



The Effectiveness of Cooperation between Polairud and Other Institutions in Handling Illegal Fishing Crimes in Indonesian Waters

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Abstract: This study examines the effectiveness of cooperation between the Directorate of Water and Air Police (Polairud) and other institutions in addressing illegal fishing in Indonesian waters. The phenomenon of illegal fishing, particularly by foreign vessels in the Exclusive Economic Zone (EEZ), has caused significant economic, social, and ecological losses. Polairud, as a maritime law enforcement agency, plays a crucial role in patrolling, investigating, and securing maritime areas. However, its effectiveness relies heavily on synergy with other institutions such as the Ministry of Maritime Affairs and Fisheries (KKP), the Indonesian Navy, and the Maritime Security Agency (Bakamla). This study uses a juridical-empirical approach with qualitative analysis of statutory data, institutional documents, interviews, and reports of joint patrol activities. The results indicate that inter-agency cooperation has been implemented through integrated patrols, information exchange, and technical training, but still faces obstacles such as overlapping authority, sectoral egos, and limited patrol and communication facilities. Regulatory harmonization increased inter-agency coordination, and the establishment of a Joint Command Center as a joint control center for maritime law enforcement are needed. Strong institutional synergy will strengthen efforts to eradicate illegal fishing and guarantee protection of the sovereignty and sustainability of Indonesia's marine resources.

Keyword: Water Police, Illegal Fishing, Law Enforcement.

INTRODUCTION

The phenomenon of illegal fishing has become a serious problem that threatens Indonesia's sovereignty and maritime resources. (Febriansyah, et al., 2024) This activity occurs frequently in Indonesia's Exclusive Economic Zone (EEZ) and territorial waters, particularly in the waters of the North Natuna Sea, the Sulawesi Sea, and the Arafura Sea (Irianto, 2021). Foreign vessels frequently enter Indonesian jurisdiction to fish without permits and use fishing gear that damages the marine ecosystem (Frahma, 2025). This practice not only violates national law but also harms the country economically, as potential

marine resources that should rightfully belong to Indonesia are exploited illegally (Darajati & Syafei, 2023). The crime also poses a challenge for law enforcement officials in maintaining the nation's sovereignty at sea.

Illegal fishing activities have broad social and economic impacts on coastal communities and local fishermen (Astriyanti & Efritadewi, 2024). The incomes of small-scale fishermen decline due to unfair competition with foreign vessels using more sophisticated fishing technology. Furthermore, these practices also undermine the sustainability of fisheries resources, as they are often carried out without regard for catch limits and the preservation of marine biota (Choiro et al., 2024). Environmentally, the use of destructive fishing gear such as trawls and fish bombs damages coral reefs and marine habitats. This ecological impact triggers an imbalance in the marine food chain, ultimately degrading the quality of national aquatic resources (Rafandi et al., 2025).

The role of the Directorate of Water and Air Police (Polairud) is crucial as a key pillar of law enforcement in Indonesian maritime territory (Siregar et al., 2025). As part of the Indonesian National Police, Polairud has a strategic function of conducting patrols, investigations, and prosecutions against maritime crimes, including illegal fishing (Mulyanto et al., 2025). Polairud also plays a role in maintaining the security and safety of shipping and supporting national stability in maritime territories. In carrying out its duties, the Water Police (Polairud) frequently collaborate with other institutions, such as the Ministry of Maritime Affairs and Fisheries (KKP), the Indonesian Navy (TNI AL), and the Maritime Security Agency (Bakamla), to create an effective maritime surveillance system (Fitriyanto et al., 2022). This synergy is necessary due to the vastness of Indonesia's maritime territory, which cannot be monitored by a single institution.

Problems that arise relate to overlapping authority and weak coordination between maritime law enforcement agencies. Each agency has a different legal basis and authority structure, resulting in a dualistic approach to handling illegal fishing cases (Andini et al., 2023). This situation creates confusion in the division of responsibilities and often delays the law enforcement process. Furthermore, sectoral egos between agencies complicate the implementation of cooperation that should be oriented towards a common goal: maintaining sovereignty and legal justice at sea (Asror & Puspoayu, 2023). This situation demands an evaluation of the effectiveness of existing cooperation so that it can be improved following national needs.

Law Number 31 of 2004 concerning Fisheries, as amended by Law Number 45 of 2009, explains that all fishing activities must have a valid permit from the Indonesian government, as stipulated in Article 27. Illegal fishing activities include various actions such as fishing without a permit, using prohibited fishing gear, and violating Indonesian territorial waters (Naila et al., 2022). This crime is included in the category of fisheries crimes because it harms national economic interests and violates international law. Law enforcement against perpetrators of illegal fishing is not only aimed at punishment but also upholds state sovereignty at sea. Thus, eradicating illegal fishing is part of the national maritime legal policy oriented towards the protection of marine biological natural resources.

The elements of the crime of illegal fishing include fishing without a permit, using fishing gear that damages the environment, and violating the jurisdictional boundaries of Indonesian waters. Subjective elements include the perpetrator's intent or negligence in carrying out unlawful fishing activities. Objective elements encompass the fishing activity, the gear used, and the maritime area where the violation occurred. These elements serve as the basis for law enforcement officials, including the Water Police (Polairud), in determining investigative and criminal action against the perpetrator (Robin et al., 2023). Determining these elements is also crucial to prevent misapplication of articles during the legal process.

The legal consequences for perpetrators of illegal fishing are both criminal and administrative, depending on the severity of the violation. Perpetrators can be subject to sanctions in the form of imprisonment, large fines, and confiscation of fishing gear and vessels. Furthermore, administrative violations, such as not having a fishing permit, can result in the revocation of business permits or a ban on operations (Pakasi et al., 2022). The implementation of these sanctions is strictly regulated in the Fisheries Law and its implementing regulations. Consistent and fair law enforcement is expected to provide a deterrent effect for perpetrators and serve as a lesson for others to comply with applicable laws in Indonesian waters.

The authority of the Water Police (Polairud) in maritime law enforcement is based on Law Number 2 of 2002 concerning the Indonesian National Police. Article 14, paragraph (1), letter g of this law stipulates that the Indonesian National Police (Polri) have the authority to conduct inquiries and inquests into all criminal acts in accordance with applicable law. In the maritime sphere, this authority is exercised through the Directorate of Water and Air Police (Polairud), which is responsible for carrying out police functions in territorial waters. Furthermore, National Police Chief Regulation Number 6 of 2017 stipulates that Polairud plays a role in water patrols, securing sea lanes, and enforcing the law against violations in national waters. This provision affirms Polairud's position as the vanguard of maritime law enforcement.

Polairud's functions are not limited to patrols and surveillance but also encompass investigations and inquiries into fisheries crimes. In practice, the Water Police (Polairud) can inspect vessels, crews, and fishing gear to ensure compliance with fisheries law (Aprizal et al., 2024). The Water Police also have the authority to arrest perpetrators and hand over cases to authorized investigators for further investigation. This task demands high professionalism and technical skills, as they deal with transnational criminals who use modern technology (Karna et al., 2024). The Water Police's performance significantly impacts the overall effectiveness of Indonesia's maritime law enforcement system.

The Water Police's authority is also closely linked to other institutions such as the Ministry of Maritime Affairs and Fisheries (KKP), the Indonesian Navy (TNI AL), and Bakamla. Each institution has a different mandate but often overlaps in maritime surveillance operations. The Ministry of Maritime Affairs and Fisheries (KKP) is responsible for fisheries resource monitoring, the Indonesian Navy is responsible for maritime defense, and Bakamla plays a role in maritime security and safety (Kudusalam et al., 2024). This inter-institutional relationship requires clear boundaries of authority to avoid overlapping tasks. The synergy between Polairud and these institutions is expected to create a comprehensive and efficient maritime surveillance system.

Cooperation between law enforcement agencies is a complementary institutional interaction aimed at achieving more effective law enforcement goals. In the context of public law, this cooperation is based on the principles of coordination and collaboration between agencies with different authorities. The goal is to create an integrated legal system where each agency carries out its functions synergistically without negating the other. The cooperation concept is not only formal, based on agreements or memoranda of understanding, but also substantive, in the form of information exchange, technical assistance, and joint operations.

The principles of coordination, synergy, and institutional integration are the primary foundation for effective cooperation. Coordination implies an understanding of the roles and responsibilities of each party. Synergy implies that each institution supports the others to achieve results greater than the capabilities of each institution alone. Institutional integration means there are no conflicts or overlapping authorities that could hinder law enforcement.

These three principles are key to ensuring the legal system operates efficiently and responsively to problems in the field.

Inter-institutional cooperation can also be divided into vertical and horizontal. Vertical cooperation occurs between institutions with different hierarchies, for example, between the central and regional governments. Horizontal cooperation involves institutions with equal standing but different functions, such as the Water Police (Polairud) and the Ministry of Maritime Affairs and Fisheries (KKP) or the Maritime Security Agency (Bakamla). This form of cooperation is highly relevant in maritime law enforcement because each institution has different capacities that can complement each other. Implementing effective cooperation will strengthen the state's ability to safeguard maritime territory as a whole.

Soerjono Soekanto explained that legal effectiveness is influenced by five main factors: the law itself, law enforcement factors, facilities and infrastructure factors, community factors, and legal culture factors. Legal factors relate to the clarity of norms and the consistency of rule implementation. Law enforcement factors relate to the professionalism, integrity, and capability of officers. Facility factors relate to the availability of adequate supporting facilities. Community factors reflect the level of citizen compliance and participation with the law, while legal culture reflects the community's values and perspectives on applicable law (Wijaya et al., 2023).

Indicators of legal effectiveness can be seen from the extent to which legal norms are complied with and implemented by the community and law enforcement officials. Effective law can change public behavior in a direction consistent with values of justice and compliance with the rules (Orlando, 2022). In the context of maritime law enforcement, this effectiveness is evident in reduced violations, increased inter-agency coordination, and the achievement of legal objectives, namely order and legal certainty in maritime areas. Measuring this effectiveness is crucial for assessing the success of the legal system in fulfilling its function as a tool of social control and protecting state interests.

The relevance of the theory of legal effectiveness to this research lies in its ability to explain the extent to which norms and mechanisms for inter-agency cooperation are actually implemented. The application of this theory allows researchers to assess whether the existing legal structure is functioning functionally or whether systemic obstacles remain. By understanding the factors that influence legal effectiveness, more appropriate solutions can be found to improve coordination mechanisms between maritime law enforcement agencies. Effective law is not only written down in regulations but also reflected in law enforcement practices that are responsive to the needs of the community and the state.

METHOD

The research method used in this study is a normative juridical method with a statutory and a conceptual approach. The statutory approach is used to examine and analyze positive legal norms governing marine resource management, particularly those regulated in Law Number 32 of 2014 concerning Maritime Affairs, Law Number 31 of 2004 in conjunction with Law Number 45 of 2009 concerning Fisheries, and various derivative regulations related to authority, supervision, and law enforcement in Indonesian maritime areas. This approach allows researchers to identify disharmony, overlapping authority, and legal gaps that become obstacles in the implementation of national marine policies. Meanwhile, the conceptual approach is used to examine and build a theoretical understanding of the concept of integrated marine resource management, the principles of sustainable development, and the concept of good ocean governance that is oriented towards a balance between exploitation and conservation. Through a conceptual approach, this study also explores the thoughts of legal and public policy experts to formulate the ideal direction of an

effective, equitable, and sustainable Indonesian marine management system. The research data were obtained from a literature study covering primary, secondary, and tertiary legal materials, then analyzed descriptively and analytically with an emphasis on legal arguments and the relevance of their application in the context of national marine management institutions.

RESULTS AND DISCUSSION

Forms and Mechanisms of Cooperation between Water and Air Police and Other Institutions

The Water Police (Polairud) have a primary mandate as the implementing agency of the Indonesian National Police (Polri) in the field of fostering and enforcing law in Indonesian waters. In handling fisheries crimes, Polairud cannot work alone because these crimes have cross-sectoral dimensions, encompassing legal, economic, and state sovereignty aspects. The Ministry of Maritime Affairs and Fisheries (KKP) is the primary partner, holding normative authority under Law Number 31 of 2004 concerning Fisheries, as amended by Law Number 45 of 2009. Cooperation between Polairud and KKP is realized through joint patrols, integrated investigations of illegal fishing perpetrators, and capacity-building training for maritime investigators. This form of coordination strengthens law enforcement functions to ensure effective enforcement at sea and eliminates overlap between authorities.

The legal basis for the cooperation between Polairud and KKP is stipulated in the Memorandum of Understanding (MoU) between the Indonesian National Police and the Ministry of Maritime Affairs and Fisheries Number B/01/I/2018 concerning Synergy in Law Enforcement in the Maritime Affairs and Fisheries Sector. The MoU affirms the commitment of both institutions to joint operations and the exchange of data on fishing vessels suspected of violating regulations. Implementing regulations also refer to Article 73 of Law Number 45 of 2009, which grants investigative authority to Civil Servant Investigators (PPNS) for Fisheries and the Police. This legal basis allows for integrated investigations under the coordination of the Water Police (Polairud), particularly within the country's extensive maritime jurisdiction. The implementation of this collaboration has resulted in various joint operations that have reduced the number of fisheries violations in several vulnerable areas.

The Water Police (Polairud) also maintain close coordination with the Indonesian Navy (TNI AL), which plays a strategic role in maintaining maritime security. This synergy is based on the spirit of safeguarding national sovereignty and national marine resources. The Navy, operating under Law Number 34 of 2004 concerning the Indonesian National Armed Forces, is responsible for maritime defense, while the Water Police (Polairud) focus on law enforcement. The two institutions frequently conduct coordinated patrols, particularly in the Indonesian Exclusive Economic Zone (ZEEI), which is frequently the site of illegal fishing activities. By dividing patrol areas and joint operations, the potential for overlapping work areas can be minimized, while responses to incidents at sea become faster and more targeted.

The coordination pattern between the Water Police (Polairud) and the Indonesian Navy (TNI AL) is regulated through an operational cooperation agreement that emphasizes the principles of mutual support and assistance. In carrying out its duties, the Indonesian Navy often provides logistical support, radar facilities, and fast boats that strengthen the mobility of Polairud patrols. This synergy is also evident in Operation Nusantara and Operation Bakamla, which involve joint elements from both agencies. However, there are still obstacles in the form of differences in command structures and reporting mechanisms, which sometimes slow down the decision-making process in the field. Harmonization efforts are ongoing to ensure that cooperation is not merely an administrative formality but results in concrete action against perpetrators of fisheries crimes.

The Maritime Security Agency (Bakamla) plays a crucial role as a maritime security and safety guard, as mandated by Presidential Regulation No. 178 of 2014 concerning Bakamla. This institution has the position of the Indonesian Coast Guard, which functions to carry out security and safety patrols throughout the waters of Indonesian jurisdiction. Polairud and Bakamla have established a synergistic relationship to support law enforcement operations against illegal fishing through joint operations, maritime information exchange, and the shared use of maritime surveillance facilities. This collaboration strengthens the national maritime surveillance system by enabling each agency to complement the other in terms of authority and resources.

The implementation of the Polairud-Bakamla collaboration includes the establishment of a joint command center to coordinate reporting and patrol vessel movements. This system facilitates early detection of suspicious foreign vessel activity. Polairud also utilizes data from Bakamla related to the Automatic Identification System (AIS) to follow up on observed violations. The main challenges in this collaboration are the aspects of information system interoperability and differences in standard operating procedures between institutions. Therefore, improving technical coordination through regular forums and developing integrated standard operating procedures (SOPs) is a priority to optimize the effectiveness of this collaboration.

The Water Police (Polairud)'s coordination with the Prosecutor's Office and the Courts focuses on the prosecution and resolution of fisheries crime cases. Based on Article 73B of Law Number 45 of 2009, every investigation conducted by fisheries investigators or the Indonesian National Police (Polri) must be submitted to the Public Prosecutor for further processing. The Water Police (Polairud) play a role in ensuring complete case files and evidence to ensure a smooth legal process in court. This synergy is crucial to ensuring legal certainty, particularly in cases involving foreign perpetrators apprehended within Indonesian jurisdiction. The success of this coordination can be seen in the increasingly rapid submission of case files to the Prosecutor's Office after investigations.

Regional governments are also an integral part of the Water Police's collaborative network in combating illegal fishing. Based on Law Number 23 of 2014 concerning Regional Government, the authority to manage marine resources is partly delegated to provincial governments, particularly in marine areas up to 12 miles from the coastline. The Water Police (Polairud) collaborate with the regional Maritime Affairs and Fisheries Office to provide field data, promote fisheries law awareness, and provide logistical support for operations. The local government acts as a facilitator and liaison between law enforcement officers and coastal communities so that law enforcement activities receive strong social and administrative support.

The Water Police's collaborative relationship with other institutions also demonstrates the institutional interdependence within Indonesia's maritime law enforcement system. Each institution possesses specific strengths and authorities, which, when effectively synergized, can create a robust maritime surveillance system that is responsive to evolving crime patterns. This collaboration is not only limited to enforcement, but also includes preventive activities such as legal education, increasing fishermen's awareness, and research into fish migration patterns and areas prone to violations. A coordinated approach is a crucial foundation for safe, equitable, and sustainable national maritime governance.

Analysis of the Effectiveness of Cooperation in Handling Illegal Fishing

Cooperation between law enforcement agencies in the maritime sector is highly dependent on the legal basis upon which coordination rests. A regulatory evaluation reveals several overlapping and incompletely synchronized regulations, particularly regarding the division of authority between the Water Police (Polairud), the Ministry of Maritime Affairs

and Fisheries (KKP), and the Maritime Security Agency (Bakamla). Law Number 31 of 2004 in conjunction with Law Number 45 of 2009 concerning Fisheries grants investigative authority to National Police investigators and Fisheries Civil Servant Officers (PPNS), while Bakamla is mandated to conduct maritime surveillance through Presidential Regulation Number 178 of 2014. These various legal norms necessitate strict coordination to prevent duplication of legal action. The absence of a single umbrella regulation that explicitly governs cooperation mechanisms poses a challenge to effective maritime law enforcement.

Overlapping authority between agencies often creates operational obstacles in the field. Polairud, whose function is to enforce the law in territorial waters, must share responsibilities with Bakamla, which maintains maritime security, and the KKP, which has administrative authority over fisheries. This situation necessitates clear boundaries of duties so that each agency can operate under the same regulations and not contradict each other. Several cases of foreign fishing vessel arrests demonstrate differing interpretations between agencies regarding who has the authority to conduct legal proceedings up to the investigation stage. Harmonization of national maritime law is imperative to strengthen institutional synergy and ensure legal certainty for all parties involved in maritime law enforcement.

Harmonization of Indonesian maritime law must be directed toward establishing an integrative and adaptive legal framework to address the challenges of transboundary crime. Interconnected regulations between the National Police, the Maritime Security Agency (Bakamla), and the Ministry of Maritime Affairs and Fisheries (KKP) can avoid the frequent conflicts of authority. This effort aligns with the mandate of Article 17 paragraph (1) and Article 22 paragraph (1) of Law Number 32 of 2014 concerning Maritime Affairs, which emphasizes the importance of inter-agency coordination in the management and supervision of marine resources. This synchronization can be realized through revisions to sectoral regulations that unify joint operational procedures, reporting mechanisms, and maritime law enforcement licensing systems. Legal harmonization also creates a foundation for increasing the effectiveness of cross-agency cooperation that is results-oriented, not merely administrative formalities.

The effectiveness of law enforcement against illegal fishing is inextricably linked to the human resources involved. The professionalism and capacity of personnel from the Water Police (Polairud), the Maritime Security Agency (Bakamla), and the Ministry of Maritime Affairs and Fisheries (KKP) determine the success of joint operations. Technical training involving the three institutions has been conducted frequently, but there are still capability gaps, especially in terms of the use of modern equipment and marine investigation techniques. Capacity building must be carried out continuously to ensure that all officers understand the operational standards and procedures for fisheries law enforcement. Joint training also strengthens coordination between officers to eliminate differences in perception when dealing with perpetrators of maritime crimes.

Facilities and infrastructure are crucial factors in determining the effectiveness of cooperation in the field. Limited patrol vessels, surveillance radars, and unintegrated communication systems often hinder optimal maritime surveillance. Indonesia boasts a vast maritime territory, but the number of patrol fleets operated by each agency is disproportionate. The situation results in slow responses to reports of illegal activity in remote waters. Increasing the operational budget and modernizing supporting facilities, such as maritime drones and surveillance satellites, are urgently needed to improve the effectiveness of joint law enforcement.

The use of technology plays a strategic role in optimizing maritime law enforcement cooperation. The Automatic Identification System (AIS) and Vessel Monitoring System (VMS)-based vessel monitoring systems managed by the Ministry of Maritime Affairs and Fisheries (KKP) have become key tools in detecting fisheries violations. Collaboration with

the Water Police (Polairud) and the Maritime Security Agency (Bakamla) in utilizing this data expedites the prosecution of vessels violating territorial boundaries or operating without permits. Integration of monitoring systems between agencies can reduce the risk of overlapping patrols and ensure that all data obtained can be used as a legal basis for investigations. Technology also helps minimize personnel constraints through real-time remote monitoring.

Community participation is a crucial indicator of successful maritime law enforcement. Local fishermen and coastal communities have direct knowledge of fishing grounds and the activities of foreign vessels. Their role as maritime surveillance partners is essential to provide early information about suspicious activities in the waters. The Water Police (Polairud) and the Ministry of Marine Affairs and Fisheries (KKP) have strived to build partnerships with community monitoring groups (Pokmaswas) through participatory monitoring programs. Community involvement not only expands the scope of surveillance but also strengthens legal legitimacy because law enforcement is supported by citizen participation.

Community compliance with fisheries laws also determines the success of maritime law enforcement programs. Many fisheries violations occur not due to malicious intent, but due to a lack of legal understanding and fishermen's economic constraints. The socialization of fisheries law carried out by Polairud, together with local governments, can increase public awareness so that they do not get involved in fishing practices that damage marine ecosystems. This improved legal culture will strengthen prevention efforts at the root of the problem, rather than relying solely on repressive measures. When the public understands the rules, violation rates can be significantly reduced.

The main obstacle to effective cooperation lies in the issue of sectoral egos between institutions. Each institution tends to maintain its own authority, so coordination is often hampered when it comes to sharing information or resources. Furthermore, data synchronization between the Bakamla (Law and Security Agency), Polairud (Water Police), and the Ministry of Maritime Affairs and Fisheries (KKP) systems is still not fully integrated. Limited operational funds are also a limiting factor, preventing routine joint patrols. These issues highlight the need for a more flexible and coordinated work system to maximize institutional potential.

A solution to strengthen the effectiveness of this collaboration is the establishment of an integrated coordination center that integrates all maritime law enforcement information and resources. This center can serve as a joint operations controller, a real-time data exchange platform, and a forum for developing a national strategy to combat illegal fishing. Developing inter-agency information system interoperability is also key to eliminating data gaps. Revisions to inter-agency cooperation regulations are needed to emphasize the division of functions, responsibilities, and more synchronized work procedures. It will ensure that maritime law enforcement collaboration is more effective, efficient, and oriented toward protecting Indonesia's marine resources.

CONCLUSION

Collaboration between the Water Police (Polairud) and other institutions such as the Ministry of Maritime Affairs and Fisheries, the Indonesian Navy, Bakamla (Law and Security Agency), the Attorney General's Office, and local governments demonstrates a significant joint effort to eradicate illegal fishing practices in Indonesian waters. This synergy has strengthened maritime surveillance, accelerated enforcement processes, and increased the effectiveness of integrated patrols. However, the effectiveness of this collaboration is not optimal due to obstacles such as overlapping authority, weak inter-agency coordination, and limited supporting facilities. Supporting factors such as institutional commitment, the

existence of formal cooperation agreements, and information technology support have made a positive contribution, but regulatory harmonization is still needed to ensure each agency has a clear legal basis for carrying out its functions and responsibilities.

Strengthening the effectiveness of cooperation between maritime law enforcement agencies should be directed at establishing a unified legal basis that serves as an umbrella for all coordination, patrol, and law enforcement activities. The establishment of a Joint Command Center under a single national command will enhance the interoperability of surveillance systems and accelerate decision-making in the field. Human resource capacity within each agency needs to be enhanced through joint technical training, while maritime patrol facilities and infrastructure must be upgraded to cover all Indonesian waters. The single command policy for maritime law enforcement will eliminate sectoral egos and ensure effective cross-sectoral cooperation, so that the eradication of illegal fishing can be done in a more focused, consistent, and sustainable manner for the protection of national sovereignty and marine resources.

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