

LAW ENFORCEMENT AGAINST THE CRIMINAL ACT OF DESTRUCTION OF CORAL REEF ECOSYSTEMS IN WEST SUMATRA WATERS

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Abstrak: Laporan Polisi Model A Nomor: LP-A/179/VII/2019/SPKT Polda-SBR, 12 Juli 2019. Dimana telah terjadi Tindak Pidana Perikanan yaitu penangkapan Usmanto memanggil Adek dan Muhamad Nur memanggil Ujang menggunakan 1 (satu) unit perahu motor sedang mengangkut 56 (lima puluh enam) karung terumbu karang di Perairan Bungus tepatnya pada posisi 01° 03' 020" S - 100° 23' 983" E Kota Padang pada hari Kamis, 11 Juli 2019 sekitar pukul 20.00 WIB , yaitu Terumbu karang yang diambil dari perairan laut Kota Padang yang hangus. Penelitian ini merupakan penelitian deskriptif analitik. Pendekatan yang digunakan dalam penelitian ini adalah pendekatan yuridis normatif yang didukung oleh pendekatan yuridis empiris. Data yang digunakan dalam penelitian ini adalah data sekunder dan data primer. Semua data dan bahan yang diperoleh dari hasil penelitian disusun dan dianalisis secara kualitatif, dan disajikan dalam bentuk deskriptif kualitatif. Dari hasil penelitian dapat dijelaskan bahwa: Proses penegakan hukum tindak pidana perusakan ekosistem terumbu karang di perairan Sumatera Barat diawali dengan Laporan Polisi Model A Nomor: LP-A/179/VII/2019 /SPKT Polda-SBR, setelah itu disusul dengan dikeluarkannya Surat Perintah Penyidikan, Surat Perintah Penyitaan, dan Surat Penggeledahan berdasarkan Pasal 1 angka 16, Pasal 5 ayat (1) huruf b angka 1, Pasal 7 ayat (1) huruf d, Pasal 11 Pasal 38 ayat (2), Pasal 39, Pasal 40, Pasal 44, Pasal 128, Pasal 129, Pasal 130 dan Pasal 131 KUHAP, serta Pasal 86 Undang-Undang Republik Indonesia Nomor 31 Tahun 2004 yang telah diubah dengan Undang-Undang Nomor 45 Tahun 2009 tentang Perikanan. Setelah dilakukan pemeriksaan, diketahui bahwa perahu motor yang dioperasikan Usmanto dan Muhamad Nur itu ditemukan 56 (lima puluh enam) karung terumbu karang yang diambil dari perairan laut Kota Padang yang hangus. Hambatan dalam proses penegakan hukum terhadap tindak pidana perusakan ekosistem terumbu karang di perairan Sumatera Barat, terdiri dari faktor hukum dan non hukum. Faktor hukum terdiri dari: Kesulitan mencari keterangan ahli, kesulitan mencari bukti, menetapkan tersangka jika dilakukan oleh korporasi, dan menemukan tempat perkara atau menentukan locus delicti karena berada di ZEE. Kendala non hukum terdiri dari: kesempatan kerja karena masyarakat sulit mencari pekerjaan, rendahnya tingkat pendidikan masyarakat pesisir, lemahnya pengawasan dari instansi terkait, masyarakat yang tidak mengetahui hukum, Belum adanya sosialisasi kepada masyarakat tentang pentingnya terumbu karang.

Kata Kunci: Penegakan Hukum; Tindak Pidana; Perusakan Ekosistem; Terumbu Karang.

Abstract: Police Report Model A Number: LP-A/179/VII/2019/SPKT Polda-SBR, 12 July 2019. Where the Fisheries Crime has occurred, namely the arrest of Usmanto calling Adek and Muhamad Nur summoning Ujang using 1 (one) motorboat carrying 56 (fifty six) sacks of coral reefs in Bungus Waters, precisely at position 01° 03' 020" S - 100° 23' 983" E Padang City on Thursday, July 11, 2019 at around 20.00 WIB, namely coral reefs taken from scorched sea waters of Padang City. This research is a descriptive analytic study. The approach used in this study is a normative juridical approach which is supported by an empirical juridical approach. The data used in this study are secondary data and primary data. All data and materials obtained from the research results were compiled and analyzed qualitatively, and presented in a qualitative descriptive form. From the results of the study, it can be explained that: The process of law enforcement for the criminal act of destroying coral reef ecosystems in the waters of West Sumatra begins with the Police Report Model A Number: LP-A/179/VII/2019 /SPKT Polda-SBR, after that it is followed by the issuance of a warrant Investigation, confiscation warrant, and search warrant based on Article 1 point 16, Article 5 paragraph (1) letter b number 1, Article 7 paragraph (1) letter d, Article 11 Article 38 paragraph (2), Article

39, Article 40, Article 44, Article 128, Article 129, Article 130 and Article 131 of the Criminal Procedure Code, as well as Article 86 of the Law of the Republic of Indonesia Number 31 of 2004 which has been amended by Law Number 45 of 2009 concerning Fisheries. After inspection, it was found that the motorboat operated by Usanto and Muhamad Nur was found 56 (fifty-six) sacks of coral reefs taken from the charred sea waters of Padang City. Obstacles in the law enforcement process against the criminal act of destroying coral reef ecosystems in the waters of West Sumatra, consist of legal and non-legal factors. The legal factors consist of: Difficulty seeking expert information, difficulty finding evidence, determining the suspect if committed by a corporation, and finding the place of the case or determining the locus delicti because it is in the EEZ. Non-legal constraints consist of: job opportunities because people find it difficult to find work, low levels of education of coastal communities, weak supervision from related agencies, people who do not know the law, There is no socialization to the community about the importance of coral reefs.

Keywords: Law Enforcement; Criminal act; Ecosystem Destruction; Coral reefs.

A. Introduction

As a country that has a large sea area, Indonesia is very rich in natural resources under the sea. With potential resources, especially large marine fisheries, both in terms of quantity and diversity. Considering that Indonesia's marine area is larger than the land area, making coastal and marine resources has the potential to be very important, because this area is where the interaction between terrestrial ecosystems and marine ecosystems is very dynamic and influential, this area is very intensively used for human activities such as : central government, settlements, industry, ports, agriculture and tourism. It can also be used for development in various fields such as social, economic, cultural, and environmental.

Coral reefs in general can be associated with physical structures along with accompanying ecosystems that actively form calcium carbonate sediments due to biological activities that take place below sea level. For geologists, coral reefs are sedimentary rock structures of limestone (calcium carbonate) in the sea, or reefs for short (Netty Dahlah, 2015). Coral reefs have a very important function for marine life. Coral reefs are a habitat for many unknown marine species of plants, marine animals, and other marine microorganisms. However, the beauty of marine ecosystems in Indonesia is increasingly threatened, due to human activities who are not afraid of the legal sanctions they get and also do not care about the underwater ecosystem (Andi Helga Adillah, 2017).

The issue of sustainability (or rather damage) of coral reefs is a serious environmental problem. Of course, there are many problems and causes for the loss of coral reefs locally and globally. Such as disease, sedimentation, migratory species, bleaching, predators, porous corals (coral osteoporosis), algae growth, and storms. In addition, global climate change is also the cause of the loss of coral reefs. Stress in the form of heat, cold, light, and dark, especially rising sea water temperatures causes damage to the symbiosis between corals and algae on corals (zooxanthella) (Leonardo Kastanya, 2017). More and more carbon dioxide is released into the atmosphere back into the ocean through rainwater and changes the pH (acidity) of seawater to a lower or more acidic one. The decrease in the pH of seawater causes corals to become porous. If these porous corals return to their original seawater conditions, they can no longer repair corals. All these problems and causes are exacerbated by human activities using explosives, chemicals, and fishing gear for fishing which cause coral damage and tin mining activities in coastal areas (Safran Yusri, 2016).

Article 1 paragraph (1) of Law Number 45 of 2009 concerning Fisheries states that: "Fisheries are all activities related to the management and utilization of fish resources and their environment starting from pre-production, production, processing, marketing, carried out in a fishery business system" . In addition to being a source of fisheries, coral reefs provide income, among others, for the ornamental fish industry, coral reefs are also a source of foreign exchange for the country, including tourism businesses managed by local communities and marine tourism entrepreneurs. If coral reefs have an important function for marine ecosystems, the destruction of coral reefs means a threat to a food source for humans. But we wonder, the

degradation of coral reefs continues to disappear which is currently only about 30 percent in good condition.

Apart from being a source of food, income and beauty, coral reefs are an important habitat needed to support the life of thousands of marine species. Coral reefs protect the coast from sea storms and hurricanes, providing calmer waters for seagrass and mangrove growth. One-third of tropical coastlines are formed by coral reefs. Their actions, such as bomb fishing or cyanide poisoning, have an impact on coral reef life, dredging coral around corals without thinking about the underwater ecosystem. However, once again human behavior or actions, especially for the environment, are hardly felt as a result in an instant, but for years, even hundreds of years afterward. Damage and loss of coral reefs is a form of human activity. Humans who carry out activities such as exploitation are still less concerned about what has been regulated in Law Number 32 of 2009 concerning Environmental Protection and Management regulating the damage to coral reefs. In fact, the sanctions have been written clearly.

One of them is the Police Report Model A Number: LP-A/179/VII/2019/SPKT Poldas-BR, dated July 12, 2019. Where a fisheries crime has occurred, namely the arrest of Usanto calling Adek and Muhamad Nur calling Ujang using 1 (one) motorboat unit carrying 56 (fifty-six) sacks of coral reefs in Bungus waters, precisely at position 01° 03' 020" S - 100° 23' 983" E Padang City on Thursday, July 11, 2019 at approximately 20.00 WIB, which where the coral reefs were taken from the scorched waters of the Padang City, it is suspected that they have violated the provisions of Article 86 paragraph (1) in conjunction with Article 12 paragraph (1) of the Law of the Republic of Indonesia Number 31 of 2004 which has been amended by the Law of the Republic of Indonesia. Indonesia Number 45 of 2009 concerning Fisheries.

B. Research methodology

This research is a descriptive legal research, which is a study that describes the process of law enforcement against perpetrators of destroying coral reef ecosystems in the waters of West Sumatra. The approach used in this study is a normative juridical approach as the main approach and is supported by an empirical juridical approach. Juridical normative which means law is seen as a norm or *das sollen*, because in discussing this research problem, legal materials are used (both written law and unwritten law or both primary legal materials and secondary legal materials). Empirical juridical means law as a social, cultural or *das sein* reality, because this research uses primary data obtained from the field. So, the empirical juridical approach in this study means that in analyzing the problem, it is done by combining legal materials (which are secondary data) with primary data obtained in the field related to the law enforcement process against perpetrators of destroying coral reef ecosystems in the waters of West Sumatra.

C. Results and Discussion

1. Law Enforcement Process Against Criminal Acts of Coral Reef Ecosystem Destruction in West Sumatra Waters.

As the largest archipelagic country and geographically located between the Pacific Ocean and Indian Ocean, Indonesia's marine biodiversity is countless. Indonesia's coral reefs are very diverse and play a very important role in maintaining environmental balance and contributing to the physical stability of the neighboring coastlines. Therefore, it must be protected and developed continuously both for the benefit of current and future generations. Coral reefs are very easily affected by environmental conditions, both physically and biologically. As a result of the combination of direct and indirect negative impacts on Indonesia's coral reefs, most of the coral reefs in the territory of Indonesia are currently experiencing very severe damage.

However, the pressure on the existence of coral reefs is mostly caused by human activities, so preventive measures need to be taken. The increase in human activities along the coastline has further exacerbated the condition of coral reefs. There is therefore an urgent need

to implement good conservation and management plans to protect coral reefs from further damage. Steps and policies that need to be taken to reduce threats to coral reefs in Indonesia are to increase public awareness of the need to preserve coral reefs and increase the involvement of all parties in preserving coral reefs in Indonesia. Coral reefs are one of the ecosystems related to fisheries resources. This is related to the occurrence of violations of coral reef destruction directly or indirectly, more firmly and severely as regulated in Law No. 27 of 2007.

Law Number 27 of 2007 states that people are intentionally involved in coral mining activities, taking coral reefs in conservation areas, using explosives and toxic materials, and/or other means that cause damage to coral reef ecosystems in the form of acts: 1) Mining of coral reefs which causes damage to the ecosystem; 2) Coral reefs; 3) Taking coral reefs in conservation areas; 4) Using explosives, toxic materials, and/or other materials that damage coral reef ecosystems; and 5) Using other tools, methods and methods that damage coral reef ecosystems. That the Fisheries Crime was discovered on Thursday, July 11, 2019 at approximately 20.00 WIB when officers from the Ditpolairud Polda West Sumatra conducted an investigation in Padang City waters at position 01° 03' 020 "S - 100° 23' 983" E conducting an inspection of the motorboat. From the results of the inspection of the motorboat operated by Usmanto and Muhamad Nur, it was found that 56 (fifty six) sacks of coral reefs were taken from the scorched seas of Padang City, as referred to in Article 86 paragraph (1) in conjunction with Article 12 paragraph (1) of the Law. - State Law of the Republic of Indonesia Number 31 of 2004 which has been amended by Law of the Republic of Indonesia Number 45 of 2009 concerning Fisheries.

The basis for handling the law enforcement process against perpetrators of destroying coral reef ecosystems at the Ditpolair Polda West Sumatra are as follows: a) Article 1 point 16, Article 5 paragraph (1) letter b number 1, Article 7 paragraph (1) letter d, Article 11 Article 38 paragraph (2), Article 39, Article 40, Article 44, Article 128, Article 129, Article 130 and Article 131 KUHAP; b) Law Number 2 of 2002 concerning the Indonesian National Police; c) Article 86 of the Law of the Republic of Indonesia Number 31 of 2004 which has been amended by the Law of the Republic of Indonesia Number 45 of 2009 concerning Fisheries; d) Police Report Model A Number : LP-A/179/VII/2019/SPKT Polda-SBR, dated July 12, 2019; e) Investigation Order Number: Sp.Sidik/07/VII/2019/Ditpolairud, July 12, 2019; f) Seizure Order Number : Sp.Sita /01/VII/2019/Ditpolairud, July 12, 2019; and g) Search Order Number: Sp.Dah /01/VII/2019/ Ditpolairud, July 12, 2019.

Based on the considerations above, the Fisheries Crime was caught on behalf of Usmanto and Muhamad Nur, who used 1 (one) motorboat carrying 56 (fifty-six) sacks of coral reefs in Bungus Waters, precisely at position 01° 03' 020" S - 100° 23' 983" E Padang City on Thursday 11 July 2019 at approximately 20.00 WIB, where the coral reefs were taken from the scorched seas of Padang City, it is suspected that they have violated the provisions of Article 86 paragraph (1) in conjunction with Article 12 paragraph (1) Law of the Republic of Indonesia Number 31 of 2004 which has been amended by Law of the Republic of Indonesia Number 45 of 2009 concerning Fisheries. Based on Police report Model A Number: LP-A/179/VII/2019/SPKT-Polda SBR, dated July 12, 2019 concerning Fisheries Crime.

From the results of the inspection of the motorboat operated by Usmanto and Muhamad Nur, 56 (fifty-six) sacks of coral reefs were found from the scorched waters of Padang City, as referred to in Article 86 paragraph (1) in conjunction with Article 12 paragraph (1) of the Law. Law of the Republic of Indonesia Number 31 of 2004 which has been amended by Law of the Republic of Indonesia Number 45 of 2009 concerning Fisheries. The elements of Article 86 paragraph (1) of the Law of the Republic of Indonesia Number 31 of 2004 which has been amended by the Law of the Republic of Indonesia Number 45 of 2009 concerning Fisheries, explain: an act that results in pollution and/or damage to fish resources and/or the environment as referred to in Article 12 paragraph (1), shall be punished with imprisonment for a maximum of 10 (ten) years and a fine of a maximum of Rp. 2,000,000,000.00 (two billion rupiah); 2) The elements of Article 12 paragraph (1) of the Law of the Republic of Indonesia Number 31 of 2004 which has been amended by the Law of the Republic of Indonesia Number 45 of 2009

concerning Fisheries, it is explained: that every person is prohibited from committing acts that result in pollution and/or damage to fish resources and/or the environment in the fishery management area of the Republic of Indonesia.

Based on the facts and discussion above, the statements of the witnesses, the statements of the suspects and the available evidence, it can be concluded that Usmanto and Muhammad Nur can be suspected of having violated the provisions of Article 86 paragraph (1) in conjunction with Article 12 paragraph (1) of the Law. Indonesia Number 31 of 2004 which has been amended by the Law of the Republic of Indonesia Number 45 of 2009 concerning Fisheries.

2. Obstacles in Law Enforcement Process Against Criminal Acts of Coral Reef Ecosystem Destruction in West Sumatra Waters.

The obstacles in the law enforcement process against the criminal act of destroying coral reef ecosystems in the waters of West Sumatra are divided into legal obstacles and non-legal obstacles. Legal constraints consist of several factors, which will be described below, based on the results of research that has been carried out:

Difficult to find expert information. The case for the destruction of coral reefs in the waters of West Sumatra, is possible to be resolved criminally, because there is a Law on Environmental Protection and Management as a reference. Experts have included the coral reef ecosystem as one of the highly threatened ecosystems. expert opinion/information (professional judgement), regarding coral reef ecosystems. But to seek expert information for the crime of coral reefs in the area of West Sumatra.

Difficult to find evidence. It is difficult to catch the perpetrators of destroying coral reefs in the waters of West Sumatra because it is difficult to obtain strong evidence, such as being caught in the act of bombing or taking damage to coral reefs. As a result, although the identities of the perpetrators of bombing or taking damage to coral reefs are known, due to the lack of evidence, the perpetrators cannot be arrested. Although currently the activities of destroying coral reefs in the waters of West Sumatra.

As a result of the bombing in the coral reef area in the waters of West Sumatra, it has an impact on the decline in the production of fishery products. As a result of the damage to coral reefs in the waters of West Sumatra, the number of fish caught by local/traditional fishermen who rely on simple fishing gear such as hand lines and longlines is reduced. As a result of taking coral for the construction of buildings and roads that have been carried out, it has caused a decrease in the volume of beach sand on small islands in the waters of West Sumatra. According to the local community, the damage to coral reefs occurred as a result of the activities of taking coral for building materials and road foundations carried out in the past

The determination of the suspect is carried out by a corporation. The ability to assign responsibility to a corporation is essential if the corporate culture within the organization leads to misconduct. Corporate culture is intended as attitudes, policies, rules or a series of actions or practices that exist within the corporation. There are various policy reasons underlying the state of corporate responsibility. This stems from the difficulty in identifying the real criminal; belief that the proper management system to prevent the result from the use of state-owned resources for the benefit of the private sector. Establish corporate responsibility by defining people as individuals, and; or groups of people and/or legal entities. The law also stipulates that if a criminal act is committed by, or on behalf of a legal entity, company, union, foundation, or other organization, the threat of a fine is increased by an additional one-third of the sanction for individual violators of corporate responsibility.

This explains where if a criminal act is committed by or on behalf of a legal entity, company, association, foundation, or other organization, criminal charges are made and criminal sanctions are imposed, whether it is imposed on legal entities, or against those who give orders to commit crimes. the crime or acting as a leader in the act or against both.

Searching for the crime scene or determining the locus delicti because it is in the EEZ. The Indonesian Exclusive Economic Zone is a path outside and bordering the Indonesian territorial sea as determined based on the applicable law concerning Indonesian waters which includes the seabed, the land below it and the water above it with an outermost limit of 200 (two hundred) nautical miles measured from the line Indonesian territorial sea base. The 1982 Law of the Sea Convention (UNCLOS) states that Indonesia has sovereignty over an area of 3.2 million km² of waters consisting of 2.9 million km² of archipelagic waters and 0.3 million km² of territorial sea. In addition, Indonesia also has the exclusive right to utilize marine resources covering an area of 2.7 km² in the waters of the Exclusive Economic Zone (EEZ).

Law enforcement and increasing security in the Indonesian seas (Indonesian waters and the Exclusive Economic Zone) which covers an area of 6 million km² (3 times the land area) still require great attention, including law enforcement and security in the Indonesian Archipelagic Sea Lane (ALKI). This enhancement of law enforcement and security capabilities includes a close cooperation between activities on land, sea and air. Efforts to improve monitoring, control, surveillance, as well as investigative activities and court proceedings must be well organized.

The authority of law enforcement is contained in Law Number 5 of 1983 concerning the Indonesian Exclusive Economic Zone Article 13 and Article 14 which state that the competent law enforcement apparatus of the Republic of Indonesia can take law enforcement actions in accordance with Law Number 8 of 1981 concerning The Criminal Procedure Code, with the following exceptions: a) Arrest of ships and/or people suspected of committing violations in the Indonesian Exclusive Economic Zone includes actions to stop the ship until the ship and/or people are handed over at the port where the case can be processed further; b) The delivery of the ship and/or people must be carried out as quickly as possible and may not exceed a period of 7 (seven) days, unless there is a force majeure situation; c) Law enforcement officers in the field of investigations in the Indonesian Exclusive Economic Zone are Indonesian Navy officers appointed by the Commander of the Armed Forces of the Republic of Indonesia; d) The public prosecutor is a prosecutor at a district court; and e) The court which has the authority to adjudicate violations of the provisions of this law is the district court whose jurisdiction covers the port where the detention of ships and/or people is carried out.

Non-legal constraints consist of several factors, which will be described below, based on the results of research that has been carried out: Employment because it is difficult for people to find work. Another factor that causes the destruction of coral reefs in this area is the extraction of coral by the community for building materials, such as foundations and house walls. Although the use is not used for commercial purposes, but to meet their own needs, because many houses use coral, it greatly affects the condition of coral reefs in this area, especially those close to residential locations. Even though the community stated that the corals taken were dead corals, it was hard to believe, so it was estimated that many live corals were taken for building materials. The case presented by an informant at least strengthens the allegation. The use of dead coral is only as a camouflage to deceive others. At the time of coral collection they do not choose dead coral, but all coral that is easy to take. Thus, many corals that are actually still alive are also taken. In fact, according to the source, the percentage of live coral and dead coral taken was much higher than that of live coral.

Dead corals are only a small part, because if you only choose dead corals, besides taking a longer time, choosing them is not easy. The community actually knows the function of coral reefs, especially for fish protection. However, this does not guarantee that they will protect coral reefs, according to their knowledge. The use of coral for building materials, for example, is still carried out, even though it damages coral reefs. This is because according to the community, the damage caused by coral extraction is very small, because it is only for meeting their own needs. Therefore, for the community, the taking of coral for the building can be tolerated, if not for sale. This is also supported by the fact that

there are no substitute materials that can be easily obtained, without having to use coral.

Lack of education level of the community around the coast. The level of education of the community around the coast is still very low, so that it affects the legal awareness of the community about the prohibition of the use of coral reefs in the territorial waters of West Sumatra. The low level of education and social economy of the community is directly proportional to the low legal awareness of the community regarding the prohibition of the use of coral reefs. Public awareness about the function of coral reefs, so some people no longer use coral reefs for building materials, but use bricks made of cement themselves. This of course greatly reduces the level of damage to coral reefs. However, the community has not been able to completely eliminate the use of coral reefs, because the building foundations generally still use coral. The cement stone is only used to make walls.

Weak supervision from related agencies. The emergence of regional autonomy has caused a paradigm shift from a centralized government system to a decentralized government system, namely by giving the regions the freedom to create a broad and responsible autonomous region, to regulate and manage the interests of the local community according to the conditions and potential of the region. Coordination between related agencies is needed to reach an understanding of supervision patterns and technical supervision in the field, strengthening the role that can be carried out by each agency as well as inter-agency supervision cooperation in efforts to overcome the destruction of coral reefs in the territorial waters of West Sumatra. Supervision patrols and routine inspections are carried out both independently by each relevant agency that has the task and authority of supervision and enforcement, as well as jointly at specified times, based on vulnerability maps and data on the distribution of perpetrators of coral reef destruction in the territorial waters of West Sumatra. Surveillance patrols are carried out to suppress the rampant activities of destroying coral reefs in the territorial waters of West Sumatra.

People are not aware of the law. Due to the combination of direct and indirect negative impacts on coral reefs in the coastal jurisdiction of West Sumatra, most of the coral reefs in the territory of Indonesia are currently experiencing very severe damage. However, the pressure on the existence of coral reefs is mostly caused by human activities, so preventive measures need to be taken. The increase in human activities along the coastline has further exacerbated the condition of coral reefs. There is therefore an urgent need to implement good conservation and management plans to protect coral reefs from further damage. Steps and policies that need to be taken to reduce threats to coral reefs in Indonesia are to increase public awareness of the need to preserve coral reefs and increase the involvement of all parties in preserving coral reefs in Indonesia.

There is no socialization to the community about the importance of coral reefs. Community participation is the key to success in protecting coral reefs in the territorial waters of West Sumatra. Many activities damage coral reefs, but perhaps the worst is the lack of public awareness about the dangers of damaging coral reefs. To help the community recognize the importance of protecting coral reefs, the government does not carry out various socialization activities, education and activities with local communities related to coral reef protection. There are no programs that educate people from a young age to support the protection of coral reefs.

D. Conclusion

The conclusions of this study are as follows: The process of law enforcement for the criminal act of destroying coral reef ecosystems in the waters of West Sumatra begins with the Police Report Model A Number: LP-A/179/VII/2019/SPKT Polda-SBR, after that it is followed by the issuance of a letter Investigation orders, confiscation warrants and search warrants, which are based on Article 1 point 16, Article 5 paragraph (1) letter b number 1, Article 7 paragraph (1) letter d, Article 11 Article 38 paragraph (2), Article 39 , Article 40, Article 44, Article 128, Article 129, Article 130 and Article 131 of the Criminal Procedure Code, as well as Article 86 of the Law of the Republic of Indonesia Number 31 of 2004 which

has been amended by the Law of the Republic of Indonesia Number 45 of 2009 concerning Fisheries. After inspection, it was found that the motorboat operated by Usmanto and Muhamad Nur was found 56 (fifty six) sacks of coral reef taken from the scorched sea waters of Padang City. Obstacles in the law enforcement process against the criminal act of destroying coral reef ecosystems in the waters of West Sumatra, consist of legal and non-legal factors. Legal factors consist of: Difficulty seeking expert information, difficulty in finding evidence, determining the suspect if it is carried out by a corporation, and finding the place of the case or determining the locus delicti because it is in the EEZ. Non-legal constraints consist of: job opportunities because people find it difficult to find work, lack of education levels for coastal communities, weak supervision from related agencies, people who are not aware of the law, There is no socialization to the community about the importance of coral reefs.

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