

Research Article

Investigating law enforcement for coral reef conservation of the Spermonde Archipelago, Indonesia

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ABSTRACT

The coral reef ecosystem in the Spermonde Archipelago manifests great potential in ecosystem services. However, it has been degraded to “severely damaged”. In this study we investigated the law enforcement related to coral reef conservation, especially the damage caused by destructive actions. We used mixed qualitative and quantitative methods. We explored existing laws, conducted semi-structured interviews with 6 informants (five fishermen and one judge), collected data on regional convictions data, and surveyed 48 respondents with a quantitative questionnaire, in 5 sampling sites: South Galesong District, Takalar Regency; Kodingareng Lompo Island, Sangkarrang District Makassar city, Kapoposang Island; Sarappo and Papandangan Island; Pangkajene and Kepulauan Regency. This study detected 26 destructive cases, in which the perpetrators were found guilty by the court with the consideration that their actions damaged the coral reef ecosystem. The perpetrators used bombs, cyanide, and *cantrang* nets to catch fish and collect corals for trading. The imposed sentence was mild and far from the maximum penalty, both in imprisonment and fine. Notably, none of the perpetrators were sentenced to half of the main legal threats. 96% of (n = 48) respondents in our study area disagreed with the mild penalty. A mild penalty may not provide deterrent effects to the perpetrators or others who have an intention to conduct similar activities. The questionnaire showed that most of the locals know about the conservation area (66%) and its regulation (88%). The best solution to strengthen the conservation effort is to quickly establish a fisheries court in Spermonde Archipelago, which is also supported by locals (92% agreed to the establishment). A fisheries court could examine, adjudicate, and decide fisheries criminal cases, such as illegal fishing and destructive fishing within their jurisdiction. The court could be established by Presidential Decree and it will be under supervision of the Supreme Court of Republic of Indonesia.

Key words: corals, destruction, criminal law, Spermonde Archipelago

