

# CHAPTER ONE

## INTRODUCTION

### A. Background

Indonesia has a marine and maritime potential because its location is surrounded by 70% of sea. Since Indonesia is crossed by the equator, where the hot and cold flow meet which causes rich marine biological resources. Moreover, Indonesia is the international shipping lines because of its strategic location between the Indian and Pacific Ocean which makes Indonesia has maritime potential.<sup>1</sup> With 17.504 islands, Indonesia is a big archipelago country which is blessed with so much natural wealth in order to be utilized for the people's welfare.<sup>2</sup> Besides that, Indonesia has sea with an area of 5,8 million km<sup>2</sup> and a coastline along 95.181 km<sup>2</sup>.<sup>3</sup> So, that is quite clear in explaining the geographical location regarding the natural resources that Indonesia has.

Since Indonesia has so many kinds of natural resources, they need to be protected so that the next generation can use it as well. Based on the goals Sustainable Development Goals (SDGs), on point 14.4, it is stated that

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<sup>1</sup> Sukamto MEI, 2018, "Pengelolaan Potensi Laut Indonesia dalam Spirit Ekonomi Islam (Studi Terhadap Eksplorasi Potensi Hasil Laut Indonesia)", taken from <https://jurnal.yudharta.ac.id/v2/index.php/malia/article/view/881> accessed on October 2<sup>nd</sup>, 2020 at 09.15 pm.

<sup>2</sup> Khairani Hilal, 2016, "Kepentingan Indonesia Melarang Ekspor Benih Lobster ke Vietnam Tahun 2015", taken from <https://www.neliti.com/publications/183138/kepentingan-indonesia-melarang-ekspor-benih-lobster-ke-vietnam-tahun-2015> accessed on October 5<sup>th</sup>, 2020 at 10.25 pm.

<sup>3</sup> Muhammad Ramdhan, Taslim Arifin, 2013, "Aplikasi Sistem Informasi Geografis dalam Penilaian Proporsi Luas Laut Indonesia", taken from [https://www.researchgate.net/profile/Muhammad\\_Ramdhan/publication/323999918\\_APLIKASI\\_SISTEM\\_INFORMASI\\_GEOGRAFIS\\_DALAM\\_PENILAIAN\\_PROPORSI\\_LUAS\\_LAUT\\_INDONESIA/links/5af506850f7e9b026bcd9091/APLIKASI-SISTEM-INFORMASI-GEOGRAFIS-DALAM-PENILAIAN-PROPORSI-LUAS-LAUT-INDONESIA.pdf](https://www.researchgate.net/profile/Muhammad_Ramdhan/publication/323999918_APLIKASI_SISTEM_INFORMASI_GEOGRAFIS_DALAM_PENILAIAN_PROPORSI_LUAS_LAUT_INDONESIA/links/5af506850f7e9b026bcd9091/APLIKASI-SISTEM-INFORMASI-GEOGRAFIS-DALAM-PENILAIAN-PROPORSI-LUAS-LAUT-INDONESIA.pdf) accessed on November 11<sup>th</sup>, 2020 at 10.53 pm.

in 2020 agenda where we need to control the overfishing and illegal catching in order to restore fish stocks in a short time.<sup>4</sup> It means that on the target 14.4 SDGs the regulation must be effective in practice. On the other hand, there is an aspect that contradicts in order to fulfill the goals of SDGs, one of them is climate change such as ocean acidification, increase in sea temperature, decrease in oxygen content and change in marine currents, which affect marine ecosystems that could not be controlled by a human being.<sup>5</sup>

Therefore, Indonesia's sea yields so many kinds of sea animals, one of them is lobster. The lobster does not originally come from the Indonesian endemic, but it comes from Australia's Christmas Island, Papua New Guinea, and The Phillipines. They drifted away to Indonesia for over a year with hundreds of billions in total. Through natural selection, the possibility of live remaining lobster only last 0,01 to 0,02 percent.<sup>6</sup>

The lobster becomes one of the commodities that has the economic potential to be exported.<sup>7</sup> The demand is inversely proportional to the supply, the high demand in this kind of situation makes the fisherman catch more and more lobsters which can threaten the environment gradually or in other words, there will be an overexploitation.<sup>8</sup> Meanwhile, the Minister of Marine Affairs and Fisheries Regulation Number 12 of 2020 is against the previous regulation. It allows such activity of exporting baby lobster. The government

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<sup>4</sup> Annie Stuesson et al, 2018, *SDG 14: Life Below Water-A Review of Research Needs*, p.5.

<sup>5</sup> David Le Blanc et al, 2017, "Mapping the Linkages between Oceans and Other Sustainable Development Goals: A Preliminary Exploration", taken from [https://sustainabledevelopment.un.org/content/documents/12468DESA\\_WP149\\_E.pdf](https://sustainabledevelopment.un.org/content/documents/12468DESA_WP149_E.pdf) accessed on October 12<sup>th</sup>, 2020 at 11.32 pm.

<sup>6</sup> Maskun et al, 2020, "Legal Analysis of Lobster Export Policies in Indonesia: The Principle of Sustainable Development Approach", taken from <https://iopscience.iop.org/article/10.1088/1755-1315/564/1/012067/pdf> accessed on October 23<sup>rd</sup>, 2020 at 08.19 pm.

<sup>7</sup> Katarina Hesty Rombe et al, 2018, "Pengelolaan Perikanan Lobster dengan Pendekatan Eafm di Teluk Palabuhanratu", taken from <https://journal.ipb.ac.id/index.php/jurnalikt/article/view/21679> accessed on October 18<sup>th</sup>, 2020 at 09.38 pm.

<sup>8</sup> Faisal Adhiatma, Ika Riswanti Putranti, 2019, "Efektivitas (RPOA) Regional Plan of Action dalam Penanggulangan IUU Fishing Studi Kasus: Penyulundupan Ilegal Benih Lobster Indonesia ke Vietnam", taken from <https://ejournal3.undip.ac.id/index.php/jihi/article/view/25047> accessed on October 25<sup>th</sup>, 2020 at 05.45 pm.

argued by allowing the export of baby lobster, it will increase advantages. In fact, it cause losses. Thus, the government should deliberate in establishing the regulation by considering the effect. Through this research, the author will try to clarify the effect behind the export of baby lobster associated with SDGs.

Actually, this research has been discussed before in some journals or news on the internet. However, those discussions used old regulation where the KKP did not allow the export of baby lobster. While this research is based on the new regulation of KKP, it opens the path for exportation of baby lobsters. Besides that, this research is adding the concept of SDGs in order to see how efficient of the new regulation which is linked with the sustainable use.

## **B. Statements of Problems**

1. Why the Ministry's policy on utilization of baby lobsters has not the same purposes with the SDGs 14 in conserving and sustainably use of marine resources for sustainable development?
2. What are the pros and cons behind the Minister of Marine Affairs and Fisheries Regulation Number 12 of 2020 by allowed the export of baby lobster?

## **C. Objectives of Research**

1. To know the Ministry's policy on utilization of baby lobsters has not the same purposes with the SDGs 14 in conserving and sustainably use of marine resources for sustainable development.
2. To analyze the pros and cons on the Minister of Marine Affairs and Fisheries Regulation Number 12 of 2020 by allowing the export of baby lobster.

#### **D. Benefits of Research**

The research provided benefits as follows:

1. Theoretical Aspect

The research gives the advantage to know the importance of protecting marine resources particularly for baby lobster.

2. Practical Aspect

This study will provide benefits for the government to be careful in establishing statute.