

**THE ROLE OF INDONESIA CUSTOMS  
IN THE ERADICATION OF IUU FISHING**

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**ABSTRACT:**

*Illegal, Unreported, and Unregulated (IUU) Fishing is a challenge in fisheries management and has the potential to threaten the stability of maritime security, especially in Indonesia. IUU Fishing is typically associated with other crimes such as smuggling, human trafficking, drug abuse, and human rights abuses. IUU Fishing also has adverse impacts economically, ecologically, and socially. Therefore, the enforcement of the law in the eradication of IUU Fishing is encouraged, for -not only to use one law to ensnare criminals, but also to optimize all legal instruments customs laws. Customs, as one of the agencies involved in the maritime security sphere, also has responsibility to help overcome and prevent the occurrence of IUU Fishing crimes. This study aims to determine the role and efforts that can be done by Customs in improving Indonesia's maritime security through the eradication of IUU Fishing using normative juridical qualitative research methods with a research focus on literature studies and written regulations or other legal materials. The study found that there are undoubtedly three roles of Customs in the eradication of IUU Fishing, both directly and indirectly, namely the role of supervision, trade facilitator, and industrial assistance.*

**Keywords:** *illegal, fishing, customs, IUU Fishing*

## 1. INTRODUCTION

Indonesia, which is an archipelagic country, has abundant resource potentials, especially in the fisheries sector. The potential of fishery resources that are managed optimally will have a positive impact on the welfare and intelligence of the people, the sustainability of marine resources, fisheries, and the environment, as well as national economic development (kkp.go.id, n.d.). This fisheries management is part of the constitutional mandate, namely Article 33 paragraph (3), the 1945 Constitution of the Republic of Indonesia which states that the earth, water, and natural wealth contained in it are controlled by the state for the greatest prosperity of the people.

Fisheries resource management faces various challenges and threats, one of which is *Illegal, Unreported, and Unregulated (IUU) Fishing* or fishing in an unlawful way, fishing that is not reported to the competent authority, and irregular fishing such as uncontrolled fishing or fishing by vessels without a national sign (Maloor, 2020). The IUU Fishing's actions also threaten the stability of maritime security in Indonesia.

IUU Fishing has negative impacts, both economically, ecologically, and socially. Economically, IUU Fishing can reduce fish stocks and economic value from this amount so that the country has the potential to lose foreign exchange from exports of fishery products. In terms of ecology, IUU Fishing is the cause of environmental damage due to the use of prohibited fishing gear and uncontrolled fishing (overexploitation) can threaten the continued availability of fish in the sea. Meanwhile, socially, IUU Fishing will cause social inequality and jealousy and have the potential to cause social conflicts due to differences in technology and catches (Putra, 2014). In addition, *illegal fishing* is also closely related to other criminal acts, such as smuggling, slavery, and illegal arms trafficking (Mackay et al., 2020).

In 2015, the President of the Republic of Indonesia established Presidential Regulation of the Republic Number 115 of 2015 concerning the Task Force for the Eradication of Illegal Fishing. The establishment of this task force (Task Force 115) is an extraordinary law enforcement effort, which integrates the forces between government agencies related to the strategy and utilization of technology, against violations and crimes in the field of fisheries, especially illegal fishing and unreported fishing. In 2017, a Regulation of the Minister of Maritime Affairs and Fisheries of the Republic of Indonesia Number 37/PERMEN-KP/2017 concerning Operational Standards for Law Enforcement of the Task Force for the Eradication of Illegal Fishing was established as an effort to improve the effectiveness of the implementation of Task Force 115. Task Force 115 is expected to optimize all legal instruments with a multi-legal concept which means using not only one law to ensnare criminals.

The formation of Task Force 115 is in line with the concept of maritime security offered by Christian Bueger (2015). According to Bueger, maritime security can be achieved by overcoming problems related to maritime security. Therefore, the active role of various agencies is needed in dealing with IUU Fishing.

One of the agencies involved in maritime security, namely The Ministry of Finance c.q. The Directorate General of Customs and Excise (Customs). In Task Force 115, Customs is a related institution that must coordinate the collection of data and information needed to enforce the law. Customs laws are included in the law used to fight crimes in the field of fisheries or other crimes that occur in conjunction with crimes in the field of fisheries.

In addition to law enforcement, Customs also cooperates with the Fish Quarantine, Quality Control, and Fishery Product Safety Agency (BKIPM) of the Ministry of Maritime Affairs and Fisheries (KKP) in improving services and supervision of exports of fishery products. Service improvement is carried out, among others, by synchronizing fish health certificates in the Notification of Export of Goods (PEB) and single submission through the Indonesia National Single Window (INSW) which is managed by the National Single Window Institution.

In terms of supervision, Customs is committed to preventing transshipment mode in the form of fish exports from other countries but is documented as An Indonesian export because it harms the name of Indonesia, reduces the competitiveness of Indonesian fishermen, and does not contribute to export foreign exchange. This cooperation is strengthening so that exports of fishery products are increasing in connection with the increase in National Fish Stocks which is a positive impact of the IUU Fishing eradication efforts promoted by the government in recent years (beacukai.go.id, 2019a). Based on Customs enforcement data, there are several examples of cases of violations related to IUU Fishing related to other crimes. For example, enforcement in the form of dried sea horses (Humas Bea Cukai Marunda, 2021).

Efforts to eradicate IUU Fishing to realize optimal management of fisheries resources, not only talk about law enforcement in the field of fisheries but also efforts to realize maritime security stability which affects the preservation of national interests. However, the role of Customs in dealing with the issue of IUU Fishing still needs to be clarified in its implementation. Customs tasks and functions that have been carried out so far have not been specifically used to help solve IUU Fishing problems. Therefore, it is necessary for this research to find out what things can help the eradication of IUU Fishing to improve maritime security in Indonesia.

Customs have a significant role in the maritime security community in creating and maintaining maritime security in Indonesian territory, including in the eradication of IUU Fishing (Misbach et al., 2022). Thus, the problem used in this study is how the role of Customs in the eradication of IUU Fishing to improve maritime security in Indonesia.

This study aims to determine the role and efforts that can be made by Customs in improving Indonesia's maritime security through the eradication of IUU Fishing.

## **2. LITERATURE REVIEW**

### **2.1 Fisheries Management**

Indonesia already has two laws and regulations on fisheries, namely Law Number 31 of 2004 concerning Fisheries and Law Number 45 of 2009 concerning Amendments to Law Number 31 of 2004 concerning Fisheries. Under Law Number 31 of 2004, IUU Fishing has been regulated starting from supervision, investigation, and public prosecutors who specialize in prosecuting in the field of fisheries and courts that specifically examine, and decide fisheries crimes. In Law Number 45 of 2009, the authority of fisheries supervisors is strengthened, one of which is the authority to take special actions against vessels perpetrating illegal fishing. The rules to fight IUU Fishing are getting stronger with the existence of Law Number 11 of 2020 concerning Job Creation which adds alternative sanctions for IUU Fishing actors (Kementerian Kelautan dan Perikanan, 2021).

Fisheries management in Indonesia, under Law Number 31 of 2004 and Law Number 45 of 2009, is carried out based on the principles of benefits, justice, togetherness, partnership, independence, equity, integration, openness, efficiency, sustainability, and sustainable development. Fisheries management aims to improve the living standards of small fishermen and small fish farmers, increase foreign exchange and state revenues, increase employment opportunities, improve food security, increase the availability of raw materials for the fish processing industry, increase productivity and competitiveness, and ensure the sustainability of fish resources, fish farming land, and spatial planning.

The principle of benefit is the principle that shows that fisheries management must be able to provide the maximum profit and benefits for increasing the prosperity and welfare of the people. The principle of justice is fisheries management which provides proportionally equal opportunities to all citizens. The principle of togetherness is fisheries management which involves all stakeholders. The principle of partnership is to use a network approach in fisheries management. The principle of independence is fisheries management which optimizes the potential of existing fisheries. The principle of equity is the management of fisheries which is

carried out in a balanced and equitable manner by taking into account fish cultivators and small fishermen. The principle of integration is integrated fisheries management from upstream to downstream to increase efficiency and productivity. The principle of openness emphasizes the availability of information that can be accessed by the public. The principle of efficiency is the management of fisheries that are carried out properly, carefully, and efficiently to obtain maximum results. The principle of sustainability is fisheries management which pays attention to aspects of the sustainability of fish resources. While the principle of sustainable development is the management of fisheries that are planned and able to increase the prosperity and welfare of the people today and in the future.

Fisheries management cannot be separated from the monitoring system. Supervision is the control of a process to ensure that fisheries management activities are under the established principles and can achieve the expected goals (Mardalena et al., 2022). Examples of surveillance activities are the supervision of the operational safety of fishing boats by harbor masters at fishing ports and the supervision of fishing by fishery supervisors using sea patrol boats.

## **2.2 Illegal, Unreported, and Unregulated (IUU) Fishing**

IUU Fishing is a threat to the principles and objectives of fish management that have been set out in fisheries laws. Illegal fishing is fishing in the jurisdiction of a country that is contrary to the regulations. Unreported fishing is a fish fishing activity that is not reported or reported incorrectly to the competent authority. Meanwhile, unregulated fishing is fishing on site or against species that have not been regulated for conservation which is contrary to state responsibility based on international provisions or fishing by non-flagged vessels (Kementerian Kelautan dan Perikanan, 2021).

According to Dr. Ir. Aji Sularso, MMA, Director General of Marine Resources and Fisheries Supervision of the Ministry of Marine Affairs and Fisheries for the 2007-2010 Period, in the Seminar of the 2009 Real Work Lecture of the University of Indonesia, seven factors are causing the occurrence of IUU Fishing, namely:

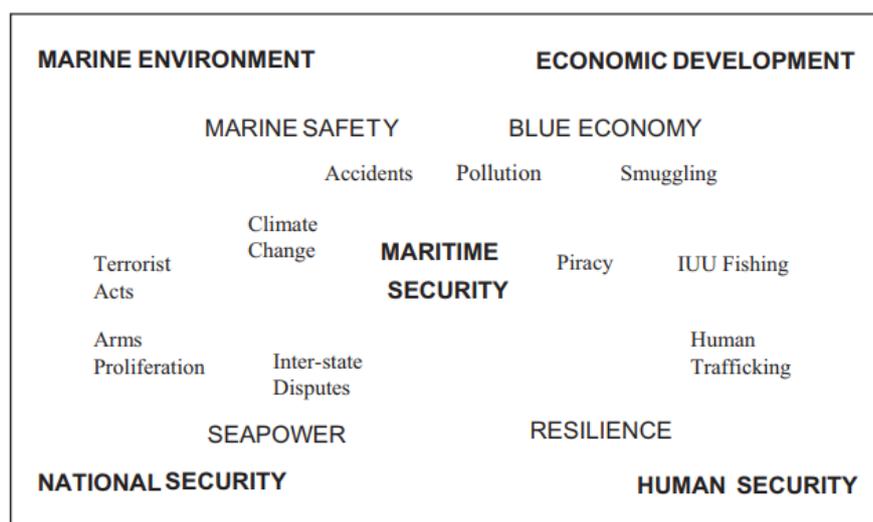
1. The world's fish needs are increasing, while the fish supply is declining;
2. The difference in the price of whole fresh fish in other countries is higher than the selling price in Indonesia;
3. Fish stocks in fishing grounds in other countries have begun to run out, while in Indonesia they are still abundant;
4. Indonesia's seas are vast and open;
5. The licensing system is still open;

6. Limited surveillance resources; and
7. Perceptions and cooperation of law enforcement officers have not been solid (Sularso, 2010 in Putra, 2014).

In addition to these seven causal factors, the limited operational funds for supervision, the limited personnel of the fisheries police, the limited ability of Indonesian fishermen to utilize fishery potential, the practice of industrialization of fishing vessels which reduces fish stocks, and the limited technology used by patrol boats, are also causes of IUU Fishing (Muhamad, 2012).

According to Bueger (2015), IUU Fishing is one of the maritime security issues related to other issues such as smuggling, human trafficking, and inter-state disputes. These issues are also influenced by policies and implementation in the fields of the blue economy, marine safety, seapower, and resilience. These relationships can be seen in Picture 1 below.

**Picture 1. Maritime Security Matrix**



Source: Bueger (2015)

The matrix can be used to study the types of relationships between actors involved in maritime security. IUU Fishing activities can have an impact on several maritime security sectors, including disrupting the blue economy, marine safety, marine environment, and human survival (Misbach et al., 2022).

The eradication of IUU Fishing has at least four objectives, namely conserving fish, protecting the country's economy, maintaining sovereignty, and preserving the environment. These four things have interrelated goals. Abundant fish stocks in Indonesia should be maintained before it is too late. If fish stocks are maintained, the economy will run and welfare will increase. With a lack of economy, the state is better able to maintain sovereignty and crack down on any violations that occur. The law enforcement carried out greatly contributes to

maintaining environmental sustainability which provides many benefits for human life. Of these goals, the welfare of the state and society is the main goal (Sugianto, 2020).

Crimes in the field of fisheries, often interstate, such as trafficking, smuggling, shipping, labor, drug trafficking, and immigration (UNODC, 2011). The modus carried out by fishermen in IUU Fishing in Indonesia, among others, is by forging documents, double flags, illegal transshipment at sea, not landing their catch at a proper port, using prohibited fishing gear, violation of fishing grounds, turning off ship transmitters (Vessel Monitoring System/VMS or Automatic Identification System/AIS), and using foreign captain and crew (Ayu, 2019).

To link maritime sectors in the context of IUU Fishing, special instruments are needed to facilitate analysis to assess activities related to IUU Fishing. This instrument is connected with state agencies and various other related institutions to analyze data, including Customs data, to solve the problem of IUU Fishing. Analysis of this data can help increase understanding regarding the scope, nature, range of activities, and dynamics of trade in products originating from IUU Fishing and their value (Burgener, 2016).

According to Muhamad (2012), bilateral cooperation between Indonesia and neighboring countries in the region in overcoming IUU Fishing is needed. At least, Indonesia has conducted bilateral cooperation with four countries, namely Thailand, Vietnam, the Philippines, and Malaysia. Several forms of cooperation have been developed, including inviting investors from these countries in the processing of fish, implementing joint patrol activities, outreach about international law, and efforts to clarify maritime boundaries between countries.

The eradication of IUU Fishing is related to the Government Regulation of the Republic of Indonesia Number 13 of 2022 concerning The Implementation of Security, Safety, and Law Enforcement in Indonesian Territorial Waters and Indonesian Jurisdictional Areas which was established on March 11, 2022. The regulation was established as an effort to overcome the challenges of implementing security, safety, and law enforcement at sea which are still sectoral in nature by building synergies for the national interest. In addition, the implementation of security, safety, and law enforcement at sea will be effective and efficient if carried out in an integrated and integrated manner between ministries/agencies supported by information systems. The establishment of this rule and the concept of maritime security offered by Bueger will create a maritime security community that played a role in forming an ideal cooperation between all actors relevant to the maritime sector.

### 2.3 The Function of Customs

Customs has the task of organizing the formulation and implementation of policies in the fields of supervision, law enforcement, services, and optimization of state revenues in the customs sector following the provisions of laws and regulations with one of its functions, namely the provision of technical guidance and supervision in the fields of supervision, law enforcement, services, and optimization of state revenues in the field of customs (beacukai.go.id, 2011).

Apart from these functions, Customs also has the function of being a trade facilitator, industrial assistance, community protector, and revenue collector. Trade facilitator is a function of trade facilitation to reduce high costs to create a conducive trade climate. Industrial assistance is a function of support for domestic industries to create a competitive advantage and be able to compete in the international market. The function of the community protector is the function of protecting the community from prohibited and restricted items that can cause disturbances to health, safety, and morality. While the revenue collector is a function to optimize state revenues obtained from export and import duties (beacukai.go.id, 2019b).

Customs have a role as a community protector from illegal goods that can endanger the lives of the Indonesian people and protect domestic industries to be able to compete with industries from abroad by supervising the entry and exit of goods into and from Indonesian territory. In addition, customs must also ensure the fulfillment of state levies in the customs and excise sector (Budilaksono, 2020).

In the Regulation of the Minister of Finance Number 179/PMK.04/2019 concerning Sea Patrols of the Directorate General of Customs and Excise in the Context of Enforcement in the Field of Customs and Excise, the Customs sea surveillance area includes archipelagic waters, territorial seas, to an additional zone of 24 nautical miles. If needed, Customs can conduct a hot pursuit to the high seas. Customs surveillance strategy, namely supervision carried out in the air, land, and sea uninterruptedly and continuously, utilizing technology, and collaboration between Ministries/Agencies to improve the effectiveness and efficiency of supervision (Misbach et al., 2022).

As a trade facilitator, Customs provides trade facilities intending to reduce high costs, create a more conducive trading climate, improve the smooth flow of goods, prevent illegal trade, and avoid of unnecessary trade restrictiveness. Trade facilitation is one of the key factors for economic development, closely tied to national interest in social well-being, and poverty reduction. Customs is directed to combine good trade facilitation and effective Customs control (wcoomd.org, n.d.-b).

Meanwhile, as industrial assistance, Customs provides support to the domestic industry, to achieve competitive advantages or be able to compete in the international market (beacukai.go.id, 2019b).

### **3. RESEARCH METHODS**

This research uses qualitative research methods. Qualitative research methods are an approach to exploring and understanding problems in a social context (Creswell, 2014). The data used in this study, namely data from the results of observations made by researchers on the activities of carrying out customs duties and functions. This research also uses normative juridical research methods with a research focus on literature studies and written regulations or other legal materials.

## **4. ANALYSIS AND DISCUSSION**

### **4.1 Role of Maritime Surveillance**

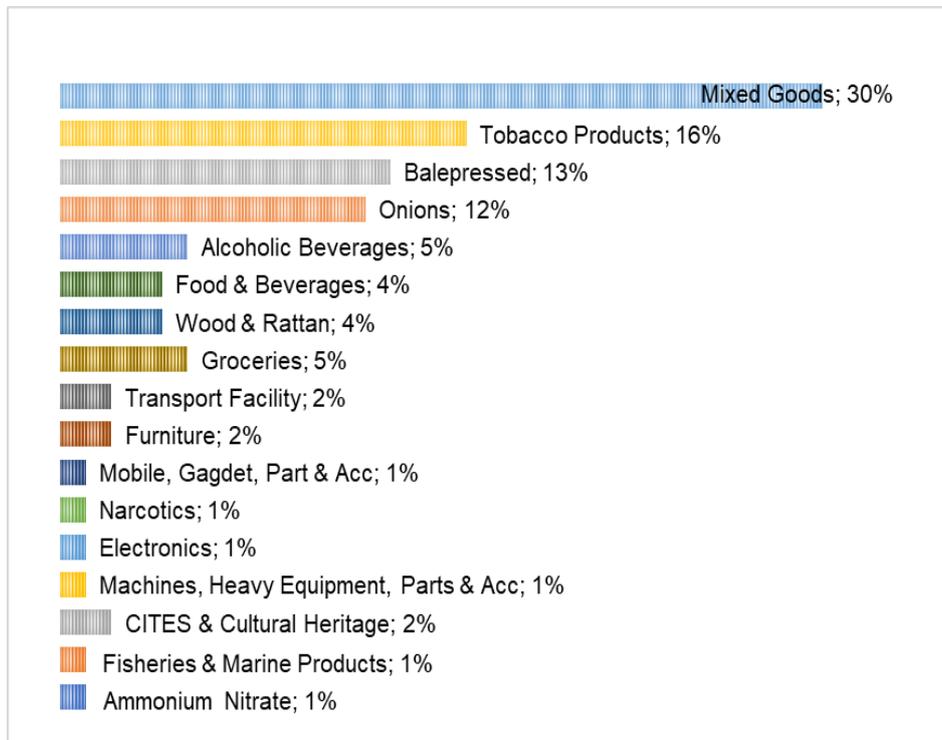
Customs has a maritime control area covering archipelagic waters, territorial seas, and up to an additional 24 nautical mile zone. If needed, Customs can carry out hot pursuits on the high seas. This marine surveillance activity is an implementation of the community protector role carried out by the marine patrol unit based on Minister of Finance Regulation Number 179/PMK.04/2019 concerning Sea Patrols of the Directorate General of Customs and Excise in the context of Enforcement in the Customs and Excise Sector. Customs surveillance strategy, namely supervision carried out in the air, land, and sea uninterruptedly and continuously, utilizing technology, and collaboration between Ministries/Agencies to improve the effectiveness and efficiency of surveillance.

Customs has a Command Center and Control of Sea Patrol (Puskodal) and Customs Intelligence and Targetting Center (CITAC) information systems as an analysis tool that help in marine supervision activities. Various relevant data, such as surveillance, reconnaissance, coast watch, and external data are processed and analyzed. The results of the analysis were delivered to Customs Patrol Boats with a Command and Feedback system. If there are potential violations, customs officials can determine where the item will be prevented, whether at sea with pursuit, at the port, in the warehouse, or the distribution channel. If a joint operation is being carried out, patrol boats can do joint action and coordinate together with patrol boats from other agencies.

The concept of maritime security presented by Bueger (2015) provides an overview of the scope of security in the maritime field. Problems in the maritime sector can be in the form of smuggling, IUU Fishing, or the blue economy. The main focus of Customs is the problem

of smuggling. However, Customs must also pay attention to other issues such as IUU Fishing. Picture 2 is result of Customs Patrol Enforcement by commodities in 2016-2018.

**Picture 2. Result of Customs Patrol Enforcement by Commodities in 2016-2018**



Source: beacukai.go.id

From Picture 2, it can be seen that various kinds of commodities that are trying to be smuggled can have links with other fields in maritime security. This shows that the role of customs surveillance must use a wider perspective to see the impact of the smuggling of these goods. To broaden the supervisory point of view on IUU Fishing issues, Customs must continue to increase knowledge and understanding of laws and regulations related to fisheries by continuing to increase synergy and collaboration with stakeholders in the fisheries sector, both domestically and abroad.

However, establishing synergy and collaboration has its challenges. One of them is the sectoral ego which gives the impression of a lack of totality in collaboration. This is due to the absence of a strong legal basis and standards used in sharing and using information and its confidentiality, the lack of understanding of the oversight unit against the laws and regulations of other agencies, and the uneven distribution of technology utilization. (Misbach et al., 2022). This condition can hinder Customs in understanding the fisheries sector more deeply. As a result, the role of Customs is not optimal in eradicating IUU Fishing. It can even affect the eradication of IUU Fishing nationally. In line with the opinion of Sularso (2010), Perceptions

and Cooperation of Law Enforcement Officers have not been solid and limited surveillance resources contribute to the occurrence of IUU Fishing.

Under the Government Regulation of the Republic of Indonesia Number 13 of 2022 concerning The Implementation of Security, Safety, and Law Enforcement in Indonesian Territorial Waters and Indonesian Jurisdictional Areas which was established on March 11, 2022, the challenges faced in establishing synergy and collaboration can be resolved. This regulation, among other things, regulates security and safety at sea as well as synergy and integration between law enforcement officers in the field of marine patrols and the national marine security and safety information system.

Synergy has the meaning of working together. Synergy is a process of interaction to create a harmonious balance so that the set goals can be achieved. Trust, communication, fast response, and creativity are some of the main requirements in synergy (Rustiono, n.d.). While collaboration is an activity that emphasizes the management of social networks that connect communication nodes to achieve goals through the process of making agreements, building leadership, building trust, building legitimacy, managing conflict, and planning. Factors that influence collaboration are the willingness to compromise, commitment, communication, mutual trust, sharing knowledge, exchange of information, and joint willingness to face risks (Astuti et al., 2020).

Increasing synergy and collaboration can improve the quality of supervision of IUU Fishing. Weaknesses in IUU Fishing surveillance can be solved more easily because it is done using more resources and tends to find a solution more easily if a problem is found (Kristiani, 2021). Several things that can be done to increase synergy and collaboration include strengthening and compiling a strong and clear legal basis and utilizing integrated technology.

Building synergy and collaboration in facing the challenges of IUU Fishing must begin with initiation from the Ministry of Maritime Affairs and Fisheries. In addition to carrying out its duties in the field of fisheries, the Ministry of Maritime Affairs and Fisheries must also actively conduct socialization about handling IUU Fishing and increase communication intensity with other agencies. In addition, the provision of information systems that include stakeholders is also needed. On the other hand, other agencies such as customs can utilize the information and provide the commitment to eradicating IUU Fishing.

Supervision in the field of fisheries carried out across agencies must have a clear and detailed legal basis. The legal basis must also be able to be synchronized well with the duties and functions of each agency. In addition to providing legal certainty, a clear and detailed legal basis can be a guide for other agencies. For example the legal basis in the form of standard

operating procedures in the examination of transport facilities. Customs Patrol Boat and Patrol Boat Fisheries Supervisors both have the authority to examine the means of transporting at sea. Although the main object has differences but does not rule out the possibility of the interests of the two agencies having slices. Based on the standard operating procedures that have been established, customs patrol boats can simultaneously examine transportation facilities at sea in the context of supervision of IUU Fishing. To facilitate the implementation of tasks, the Customs Officers can be equipped with a checklist from the Fisheries Supervisory Officer. The results of the examination can be conveyed through an information system that has been developed.

Synergy and collaboration also allow the use of integrated technology between agencies. The technology can be in the form of patrol boats, sensing equipment, information systems, radar, or other supervision tools. This step can help solve the problem of limited surveillance resources. The information system developed must contain the information needed by each agency in the context of implementing sea supervision. It also must be regulated regarding special authority to access certain data and guarantee its confidentiality. The principle of return and trust of each agency in the development and management of information systems can improve the quality of marine supervision in overcoming IUU Fishing.

Unfortunately, Customs does not have specific cooperation related to the eradication of IUU Fishing. Customs is also not directly involved in Task Force 115. However, in the Regulation of the Minister of Maritime Affairs and Fisheries of the Republic of Indonesia Number 37/PERMEN-KP/2017, Customs is involved if there are crimes related to customs in carrying out supervision tasks related to illegal fishing. This condition can result in less optimal customs supervision in overseeing fisheries product transshipment with the impact of the loss of the country's foreign exchange potential. Therefore, a clear legal basis is needed so that Customs Surveillance has a direct role and plays a stronger role in the Eradication of IUU Fishing.

#### **4.2 The Role of Trade Facilitation and Industrial Assistance**

Apart from the role of maritime surveillance, Customs has the role of trade facilitation and industrial assistance. The role of trade facilitation is to provide trade facilities to reduce high economic costs and create a conducive trade climate such as providing convenience for service users in providing customs services that are fast, better, and cheaper without leaving the aspect of supervision. Customs is required to be able to make a regulation that can adapt to dynamic global trade conditions. The role of industrial assistance is a function to assist the movement, advancement, and development of domestic industry so that it has a competitive

advantage and can compete in the international market. Customs is also required to protect the domestic industry from the rigors of global competition. Several methods are carried out in industrial assistance such as limiting the export of raw materials needed by the domestic industry and providing facilities for the exemption of certain goods that may be imported or exported (beacukai.go.id, 2019b). These two roles also apply in the field of fisheries and assist in eradicating IUU Fishing.

Good trade facilitation benefits both governments and the business community. Governments can enhance control by utilizing modern procedures, increasing trade, encouragement of foreign investment, and ensuring proper collection of revenues. The business community benefits by obtaining enhanced competitiveness in national and international markets due to reduction in delay and cost which are achieved with the efficient and predictable movement of goods across the border (wcoomd.org, n.d.-a).

Good trade facilitation can provide benefits for the business community in the fisheries sector in Indonesia. The business community in the fisheries sector can enjoy cheap, fast, and predictable services so that they can market their products in the global market with competitive prices and excellent quality. Business actors also tend to find it easier to get capital from investors because financial calculations are more credible and accountable. For the Government, good trade facilities will facilitate law enforcement and supervision, stimulate an increase in the amount of trade, and increase state revenues. so that the legal way is more profitable and easier to do business. This Government effort will attract business actors to use legal methods to capture, process, and market their fishery products. Simultaneously, the actions of IUU Fishing will also decrease. Entrepreneurs will try to catch fish legally because the process is easier and more profitable, avoid errors in catch reports due to applied controls and sanctions, and contribute actively to things that are not clear on the rules.

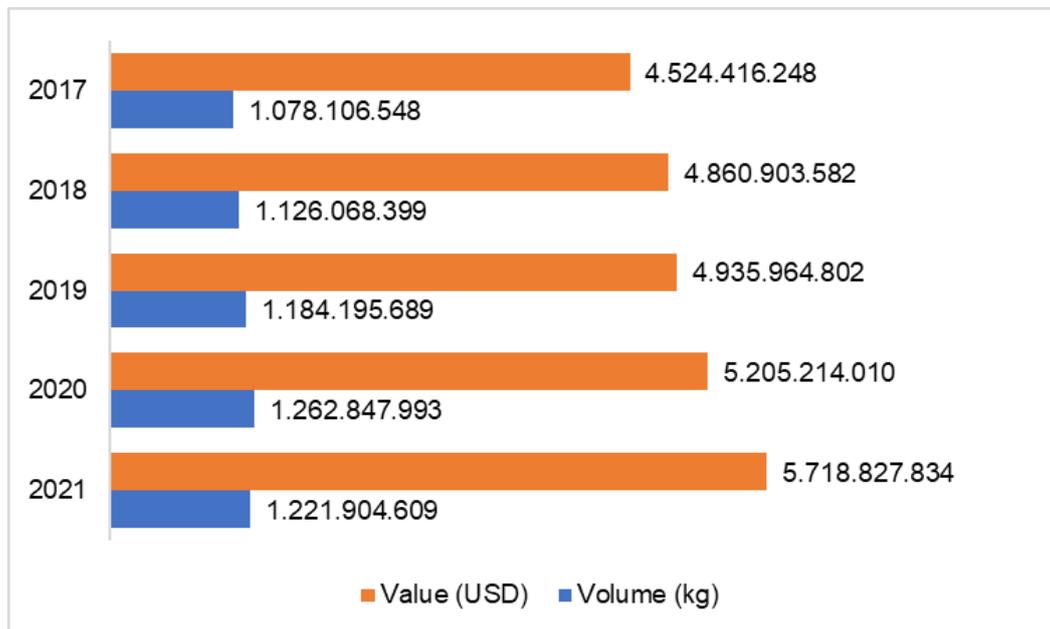
The cooperation between Customs and the Ministry of Maritime Affairs and Fisheries in trade facilitation has been well implemented. Customs and the Ministry of Maritime Affairs and Fisheries have frequently coordinated services and supervision of the import and export of fishery commodities. The collaboration between the two agencies focuses on efforts to increase exports of fishery products. This cooperation also includes monitoring of illegal imports and exports of marine products, especially marine animals protected by CITES (Convention of International Trade in Endangered Species of Wild Flora and Fauna) and marine products of high economic value (beacukai.go.id, 2016).

On another occasion, the Ministry of Maritime Affairs and Fisheries took Customs and the Agricultural Quarantine Agency to coordinate in maintaining the smooth flow of income

and expenditure of fisheries commodities. The main issue in coordination is access to data exchanges, joint use of inspection facilities and infrastructure at the place of commodity income and expenditure, strengthening integrated inspection, and involving the Indonesia National Single Window system as a single submission and synchronous processing of data and information (kkp.go.id, 2019).

In the 2017-2021 period, Customs has facilitated the export of 5.8 billion kilograms of seafood with a value of USD 25 billion or an average of 1.16 billion kilograms with a value of USD 5 billion per year (kkp.go.id, 2022). The data can be seen in the following graph.

**Picture 3. Graph of Export of Fisheries Commodities by Volume & Value 2017-2021**



Source: processed by researchers

The export data shows that in the 2017-2021 period, the volume and export value of fisheries commodities continues to increase. Increased exports of fisheries commodities are a positive impact of the eradication of IUU Fishing efforts that have been carried out by the government in recent years (bisnis.com, 2019). This also shows the important role of Customs in carrying out its function as a trade facilitator in eradicating IUU Fishing. If Customs is unable to support the export of good fishery commodities, entrepreneurs may resort to illegal methods to market their products.

The role as a trade facilitator that is well executed by Customs still has opportunities for improvement. Customs and stakeholders can still improve service and export control by playing an active role in realizing single submission, single inspection, and single profile developed in the Indonesian National Single Window system.

Apart from trade facilitation, Customs also has a role as industrial assistance. Customs consistently opens space for discussion with service users to carry out the industrial assistance function while simultaneously supporting efforts to increase exports. Routinely, Customs also conducts work visits entitled Customs Visit Customers to explore potential and hear the aspirations of service users as well as a media for consultation. Some of the things that are often discussed in these discussions include the availability and processing of raw materials, logistics costs, the influence of government policies on companies, and plans for export activities (Gatra.com, 2022). The assistance carried out by Customs aims to increase the country's economic income through exports which can open up new market opportunities abroad, grow investment, and widen the scope of the domestic market (beacukai.go.id, 2022b).

To encourage exports and increase investment, the Government provides fiscal incentives in the field of customs and taxation, one of which is in the form of Bonded Zones. Bonded Zone is a place that meets certain requirements used to stockpile, process, display, and provide goods for sale by obtaining a suspension of import duties. Some of the advantages of the Bonded Zone are time efficiency at the port because inspection is carried out at the Bonded Zone, submitting export documents can be done before the ship arrives, and getting tax facilities so that you can enjoy competitive prices in the global market (bebogor.beacukai.go.id, n.d.).

An example of a Bonded Zone that exports fishery products are PT Yakin Pasifik Tuna in Banda Aceh which exports milkfish cultivated in Madat District to Japan (beacukai.go.id, 2022b). By using the bonded area facilities, PT Pasifik Tuna can import supporting needs for milkfish exports by obtaining import duty suspension facilities so that production costs can be more efficient.

The Function of Customs Industrial Assistance is also targeting micro small and medium enterprises (UMKM). UMKM is considered having a big role in improving the economy and ensuring the welfare of the Indonesian people. As a form of support for UMKM, Customs initiated activities titled UMKM Week 2022 with the theme “UMKM Naik Kelas, Ekonomi Tancap Gas”. One of the agendas of this activity is to invite the public to get to know UMKM better, introducing UMKM to the role of Customs and other agencies, as well as increasing understanding of the various facilities provided by the Government to help the progress of UMKM. Custom also has Export Clinics in several vertical offices to provide information, assistance, and debriefing services regarding export procedures and regulations (beacukai.go.id, 2022a).

The assistance activities carried out by Customs in collaboration with related agencies should be able to be used by fishermen to process, market, and increase the selling price of their catch. However, fishermen also have obstacles before processing their catch, namely obstacles in catching fish. Some of the obstacles experienced by fishermen in Indonesia include limited weather information, lack of information on fish needed by the market, inadequate vessels, lack of guarantees for safety for fishermen, capital, and limited information on refrigerated storage capacities and locations so that the quality of catches decreases. (Finaka, 2018).

These obstacles have impacts, including the struggle for the same fishing ground due to the limited cruising range of fishing boats, fish stocks depleting in the area, fishermen's income decreasing, and fishermen's welfare not increasing. On the other hand, fishing grounds in the deep-sea area are only enjoyed by fishing companies with large capital and even foreign fishing vessels that have more sophisticated fishing technology and the potential for IUU fishing can also increase due to the lack of participation of deep sea fishermen who can participate in fishing activities supervision. Thus, the obstacles faced by fishermen must be able to be resolved.

Customs' industrial assistance function should be able to help resolve these obstacles. Customs must work closely with the Ministry of Maritime Affairs and Fisheries and other related agencies to collaborate so that the assistance provided by Customs in the field of fisheries management can be more focused. If these obstacles can be overcome, fisheries management in Indonesia can be carried out according to the principles set out in the law.

Industrial assistance carried out by Customs has a broad scope because it is connected with production and trade lines of various types of industries. Customs initiate synergies with other agencies to advance the fisheries sector by overcoming the obstacles faced by fisheries business actors. More importantly, this synergy can create a system that makes it easier for business actors to do business legally and narrows access to illegal acts.

## **5. CONCLUSION**

Eradication of IUU Fishing has a broad dimension as fisheries management that has the principle of integration, namely fisheries management carried out in an integrated manner from upstream to downstream to improve efficiency and productivity. Likewise IUU Fishing must be eradicated starting by preventing its activities, the distribution of the results, and all related to IUU Fishing's actions while increasing the supervision system. In principle, the eradication

of IUU Fishing is done by stopping, complicating, and closing access to illegal actions and encouraging, facilitating, and opening access as wide as possible on legal efforts.

Customs that have a role in supervision, trade facilitators, and industrial assistance can participate in eradicating IUU Fishing and advancing national fisheries. Through the role of supervision, Customs can use maritime surveillance and information systems to oversee the actions of IUU Fishing at sea such as transshipment. Through the role of trade facilitators, customs can facilitate international trade, especially the exports of fishery products. Whereas through industrial assistance, customs can facilitate the industrial sector by helping to meet the necessary needs.

Customs have a demand to contribute to maritime security with their duties in eradicating smuggling. In addition to smuggling, customs included in the maritime community also have responsibilities in eradicating IUU Fishing. Customs can take advantage of their role in maritime surveillance to identify and prevent IUU fishing. However, customs have not been specifically involved in eradicating IUU Fishing which is supported by a strong legal basis. Customs will only be involved in the event of a customs violation in IUU Fishing action.

Customs should be more active in identifying IUU Fishing crimes at sea because the Customs sea patrol unit also has the authority to examine the means of transport. Customs can examine transportation facilities in the context of law enforcement in the field of customs. If supported by a strong legal basis, customs can conduct an examination in the context of customs law enforcement or related to fisheries and can contribute to the exchange of data and information.

The role of the trade facilitator in eradicating IUU Fishing is the role most relevant to Customs' main task. The eradication of IUU fishing has had a positive impact on legal fishing and the trading of fishery products. Therefore, service users who have used this legal method must be facilitated properly so that they are not unable to compete with their competitors. Customs always strive so that international trade in fishery commodities can run smoothly, cheaply, easily, and the quality is maintained. Currently, the integration of information systems in the fisheries sector is being developed through the Indonesia National Single Window to improve service and supervision.

Meanwhile, in the role of industrial assistance, Customs can encourage the fishing business community to be able to capture, distribute, process, process and market their products with competitive quality and prices. No less important is the improvement of the people's welfare and the national economy. However, the role of industrial assistance still needs to be optimized through collaboration that specifically deals with the fisheries business community.

The eradication of IUU fishing can be achieved in various ways. These efforts can be in the form of direct eradication, such as taking action against illegal fishing vessels, or indirectly, such as providing support to entrepreneurs and fishermen who use legal methods. Both direct and indirect ways must go hand in hand. It takes commitment from all stakeholders so that IUU Fishing can be handled and fisheries management can run according to the provisions of the law.

Synergy and collaboration have an important role in eradicating IUU Fishing. Limitations and obstacles faced by one party can be more easily overcome if other parties are involved. Therefore, the Customs initiative to participate in eradicating IUU Fishing is expected to solve other problems encountered.

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