

Legal framework and mechanism of marine fisheries subsidies in the aspects of international trade and sustainable development

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Abstrak

Issues in fisheries have been regulated in various international conventions. The United Nations Convention on the Law of the Sea 1982 (UNCLOS 1982) has built a regime in the field of conservation and management of fishery resources based upon maritime zones or fish species that exist and available in this zone. However, UNCLOS 1982 only focuses on the issue of fisheries in the Exclusive Economic Zone (EEZ) and the high seas, thus it was not sufficient to overcome the problems of high frequent of fishing in maritime zones which are fully subject to the jurisdiction of coastal states, such as in the Inland waters, archipelagic waters and the Territorial Sea. This article aims to examine the legal framework and mechanisms of fisheries subsidies in the aspects of trade and sustainable development. In this article, discussion would carried out in order to examinethe legal framework and mechanisms of marine fisheries subsidies that are implemented with the principles of fair-trade and sustainable development, both in the international level, as well as in the national level. Thus, this research is expected to be able to bridge the interests of developed countries and developing countries, especially Indonesia, in order to achieve fair trade in the field of fisheries and resource utilization of sustainable fisheries.

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Masalah perikanan sudah diatur dalam berbagai konvensi internasional. The United Nations Convention on the Law of the Sea 1982 (UNCLOS 1982) membangun rezim di bidang konservasi dan pengelolaan sumber daya perikanan berdasarkan zona maritim atau jenis ikan yang ada dan tersedia di zona ini. Namun, UNCLOS 1982 hanya focus pada isu perikanan di Zona Ekonomi Eksklusif (ZEE) dan laut bebas, sehingga tidak cukup untuk mengatasi masalah penangkapan ikan yang tinggi di zona maritim yang tunduk sepenuhnya pada yurisdiksi Negara pantai, seperti di Perairan Pedalaman, Perairan Kepulauan dan Laut Teritorial. Riset ini akan meneliti kerangka hokum dan mekanisme subsidi perikanan dalam aspek perdagangan dan pembangunan berkelanjutan. Oleh karena itu, dalam riset ini akan dikaji dan diteliti kerangka hokum dan mekanisme subsidi perikanan laut yang dilaksanakan dengan prinsip-prinsip fair trade dan pembangunan berkelanjutan, baik di tingkat internasional, maupun di tingkat nasional. Dengan demikian, riset ini diharapkan akan mampu menjembatani kepentingan Negara maju dan Negara berkembang, khususnya Indonesia, demi tercapainya fair trade dalam bidang perikanan dan pemanfaatan sumber daya perikanan yang berkelanjutan.