

The sinking ship policy to the perpetrator of illegal, unregulated and unreported fishing in criminal law perspective

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Abstract	<p>The sinking ship policy by Minister Susi Pudjiastuti to the perpetrator of illegal, unregulated and unreported (IUU) fishing in the territorial sea of Indonesia raises the pros and cons from many perspectives. The policy background and policy legal consequences in criminal law perspective are the problems that will be discussed in this article. The research method is normative and empirical research. The results showed that the policy comes since the previous Government let perpetrators of the theft of fish in the sea of Indonesia. This caused losses for Governments as well as the fishermen who technically cannot compete in terms of fishing technology. The sinking ship policy also made due to the slowness of criminal justice cases against illegal, unregulated and unreported fishing in Indonesia which obviously does not comply with the principle of quick, simple and low cost justice. However, this policy is problematic in criminal law perspective, especially against the application of presumption of innocence principle and the proof process in criminal justice. Therefore, there needs to be laws that can be used as a guide and protector for this policy. Thus there is no problem in the future and instead become a breakthrough in fisheries law enforcement..</p>
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