

**ANALISIS PUTUSAN HAKIM TERHADAP PELAKU TINDAK
PIDANA PENCURIAN IKAN OLEH WARGA NEGARA
ASING DI PERAIRAN NATUNA
(Putusan Nomor 15/Pid.Sus Prk/2021/Pn Tpg)**

**Oleh
Surmita
NIM. 180574201023**

ABSTRAK

Putusan Pengadilan Negeri Tanjungpinang Kelas 1A, sebagaimana dapat dilihat dalam putusan Nomor 15/Pid.Sus-Prk/2021/PN Tpg, yang diputuskan 06 juli 2021. Terkait kasus *illegal fishing* penanggulangan hukum penangkapan ikan tersebut sebagai dasar kebijakan yang akan diterapkan dan ditegakkan upaya penegakan hukum. Tujuan penelitian ini yaitu, Bagaimana penegakkan hukum dalam pengaturan pencurian ikan di perairan Natuna dan Bagaimana analisis putusan hakim terhadap pelaku tindak pidana pencurian ikan oleh warga negara asing di perairan Natuna (Putusan Nomor 15/Pid.Sus-Prk/2021/PN Tpg). Metode yang digunakan adalah jenis penelitian menggunakan jenis penelitian hukum normatif dan pendekatan perundang-undangan. Hasil penelitian ini Berdasarkan penegakkan hukum terkait *illegal fishing* harus diyakini bahwa penerapan ketentuan pidana terhadap pelanggar tersebut harus tetap dilaksanakan, agar prosedur penegakkan hukumnya lebih efektif ke pengawasan untuk mengurangi kasus *illegal fishing* yang terjadi. mengenai pidananya sanksi atau hukuman yang diputuskan hakim yaitu, mengenai kasus *illegal fishing* yang telah dinyatakan sesuai dengan ketentuan Pasal 102 Undang-Undang Nomor 31 tahun 2004 sebagaimana telah diubah dengan Undang-Undang nomor 45 tahun 2009 tentang perikanan dijelaskan bahwa ketentuan tentang pidana penjara dalam Undang-Undang ini tidak berlaku bagi tindak pidana dibidang perikanan yang terjadi di wilayah pengelolaan perikanan Republik Indonesia sebagaimana dimaksud pada Pasal 5 ayat (1) huruf b, kecuali telah adanya perjanjian antara pemerintah Republik Indonesia dengan pemerintah yang bersangkutan. Penelitian ini dapat disimpulkan bahwa putusan nomor 15/Pid.Sus-Prk/2021/PN Tpg, ialah benar yakni bahwa penerapan ketentuan pidana terhadap pelanggar terlaksanakan sesuai dengan prosedur penegakan hukumnya lebih efektif ke pengawasan untuk terkait kasus *illegal fishing*.

Kata Kunci: *Illegal Fishing*, Penegakan Hukum, Putusan Hakim.

**ANALYSIS OF THE JUDGE'S DECISION AGAINST ACTIVITIES
CRIMINAL OF FISH THEFT BY FOREIGN CITIZENS IN
NATUNA WATERS
(Decision Number 15/Pid.Sus Prk/2021/Pn Tpg)**

**By
Surmita
NIM. 180574201023**

ABSTRACT

Tanjungpinang Class 1A District Court decision, as can be seen in decision Number 15/Pid.Sus-Prk/2021/PN Tpg, which was decided on 06 July 2021. Regarding the case of overcoming illegal fishing, the fishing law is the basis for a policy that will be implemented and enforced. law enforcement. The purpose of this study is how to enforce the law in regulating fish theft in Natuna waters and how to analyze the judge's decision on the perpetrators of the crime of fish theft by foreign nationals in Natuna waters (Decision Number 15/Pid.Sus-Prk/2021/PN Tpg). The method used is a type of research using normative legal research and statutory approaches. The results of this study Based on law enforcement related to illegal fishing, it must be believed that the application of criminal provisions against these violators must still be implemented, so that law enforcement procedures are more effective for supervision to reduce illegal fishing cases that occur. regarding the criminal sanction or punishment that the judge decides, namely, regarding illegal fishing cases which have been declared in accordance with the provisions of Article 102 Law Number 31 of 2004 as amended by Law number 45 of 2009 concerning fisheries it is explained that the provisions regarding imprisonment in the Law -law - This law does not apply to criminal acts in the field of fisheries that occur in the fishery management territory of the Republic of Indonesia as referred to in Article 5 paragraph (1) letter b, unless there has been an agreement between the government of the Republic of Indonesia and the government concerned. From this research it can be concluded that the decision number 15/Pid.Sus-Prk/2021/PN Tpg, is true that the application of criminal provisions against violators is carried out in accordance with law enforcement procedures that are more effective in oversight related to illegal fishing cases.

Keywords: Illegal Fishing, Law Enforcement, Judge's Decision.