

Tinjauan yuridis penanganan anak buah kapal (ABK non yustisial) perikanan berbendera asing pelaku tindak pidana perikanan di Indonesia = Legal review of handling of vessel crew (non-judicial vessel crew) of foreign-flagged fisheries actors of illegal fishing in Indonesia

Mirza Ardiansyah, author

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Abstrak

**ABSTRAK** Semakin gencarnya penegakan hukum pelaku *illegal fishing* menyisakan permasalahan tentang penanganan Anak Buah Kapal (ABK Non Yustisial) perikanan berbendera asing pelaku tindak pidana perikanan di Indonesia. Sistem penegakan hukum terhadap *Illegal Fishing* masih terfokus terhadap permasalahan pelaku dan barang bukti. Fakta di lapangan kondisi penanganan terhadap ABK non yustisial masih dipandang sebelah mata, padahal tidak dipungkiri hal ini menyangkut hak-hak warga asing di negara pantai dan menyangkut kewajiban negara pantai dalam konteks hukum Internasional dan Hukum nasional negara pantai. Sifat penanganan saat ini masih parsial dan belum terpadu dikarenakan regulasi pelaksana negara pantai belum mengatur secara lengkap baik tentang batasan tanggungjawab negara pantai khususnya aparat di lapangan maupun sistem koordinasi antar lembaga dalam penanganan ABK nonyustisial pelaku *Illegal Fishing* di Indonesia.

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**ABSTRACT** The increasingly widespread law enforcement of illegal fishing perpetrators leaves problems regarding the handling of vessel crews (Non-Judicial crew) of foreign-flagged fisheries actors of illegal fishing in Indonesia. The law enforcement system against *Illegal Fishing* is still focused on the problems of actors and evidence. The facts in the field regarding the handling of non-judicial crews are still underestimated, even though it is undeniable that this concerns the rights of foreign citizens in coastal countries and concerns the obligations of coastal states in the context of international law and national coastal law. The nature of the current handling is still partial and not yet integrated because the coastal state implementing regulations have not yet fully regulated both the boundaries of the coastal state's responsibilities, especially the field apparatus and the inter-agency coordination system in handling non-judicial crew actors of *Illegal Fishing* in Indonesia.