobster seeds, and raids in territorial waters. Police repressive efforts by carrying out legal action, namely, making arrests and confiscations. In addition, the Indonesian Navy is assisting in synergy with the Ministry of Maritime Affairs and Fisheries in smuggling lobster seeds by strengthening supervision at points considered vulnerable on the sea lanes. In addition, the role of customs is in enforcing the law to prevent smuggling of lobster seeds in collaboration with internal customs and stakeholders. The success of the thwart of smuggling of lobster seeds was the result of the synergy carried out between the KKP, the Indonesian Navy, Customs, the Directorate of Water Police, and others so as to save the Indonesian state losses of up to billions of rupiah for the smuggling of lobster seeds.

Keywords: Smuggling, Benur Lobster, Overseas, National Security.

INTRODUCTION

Indonesia has a very wide area of water, especially the sea. The sea is an area filled with water. So that the living things and ecosystems that live in it are not as many as those on land. Nevertheless, the Indonesian Seas produce abundant natural resources, including natural resources that are renewable and useful for humans to meet their needs for a long time. One activity that is useful for utilizing natural resources in the sea is fishing. Fishery is an activity to manage and utilize existing fish. One of Indonesia's marine wealth sources is lobster. Based on the KBBI, or Big Indonesian Dictionary, a lobster is a type of sea shrimp with the Latin name Genus Homarus. It is bluish-black in color, has eight legs, and a pair of very large pincers. Lobster seeds or consumption-sized fish are fishery commodities that have economic value. Therefore, there is overfishing of lobsters, which then causes the productivity of renewable resources in the sea to decrease. The decrease in productivity is also due to the still-minimal supervision regarding the development and growth of lobsters and conflicts with law enforcement.

The Indonesian Sea has about 8,500 species of fish, 555 species of seagrass, and 950 species of coral reef biota. Fish resources in the sea include 37% of the world's fish species,

some of which have high economic value, such as tuna, shrimp, lobster, coral fish, various types of ornamental fish, shellfish, and seaweed. 1 Indonesia's marine wealth must be used to benefit people. This is as regulated in Article 33 paragraph (3) of the Law, The 1945 Constitution of the Republic of Indonesia (hereinafter referred to as the 1945 Constitution), which states that "Earth, water, and wealth, the nature contained in them, are controlled by the state and used for the greatest prosperity of the people. (Lasabuda: 2013).

Since the issuance of Regulation of the Minister of Maritime Affairs and Fisheries Number 1 of 2015 concerning Catching Lobster (*Panulirus* spp.), Crabs (*Scylla* spp.), and Rajungan (*Portunus pelagicus* spp.) (hereinafter referred to as Permen KP No. 1 of 2015), which was later replaced by Regulation Minister of Maritime Affairs and Fisheries Number 56 of 2016 concerning Prohibition Catching and/or Release of Lobster (*Panulirus* spp.), Crab (*Scylla* spp.), and blue swimming crab (*Portunus* spp.) from the territory of the Republic of Indonesia (hereinafter referred to as Permen KP No. 56 of 2016) causes activities catching and shipping lobster seeds abroad is prohibited. Even though the act of catching and removing lobster seeds has been done is not allowed and has been clearly regulated along with the punishment to be imposed on the perpetrators. But these actions are still frequently done. (Elvany: 2020).

As for the perpetrators of BL smuggling, they can be charged under Article 16 paragraph (1) in conjunction with Article 88 in conjunction with Article 7 paragraph (2) of Law Number 31 of 2004 concerning Fisheries, as amended by Law Number 45 of 2009, Articles 55 and 56 of the Criminal Code, with a penalty of imprisonment for 6 years and a fine of IDR 1.5 billion. (Hidayanti: 2019). The increasing number of attempts to smuggle fish products abroad, especially from Vietnam, has occurred because the price of fish resources (SDI) is very tempting. For smuggled benur, the price is usually between IDR 130,000 and IDR 150,000 per head. This price is considered expensive because benur purchased from fishermen is valued at Rp. 3,000 per head or Rp. 30,000 from collectors.

Indonesia has still not been able to stop smuggling lobster seeds or benur out of the country. This prohibited activity is still being actively carried out by individuals on various islands in Indonesia. The destination country for the smuggling of benur is Singapore, which acts as an intermediary, and then Vietnam as the final destination country. Based on the description above, the authors are interested in conducting research entitled "Efforts of the Indonesian Government in Overcoming Smuggling of Lobster Seeds Abroad".

RESEARCH METHODS

Research on the Indonesian Government's Efforts to Overcome the Smuggling of Lobster Seeds Abroad This is research using qualitative methods. This study uses secondary data that comes from the literature study. Meanwhile, in terms of objectives, this research is included as fact-finding research, which means that research is conducted with the aim of finding facts about a phenomenon being studied. Qualitative methods, according to Creswell (2017), have a more diverse approach in academic research. The procedure for qualitative data collection methods still relies on data in the form of text and images, has unique steps in data analysis, and is sourced from research strategies (Creswell, 2017).

RESULT AND DISCUSSION

Application of the Law Against the Illegal Catching of Lobster Seeds

The large amount of Indonesian marine production is still irresponsible for carrying out illegal fishing activities by fishermen, foreign ships, and even local fishermen by means of bombing fish with explosives (fish bombs), toxic materials, anesthesia, use of fishing gear known as trawl, duplication and falsification of fishing permits, and others that are included in the crime of fish theft, especially in Indonesian waters and seas (Erlania et al: 2016).

Based on the mandate of the constitution, all fisheries natural resources must be managed in such a way as to increase people's welfare, while at the same time their sustainability must be maintained. In the provisions of the 1945 Constitution of the Republic of Indonesia, Article 33, paragraph (3), it is stated: "Earth and water, and the natural resources contained therein, are controlled by the state and used for the greatest prosperity of the people." However, Law Number 31 of 2004 concerning Fisheries has not been fully able to anticipate technological developments and legal requirements in the management and utilization of potential fish resources (Delta et al: 2022).

Regarding the lobster catching link, the Minister of Maritime Affairs and Fisheries, Susi Pudjiastuti, issued Ministerial Regulation Number 56/PERMEN-KP/2016 concerning restrictions on lobsters (*Panulirus* spp.), crabs (*Scylla* spp.), and crabs (*Portunus* spp.). The issuance of the ministerial regulation is related to restrictions on catching the three species. Where the capture of the three species may not be in a state of laying eggs and which limits and sizes may be caught. The prohibition of arrests in these rules is intended because the catch of fishermen is currently decreasing due to the many illegal practices related to catching lobster seeds. Restrictions on lobsters, crabs, and crabs provide spawning opportunities for all three before being caught. This is also done so that fishermen can take advantage of the continuous population of lobster and crab. Broadly speaking, this regulation is needed in order to maintain the population of the three species, which is where the pressure from their exploitation is felt to have increased.

Since the issuance of Permen KP No. 1 of 2015, which was later replaced by KP Regulation No. 56 of 2016, the act of sending lobster seeds is an act that is included in a criminal act. What is said to be the crime of smuggling lobster seeds is an act of secretly sending goods in the form of lobster seeds abroad. This kind of action can be caught by the culprit and processed legally. (Handoyo, et al.: 2021).

In Minister of Marine Affairs and Fisheries Regulation Number 56 of 2016, Article 2 stipulates that the capture and/or export of Lobster (*Panulirus* spp.), with Harmonized System Code 0306.21.10.00 or 0306.21.20.00, from the territory of the Republic of Indonesia can only be done under the following conditions: a) not in an egg-bearing condition; and b) the carapace length is above 8 (eight) cm or the weight is above 200 (two hundred) grams per head. In Article 7, it is stated that: 1). Selling lobster seed for cultivation is prohibited. 2). Anyone who captures Lobster (*Panulirus* spp.), Crab (*Scylla* spp.), and Crab (*Portunus* spp.) is required to: a). Release Lobster (*Panulirus* spp.), Crab (*Scylla* spp.), and Crab (*Portunus* spp.) that do not comply with the provisions referred to in Article 2, Article 3, and Article 4, if still alive; b). Record Lobster (*Panulirus* spp.), Crab (*Scylla* spp.), and Crab (*Portunus* spp.) that do not comply with the provisions referred to in Article 2, Article 3, and Article 4, which are caught in a dead condition and report to the Director General through the port basehead as stated in the Fishing Permit. 3). Anyone who exports Lobster (*Panulirus* spp.), Crab (*Scylla* spp.), and Crab (*Portunus* spp.) in a condition that does not comply with the provisions referred to in Article 2, Article 3, and Article 4, is subject to sanctions in accordance with the provisions of the legislation.

The handling of fisheries crime cases is very different from the handling of general crimes, a very clear difference is related to the time of investigation. In cases of fishing crimes, the investigation time is very short, in accordance with Article 73B Paragraphs 2 to 5 of Law Number 45 of 2009 concerning Fisheries, which states that for the purposes of investigation, investigators can detain suspects for a maximum of 20 days. If necessary for the purposes of an unfinished examination, the public prosecutor can extend it for a maximum of 10 days. After the 30 day period, the investigator must have released the suspect from detention by law.

Committing a fishing crime, namely carrying out buying and selling activities of clear lobster seeds or fry seeds that do not have a Fishery Business License (SIUP), as referred to in Article 92 of the Law of the Republic of Indonesia Number 45 of 2009 on amendment Number 31 of 2004 concerning Fisheries which reads "Anyone who deliberately in the Indonesian fishery management territory carries out fishery business in the field of catching, cultivating, transporting, processing and marketing of fish, and does not have SIUP as referred to in Article 26 paragraph (1), shall be punished with imprisonment for a maximum of 8 (eight) years and a maximum fine of Rp. 1,500,000,000.00 (one billion five hundred million rupiah). (Hidayanti: 2019).

Regarding the sale and purchase of fingerlings, it is regulated by the Regulation of the Minister of Maritime Affairs and Fisheries Number 17 of 2021 Chapter II, part one concerning Catching Clear Lobster Seeds according to the description of Article 2 paragraph 1 to paragraph 4 and part two regarding the Cultivation of Clear Lobster Seeds (puerulus) according to the description of Article 3 paragraph 1 to paragraph 3 which are not in accordance with their designation, they may be subject to sanctions in accordance with Article 19 paragraph 1 which reads: "everyone who removes clear lobster seeds from outside the territory of the Republic of Indonesia as referred to in Article 18 paragraph (1) is subject to criminal sanctions in accordance with regulations legislation."

The current management of fish resources must receive full attention, due to the increasing exploitation pressure on various fish stocks and increasing public awareness and concern for utilizing the environment wisely, namely by carrying out rational harvesting and various sustainable development efforts. The goal of fisheries management is to achieve it maximum and sustainable benefits, while also ensuring the preservation of fish resources, especially in this case, lobsters. (Delta et al: 2022).

Ministry of Maritime Affairs and Fisheries (KKP) Efforts

The smuggling of lobster seeds, or benur, into Indonesia will still dominate throughout the 2022 period. Based on information on the illegal smuggling action, the majority of perpetrators carried out this activity via Sumatra Island and sent goods through rat ports (Balai Besar Fish Quarantine and Quality Control, 2022). For acts of smuggling by air, such as through Soekarno-Hatta Airport, since the period one year ago, it has decreased due to changes in the regulation of the Minister of Maritime Affairs and Fisheries (Permen KP) concerning management of lobsters, crabs, and crabs.

Since early 2018, the Ministry of Maritime Affairs and Fisheries (KKP) has recorded 19 cases of attempts to smuggle benur from various islands. From the smuggling attempt, 1,098,870 benur with a total value of IDR 164,830,500,000 were rescued. For IDR 130,000 per head, they are usually sold by smugglers to businessmen in Singapore, which is an intermediate target country. Then, from Singapore, each fry received from Indonesia is then resold to Vietnamese businessmen at a price of IDR 150,000 per head. That's why the smuggling of benur from time to time is increasing and cannot be stopped. This is because the benefits are very promising. The KKP will continue to hunt down these elements to break the smuggling chain.

Jawa Pos in the article *Lobster Seed Smuggling Still Dominates Throughout 2022*, it was stated that the majority of smuggled benur was sent to Singapore and Thailand. However, the end is still in sight in Thailand, and the modus operandi of the smugglers is to disguise their goods with spare parts or vegetables to trick the officers. Although currently cases of illegal export smuggling are still dominating. But his party can also succeed in uncovering and arresting the perpetrators by being processed legally.

The Ministry of Maritime Affairs and Fisheries (KKP) launched four fast boats to hunt down perpetrators and eradicate lobster smuggling. The four ships were deployed to several areas, namely Batam, Jambi, Kupang, and Jakarta. The symbolic launch of the ship was carried out in Batam City. The KKP has also shown its commitment to safeguarding the sea by arresting at least 22 ships for violating fishing zone rules and other violations in Indonesia.

Located in a border area, Batam City, Riau Archipelago Province, is often a transit point for various international crimes. Starting from drugs, liquor, illegal Indonesian workers (TKI), luxury cars, non-tax cigarettes, and smuggling lobster seeds. This condition is of concern to the Minister of Maritime Affairs and Fisheries, Sakti Wahyu Trenggono. The Ministry of Maritime Affairs and Fisheries has launched at least four fleets of the Quick Reaction Unit for Supervision of Marine and Fisheries Resources (URC PSDKP). One of the projections for this ship is to hunt down lobster smugglers.

KKP launch four fleets of speedboats with the name Hiu Biru, which will further strengthen supervision of marine and fisheries resources, particularly in light of the practice of smuggling lobster seeds, fishing in destructive ways, and exploiting sea, coastal, and small island spaces that are not in accordance with PKKPRL rules. The fleet, which was inaugurated by the Minister of Maritime Affairs and Fisheries, has a speed of up to 57 knots.

The Minister of KKP Trenggono emphasized that illegal fishing practices in Indonesian territorial waters, such as the smuggling of clear lobster seeds (BBL) and destructive fishing, must be eradicated. These ships will be specifically assigned to guard areas that have been considered prone to the smuggling of BBL and destructive fishing. At this initial stage, KKP will be placed in 4 locations, namely Batam, Jambi, Jakarta, and Kupang.



Figure 1. The Minister of Maritime Affairs and Fisheries takes a group photo when launching a patrol boat to monitor lobsters smuggling in Batam City.

KKP, through the Directorate General of PSDKP, launched the Quick Reaction Unit speedboat, which is the work of the nation's children. The four fleets are Blue Sharks 01, Blue Sharks 02, Blue Sharks 03, and Blue Sharks 4. The formation of the URC PSDKP is an effort to strengthen supervision of marine and fisheries resources. The Minister of KKP also ordered

the Directorate General of PSDKP, as the KKP stronghold, to take firm action against perpetrators of BBL smuggling, destructive fishing, and permanent use of sea space that is not in accordance with the rules. He reiterated that the policy direction for marine and fisheries development is to make ecology the commander in chief, so that fishing practices that do not comply with the provisions and damage the marine and fisheries ecosystem must be eradicated. Minister Trenggono also requested that the ranks of the Directorate General of PSDKP maintain integrity in carrying out operations and strengthen collaboration with other law enforcers so that supervision of marine and fisheries resources runs more optimally. Supervision is the KKP's stronghold in overseeing all breakthrough programs.

Meanwhile, the Director General of PSDKP KKP, Rear Admiral TNI Adin Nurawaluddin, explained that the four Blue Sharks would combat the rampant smuggling of BBL by sea as well as acts of destructive *fishing*, which usually use ships/speed boats at high speed in the Indonesian territorial sea (<12 NM). With the ship, Adin said that his party would supervise the marine space so that it complies with the principles of ecological sustainability.

The crime of lobster smuggling has a network like drug crime, it requires very solid synergy between agencies to deal with this crime. So far, the synergy has been well developed, between PSDKP, the Police, and BKIPM officers in Batam. However, because in Batam the supervision was already tight, they tried to find another mode, in the most recent case they used the route in Karimun. The modus operandi of the perpetrators continues to change, now they even use more routes in the areas of Jambi, Palembang and then in the middle of the sea the lobster seeds are transferred and sent to Singapore. (Hapiz: 2019).

Even though it has been banned, smuggling of lobster seeds is still happening. Even though the government is currently encouraging domestic cultivation so that it can produce greater added value than selling puppies. The ban on the export of clear lobster seeds (BBL) is contained in the Minister of Maritime Affairs and Fisheries Regulation No 17/2021, which was issued in June 2021. After that there have been many cases of smuggling of clear lobster seeds that have occurred. Most recently, the Ministry of Maritime Affairs and Fisheries (KKP) and the South Sumatra Regional Police (Sumsel) Ditpolairud caught smugglers of 158,800 clear lobster seeds in Palembang. This arrest was three days after the previous arrest of 506,600 heads or 88 Styrofoam boxes in Palembang.

This performance achievement is in line with the modernization of equipment in 2021. Where there are the addition of 2 units of ships sourced from the 2020 state budget. Offshore Patrol Boats 15 meters long, Offshore Patrol Boats 13.40 meters long, and 1 Fast Hunter Vessel, as well as having special tools, namely the Hybrid Detection System, 2D Underwater Detection Tools, Tactical Equipment, and Supporting Equipment for Maritime Law Enforcement. With the modernization of equipment and the addition of this ship, services to the community in Banten waters are increasing. In addition, the existence of the ship can anticipate the possibility of crime at sea.



Figure 2. Smuggling of lobster seeds that were caught

Previously, thousands of lobster seeds were also caught in Pesisir Selatan Regency, West Sumatra; from the results of the arrests, there were at least 6,100 BBLs that were alive. At least the Fish Quarantine Agency for Quality Control and Safety of Fishery Products (BKIPM) recorded cases of thwarted smuggling in Jambi, East Java, Palembang, Banten, Jakarta, Batam, Mataram, Lampung, Riau Islands, Bandung, Pangkal Pinang, Bengkulu, and Cirebon. The total number of benur rescued from these cases reached 3,873,775 in detail, including 3,710,838 BBLs of sand types and 162,937 of pearl type, with an estimated value of Rp. 159.9 billion.

The Ministry of Maritime Affairs and Fisheries, through the Blue Shark Rapid Response Unit (URC) Team 02, at Batam PSDKP Base, managed to secure BBL (Benih Bening Lobster) worth IDR 30 billion, which was to be smuggled out of Indonesia via the waters of Sambu Island, Riau Archipelago, to Singapore. It is known, there are 65 BBL boxes that have been secured, with a total of 300,000 BBLs divided into two types. Namely, 288,000 sand BBLs and 12,000 pearl BBLs.

The Director General of Maritime and Fishery Resources Supervision (PSDKP), Rear Admiral TNI Adin Nurawaluddin, said that the success of the botched smuggling of BBL was the result of the synergy carried out between the Batam PSDKP Base, Batam Lanal, Customs, Immigration, Dit. Pol Air Polda Riau Islands, and Bakamla so as to save the state losses reaching billions of rupiah from the smuggling of BBL. If we estimate that one BBL Pasir is at IDR 100,000 and one BBL Mutiara is at IDR 150,000, we can calculate that the total estimated loss to the state that can be saved from this smuggling is IDR 30 billion.

The efforts of the Directorate General of PSDKP are a form of KKP's firm commitment in the context of law enforcement, especially efforts to eradicate smuggling of superior marine and fisheries commodities in order to support one of the strategic programs, the implementation of Blue Economy Development, namely maintaining the carrying capacity of the environment by cultivating environmentally friendly fish, both marine and coastal aquaculture, as well as inland areas to increase fish production for export and domestic markets, in this case lobster culture. The Directorate General of PSDKP as the KKP Fortress will continue to take firm action against any illegal actions in Indonesian waters in accordance with the directions of the Minister of Maritime Affairs and Fisheries as mandated in the Minister of Maritime Affairs and Fisheries Regulation (Permen KP) 17 of 2021 concerning Management of Lobsters, Crab and Crab in the Territory of the Republic of Indonesia.

Fisheries observers said that until now, fishermen who catch lobster seeds and cultivators are still smuggling because the benefits of selling abroad are still greater than domestic. So that many people are encouraged to then illegally export to foreign markets such as Singapore and Vietnam. Vietnam and Indonesia are two countries with large lobster

resources in their waters. However, Vietnam exploited it from 1970 to 2010, so it began to be difficult to find lobster seeds.

Meanwhile, Indonesia also has great potential, but it is not yet serious enough to manage. So that Vietnam dared to charge a high price for lobster seeds from Indonesia. They dare to charge a high price—3 times that of lobster seeds. While in Indonesia we are only priced at Rp. 2,000 per head, in Vietnam it can be priced between Rp. 10,000 - Rp. 15,000 per head. The goal is to accommodate as many Indonesians as possible. So that many fishermen who sell to cultivators are not interested in selling to domestic cultivators, and choose to export illegally.

As National Coordinator for Destructive Fishing Watch (DFW) Indonesia Moh Abdi Suhufan explained, the use of BBL for export activities is strongly suspected to have become a priority program implemented by the Ministry of Maritime Affairs and Fisheries (KKP) over the past year. Not only this strategic role, but all ministers have also been reminded by the President of the Republic of Indonesia, Joko Widodo, to work hard and seek breakthroughs to overcome the current crisis. Also asked to improve the economic protection of society. A fisherman in Ketapang Raya Village, Keruak District, East Lombok Regency (NTB), shows clear lobster seeds (BBL). From fishermen, these seeds are taken to collectors, who usually have a relationship with a certain company.

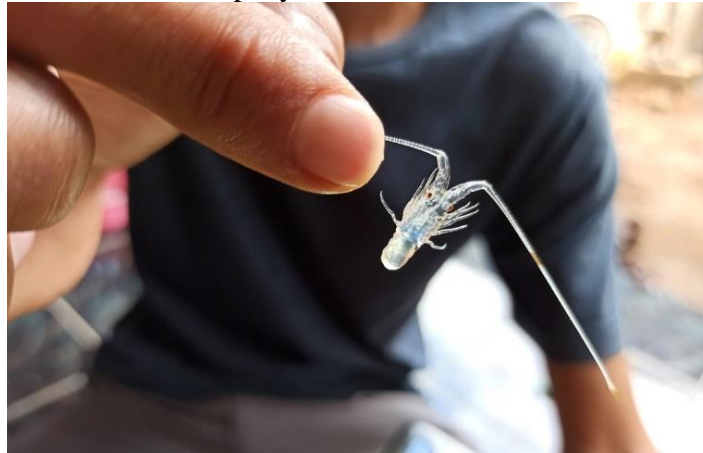


Figure 3. Lobster Seeds

Export activities for Lobster Benur Seeds are currently being stopped by the KKP through a circular letter of the Acting Director General of Capture Fisheries (Plt) No.B.22891/DJPT/Pl.130/XI/2020 dated 26 November 2020. The letter contains the Temporary Suspension of Issuance Letters of Expenditures for Release (SPWP) to Provincial/District/City KP Office Heads, Heads of Joint Business Groups for BBL Catchers (*Benih Bening Lobster*), and BBL exporters. The Minister of Maritime Affairs and Fisheries, who just declared (smuggling) these baby lobsters, is an enemy of the state, is very detrimental to the state, almost the same as drugs which we have known for a long time to be enemies of the state and society.

Efforts of Security Officers in Overcoming the Crime of Lobster Seed Smuggling

In the field of dealing with the smuggling of lobster seeds in the regions, the government, in this case through the police, has made various prevention efforts. The police have tackled the smuggling of lobster seeds through several methods, such as patrolling, outreach, and prosecution. Enforcement is carried out after the perpetrator is caught. Efforts that have been made by the authorities to tackle the crime of smuggling lobster seeds are carried out by conducting patrols in coastal areas, patrolling the entry and exit points of lobsters, such as at ports and airports. In addition to conducting patrols, the apparatus also conducts outreach regarding the prohibition of catching and shipping lobster seeds in

collaboration with related parties, such as the Maritime Affairs and Fisheries Service. Fishery. Based on the provisions in the Police Law, it can be seen that in tackling the crime of smuggling lobster seeds, the authorities, in this case the Sector Police, have carried out various ways that are classified into three forms of efforts, namely preventive efforts, preventive efforts, and repressive efforts.

a. Preventive Efforts

Preventive efforts are the initial efforts made by the police in order to eliminate the root of the problem as the main causal factor in the crime of smuggling lobster seeds. The government, through the Department of Maritime Affairs and Fisheries, has also taken action that is expected to prevent the public from catching and shipping lobster seeds and to be a solution to the problem of existing lobster seeds. The effort in question is the provision of assistance in the form of fishing equipment such as boats and cages for cultivating lobster seeds. However, these efforts have not been able to solve the problem of existing lobster seeds. It can be seen that the police did not make many preventive efforts in order to prevent it early on by eliminating the root of the problem that led to the crime of smuggling lobster seeds. Preventive efforts carried out by the *Polres* Air and Water Police Unit regions in tackling the crime of lobster seed smuggling are as follows:

1) Patrol

Patrol is an activity carried out by the police with more than one member, which prevents the crime of smuggling lobster seeds. The patrols conducted by the Water and Air Police Unit are carried out twelve times a month. Patrols carried out in territorial waters are intended to guard the sea so that there are no individuals who commit acts that violate the law in marine waters. (Delta: 2022).

2) Socialization

The socialization carried out by the Water and Air Police Unit has often been carried out either by deploying POLMAS to coastal areas or by cooperating with the Regional Maritime Affairs and Fisheries Service. The socialization carried out is related to the existence of regulations prohibiting the catching and shipping of lobster seeds, namely KP Regulation No. 1 of 2014 which was later replaced by KP Regulation No. 56 of 2016 is a new regulation. In this regulation catching and shipping lobster seeds is prohibited.

3) Raids

Polairud conducts inspections or raids in water areas and also around existing ports or around hidden ports. Polairud cooperates with the National Police, Customs and Fish Quarantine Agency. Several forms of Polairud's activities during the raids included arresting and handing over the perpetrators for further processing to be recorded and to be given directions as well as to collect data and screen the perpetrators who had been arrested to obtain identification if one day they had anything to do with criminal acts around the waters. (Ananda: 2019).

b. Repressive Efforts

In taking action against perpetrators of lobster seed smuggling, perpetrators who are caught in the business of smuggling lobster seeds will be prosecuted in accordance with the legal provisions stipulated in Permen KP No. 56 of 2016, where the criminal provisions refer to Fisheries Law Article 16 paragraph (1), which punishes perpetrators of smuggling lobster seeds with a maximum prison sentence of six years and a maximum fine of one billion rupiah. Countermeasures by means of legal prosecution have drawbacks in terms of the length of the investigation process when there are indications of unscrupulous members of the public who have committed the crime of smuggling lobster seeds.

1) Making Arrests

Arrest is an act of an investigator in the form of temporarily restraining the freedom of a suspect or defendant if there is sufficient evidence for the purposes of investigation, prosecution, or justice in the matter and in the manner prescribed by law. Arrests are made for the purposes of an investigation, which has the authority to make arrests, as stipulated in Law Number 17 of 2006 concerning Amendments to Law Number 10 of 1995. Based on Article 17 of the Criminal Procedure Code, an arrest order is made against someone who is strongly suspected of having committed a crime based on evidence. enough start. This article indicates that an arrest order cannot be carried out arbitrarily, but is directed at those who have committed a crime.

2) Foreclosure

Confiscation is formulated in Article 1 Paragraph 16, which reads: "Confiscation is a series of investigative actions to take over and or keep under his control tangible or intangible objects, movable or immovable, for the purposes of internal evidence investigation, prosecution, and trial. From the results of this foreclosure, that can as evidence in this lobster seed smuggling case.

The Synergy of the KKP and the Indonesian Navy in the Eradication of Benur Smuggling

Smuggling of clear lobster seeds (freaks) abroad is still a problem in Indonesia. This illegal activity is detrimental to state revenues as well as disrupting the climate for lobster cultivation, which is being promoted by the Ministry of Maritime Affairs and Fisheries. The KKP and the Indonesian Navy agreed to combat the practice of smuggling lobster seeds by sea. Both sides have stepped up surveillance at points deemed vulnerable.

Lobster seed smuggling continues to occur in the Riau Islands and South Sumatra. The smuggling of lobster seeds was thwarted by the Ministry of Maritime Affairs and Fisheries (KKP), the Indonesian Navy, and the Directorate of Air and Water Police. In Batam, Riau Islands, the Indonesian Navy managed to secure the smuggling of lobster seeds with a value of IDR 46 billion. The handling of these lobster seeds is then carried out by the Directorate General of Monitoring of Maritime Resources and Fisheries of the KKP. The Director General of Maritime and Fisheries Resources Supervision, TNI Rear Admiral Adin Nurawaluddin, said, as many as 95 Styrofoam boxes containing lobster seeds were handed over by the Indonesian Navy to the Batam PSDKP Base. This box contains 466,600 types of sand lobster and 785 types of pearl lobster. (Ananda: 2019).

After receiving the lobster seeds, the Batam PSDKP and technical work units such as the Marine Aquaculture Fisheries Center and the Fish Quarantine, Quality Control, and Fishery Products Safety Center (BKIPM) immediately carried out the enumeration and recorded the total number of lobster seeds. These are then released into the waters around Galang Baru Island to ensure their survival. The process of releasing them into their habitat at sea is carried out by the Shark Monitoring Ship 03.

The Minister of Maritime Affairs and Fisheries emphasized that his party was still temporarily stopping the export of benur while reviewing the best policy for managing marine biota. Even though exports were stopped, lobster cultivation activities continued and were even encouraged to be more productive. Minister Trenggono admitted that the Ministry of Maritime Affairs and Fisheries does not play games in supporting the productivity of domestic lobster cultivation. His party has established communication with a number of country representatives that have the potential to become Indonesian lobster export markets. His party is also working on technology, and investors who will be involved in this field.

Meanwhile, Kasal Admiral TNI Yudo Margono said he was ready to assist the KKP in fighting the practice of shrimp fry smuggling at sea. The Indonesian Navy will act decisively as a step to provide a deterrent effect. His team will even take firm action against benur smugglers who are found operating in Indonesian seas and will act decisively as a step to provide a

deterrent effect. The Ministry of Maritime Affairs and Fisheries (KKP) is collaborating with the Indonesian Navy to eradicate lobster seed smuggling, which is still an unresolved problem.

The collaboration between the KKP and the Indonesian Navy has agreed to combat the practice of smuggling lobster seeds by sea. Both sides will strengthen supervision at points that are considered vulnerable. The reason for cooperating is because the practice of smuggling is not only detrimental to the state, but also disrupts the climate for lobster cultivation, which is being promoted by the Ministry of Maritime Affairs and Fisheries. Sakti, who is a representative from MMAF, emphasized that this action was taken because currently the export of lobster seeds is temporarily suspended while the organization evaluates the best policy for managing this marine biota. Even though the export of lobster seeds was stopped, lobster cultivation continued and was even encouraged to be more productive. Sakti also revealed that they really support lobster farming because the economic value is greater than exporting lobster seeds.

The Role of Customs

The role and contribution of Customs in law enforcement in the field of marine and fisheries in preventing the smuggling of clear lobster seeds, which include sand lobster seeds and pearl lobster seeds. Good cooperation in law enforcement in the field of marine and fisheries, especially in fish quarantine, quality control, and the safety of fishery products, is achieved through synergy and collaboration from stakeholders. In a period of 2 years, from 2020 to 2021, Batam Customs has managed to carry out 170 bags of sand lobster seeds, and 6 bags of pearl lobster seeds, for a total of 54,429 sand lobster seeds, and 1,097 pearl lobster seeds. Smuggling of lobster clear seed is done with the scheme of passenger goods (2020) and consignment goods (2021). The clear lobster seeds were stopped at Batu Ampar Port and Hang Nadim International Airport.

This achievement could not be separated from the synergy and collaboration, both internally at Batam Customs and with stakeholders. Enforcement on clear lobster seeds was carried out because clear lobster seeds are a commodity that is prohibited for export according to the Regulation of the Minister of Maritime Affairs and Fisheries Number 21 of 2021 concerning Management of Lobsters (*Panulirus* spp.), Crabs (*Scylla* spp.), and Rajungan (*Portunus* spp.) in the territory of the Republic of Indonesia.

CONCLUSION

The government has made various efforts to tackle the crime of smuggling lobster seeds through synergy with the Ministry of Marine Affairs and Fisheries, the Indonesian Navy, Air and Water Police, and Customs where these efforts are divided into two forms, namely preventive efforts, and repressive efforts. Preventive efforts are carried out by eliminating the root of the problem, which is a factor causing the criminal act of smuggling lobster seeds. Preventive efforts are carried out by conducting socialization in the community around the source of lobster seeds and by conducting routine patrols, which are carried out twelve times a month. While repressive efforts are carried out, strict action is taken in accordance with the rules that apply to people who are caught committing crimes. crime of smuggling lobster seeds.

The suggestions from the authors regarding the results of the research that has been done are: 1) The government must provide jobs to replace people's sources of livelihood who originally caught and smuggled lobster seeds, and the government must be able to change people's views regarding the act of catching and smuggling lobster seeds. In addition, the government must make appropriate policies so that people do not violate the rules when

utilizing the natural resources around them. 2). Government officials must be creative in finding new ways to preventive efforts. For preventive efforts, we must increase the patrol activities that have been carried out that have been deployed to carry out patrols every day. As for repressive efforts, there must be a clear division of tasks between the Directorate of Water and Air Police and the Indonesian Navy, KPP and Customs so that the handling of lobster seed smuggling cases is more effective.

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