

Lobster Seeds Smuggling Management in Indonesia

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Abstract

The ban on exporting Lobster Seeds has resulted in rampant smuggling cases in Indonesia. This study aims to analyse the implementation of the current regulation on the smuggling of Lobster Seeds against Case No. 8/Pid.Sus-Prk/2021/PN.Jkt.Utr, as well as to propose an economic analysis of law in formulating criminal law policies, particularly related to Lobster Seed smuggling sanctions. This research uses a normative research method with a statute approach and a case approach. The result of this study is an imbalance between the sanctions imposed on the smugglers and the profits obtained by the smugglers, and the potential state financial losses caused by the smuggling of Lobster Seeds. Therefore, it is necessary to use economic analysis of law in taking action against smugglers so that in addition to preventing the crime of smuggling, it also benefits the country's economy.

Keywords

Smuggling, Criminal Formulation Policy, Economic Analysis of Law

Biographies

Mustika Sari Kurniawan is currently an undergraduate at the Department of Business Law, Bina Nusantara University (BINUS University). Her interest in business law began in high school when she won debate and business case competitions. To add to her practical experience in law, she interned as a legal staff at a law firm that handles corporate matters and as a legal intern at a company in Jakarta.

Dr. Ahmad Sofian, S.H., M.A. is currently a permanent lecturer at the Department of Business Law, Bina Nusantara University (BINUS University). He graduated with a Bachelor's degree from the Faculty of Law, University of North Sumatra (1996), a Master's degree from the Department of Criminology at the National University of Malaysia (2006) and a PhD at the Faculty of Law, University of Indonesia (2016). Some of the non-formal education and courses he has attended include the Course of Advocacy and Policy (Melbourne University, 2001) and the Internship on Causation in Criminal Law (Maastricht University, Netherlands, 2014). He is on the Central Board of the Indonesian Criminal Law and Criminology Society (MAHUPIKI) and the Indonesian Legal Philosophy Association (AFHI). He is also the Founder of the Center for the Study and Protection of Children (PKPA) and ECPAT Indonesia's co-founder.