

Regulation on the Protection of Terubuk Fish (*Tenualasa Macrura*) Within the Indonesian Legal Framework

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Abstract—Terubuk fish that live in the waters of Riau Province are Terubuk fish species with the Latin name *Tenualasa macrura* while Terubuk fish species that live in Terubuk fish waters are fish species that have high economic value, especially their eggs. In line with the increasing number of human populations and increasing demand for fish resources, the population of fish resources has decreased in number, including the Terubuk fish population requires anticipatory steps to avoid the threat of extinction. So in 2011, KP Ministerial Decree No. KEP 59 / MEN / 2011 was issued regarding the limited protection status of Terubuk fish species (*Tenualosa macrura*) in the waters of Bengkalis Regency, Meranti Islands Regency, and Siak Regency.

Keywords: *regulation, protection, Terubuk fish*

I. INTRODUCTION

One of the fish resources found in the territory of Indonesia is Terubuk fish. This type of fish (which has the Latin names *Tenualasa macrura* and *Tenualosa illisha*) is a fish resource located in the waters of Riau and North Sumatra Provinces. This fish species is two species of Terubuk fish species from five Terubuk fish species in the world. Terubuk Fish is a type of fish resource that can be renewed, if used sustainably it can be a source of income for current and future generations. Terubuk fish that live in the waters of Riau Province are Terubuk fish with the Latin name *Tenualasa macrura* while Terubuk fish that live in the waters of North Sumatra Province are Terubuk fish with the Latin name *Tenualosa illisha*. Terubuk This fish is a type of fish that has high economic value, especially its eggs. Where the sale value of Terubuk fish eggs in dry conditions can reach Rp. 2,500,000.00 / kg.

Terubuk fish that live in the waters of Riau Province have significance for the people of Riau Province, especially Bengkalis Regency. This is because it is a symbol and pride of Bengkalis Regency people, which can be found in the regional symbol of Bengkalis Regency, namely Terubuk fish with 45 scales. This symbol indicates that fish Terubuk is a symbol of potential marine products in Bengkalis Regency.

At present, the existence of terubuk fish in Riau Province through the waters of Bengkalis Regency, Merapi Regency, and Siak Regency. Terubuk fishing activity has been going on since the 1960s, and it still continues to this day. When compared with the period of the 1960s, the Terubuk Fish population has decreased significantly and is increasingly difficult to catch. This decline in population is due to catching Terubuk during the spawning for eggs and being traded at high prices. In addition to fishing activities, pollution that occurs along the River Basin (such as the Siak River and empties into the Bengkalis Strait) also contributes greatly to the sustainability of the Terubuk Fish. For the Bengkalis Regency fishing community, Terubuk Fish (*T. macrura*) is not only important as a source of community opinion but also has historical value that has significance for the local community.

Excessive use of Terubuk Fish and environmental damage has caused a drastic decline in the Population of Fish. If no anticipatory steps are taken, it is feared that the Terubuk Fish will become extinct from the seas of Indonesia. What is the regulation of how to protect fish terubuk in the Indonesian national legal framework?

II. METHODOLOGY

The type of legal research method that researchers use to solve problems with legal issues is the method in legal studies conceptualized as the principle of justice in the moral system [1]. It can also be said that normative legal research uses the statutory approach and conceptual approach [1]. In this study, researchers used data from the library as the main data source, namely secondary data. Secondary data include [2]:

- Primary legal materials, namely binding legal materials, such as the Constitution of the Republic of Indonesia, Laws, International Treaties;
- Secondary legal materials, namely those that provide explanations about primary legal materials such as research results, the work of legal circles;

- Tertiary legal materials are legal materials that provide instructions and explanations for primary and secondary legal materials.

III. RESULTS AND DISCUSSION

In the past, to preserve the Terubuk fish species a ceremony was called "Semah Terubuk". The purpose of this ceremony is to protect the Terubuk fish species in the Bengkalis Regency area. However, at this time the "Semah Terubuk" ceremony is no longer performed, due to various factors.

At this time to be able to preserve the existence and existence of the Fish is needed as a synergistic effort, starting from the arrangement of fishing activities to efforts to create conditions that can support the life of Terubuk Fish. Seeing the decline in the population of Terubuk fish in Riau Province, the Government of Indonesia is taking steps so that the population of Terubuk fish is not extinct and requires anticipatory steps to avoid the threat of extinction. Therefore, in 2011, KP Minister Decree No.KEP 59 / MEN / 2011 was issued regarding the limited protection status of Terubuk fish species (*Tenualosa macrura*) in the waters of Bengkalis Regency, Meranti Islands Regency, and Siak Regency Riau Provincial Government through the Governor Regulation No.78 years 2012 has also established Terubuk Fish Fishery Reserves covering 3 Regencies [3]. Some regulations related to the protection of terubuk fish include:

Law Number 31 of 2004 concerning Fisheries which has been updated with Law Number 45 of 2009, Article 6 paragraph (2) states that fisheries management for the purpose of catching and cultivating fish must consider customary law and / or local wisdom and pay attention to community participation. In addition, Article 52 states that the government regulates, encourages, and / or conducts research and development of fisheries to produce the knowledge and technology needed to develop fisheries businesses to be more effective, efficient, economical, highly competitive and environmentally friendly and respect local wisdom / local culture [4].

In Law Number 31 of 2004 concerning Fisheries it is explained that in the management of fisheries based on the principle of benefits, the principle of justice, the principle of partnership, the principle of equity, the principle of cohesiveness, the principle of openness, the principle of efficiency, and the principle of sustainable sustainability. While in Law Number 45 of 2009, which is an Amendment to Law Number 31 of 2004 concerning Fisheries, the principles of fisheries management are the principle of benefits, the principle of justice, the principle of togetherness, the principle of partnership, the principle of independence, the principle of equity, the principle of integration, the principle of openness, the principle of efficiency, the principle of sustainability, the principle of sustainable development [5].

Government Regulation Number 60 Year 2007 concerning Conservation of Fish Resources. In the Government Regulation stated for the protection of fish resources through conservation. In paragraph 1 (1) it is stated that conservation of fish resources is an effort to protect, preserve and utilize fish resources, including ecosystems, species, and genetics to ensure the

existence, availability and sustainability while maintaining and increasing the quality and diversity of fish resources. In Article 9 paragraph (1) point 2, it is stated that the determination of water conservation areas is carried out based on social and cultural criteria, including the level of community support, potential conflicts of interest, potential threats, local wisdom and customs. Conservation of fish power is the responsibility of the Government, Regional Governments, the community.

The principles in conserving fish resources are a precautionary approach, consideration of scientific evidence, consideration of local wisdom, community-based management, integrated development of coastal areas, prevention of overfishing, development of fishing gear and ways of fishing and environmentally friendly fishing, consideration socio-economic conditions of the community, sustainable use of biodiversity, protection of the structure and natural functions of dynamic aquatic ecosystems, protection of fish species and genetic quality, adaptive management.

Article 21 states that the objectives of fish conservation are protecting endangered fish species, maintaining fish species diversity, maintaining ecosystem balance and stability, utilizing fish resources in a sustainable manner. And in article 22 it is stated that the conservation of fish species is carried out through the classification of fish species, determination of the protection status of fish species, maintenance, breeding and research and development [7].

Decree of the Minister of Maritime Affairs and Fisheries of the Republic of Indonesia Number KEP. 59 / MEN / 2011 concerning Determination of the Limited Protection Status of Terubuk Fish (*Tenualosa Macrura*). This determination is based on the recommendation letter of the Head of the Indonesian Centre for Biological Research - Institute of Sciences (LIPI) as the Daily Implementer of the Scientific Authority in Indonesia Number: 4752 / IPH.1 / KS.02 / VII / 2011 dated August 1, 2011 regarding the recommendation of limited protection for fish terubuk (*Tenualosa macrura*). The purpose of this Ministerial decision is to maintain and guarantee the availability and availability of terubuk fish species in the waters of Bengkalis Regency, Meranti Regency and Siak Regency. What is meant by limited protection for this terubuk fish is a limited protection status for a certain time period and location of fishing. Limited protection for a certain period of time, namely the prohibition of catching terubuk fish species (*tenualosa macrura*) during spawning in the bright months of August to November every 1, 13, 14, 15, 16, 28, 29, 30 Hijri calendar [8].

IV. CONCLUSION

The government has provided regulations related to the protection of terubuk fish. Now is the time to implement the regulation to maintain the sustainability of the terubuk fish population.

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