

CRIMINAL ACT PREVENTION DUGONG SALE RARE ANIMAL IN DOMPAK ISLAND

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ABSTRACT

The Central Government and Regional Governments have the obligation, responsibility to provide support for facilities, infrastructure and the availability of human resources in carrying out the Protection of Endangered Animals, especially Dugongs. The existence of Dugong has entered the coastal waters of Sumatra including Riau, Bangka Belitung Islands. In addition, it is located in other Indonesian waters, Java, Sulawesi, East Nusa Tenggara, Papua. Data from the BintanBappeda, Bintan DKP, BPSPL-SatkerTj. Pinang catching dugongs either through accidental catching of stingray nets, or stranded due to erosion of the seagrass ecosystem. Several cases of dugongs found in the community's capture nets were found to be slaughtered and sold. Dugongs are endangered species that are protected under Article 5(1), Article 20(1) and Article 33 of the 1945 Constitution, Law No.5/1990 on Conservation of Biological Natural Resources and Their Ecosystems and Government Regulation No.7/1999 on Species. Protected plants and animals. Article 21 paragraph 2 of Law No. 5 of 1990 prohibits anyone from capturing, injuring, killing, storing, possessing, maintaining, transporting, and trading protected animals alive, including dugongs. The purpose of the study was to analyze efforts to prevent the sale of Dugong endangered species on Dompok Island to support the protection of the conservation of Biological Natural Resources and Ecosystems. The empirical juridical research method, the Juridical-Sociological problem approach and the statutory approach. The results of the research on prevention efforts were carried out through Penal and Non-Penal Efforts. Penal efforts by providing maximum criminal sanctions as regulated in Article 40 of Law No. 5 of 1990 concerning the Conservation of Biological Natural Resources and Their Ecosystems. Lack of public knowledge about protected animals is the main factor in these crimes. The high price factor also influences people to sell Dugong. So that non-penal efforts are carried out by BPSPL-SatkerTj. Pinang, the village government socializes and introduces protected animals, takes a sustainable education approach, changes the culture of the local community that dugong fish is not a blessing if it is found to be obligatory to be enjoyed (eaten). Changing people's culture thinks it's like eating beef.

Keywords: Prevention; Sale; Dugongs; Rare Animals

INTRODUCTION

Dugong is taken from the Tagalog language "*dugong*" comes from the Malay language, "*duyung*" or "*duyong*" means "sea woman". The popular term is that sea creatures are half human (usually beautiful princesses) and half fish are legendary in the world. Many fairy tales say that the dugong's ancestors were humans. The story of the Mermaid Princess (Dugong) is well-known among the community, provides benefits in the development of tourism on Dompok Island, can affect the increase in the economy, business fields, and increase people's income. In the waters of Tanjung Pinang, Dugong is often found by the community in nets installed in front of the village, still alive and fresh.



Figure 1. Dugong Condition When Found

Sumber: <https://kkp.go.id/djprl/bpsplpadan>

The BPSPL Padang Satker Tanjung pinang team received reports that residents often caught Dugong marine mammals in Kp. Dark Morning, Dompok Village, Tanjung Pinang. Public knowledge is very less important for the conservation of Biological Natural Resources and Ecosystems. It can be seen when the community (fishermen) find that Dugong is still fresh, they intend to cut and sell the Dugong at a price of Rp. 30,000 to 60,000 per kilo gram (LIPi.go.id).



Figure 2. Condition of Dugong when it is slaughtered by the community

People feel that when dugongs enter their nets they belong to them and do not know that these animals are protected, including endangered animals. Dugong is a protected endangered species which is regulated in Law No. 5 of 1990 concerning Conservation of Biological Natural Resources and Their Ecosystems, Government Regulation No. 7 of 1999 concerning Protected Types of Plants and Animals. The elements of biological natural resources and their ecosystems are basically interdependent with each other, influencing each other so that damage, the extinction of one element will result in the disruption of the ecosystem.

Dugongs are protected in international conservation conventions: The Convention on Biological Diversity (CBD), the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the Convention on Migratory Species of Wild Animals (also known as CMS or Bonn Convention). Dugongs are included in the Coral Triangle Initiative (CTI), objective five (Threatened Species). The Convention on Wetlands (Ramsar Convention) protects several important dugong habitats (IUCN 2015). (AmyraPutrikirana, IPB)

The purpose of this study is to find the right steps to prevent and provide solutions to prevent the sale of Dugong Rare Animals on Dompok Island. Penal and non-penal policies are needed to prevent the sale of dugongs. As mandated in the Act. To maintain the conservation of Biological Natural Resources and Ecosystems that will support the quality of human life and improve the welfare of the people on Dompok Island, Tanjung Pinang area. This important research is an integral part of sustainable national development. If this cannot be overcome, it can cause huge losses to the community that cannot be assessed in terms of material, while its restoration to its original state is no longer possible, the endangered Dugong animal is threatened with extinction. The story of the mermaid cannot be a legend in the future and the disruption of the conservation of Natural Resources and Ecosystems.

DISCUSSION

The knowledge of the community and fishermen on Dompok Island is very lacking that Dugong is a rare animal that must be protected and preserved on Dompok Island. To support the maintenance of the Conservation of Biological Natural Resources and Ecosystems in the Tanjung Pinang Area. Efforts are needed to prevent the sale of dugongs on Dompok Island to maintain the balance between conservation and Dugong habitat, encouraging regions to initiate seagrass ecosystems as key dugong habitats, to become regional water conservation areas (KKPD). (kkp.go.id)

The population level of fish which is one of the marine mammals (animals) in the territory of Indonesia is very rare. Riau Islands Province has a very large seagrass bed and is in very good condition so that it is made a regional marine conservation area by the local government. Several times this biota was caught accidentally or stranded in the Dompok island area. In the 1960s, marine tribal communities were still actively hunting for this fish, assuming at least 1 week to catch 1 dugong fish, and the utilization of this type of fish was in the form of consumption of meat and for fangs used as traditional medicines (BPSPL Tanjung Betel nut). The threat to the dugong marine mammal population continues to increase. As a rare marine biota, dugong needs to be protected and preserved because it plays an important role in marine ecosystems. This marine animal which has a life cycle of 60 years lives by eating seagrass. While seagrass is a grass that lives in the sea which is categorized as a fertile plant and a place for other marine biota to live. When the community (fishermen) find the Dugong which is still fresh, they intend to cut it and sell the Dugong at a price of Rp. 30.000,-/kg.

Legal protection of the environment is very important considering that humans are one of the elements in the chain of life on earth (web of life) which causes dependence (interdependence) on the biotic and abiotic environment, including the large role of animal species that form ecosystem networks and food chains. (food web). The elements of biological natural resources and their ecosystems are basically interdependent with each other, influencing each other so that damage, the extinction of one element will result in the disruption of the ecosystem (Benny KaryaLimantara and EkoSoponyono, 2014).

The current situation of selling Dugong is concerning, Article 21(2) "Everyone is prohibited from:

- a. catch, injure, kill, store, possess, maintain, transport, and trade protected animals alive.
- b. storing, possessing, maintaining, transporting, and trading protected animals in a dead state.

Criminal provisions for the prohibition are regulated in Article 40 of Law No. 5 of 1990 concerning Conservation of Biological Natural Resources and Their Ecosystems "Whoever intentionally violates the provisions as referred to in Article 21 paragraph (1) and paragraph (2) and Article 33 paragraph (3) shall be sentenced to a maximum imprisonment of 5 (five) years and a maximum fine of Rp. 100,000,000.00 (one hundred million rupiah)"

Animals are all types of animal natural resources that live on land, and/or air, and/or water. Clarification categories of endangered species (Laden Marpaung, 1995) are as follows:

- a. Almost Extinct, critical level or habitat has become narrow so that the number is in critical condition.
- b. Leading to Extinction, ie the population declines due to overexploitation and destruction of their habitat
- c. Rare population, reduced due to natural or human factors

The threat of imprisonment and fines as stipulated in the law when socialized is very effective because it creates fear. This is the result of interviews with several people on Dompok Island. In addition to criminal arrangements, a non-penal policy is needed. The local government made efforts to get a persuasive approach to fishing groups (sea tribes) to participate in protecting these fish. Crime prevention efforts are needed. According to GP Hoefnagel, crime prevention efforts are carried out by applying criminal law, preventing crime and influencing public views on crime and punishment through mass media (Barda Nawawi Arief, 2017).

Lack of public knowledge about protected animals is the main factor in these crimes. Non-penal efforts were carried out by the BPSPL-SatkerTj. Pinang, the village government, by socializing and introducing protected animals and taking a sustainable education approach. By placing posters at the Dompok Island village hall, it gave a positive impact that Dugong Animals are rare animals that must be protected. Changing the culture of the local community that finding dugong fish is not a blessing that must be enjoyed (eaten). Changing people's culture thinks it's like eating beef. The high price factor also influences people to sell Dugong. Local government regulations are needed as implementing regulations as an effort to prevent the sale of Dugong, as well as rare animals that live in the sea. In order to maintain the conservation of Biological Natural Resources and Ecosystems that will support the quality of human life and improve the welfare of the people on Dompok Island, Tanjung Pinang area. Prevention efforts can be done through several things as follows:

1. Provide support for conservation efforts morally in providing financial assistance.
2. Make prohibition and warning boards for the conservation of endangered animals, especially Dugong.
3. Educate the public as supervisors around their environment to detect other people who have the potential to commit criminal acts of selling protected endangered animals. And report people who buy and sell endangered animals.
4. Set education targets in areas that have the potential for criminal acts of selling dugongs to occur.
5. Make efforts to preserve the marine environment in the Dompok Island area.
6. It is necessary that the sanctions given to the perpetrators tend to be sober.

CONCLUSION

Efforts to overcome crime are carried out by applying criminal law, preventing crime and influencing public views on crime. The threat of imprisonment and fines as regulated in the Law on Conservation of Biological Natural Resources and Their Ecosystems when socialized is very effective because it makes people on Dompok Island afraid not to commit the crime of selling Dugong as a rare animal protected by the government. The need for non-penal efforts as an effort to prevent the occurrence of criminal acts is very necessary, through continuous education for the community, socialization of regulations for the conservation of endangered animals, especially Dugongs by setting targets for areas that have the potential for criminal acts. As well as making efforts to collaborate with the local government, the KKP Service, and BPSPL Padang Satker Tanjung pinang and the community in monitoring and preserving the environment and Dugong rare animals.

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