

**IMPLEMENTASI KEBIJAKAN INSTRUMEN EKONOMI LINGKUNGAN
HIDUP BERBASIS SISTEM INSENTIF DAN DISINSENTIF DI SEKTOR
KELAUTAN DAN PERIKANAN**

(Studi Kasus: Perusahaan Penangkapan Ikan PT Dwi Karya Reksa Abadi)

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Intisari

Penelitian ini bertujuan untuk: 1.mengetahui dan menganalisis apa saja bentuk kerugian ekonomi dan lingkungan hidup akibat kejahatan&pelanggaran di sektor kelautan dan perikanan; 2.untuk mengetahui&menganalisis penerapan&implikasi kebijakan instrument ekonomi lingkungan hidup (IELH) di sektor kelautan&perikanan; 3.untuk mengetahui& menganalisis implementasi IELH berbasis sistem insentif & atau disinsentif bagi Perusahaan Penangkapan Ikan, PT. Dwikarya Reksa Abadi.

Penelitian ini merupakan penelitian kualitatif yang bersifat yuridis normatif yakni mendasarkan pada data sekunder yang berkaitan dengan penelitian berupa peraturan perundang-undangan, buku, penelitian ilmiah, dan sebagainya untuk kemudian didukung&dikuatkan dengan penelitian wawancara di lapangan. Data yang terkumpul dianalisa&ditarik kesimpulan dengan metode deskriptif kualitatif.

Hasil penelitian adalah: (1). Menurut data dari Kementerian Kelautan dan Perikanan RI estimasi total kerugian ekonomi akibat pelanggaran&kejahatan yakni sekitar 300Triliun Rupiah, dan bentuk kerusakan lingkungan hidup berupa pencemaran laut, kerusakan ekosistem laut, terumbu karang, kepunahan ikan spesies tertentu yang mengganggu rantai makanan; (2). Undang-Undang Nomor 32 Tahun 2009 tentang Perlindungan dan Pengelolaan Lingkungan Hidup (UUPPLH 2009) sebagai payung hukum utama pengaturan tentang perlindungan lingkungan hidup & IELH, dan Undang-undang Nomor 31 Tahun 2004 jo. Undang-Undang Nomor 45 Tahun 2009 tentang Perikanan sebagai peraturan sektoral serta Peraturan Menteri Kelautan dan Perikanan sebagai peraturan pelaksana. Penerapan dan implikasi peraturan sektoral dilaksanakan oleh Menteri Kelautan dan Perikanan (Menteri KKP), dan IELH diberikan kepada perusahaan yang melakukan usaha di sektor perikanan yang taat hukum/sesuai izin yang diberikan, dan menjaga lingkungan hidup kelautan, serta melakukan penangkapan dengan cara ramah laut dalam bentuk insentif dan/atau disinsentif; (3).PT. Dwikarya sebagai perusahaan penangkapan ikan diberikan sanksi pencabutan izin oleh Menteri KKP karena melanggar banyak peraturan, merugikan negara, dan menangkap ikan tidak sesuai tempat, serta tidak melaksanakan usaha sesuai Surat Izin Usaha Penangkapan (SIUP). Jika PT. Dwikarya juga diberikan disinsentif maka Pemerintah Indonesia akan dapat mengembalikan kerugian negara dan insentif dapat diberikan jika PT. Dwikarya menangkap ikan sesuai peraturan yang berlaku.

Kata Kunci: Instrumen Ekonomi Lingkungan Hidup, PT. Dwikarya, Insentif, Disinsentif, Kelautan dan Perikanan

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The Implementation of Environmental Economic Instrument Policy Based on the
Incentives and Disincentives System in the Marine and Fisheries Sector
(Case Study: Fishing Company, PT. Dwi Karya Reksha Abadi)

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Abstract

This research aims: (a). to know how and what are the economic and environmental losses caused by offenses and crimes in the marine and fisheries sector; (B). to identify and analyze the implementation/ implications environmental economic instrument (hereinafter “IELH) in the marine and fisheries sector; (C). to identify and analyze the implementation of economic instruments of environmental policy which based on the incentives and disincentives system in the marine and fisheries sector in the case of PT. Mutual Dwi Karya Abadi.

This research is qualitative juridical normative research which based on the secondary data such as Indonesian Laws and regulations, books, scientific research findings, and etc., along with data which had been collected by the author from interviews. The aforementioned data were analyzed with descriptive qualitative method.

The results of this legal research are: (a). according to data from the Indonesian Ministry of Marine Affairs and Fisheries, that the estimation of the economic losses caused by crimes and offenses in marine and fisheries sector is about 300 Trillion Rupiah, as well as the environmental damage in form damages of the marine ecosystem, coral reefs, and extinction of fish species; (b). The regulation on environmental economic instruments in the marine and fisheries sector was affirmed in Law Number 32 of 2009 on the Protection and Management of the Environment (UUPPLH 2009) as the primary legal protection, and Act No. 31 of 2004 jo. Law No. 45 of 2009 on Fisheries as sub regulations on maritime affairs and fisheries, as well as the Regulation of the Minister of Marine and Fisheries as the implementation of the aforementioned regulations. The implementation/ implications of sub regulations was implemented by the Ministry of Maritime Affairs and Fisheries (MMAF Minister), and the IELH was given to companies which conducting business in the fisheries sector with the sense of the law-abiding and enhancing protection of the marine environment; (C). PT. Dwikarya as a fishing company revoke permission which were granted by the Minister of NOA for breaking a lot of rules, creating a State’s loss, and endangering environmental at the area Arafura Sea, Papua, Indonesia. If PT. Dwikarya receive disincentives, the Government of Indonesia will be able to restore the State’s loss in form of disincentives fees as well as an incentives can be given to PT. Dwikarya if they are conducting a fish catching in accordance with the law and regulations.

Keywords: Economic Instruments Environment, PT. Dwikarya, Incentives, Disincentives, Maritime Affairs and Fisheries

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