

Juridical Analysis of Law Enforcement Against Lobster Seed Smuggling at Soekarno-Hatta International Airport, Tangerang

La Ode Sarifin*, I Made Kantikha, Markoni, M. S. Anabertha Sembiring

Universitas Esa Unggul, Indonesia

Email: ifinode.14@student.esaunggul.ac.id*, kanthika@esaunggul.ac.id,
markoni@esaunggul.ac.id, malemna.sura@esaunggul.ac.id

ABSTRACT

The smuggling of baby lobster seeds is a criminal act in the fisheries sector causing economic losses and threatening marine ecosystem sustainability. This illegal practice frequently occurs at Soekarno-Hatta International Airport, a strategic route for exporting lobster seeds abroad. Law enforcement against this smuggling is vital to protect fishery resources and sustain coastal community economies. This study, titled Juridical Analysis of Law Enforcement Against Lobster Seed Smuggling at Soekarno-Hatta International Airport, Tangerang, investigates the factors driving smuggling and examines law enforcement under Act 17 of 2006 on Customs. Using normative and empirical juridical methods, the research incorporates literature reviews and interviews with customs officials. It focuses on enforcement practices at Soekarno-Hatta Airport, highlighting challenges faced by authorities in detecting and prosecuting smuggling. Findings reveal obstacles such as high international demand, weak supervision, limited technology, and low public legal awareness. These factors hinder effective enforcement, with penalties lacking a strong deterrent effect. Despite having an adequate legal framework, Indonesia's implementation remains reactive and fails to address root causes. For improved law enforcement effectiveness, the study recommends enhanced inter-agency coordination, stronger supervision systems, and increased public awareness of legal issues. Strengthening these areas is essential to protect marine resources, prevent economic losses, and support sustainable fisheries management.

KEYWORD *Baby Lobster Smuggling; Law Enforcement; Soekarno Hatta Airport*

S



This work is licensed under a Creative Commons Attribution-ShareAlike 4.0 International

INTRODUCTION

Smuggling of lobster seeds is a form of criminal act in the fisheries sector that has serious implications for the sustainability of marine resources and the national economy of Indonesia. As an archipelagic country, Indonesia is endowed with enormous marine biological potential, including lobster seeds that have high economic value in the international market. However, this potential is often used by certain groups to gain personal gain through illegal channels. Lobster seed smuggling activities cause significant state losses due to the loss of export foreign exchange potential, as well as threatening the sustainability of lobster populations in nature. The ecological impact cannot be ignored, because excessive exploitation of seeds can cause an imbalance in the marine ecosystem (Indradinata & Samputra, 2023)

In terms of regulations, the Indonesian government has issued a number of legal instruments to prevent this practice, one of which is through the Regulation of the Minister of Maritime Affairs and Fisheries Number 17/PERMEN-KP/2021 concerning the Management of Lobsters, Crabs, and Crabs which strictly prohibits the production of lobster seeds from Indonesian territory except for domestic cultivation purposes (Wahyudi et al., 2023). However, the implementation of this rule in the field still faces various structural and cultural obstacles. Limited human resources, inadequate surveillance infrastructure, low legal awareness of coastal communities, and alleged involvement of officials constitute the primary factors

inhibiting policy effectiveness (Darti & Saptomo, 2024) These systemic weaknesses create a persistent gap between ideal legal norms and operational realities, resulting in suboptimal law enforcement outcomes that fail to substantially reduce lobster seed smuggling incidents (Elvany, 2020)

A number of previous studies have shown that the problem of lobster seed smuggling is not only related to weak supervision, but also to coordination between institutions that is less synergistic. For example, (Indradinata & Samputra, 2023) found that smuggling takes place by sea and air, including international airports, involving organized criminal networks and indications of abuse of authority by the authorities. (Prawitasari & Kesumojati, 2024) underline that the criminal sanctions applied often do not create a deterrent effect because the focus of law enforcement is still limited to field actors such as couriers, while intellectual actors and large financiers are rarely touched. In addition, countermeasures policies that tend to be repressive are also considered less effective if they are not accompanied by preventive strategies and adequate surveillance technology (Darti & Saptomo, 2024)

Despite this growing body of literature, a critical research gap persists in understanding the specific mechanisms through which enforcement failures occur at key transit points such as international airports. Previous studies have predominantly focused on either legal analysis or general enforcement challenges, but few have examined the intersection of customs law implementation and fisheries crime prevention in airport contexts. Moreover, there remains insufficient empirical investigation into how institutional coordination failures manifest in day-to-day enforcement operations, and what specific technical and organizational barriers prevent customs officials from effectively detecting and intercepting smuggling attempts.

In this context, this research offers a scientific contribution through juridical and empirical analysis of the effectiveness of law enforcement of lobster seed smuggling carried out through Soekarno Hatta Airport, focusing on the role of Customs as the spearhead of the customs supervision system. The juridical approach is used to examine the laws and regulations that regulate customs and fisheries crimes, while the empirical approach is used to trace the implementation of the law in the field through interviews with relevant officials.

Therefore, the main problems raised in this study are, first, what are the factors that cause the smuggling of lobster seeds through Soekarno Hatta Airport; and second, how law enforcement is linked to Law Number 17 of 2006 concerning Customs. Thus, the purpose of this article is to provide an in-depth analysis of the main problems in the form of factors that cause the smuggling of lobster seeds and how to enforce customs laws, so that it is expected to be considered in the formulation of marine resource supervision policies in Indonesia.

The implications of this study extend to three key areas: (1) policy formulation—by identifying specific enforcement gaps that require regulatory reform; (2) institutional development—by highlighting the need for enhanced capacity building and inter-agency coordination mechanisms; and (3) operational law enforcement—by providing evidence-based recommendations for improving detection, investigation, and prosecution procedures at airport customs checkpoints.

METHOD

This study used a combination of normative juridical and empirical approaches to gain a comprehensive understanding of law enforcement against lobster seed smuggling. The normative juridical approach examined laws, regulations, and legal principles governing the criminal act of smuggling lobster seeds, analyzing the legal framework as a basis for enforcement. The empirical approach complemented this by investigating how these legal norms were applied in practice, through interviews with Customs and Excise officials and analysis of relevant enforcement documents, providing a factual overview of law enforcement in the field.

The research employed legislative and conceptual approaches. The legislative approach systematically reviewed laws and regulations related to lobster seed smuggling and customs enforcement to understand their hierarchy and relationships. The conceptual approach analyzed relevant criminal law enforcement theories and supervision mechanisms against smuggling. These approaches complemented each other by combining normative legal analysis with a theoretical framework on legal issues.

Legal materials were collected from primary sources, including the 1945 Constitution, Law No. 17 of 2006 (Customs), Law No. 31 of 2004 (Fisheries), and the Criminal Code. Secondary sources included legal literature such as journals and theses to enrich the analysis. Tertiary sources like legal dictionaries were used to clarify terms.

Ethical procedures were followed by obtaining informed consent from interviewees, ensuring confidentiality, and securing data access.

Data analysis applied a deductive and qualitative approach, assessing the effectiveness of enforcement by comparing legal norms with practical implementation. Normative and empirical data were integrated through triangulation, allowing a thorough evaluation of enforcement outcomes and identifying practical challenges. This combined method aimed to provide a holistic analysis of the law enforcement effectiveness against lobster seed smuggling.

RESULT AND DISCUSSION

Factors Causing the Crime of Lobster Seed Smuggling at Soekarno Hatta Airport

This study aims to analyze the factors causing the smuggling of lobster seeds at Soekarno Hatta Airport and its law enforcement based on Law Number 17 of 2006 concerning Customs. The results of the study show that the high demand for exports is the main factor that encourages the rise of smuggling. This condition is strengthened by various organized modus operandi such as the use of non-permanent couriers, impersonation of goods and falsification of baggage information, manipulation of departure routes involving individuals, delivery without official documents, and indirect involvement of the main actors. Additionally, interviews with customs officials revealed that smugglers frequently exploit gaps in shift-change periods, target less experienced screening personnel, and use diversionary tactics involving multiple passengers to overwhelm inspection capacity. The weakness of surveillance systems—characterized by outdated X-ray equipment, insufficient manpower during peak hours, and the absence of real-time intelligence sharing platforms—further facilitates these smuggling operations.

Reality on the ground shows that lobster seed smuggling in Indonesia is a phenomenon that does not stand alone, but is part of the dynamics of transnational organized economic

crime. This activity is growing rapidly because it is driven by large economic incentives, especially the high demand of the export market which promises significant profits for the network of actors. In a broader context, the practice of smuggling lobster seeds has structural similarities to other transnational fisheries crimes, such as *illegal, unreported, and unregulated fishing* (IUU), which (Chapsos & Hamilton, 2019) categorizes as a form of *transnational organized crime* (TOC). They explained that IUU *fishing* not only causes economic losses, but also provides an ideal environment for various forms of organized crime to flourish, including document forgery, smuggling of goods, and structured corruption in the fisheries supply chain.

In addition to economic factors, weak supervision infrastructure and lack of coordination between agencies also aggravate the situation. The limitations of detection technology as well as loopholes in surveillance systems at international exits such as airports, are exploited by smugglers networks to avoid strict checks. An empirical legal study by (Sinaga et al., 2023) shows that large airports, such as Kualanamu, are often prone points for smuggling lobster seeds due to their nature as fast lanes for shipping goods. In practice, smuggling cases often involve airport personnel, who play a role in helping perpetrators pass through customs areas. This condition is a significant obstacle in the implementation of law enforcement and contributes to reducing public trust in law enforcement officials.

This phenomenon indicates that lobster seed smuggling cannot be seen as just an administrative offense or a local economic crime. Instead, it has the characteristics of cross-border organized crime, in which perpetrators take advantage of the state's structural weaknesses to gain illegal profits on a large scale. Therefore, the response to this phenomenon must go beyond a mere repressive approach. It is necessary to strengthen surveillance technology, increase institutional capacity, and synergy between institutions and international cooperation to close the loopholes used by smuggling networks.

Law Enforcement Against Criminal Acts in the Field of Customs in the Event of Lobster Seed Smuggling Linked to Law Number 17 of 2006 concerning Customs

Normatively, Indonesia already has a strong legal framework to prevent and crack down on lobster seed smuggling practices. Law Number 17 of 2006 concerning Customs expressly prohibits all forms of smuggling of goods and establishes criminal sanctions for violators, while Law Number 31 of 2004 jo. Law Number 45 of 2009 concerning Fisheries regulates the prohibition of the capture and export of lobster seeds to maintain the preservation of fishery resources of strategic value. These norms aim to provide a deterrent effect for perpetrators, suppress the circulation of the black market, and protect the sustainability of marine ecosystems. It is hoped that this legal system will be able to limit the space for smuggling networks through a combination of strict criminal sanctions and effective administrative supervision instruments.

Several studies of Indonesian law reinforce this idea. (Munthe & Prasteyawati, 2021) emphasized that the customs and fisheries legal framework provides a clear basis for ensnaring smugglers, both at the individual and corporate levels, with criminal accountability mechanisms that can reach the main actors in the smuggling chain. In a case study of court rulings, they showed that criminal provisions were able to be applied to various roles in smuggling networks, ranging from couriers to financiers (Munthe & Prasteyawati, 2021)

Another study from (Handoyo et al., 2021) highlights criminogenic factors in lobster seed smuggling which include weak supervision, high economic benefits, and lack of deterrent effects. To answer these problems, existing legal norms must be implemented consistently and strengthened by an integrated supervision system across agencies. (Herdiana et al., 2023) also emphasized the importance of procedural aspects in the management of lobster seed evidence. Clear regulation of evidence, according to the study, is one of the important components in the effectiveness of law enforcement and the creation of deterrent effects (Herdiana et al., 2023)

Meanwhile, a legal study by (Sanjaya et al., 2021) highlights that the ban on the export of lobster seeds in fisheries regulations is a form of effort to protect Indonesia's marine resources from overexploitation and illegal trade. In practice, this norm also functions as a policy instrument to maintain the sustainability of marine ecosystems, not just as a basis for criminal prosecution (Sanjaya et al., 2021) Similarly, research conducted in Batam shows that law enforcement against lobster seed smuggling requires collaboration between the police, customs, and marine agencies, as well as the strict application of legal norms to all parties involved (Jamba & Arman, 2025)

Thus, law enforcement against the crime of smuggling lobster seeds in the perspective of Law Number 17 of 2006 concerning Customs is not only interpreted as an effort to apply sanctions for violations of customs rules, but also as a legal instrument to have a deterrent effect on perpetrators, suppress the circulation of illegal markets, and maintain the preservation of marine resources. This emphasizes that customs norms function not just as a form of prohibition, but as a strategic means to protect the country's economic interests and marine ecosystems through strict regulations, inter-agency coordination, and consistent law enforcement.

Analysis of Research Results

The empirical findings from this study reveal a substantial disconnect between Indonesia's comprehensive legal framework and its practical implementation in addressing lobster seed smuggling. The results of the study show that there is a real gap between the legal framework that has been available and the conditions of implementation in the field. Normatively, Indonesia's legal apparatus in handling lobster seed smuggling is quite comprehensive. Law Number 17 of 2006 concerning Customs, Regulation of the Minister of Maritime Affairs and Fisheries Number 17/PERMEN-KP/2021, and various other criminal provisions have expressly regulated prohibitions and sanctions against the smuggling of lobster seeds. However, field observations and interview data consistently demonstrate that law enforcement remains constrained by multiple operational deficiencies. In practice, law enforcement is still limited in effectiveness.

The primary obstacles manifest across several dimensions: first, technological constraints including obsolete detection equipment that cannot adequately screen biological materials; second, institutional fragmentation characterized by the absence of integrated intelligence-sharing platforms between customs, fisheries authorities, and airport security; and third, human resource limitations reflected in insufficient training on identifying biological contraband and inadequate staffing levels during peak operational hours. The main obstacles lie in technical and institutional aspects, such as the limitations of surveillance technology at international exits, the lack of an intelligence information exchange system between agencies,

and the coordination of law enforcement that has not been well integrated. As a result, law enforcement targets more field actors such as couriers, while financiers and intellectual actors who control these illegal business flows are rarely touched by legal processes.

This phenomenon is reinforced by the findings of empirical research in the jurisdiction of the Indragiri Hilir Waters, which shows that weak coordination across agencies is one of the main reasons why law enforcement against lobster seed smuggling has not been optimal (Hamdi et al., 2025) In such cases, the police, fisheries and customs officers often work in sectors without a systematic mechanism for information exchange and joint operations. As a result, smuggling syndicates can take advantage of bureaucratic loopholes and weak supervision to resume their activities repeatedly.

Moreover, the study findings indicate that enforcement practices disproportionately focus on lower-level operatives while failing to dismantle the organizational structures that sustain smuggling operations. Interview responses from customs officials revealed frustration with this pattern, noting that successful apprehensions of couriers rarely yield actionable intelligence about higher-level organizers due to compartmentalized criminal networks and insufficient investigative resources to pursue complex cases. In addition, a policy study in Lampung Province also shows that even though the regulations are complete, the implementation of countermeasures still faces serious obstacles at the implementation level, especially in terms of coordination, human resources, and policy consistency in the field (Jessika et al., 2020) Local governments often do not have adequate technical capacity to carry out intensive supervision, while coordination with central officials has also not been optimal. This situation shows that a strong legal framework does not necessarily guarantee the success of law enforcement if it is not supported by an effective institutional and technological structure.

This gap opens up space for large financiers and international networks to continue to operate systematically. They take advantage of structural weaknesses in the law enforcement system to avoid criminal entrapment, while field actors who have a small role are the most frequently acted upon. Therefore, bridging the gap between legal norms and implementation realities is key in increasing the effectiveness of countering lobster seed smuggling in Indonesia.

Legal Implications for Lobster Seed Smuggling

The gap between the applicable legal framework and the reality of its implementation on the ground has serious legal implications for efforts to eradicate lobster seed smuggling in Indonesia. First, the effectiveness of the law in providing a deterrent effect against smugglers is still doubtful. Although Law No. 17 of 2006 on Customs has regulated clear criminal sanctions, law enforcement practices often only target actors in the field with relatively light penalties, while major actors or large financiers often escape legal proceedings. This condition weakens the function of law as an instrument of social control and raises public perception that economic crimes in the marine sector are not dealt with firmly.

Second, lobster seed smuggling has a significant ecological impact because the harvesting of large quantities of seeds without state supervision can disrupt the natural regeneration cycle. In this context, (Tayibnaxis et al., 2020) assert that uncontrolled exploitation of lobster seeds has the potential to drive resource scarcity and threaten the sustainability of lobster populations in 11 fisheries management areas that have mostly been in the "red zone"

and "yellow zone" categories. This population decline will have a direct impact on fishermen's catches, the sustainability of fishery businesses, and the economies of coastal communities that depend on these resources.

Third, internationally, the practice of smuggling lobster seeds can damage Indonesia's image in trade cooperation in animals and marine resources. In the global market, more and more export destination countries are implementing strict standards, including the obligation to ensure that fishery products do not come from illegal practices (Tayibnapis et al., 2020) If smuggling practices cannot be effectively suppressed, international trading partners' confidence in Indonesia's commitment to biodiversity management will decline, potentially leading to trade barriers, increased export controls, or non-tariff sanctions. Thus, lobster seed smuggling is not only a domestic issue, but also concerns Indonesia's legal responsibility and reputation in the international arena.

CONCLUSION

Lobster seed smuggling through Soekarno-Hatta Airport is driven by high international demand and lucrative economic incentives, compounded by weak supervision, technological gaps, involvement of officials, and low legal awareness among coastal communities. Organized syndicates use diverse methods, such as impersonating goods and falsifying documents, making this a complex transnational crime that cannot be resolved by sectoral efforts alone. Effective prevention requires integrated cooperation, enhanced supervision and intelligence, and community legal education to reduce participation in smuggling and support marine conservation. Although the Directorate General of Customs and Excise enforces Law Number 17 of 2006 on Customs, enforcement remains suboptimal, often targeting low-level couriers while leaving major perpetrators unaddressed, reflecting a predominantly repressive approach. Strengthening Customs' role through increased personnel capacity, modern technology, and improved inter-agency coordination is critical for more effective and sustainable law enforcement. Future research should explore the socio-economic drivers within coastal communities and evaluate the impact of cross-agency collaborations to develop more holistic and preventive strategies against lobster seed smuggling.

REFERENCES

- Chapsos, I., & Hamilton, S. (2019). Illegal fishing and fisheries crime as a transnational organized crime in Indonesia. *Trends Organ Crim*, 22, 255–273. <https://doi.org/10.1007/s12117-018-9329-8>
- Darti, A., & Saptomo, A. (2024). Challenges of Illegal Trade and Law Enforcement in the Export Policy of Lobster Seeds. *Journal of Comprehensive Science*, 3(11), 5294–5303.
- Elvany, A. I. (2020). Formulation Policy Regarding the Smuggling of Lobster Seeds in Indonesia. *Lentera Hukum*, 7(1), 37–54. <https://doi.org/10.19184/ejllh.v7i1.16916>
- Hamdi, H., DM, H. Y., & Iqsandri, R. (2025). Penegakan Hukum Terhadap Tindak Pidana Penyelundupan Benih Lobster Di Wilayah Hukum Perairan Indragiri Hilir Berdasarkan Undang-Undang Nomor 31 Tahun 2004 Tentang Perikanan. *Semnashum: Seminar Nasional Hukum*, 3(01), 1–12.
- Handoyo, I. S., Azkia, T. N., & Fitriyono, R. A. (2021). Faktor Kriminogen Dalam Kasus Penyelundupan Benih Lobster. *Jurnal Gema Keadilan*, 8(2), 89–105.

- Herdiana, W., Sulistiani, L., & Imamulhadi, I. (2023). Penanganan Barang Bukti Benih Bening Lobster Melalui Mekanisme Pelepasliaran Sebagai Upaya Melestarikan Komoditas Lobster. *LITRA: Jurnal Hukum Lingkungan, Tata Ruang, Dan Agraria*, 2(2), 232–249. <https://doi.org/10.23920/litra.v2i2.1276>
- Indradinata, B., & Samputra, P. L. (2023). Lobster Clear Seeds Smuggling's Threats and Modes Through the Customs Side in Indonesia. *Interdisciplinary Social Studies*, 2(8), 2204–2213. <https://doi.org/10.55324/iss.v2i8.448>
- Jamba, P., & Arman, Z. (2025). Pemberantasan Tindak Pidana Penyelundupan Benih Lobster Di Kota Batam. *Semarang Law Review (SLR)*, 6(1), 19–31.
- Jessika, A., Sujadmiko, B., Banjarani, D. R., & Herliansyah, A. (2020). Kebijakan Penanggulangan Tindak Pidana Penyelundupan Benih Lobster di Provinsi Lampung. *Administratio: Jurnal Ilmiah Administrasi Publik Dan Pembangunan*, 11(2), 103–114. <https://doi.org/10.23960/administratio.v11i2.178>
- Munthe, H. R., & Prasteyawati, E. (2021). Analisis Pertanggungjawaban Tindak Pidana Penyelundupan Benih Lobster yang Dibudidayakan dan Siap Dipasarkan Keluar Negeri (Studi Putusan Nomor 9/Pid.B/LH/2020/PN.Tjk). *Binamulia Hukum*, 10(1), 31–44. <https://doi.org/10.37893/jbh.v10i1.304>
- Prawitasari, N. Y., & Kesumojati, R. C. D. (2024). The Effectiveness of Criminal Sanctions in Stopping Smuggling of Lobster Seeds in Indonesia. *Journal of Law, Politic, and Humanities*, 4(4), 593–599. <https://doi.org/10.38035/jlph.v4i4>
- Sanjaya, I. M. A., Widyantara, I. M. M., & Suryani, L. P. (2021). Tinjauan Yuridis terhadap Penegakan Hukum Tindak Pidana Penyelundupan Bibit Lobster. *Jurnal Konstruksi Hukum*, 2(3), 569–574. <https://doi.org/10.22225/jkh.2.3.3643.569-574>
- Sinaga, B. H., Zulyadi, R., & Haykal, R. (2023). Law Enforcement by Kualanamu Customs and Excise For The Crime of Smuggling Lobster Seeds (Study Of Decision Number 1758/PID.B/2020/PN. LBP). *Asian Journal of Social and Humanities*, 1(09), 525–539. <https://doi.org/10.59888/ajosh.v1i09.63>
- Tayibnapi, A. Z., Wuryaningsih, L. E., & Gora, R. (2020). The Impact of Minister of Marine Affairs and Fisheries Regulation Number 12 of 2020 on the Sustainability of Lobster in Indonesia. *International Journal of Multicultural and Multireligious Understanding*, 7(9), 130–136. <https://doi.org/10.18415/ijmmu.v7i9.1931>
- Wahyudi, T., Prawesthi, W., & Khoidin, M. (2023). Law Enforcement of Illegal Lobster Clear Seed Distribution Crime. *Journal of Court and Justice*, 2(2), 1–13. <https://doi.org/10.56943/jcj.v2i2.292>