
A Legal Review of the Causes of the Criminal Act of Lobster Seed Smuggling

Daniel Edward Hernando Situmorang,*1 Muhammad Arif Sahlepi, *2 Ismaidar *3

Email: danielEdwardhs12@gmail.com arifsahepi@dosen.pancabudi.ac.id ismaidar@dosen.pancabudi.ac.id

¹²³ Universitas Pembangunan Panca Budi

Abstract

The smuggling of lobster larvae (BBL) is a serious problem in Indonesian fisheries governance. This phenomenon occurs due to high demand in international markets, particularly Vietnam, which offers significantly higher prices than domestic prices. This economic difference provides a strong incentive for smuggling networks to continue their illegal activities through illegal ports and unofficial sea routes. Changing government regulations from 2016 to 2024 have further exacerbated the situation by creating legal uncertainty and opening up loopholes for illegal practices. The impact is significant: potential state losses reach trillions of rupiah per year, wild lobster populations are under serious pressure, and the country's legal sovereignty at sea is weakened.

Legally, the smuggling of baby sharks (BBL) is regulated by Law Number 31 of 2004 concerning Fisheries, as amended by Law Number 45 of 2009 and its adjustments in Law Number 6 of 2023, and detailed in Ministerial Regulation of Maritime Affairs and Fisheries Number 17 of 2021 and Ministerial Regulation of Maritime Affairs and Fisheries Number 7 of 2024. Articles 88 and 92 provide a fairly firm criminal basis, but court sentences are often light and do not have a deterrent effect. From a criminological perspective, this crime meets the criteria of an extraordinary crime due to its massive impact, the involvement of transnational networks, and the weak enforcement of conventional law in addressing it. This study emphasizes the need for a reformulation of the law enforcement paradigm by placing BBL smuggling as an extraordinary crime, so that extraordinary instruments such as financial investigations, asset confiscation, international cooperation, and coastal community empowerment can be used.

Keywords: lobster seed smuggling, extraordinary crime, law enforcement.

INTRODUCTION

Indonesia is known as a maritime nation with the second-longest coastline in the world. Marine resources are a strategic asset that not only supports the livelihoods of fishermen but also contributes to the country's foreign exchange. One commodity with high economic value is lobster. Lobster from Indonesian waters, both for consumption and for lobster larvae (BBL), is highly sought after in the international market, particularly in East Asian countries such as Vietnam, China, and Japan (Mahmudah, 2015).

High demand and high prices make lobsters (BBL) a vulnerable commodity for smuggling. The selling price for domestic fishermen is only around IDR 10,000 to IDR 15,000 per lobster, while on the international market it can reach IDR 100,000 per lobster. This significant price difference provides a strong incentive for perpetrators to engage in smuggling. In practice, smuggling is carried out by sea using large-capacity speedboats, with the destination being transited to Singapore or Malaysia before finally proceeding to Vietnam, the world's center of lobster cultivation (Putri, 2020).

From a regulatory perspective, the Indonesian government has attempted to regulate the management of lobsters. The initial policy was issued through Minister of Maritime Affairs and

Fisheries Regulation (Permen KP) Number 56 of 2016, which prohibited the capture and export of lobsters, crabs, and swimming crabs from Indonesian territory. However, this policy was later amended through Permen KP Number 12 of 2020, which reopened the export of lobsters under certain conditions. This regulation sparked both controversy and opposition, ultimately leading to Minister Edhy Prabowo, the architect of the policy, being implicated in a corruption case involving lobster exports (CNN Indonesia, 2021).

Following the incident, Minister Sakti Wahyu Trenggono reinstated the ban on the export of BBL through Ministerial Regulation Number 17 of 2021. Article 2 paragraph (1) of this regulation states that the capture of clear lobster seeds (puerulus) may only be carried out for cultivation purposes within the territory of the Republic of Indonesia. Furthermore, Article 18 paragraph (1) emphasizes the prohibition on exporting BBL outside the country's territory. Meanwhile, Article 19 paragraph (1) states that anyone who violates the provisions of Article 18 paragraph (1) will be subject to criminal sanctions in accordance with applicable law.

This policy was subsequently revised with the enactment of Ministerial Regulation No. 7 of 2024, which allowed limited exports of live-bearing fish (BBL) through quota mechanisms, restocking, and monitoring through the SILOKER application. This new regulation presented a dilemma: on the one hand, it was seen as supporting aquaculture investment, but on the other, there were concerns that it could trigger a covert legalization of smuggling practices (Ombudsman RI, 2024).

In addition to sectoral regulations, smuggling of live-bearing fish (BBL) is also subject to Law Number 31 of 2004 concerning Fisheries, as amended by Law Number 45 of 2009, which was subsequently updated by Law Number 6 of 2023 concerning Job Creation. Article 88 states that

"Anyone who knowingly brings in, removes, distributes, and/or keeps fish that are detrimental to the community, fish farming, fish resources, and/or the environment of fish resources into and/or outside the fisheries management area of the Republic of Indonesia, can be punished with a maximum imprisonment of 6 (six) years and a maximum fine of Rp. 1,500,000,000.00 (one billion five hundred million rupiah)."

Meanwhile, Article 92 states that

"Anyone who knowingly carries out a fishing business in the fisheries management area of the Republic of Indonesia without having a Fisheries Business License (SIUP) can be punished with a maximum imprisonment of 8 (eight) years and a maximum fine of IDR 1,500,000,000.00 (one billion five hundred million rupiah)."

Unfortunately, the implementation of these articles in practice often results in light sentences for perpetrators. For example, in the case of smuggling 50,000 white-rumped shamas in West Tanjung Jabung Regency, Jambi, three defendants were sentenced to only two years in prison with a fine of Rp 5,000,000, or three months in prison (Situmorang, 2025). However, if calculated based on international market prices, the state losses could reach Rp 5 billion. This contrast demonstrates the imbalance between the losses incurred and the sanctions imposed.

From a criminological perspective, the smuggling of baby lobsters (BBL) meets the criteria of an extraordinary crime. First, the economic impact is significant, as it erodes the country's foreign exchange potential. Second, the ecological impact is significant, as the large-scale harvesting of fry threatens the wild population of adult lobsters (Rumadan, 2021). Third, the smuggling is carried out by an organized, cross-border network, thus aligning with the characteristics of transnational organized crime, which the UNODC classifies as a serious crime (UNODC, 2019).

To show the potential for state losses, the following is an illustration of the calculation of the BBL value:

Number of BBL	Domestic price (Rp/head)	Domestic potential (Rp)	International price (Rp/head)	International potential (Rp)
50,000	15,000	750,000,000	100,000	5,000,000,000

1,000,000	15,000	15,000,000,000	100,000	100,000,000,000
10,000,000	15,000	150,000,000,000	100,000	1,000,000,000,000

The data above shows the gap in value between the domestic and international markets, which is a magnet for smuggling syndicates.

However, law enforcement faces numerous obstacles. First, the limited number of supervisory personnel compared to Indonesia's 6.4 million km² of territorial waters. Second, the proliferation of illegal ports and small, uninhabited islands exploited as distribution routes (Septia, 2024). Third, weak coordination between law enforcement agencies, including the police, the Ministry of Maritime Affairs and Fisheries, the Indonesian Navy, and Customs (Nababan & Nawawi, 2020). Fourth, the presence of certain officials who are actually involved in protecting perpetrators, thus eroding public trust in law enforcement (Arif, 2023).

Against this backdrop, it is important to examine BBL smuggling as an extraordinary crime. Placing this crime in the extraordinary category allows for the use of extraordinary approaches, such as intelligence-based investigations, the involvement of financial investigations to trace the flow of funds, and the application of civil forfeiture, a technique commonly used in corruption and narcotics cases (Barda Nawawi, 2013).

Based on the description above, the main problem of this research is how lobster seed smuggling can be categorized as an extraordinary crime in the fisheries sector and what law enforcement challenges Indonesia faces in eradicating it.

METHOD

This study uses a normative juridical approach supported by empirical data. The normative juridical approach was chosen because the main focus of the study is to analyze the legal norms governing lobster seed smuggling, starting from Law Number 31 of 2004 concerning Fisheries as amended by Law Number 45 of 2009 and its adjustments in Law Number 6 of 2023 concerning Job Creation, to derivative regulations in the form of Ministerial Regulation of Maritime Affairs and Fisheries Number 17 of 2021 and Ministerial Regulation of Maritime Affairs and Fisheries Number 7 of 2024. The analysis was conducted by interpreting articles related to the prohibition on the capture and export of lobster seeds and their criminal sanctions, then comparing them with law enforcement practices in the field. Secondary data sources in the form of legal literature, journals, and court decisions were combined with empirical data derived from official reports from the Ministry of Maritime Affairs and Fisheries, news of enforcement actions by officials, and limited interviews previously published in the media regarding the methods and challenges of lobster seed smuggling. With this method, the research is expected to be able to fully describe the normative aspects as well as the reality of law enforcement in placing lobster seed smuggling as an extraordinary crime in the fisheries sector (Soekanto, 1993; Situmorang, 2025).

RESULTS AND DISCUSSION

Lobster Seed Smuggling as an Extraordinary Crime in the Fisheries Sector

Lobster seed smuggling (BBL) has become a criminal phenomenon that has become increasingly prominent in recent years in Indonesia. While previously a major fisheries issue primarily revolved around illegal fishing, since 2016, the public, government, and international organizations have focused on the rampant trade in BBL. This phenomenon is not simply an ordinary crime but has demonstrated the characteristics of an extraordinary crime, involving cross-border

networks, causing significant economic losses, and threatening the sustainability of marine ecosystems (Rumadan, 2021).

From a criminal law perspective, extraordinary crimes are typically defined based on three indicators: massive impact, the involvement of organized networks, and the weakness of conventional legal instruments in addressing them (Barda Nawawi, 2013). This category has traditionally been used for crimes such as corruption, narcotics, terrorism, and money laundering. However, based on the facts on the ground, lobster smuggling also meets these criteria. State losses due to lobster smuggling are estimated to reach trillions of rupiah annually (KKP, 2024). For example, an official KKP report in 2024 stated that potential state losses due to lobster smuggling reached more than IDR 12 trillion per year, a figure equivalent to losses from middle-class corruption practices (Arif, 2023).

The main regulation governing the crime of lobster smuggling is contained in Law Number 31 of 2004 concerning Fisheries as amended by Law Number 45 of 2009, and adjustments in Law Number 6 of 2023 concerning Job Creation. Article 88 of the law states that "anyone who knowingly imports, exports, distributes, and/or maintains fish that are detrimental to the community, fish farming, fish resources, and/or the environment of fish resources into and/or outside the fisheries management area of the Republic of Indonesia, can be punished with a maximum imprisonment of 6 (six) years and a maximum fine of IDR 1,500,000,000.00 (one billion five hundred million rupiah)."

Furthermore, Article 92 states that "anyone who knowingly carries out a fishing business in the fisheries management area of the Republic of Indonesia without having a Fisheries Business License (SIUP), can be punished with a maximum imprisonment of 8 (eight) years and a maximum fine of IDR 1,500,000,000.00 (one billion five hundred million rupiah)."

These two articles serve as the basis for law enforcement in cases of baby deer smuggling. However, in practice, court sentences for smugglers are often far lighter than the maximum penalty under these articles. For example, in a 2023 case in West Tanjung Jabung, three defendants were sentenced to only two years in prison with a fine of Rp 5,000,000, or three months in prison, despite the evidence totaling 50,000 baby deer (Situmorang, 2025).

In addition to the Fisheries Law, sectoral regulations through the Minister of Maritime Affairs and Fisheries Regulation also play a significant role. Initially, Ministerial Regulation No. 56 of 2016 strictly prohibited the export of live-bearing trout (BBL) to prevent overexploitation. However, this regulation was revoked by Ministerial Regulation No. 12 of 2020, which opened the export tap under the pretext of increasing aquaculture investment. This policy was short-lived because the minister who issued it, Edhy Prabowo, was implicated in a corruption case. His replacement, Sakti Wahyu Trenggono, further tightened the regulations by issuing Ministerial Regulation No. 17 of 2021, which was in effect until replaced by Ministerial Regulation No. 7 of 2024. This latest regulation permitted the export of live-bearing trout with a quota mechanism, mandatory restocking, and the SILOKER digital system for monitoring (Ombudsman, 2024).

These changing policies create legal uncertainty and open up opportunities for smuggling practices. From a legal theory perspective, regulatory uncertainty leads to weak public compliance because the law is no longer viewed as a consistent instrument of protection, but rather as an instrument that can be exploited at will (Soekanto, 1993).

From an economic perspective, the potential losses from smuggling newborn calves (BBL) are enormous. If one BBL is valued at IDR 100,000 on the international market, then 1 million is worth IDR 100 billion. In 2024, joint authorities successfully thwarted the smuggling of over 1 million BBL from various regions, meaning potential state losses reached trillions of rupiah (KKP, 2024).

To clarify the scale of the loss, here is a table estimating the value of BBL:

Number of BBL	Domestic price (Rp/head)	Domestic potential (Rp)	International price (Rp/head)	International potential (Rp)
50,000	15,000	750,000,000	100,000	5,000,000,000
1,000,000	15,000	15,000,000,000	100,000	100,000,000,000

10,000,000	15,000	150,000,000,000	100,000	1,000,000,000,000
------------	--------	-----------------	---------	-------------------

Source: Author's processing of KKP data (2024)

From an ecological perspective, the large-scale harvesting of lobster fry threatens the survival of the adult population. The young lobster (BBL) is the initial phase of the lobster's life and is crucial in the reproductive cycle. If fry are harvested continuously and uncontrolled, the adult lobster population will decline drastically. This has been evident in several coastal areas, such as East Lombok and South Lampung, where lobster catches have declined sharply over the past five years due to the rampant harvesting of fry (Junaidi et al., 2010).

There are three main reasons why BBL smuggling can be categorized as an extraordinary crime. First, the economic losses incurred are massive, reaching trillions of rupiah, equivalent to or even exceeding losses from middle-class corruption cases (Arif, 2023). Second, the ecological losses, such as the decline in wild lobster populations, cannot be directly measured in rupiah but have long-term impacts on food sovereignty and the sustainability of biological resources (Rumadan, 2021). Third, it is transnational in nature, involving a systematically organized cross-border network operating between Indonesia and Singapore and Vietnam. This aligns with the UNODC's (2019) definition of transnational organized crime, which encompasses transnational, structured, and economically motivated crimes.

In criminal law literature, crimes that fall into the extraordinary category require extraordinary treatment, including the imposition of severe penalties, the use of reverse burden of proof mechanisms, and the application of asset confiscation instruments (Muladi & Barda, 2005). Therefore, BBL smuggling should no longer be viewed as a conventional fisheries crime, but rather as a serious crime that impacts state sovereignty.

Despite existing regulations, law enforcement in the field faces various challenges. First, limited personnel and monitoring facilities. The number of investigators and patrol vessels from the Ministry of Maritime Affairs and Fisheries (KKP) and the Water Police (Polair) is disproportionate to the vastness of Indonesia's maritime territory, which reaches 6.4 million km² (Nababan & Nawawi, 2020). Second, the proliferation of small, uninhabited islands and ports used as smuggling routes. Nearly every coastal village in West Tanjung Jabung, for example, has a small port directly connected to the open sea, making them difficult to monitor (Septia, 2024).

Third, there are allegations of the involvement of certain officials. Several reports indicate that smuggling networks would not be able to survive without the support of local officials and law enforcement officials (Arif, 2023). Fourth, there is weak inter-agency coordination. Enforcement is often carried out sectorally by the Ministry of Maritime Affairs and Fisheries, the police, or the Indonesian Navy, without a sustainable, integrated coordination system. This results in weak follow-up of prosecutions through to the courts (Hamzah, 2001).

Based on the above description, it is clear that BBL smuggling is not simply a common fisheries crime. This crime meets the criteria for an extraordinary crime due to its massive economic and ecological impacts, the involvement of transnational networks, and the weak effectiveness of conventional law in addressing it. Therefore, a reformulation of the law enforcement paradigm is needed that places BBL smuggling within the framework of extraordinary crimes, so that law enforcement officials have a basis for using extraordinary instruments in eradication, such as financial investigations, reversal of the burden of proof, and confiscation of assets obtained from crime.

The Challenges of Law Enforcement of Lobster Seed Smuggling in Indonesia

Law enforcement against the crime of lobster seed smuggling (BBL) is a complex issue. Although a regulatory framework is in place, the reality on the ground reveals various obstacles that reduce its effectiveness. While Discussion I examined BBL smuggling as an extraordinary crime based on its economic and ecological impacts and the involvement of transnational networks, this section focuses on the concrete challenges facing law enforcement officials in Indonesia. These

challenges relate not only to technical limitations but also to institutional, social, political, and legal culture aspects of society.

Indonesia has a maritime territory of 6.4 million km², encompassing more than 17,000 islands spread from Sabang to Merauke. This vast expanse of waters poses a major challenge to surveillance. The number of patrol vessels owned by the Ministry of Maritime Affairs and Fisheries (KKP) and the Water Police (Polair) remains very limited compared to ideal needs. The 2024 KKP report stated that the patrol fleet will only have around 30 active units spread across various regions, while the minimum requirement is 150 units to monitor all strategic waters (KKP, 2024).

Besides the number of vessels, limited human resources are also a serious problem. The number of civil servant investigators (PPNS) in fisheries is relatively small. This results in slow action on smuggling cases. According to Soekanto (1993), one factor influencing law enforcement is the law enforcement officers themselves. If the officers are inadequate, the laws will not be effectively enforced, even if the norms are clear.

BBL smuggling often exploits small ports, known as "rat ports." Nearly every coastal district has direct access to the open sea, making it difficult for authorities to monitor. For example, in the West Tanjung Jabung area of Jambi, there are more than 20 rat ports used to ship BBL to Batam, before continuing on to Singapore and Vietnam (Situmorang, 2025).

The phenomenon of "rat ports" demonstrates the state's weak control over maritime trade entry and exit points. From a legal theory perspective, weak state control means diminished legal sovereignty in territorial waters, thus increasing opportunities for transnational crime. This aligns with Nababan & Nawawi's (2020) analysis, which asserts that "rat ports" are a strengthening factor for transnational criminal networks.

One of the most serious challenges is the alleged involvement of certain officials in protecting smugglers. Several investigative reports have stated that the BBL smuggling network could not operate smoothly without the "backing" of certain officials at both the local and national levels (Arif, 2023). This involvement can take the form of condoning, providing protection, or even participating in the distribution process. From a criminal law perspective, the involvement of officials constitutes an abuse of power that exacerbates the crime. According to Muladi & Barda (2005), when officials become party to the crime, the law loses its authority, and the crime must be viewed as an extraordinary crime because it breaches the main barrier of law enforcement itself.

The smuggling of baby-to-be-born babies (BBL) should be handled with an integrated approach involving the Ministry of Maritime Affairs and Fisheries (KKP), the police, the Indonesian Navy, Customs and Excise, and the prosecutor's office. However, in practice, handling is often carried out sectorally. For example, the KKP conducts surveillance operations at sea without coordinating with the police for follow-up prosecutions. As a result, many cases end at the confiscation stage of evidence without progressing to court (Hamzah, 2001).

This weak coordination is also evident in the lack of data system integration. Each agency maintains its own database without a unified system to track smuggling flows from upstream to downstream. However, according to Friedman's (1975) legal system theory, an integrated institutional structure is crucial for law enforcement. Without integration, law enforcement will be sporadic and reactive. The policy regarding the export of baby lobsters (BBL) from 2016 to 2024 exhibited a confusing dynamic. In 2016, exports were banned, reopened in 2020, banned again in 2021, and reopened with a limited quota scheme in 2024. These fluctuating policy changes create legal uncertainty (Ombudsman, 2024). Legal uncertainty leads to low public compliance. Fishermen are confused about whether catching baby lobsters is legal or illegal. Smugglers exploit this loophole, claiming changing regulations. According to Soekanto (1993), legal certainty is a key requirement for effective law enforcement. Without certainty, the law will only be a formality without coercive power.

Even when authorities successfully apprehend perpetrators of BBL smuggling, court sentences are often considered lenient and lack a deterrent effect. The case in West Tanjung Jabung in 2023 is a concrete example, where three defendants in the smuggling of 50,000 BBL were only sentenced to

two years in prison with a fine of Rp5 million or an additional three months in prison (Situmorang, 2025). This sentence is far from the maximum penalty stipulated in Articles 88 and 92 of the Fisheries Law. The disparity between potential criminal penalties and actual sentences demonstrates the weakness of the prosecution. According to Andi Hamzah (2001), criminal justice in Indonesia is often formal and places little emphasis on state losses or ecological impacts. In the context of extraordinary crimes, judges should consider the long-term impact, not just the quantity of evidence or immediate economic value.

In many coastal areas, fishermen rely on catching baby sharks (BBL) as their primary livelihood. Low levels of education prevent fishermen from understanding legal prohibitions, especially when regulations frequently change (Mahmudah, 2015). Furthermore, the high economic value of the fish makes fishermen prefer the risk of being arrested by authorities over losing the opportunity to earn substantial income. The permissive legal culture of coastal communities toward smuggling practices exacerbates the situation. In Lawrence Friedman's (1975) legal culture theory, legal compliance is influenced by the extent to which a community views the law as an instrument of justice. If communities perceive regulations only benefit certain groups, they are less likely to comply. This phenomenon is clearly evident in the rejection by some fishermen of the 2016–2021 BBL export ban.

The Indonesian lobster smuggling network does not operate sporadically, but rather is well-organized. The common route is from seed-producing regions such as Jambi, Lampung, Central Java, and West Nusa Tenggara, then sent to Batam or Banten as transit points, before being smuggled to Singapore and finally to Vietnam (Putri, 2020). Vietnam is known as the world's center for lobster cultivation, requiring billions of lobsters annually. The characteristics of this network align with the UNODC's (2019) definition of transnational organized crime: structured, cross-border crime involving more than one country and aimed at substantial economic gain. This type of crime cannot be addressed with conventional approaches but requires international cooperation and intelligence-sharing mechanisms.

In 2024, the Ministry of Maritime Affairs and Fisheries launched the SILOKER application to monitor the lobster distribution chain. However, in the initial stages of implementation, this system was not functioning optimally. Many coastal areas lack adequate internet access, while fishermen are also unfamiliar with digital technology (KKP, 2024). As a result, the digital-based monitoring system has not been able to close the gap for smuggling. According to modern legal system theory, digitalization must be supported by infrastructure, literacy, and integration between agencies (Nababan & Nawawi, 2020). Without these, the system becomes a mere formality without any effectiveness.

Given the challenges above, law enforcement against BBL smuggling needs to be directed toward an extraordinary enforcement model. Several recommendations can be put forward:

1. Reformulation of Legal Categorization

BBL smuggling needs to be recognized as an extraordinary crime under fisheries law. This recognition provides authorities with the basis to use extraordinary instruments, such as reversing the burden of proof or confiscating the proceeds of crime, as applied to corruption cases (Muladi & Barda, 2005).

2. Increasing the Capacity of Apparatus and Facilities

The government must expand its patrol boat fleet, increase the number of fisheries PPNS investigators, and strengthen coordination with the Water Police and the Indonesian Navy. Without these capacity improvements, surveillance will continue to be unequal compared to the vastness of Indonesia's maritime territory (Soekanto, 1993).

3. Cross-Agency Coordination and Integrated Data System

Handling the smuggling of baby food requires synergy between agencies. An integrated data system linking the Ministry of Maritime Affairs and Fisheries, the police, the Indonesian Navy, Customs and Excise, and the prosecutor's office must be established immediately to monitor the smuggling flow from upstream to downstream (Friedman, 1975).

4. International Cooperation

Given that the smuggling network involves Singapore and Vietnam, international cooperation is essential. Indonesia needs to strengthen its Mutual Legal Assistance (MLA) mechanism and intelligence sharing with destination countries to disrupt the smuggling market chain (UNODC, 2019).

5. Coastal Community Empowerment

A long-term solution is to provide economic alternatives for coastal fishermen. Legal lobster cultivation programs, technological assistance, and fair domestic market access can reduce fishermen's dependence on smuggling networks (Junaidi et al., 2010).

6. Integrated Digitalization

The SILOKER system needs to be strengthened with internet infrastructure support in coastal areas and digital literacy training for fishermen. This will ensure effective technology-based monitoring (KKP, 2024).

From the above description, it is clear that the challenges of law enforcement against marine life (BBL) smuggling in Indonesia are extremely complex. Technical obstacles such as limited patrol fleets and limited ports combine with institutional challenges such as weak coordination, regulatory fluctuations, the involvement of certain officials, and the socio-economic factors of fishermen. All of this demonstrates that conventional law enforcement is insufficient. Therefore, BBL smuggling must be viewed and handled as an extraordinary crime. Only then can law enforcement move in an extraordinary direction: using an intelligence approach, financial investigation, asset confiscation, international cooperation, and empowerment of coastal communities. With this strategy, it is hoped that Indonesia will be able to close the gap in BBL smuggling while simultaneously safeguarding the sustainability of marine resources, which are assets for future generations.

CONCLUSION

Conclusion

Lobster seed smuggling (BBL) in Indonesia is no longer just a common fisheries crime, but rather has the characteristics of an extraordinary crime due to its massive impact on the economy, ecology, and the rule of law. State losses reach trillions of rupiah annually, while wild lobster populations continue to be threatened by overexploitation. Furthermore, the involvement of cross-border networks with complex routes and a weak domestic legal and enforcement system further strengthens the case that BBL smuggling should be considered an extraordinary crime. Challenges facing law enforcement include limited personnel, the proliferation of illegal ports, the involvement of certain officials, regulatory fluctuations, weak cross-agency coordination, and socio-economic factors in coastal communities.

Suggestion

To address these challenges, a reformulation of the law enforcement paradigm is necessary. First, BBL smuggling needs to be explicitly categorized as an extraordinary crime so that authorities can use extraordinary legal instruments, including financial investigations and confiscation of assets obtained from crime. Second, cross-agency coordination must be strengthened with an integrated data system, while international cooperation needs to be expanded through Mutual Legal Assistance mechanisms with destination countries. Third, empowering coastal communities through legal cultivation programs, increasing the capacity of fishermen, and digitizing SILOKER-based surveillance must be prioritized. With a combination of extraordinary repressive and preventive approaches, it is hoped that BBL smuggling can be suppressed and the sustainability of Indonesia's lobster resources will be maintained.

BIBLIOGRAPHY

Arif, M. (2023). Fisheries Crime and Law Enforcement Challenges in Indonesia. Jakarta: Prenadamedia.

Barda Nawawi, A. (2013). Anthology of Criminal Law Policy. Jakarta: Kencana.

CNN Indonesia. (2021). Edhy Prabowo Sentenced to 5 Years in Prison for Lobster Seed Export Bribery Case. Retrieved from <https://www.cnnindonesia.com>

Friedman, L. (1975). The Legal System: A Social Science Perspective. New York: Russell Sage Foundation.

Hamzah, A. (2001). Sistem Pidana dan Pemidanaan Indonesia. Jakarta: Pradnya Paramita.

Junaidi, I., Yulianto, T., & Suryanto, D. (2010). Dampak Penangkapan Benih Lobster terhadap Populasi di Alam. *Jurnal Perikanan Indonesia*, 16(2), 123–136.

Kementerian Kelautan dan Perikanan (KKP). (2024). Laporan Tahunan Pengawasan Sumber Daya Kelautan dan Perikanan. Jakarta: KKP.

Mahmudah, S. (2015). Hukum Perikanan di Indonesia. Yogyakarta: Gadjah Mada University Press.

Muladi, & Barda Nawawi, A. (2005). Teori-Teori dan Kebijakan Pidana. Bandung: Alumni.

Nababan, T., & Nawawi, A. (2020). Pengawasan Sumber Daya Laut dan Penanggulangan Pelabuhan Tikus. *Jurnal Hukum dan Pembangunan*, 50(3), 543–562.

Ombudsman Republik Indonesia. (2024). Catatan Kritis atas Permen KP No. 7 Tahun 2024 tentang Pengelolaan Lobster, Kepiting, dan Rajungan. Jakarta: Ombudsman RI.

Putri, R. (2020). Modus dan Rute Penyelundupan Benih Lobster di Indonesia. *Jurnal Kriminologi Indonesia*, 16(1), 55–70.

Rumadan, I. (2021). Illegal Fishing dan Ekonomi Ikan di Indonesia. Jakarta: Yayasan Obor Indonesia.

Sitomorang, D. (2025). Penegakan Hukum terhadap Tindak Pidana Penyelundupan Benih Lobster di Kabupaten Tanjung Jabung Barat (Studi Putusan Register Perkara Nomor: 144/Pid.Sus/2023/PN Klt). Tesis Magister Ilmu Hukum, Universitas Pembangunan Panca Budi.

Soekanto, S. (1993). Faktor-Faktor yang Mempengaruhi Penegakan Hukum. Jakarta: Rajawali Pers.

United Nations Office on Drugs and Crime (UNODC). (2019). Transnational Organized Crime in the Fishing Industry. Vienna: UNODC.