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## DESCRIPTIVE OF QUANTITATIVE DATA | RESEARCH ARTICLE

## Legal Review of Ship Certification After the Issuance of Law Number 11 of 2020 Concerning Job Creation: Case Study of The Issuance of Fish Vessel Safety Certificates

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**Abstract:** This research examines the shift in authority and processes related to the certification of fishing vessels in Indonesia after the enactment of Law No. 11 of 2020 on Job Creation. The primary objective of this study is to analyze the legal force and implications of the transfer of authority from the Ministry of Transportation to the Ministry of Marine Affairs and Fisheries (KKP) in issuing fish vessel certifications. Using a normative juridical approach, this study investigates the procedural changes, challenges, and impacts of the new regulatory framework on fishing vessel safety and compliance. The findings show that the Job Creation Law simplifies licensing procedures while ensuring the safety and seaworthiness of fishing vessels. However, the study also highlights the challenges posed by a shortage of qualified inspectors, leading to delays in the certification process. This research underscores the need for regulatory adjustments and additional inspector training to align the maritime sector with the law's goal of promoting safety and business efficiency.

**Keywords:** Fish Vessel Certification, Job Creation Law, Ministry of Marine Affairs and Fisheries.

### 1. INTRODUCTION

Indonesia, as the world's largest archipelagic state, boasts an expansive maritime territory. With a sea jurisdiction that spans approximately 5.8 million square kilometers, this geographical reality presents both a blessing and a challenge. Rich in marine biodiversity and home to around 2000 fish species, Indonesia's waters hold tremendous economic potential. However, the country's ability to fully harness its maritime wealth remains hindered by several systemic issues. One of the key problems identified is the low standard of fishing vessel seaworthiness. Ship accidents involving fishing vessels, with 31% of maritime incidents from 2018-2020, underscore a major risk: the lack of comprehensive vessel safety measures. This ongoing issue raises concerns about the adequacy of Indonesia's fishing fleet and the regulatory frameworks designed to ensure their safety and reliability.

The Job Creation Law (Law No. 11 of 2020), which seeks to streamline various licensing processes, has brought about significant changes to the issuance of fishing vessel safety certificates. The responsibility for issuing these certificates was transferred from the Ministry of Transportation to the Ministry of Maritime Affairs and Fisheries (KKP). This shift, formalized in Law No. 6 of 2023, represents an effort to align the regulatory environment with Indonesia's marine economy. However, the change has raised questions about the effectiveness and readiness of the KKP to manage this responsibility. The problem is both practical, in terms of ensuring the safety of vessels at sea, and theoretical, concerning the legal implications of these regulatory changes on the broader governance of Indonesia's maritime resources.



Recent scholarship has examined the maritime challenges Indonesia faces as an archipelagic state. For instance, Lasabuda (2013) explored the potential and limitations of coastal and marine area development in Indonesia, focusing on how these resources are being managed and what policies are in place to support sustainable growth. His research highlights the country's vast marine wealth and its uneven development, particularly in ensuring safety and infrastructure readiness. Similarly, studies by Setiawan (2022) emphasize Indonesia's rich biodiversity, including the sustainable potential of its fisheries, which are estimated at 6.4 million tons annually. This figure includes various species such as pelagic fish, shrimp, and squid. These studies have established a baseline understanding of the wealth of marine resources but also noted Indonesia's struggles to translate this into sustained economic growth due to infrastructural and regulatory shortcomings. On the legal and regulatory side, there has been significant discussion about the maritime safety framework. Studies by Jaclani (2014) and Rahardian (2023) address the issue of illegal, unreported, and unregulated (IUU) fishing and the legal responsibilities of shipowners regarding vessel safety and certification. Rahardian, for example, notes that the existing legal framework prior to the Job Creation Law placed the onus of certification on the Ministry of Transportation, a system that was cumbersome and did not fully address the safety concerns of smaller fishing vessels. The recent transfer of certification authority to the KKP, according to studies by Siagian (2023), is seen as a step toward reducing bureaucratic delays and improving maritime governance.

However, these studies also highlight significant limitations. While efforts have been made to address illegal fishing and streamline vessel certification, there is little empirical data on the effectiveness of these regulatory changes. Furthermore, the administrative capacity of the KKP to manage these new responsibilities remains largely unexplored. As such, while the literature provides a detailed account of Indonesia's marine resource potential and the legal frameworks governing it, there are still considerable gaps in our understanding of how these frameworks are implemented and their impact on vessel safety. The key gap in the current body of research lies in the intersection between regulatory reform and practical enforcement. While numerous studies have documented the vast marine resources of Indonesia and the need for improved governance, few have focused specifically on the impact of transferring certification authority from the Ministry of Transportation to the KKP. Theoretical discussions have pointed out the importance of streamlined, risk-based business licensing as proposed by the Job Creation Law, but the practical implications of these reforms on the safety and readiness of fishing vessels remain under-researched.

In particular, there is a lack of empirical evidence on whether the transfer of certification responsibilities has improved the safety standards of fishing vessels. The studies that do exist tend to focus on broader legal principles or issues related to IUU fishing rather than on the day-to-day realities faced by fishing crews operating under the new certification regime. Additionally, the potential for bureaucratic overlap and confusion between the KKP and the Ministry of Transportation has not been thoroughly examined, leaving questions about the efficiency of the current system unanswered. This gap is significant because it not only affects the safety of Indonesian fishermen but also has broader implications for the country's ability to fully capitalize on its marine resources. If the new certification process is not effectively implemented, Indonesia risks continued maritime accidents and a loss of trust in its regulatory institutions. In light of these gaps, this study seeks to address two primary research questions: (1) What is the legal force of the certification of the seaworthiness of fishing vessels before and after the issuance of the Job Creation Law? and (2) What are the legal implications arising from the certification of the seaworthiness of fishing vessels after the issuance of the Job Creation Law? The primary objective of this study is to analyze the legal impact of the Job Creation Law on the certification process for fishing vessels. This includes examining how the transfer of authority to the KKP has affected the issuance of safety certificates and whether these changes have improved the safety standards of Indonesia's fishing fleet. The study also aims to explore the broader implications of these changes for maritime governance in Indonesia, particularly in terms of regulatory efficiency and the reduction of accidents at sea.

What makes this study unique is its focus on a relatively new legal development — the Job Creation Law — and its practical implications for maritime safety. While previous research has primarily focused on the law's theoretical foundations or its broader economic goals, this study seeks to provide a detailed, empirical analysis of its impact on a specific sector: fishing vessel certification. By doing so, the research will contribute to a more nuanced understanding of how legal reforms can influence safety standards in the maritime industry. Moreover, the study will offer recommendations for improving the certification process, ensuring that Indonesia's fishing vessels are not only certified on paper but also safe and reliable in practice. This research aims to bridge the gap between theoretical legal discussions and practical maritime safety concerns. It will provide a comprehensive legal review of the current certification process while also offering policy recommendations to ensure that Indonesia's vast maritime potential can be harnessed safely and effectively. The novelty of this research lies in its focus on a recent legal reform, making it a timely and necessary contribution to the field of maritime law and governance in Indonesia.

## 2. LITERATURE REVIEW

### 2.1. Ship Certification

In Indonesia, ship certification has undergone significant legal and practical transformations. A ship certificate serves as a formal document indicating that a vessel has met safety and operational standards, ensuring its seaworthiness. The process of issuing such certificates is regulated by a set of legal frameworks. Initially governed by Law No. 17 of 2008 (Shipping Law), ship certification is now codified under Law No. 6 of 2023, part of the Job Creation Law. This regulatory shift, as highlighted by Rendy Aditya Prayogo, Cito Cito, and Muhammad Nur (2020), transferred the authority to certify fishing vessels from the Ministry of Transportation to the Ministry of Maritime Affairs and Fisheries (KKP). In contrast, passenger and freighter ship certifications remain under the jurisdiction of the Ministry of Transportation (Prayogo, Cito, & Nur, 2020).

Ship certification involves rigorous processes of inspection, testing, and the issuance of a certificate, as discussed by Razak (2013). The inspections focus on safety aspects such as ship construction, machinery, and safety equipment, ensuring compliance with both national laws and international regulations. According to the Job Creation Law, the certification for different types of ships, including passenger vessels, freighters, and fishing vessels, is categorized into various certificates, such as the Passenger Vessel Safety Certificate and the Freight Safety Certificate (Lasabuda, 2013). Testing ship equipment and components, which include navigation systems and safety apparatus, is mandatory, following the procedures outlined in Minister of Transportation Regulation No. 57 of 2021 (Suryawan, 2022).

### 2.2. Fish Vessel Certificate

Juridically, the certification of fishing vessels is regulated under Article 57, number 28 of the Job Creation Law, which amends Article 126 of the Shipping Law. This article clarifies that the certification of seaworthiness and manning for fishing vessels is now under the jurisdiction of the Ministry of Marine Affairs and Fisheries (KKP), as described by Zulfiqar (2023). In contrast to the certification of other types of ships such as passenger and cargo vessels, fishing vessel certification has been explicitly transferred to the KKP since the enactment of the Job Creation Law regime.

The certification process for fishing vessels is further detailed in Minister of Marine Affairs and Fisheries Regulation No. 33 of 2021, which governs fishing log books, vessel inspections, testing, and crew management (Purwati, 2023). According to Article 1 point 37 in conjunction with Article 66 of this regulation, the Certificate of Fitness for Fishing Vessels ensures that vessels meet specific standards of seaworthiness, fishing capacity, and vessel dependability. The seaworthiness aspect

includes compliance with safety requirements such as vessel materials, construction, machinery, pollution prevention, and crew competency (Zulfiqar, 2023).

Additionally, the regulation requires the suitability between the size of the vessel, its fishing gear, and the fishing areas in which it operates. It also mandates equipment to prevent ownerless nets from being abandoned at sea, a key environmental concern (Purwati, 2023). For larger fishing vessels of 300 gross tonnage or more, specific welfare and health standards for the crew, such as living accommodations, noise reduction, and adequate food storage, are mandatory (Zulfiqar, 2023). This certification process differs from the certification of vessels under the Ministry of Transportation, as it includes more comprehensive checks tailored to the fishing industry, including vessel space arrangement and storage room construction for fish (Purwati, 2023). After the vessel passes these checks, the Certificate of Fitness for Fishing Vessels is issued by the KKP, ensuring that fishing vessels meet all safety, environmental, and operational standards (Zulfiqar, 2023).

### 2.3. Job Creation Law

The Job Creation Law, initially enacted as Law Number 11 of 2020, aimed to streamline regulations and stimulate economic growth in Indonesia. However, the Constitutional Court found flaws in the law's ratification process, deeming it conditionally unconstitutional in its ruling Number 91/PUU-XVIII/2020, citing procedural missteps during its formation. The Court ordered a revision to be completed within two years of the decision (Law Number, 2020). In response, the government issued Perpu No. 2 of 2022, which was later ratified as Law Number 6 of 2023, officially establishing the regulations concerning job creation (Zulfiqar, 2023).

#### 2.3.1 Omnibus Law

The Job Creation Law is often referred to as an omnibus law, a legislative technique that combines multiple regulatory changes into a single bill. The term "omnibus" originates from the Latin word "omni," meaning "many," and was later adopted to refer to legislation that consolidates numerous provisions into one law (Ramadhan, Kamal, & Mamonto, 2021). Black's Law Dictionary defines an omnibus bill as a legislative tool used to combine two or more independent matters into one bill, compelling the approval or rejection of the entire proposal (Busroh, 2021). This method is designed to address overlapping or inconsistent regulations by simplifying and streamlining the legal framework (Roihan, 2021). In Indonesia, the omnibus law approach was first proposed by President Joko Widodo during his second-term inauguration speech in 2019, driven by the realization that Indonesia's regulatory landscape was hyperregulated, stifling investment and economic progress (Zulfiqar, 2023). By consolidating multiple laws into one, the Omnibus Law aimed to resolve overregulation, foster a conducive environment for business, and accelerate national economic growth. It also allows for modification, not codification, making it a dynamic method to harmonize and simplify Indonesia's legal structure.

#### 2.3.2 Fisheries in the Job Creation Law

The Job Creation Law significantly emphasizes simplifying regulations in various sectors, including marine and fisheries. Article 6 of the law, coupled with Government Regulation No. 5 of 2021, outlines the risk-based business licensing system, which directly affects the fisheries sector (Umamah, Wisudo, & Wahyu, 2017). The law acknowledges the vast potential of Indonesia's marine resources and integrates fisheries into the broader regulatory framework designed to streamline business operations and economic management.

One of the notable changes in the Job Creation Law is the removal of vessel size limitations for defining small fishermen. Previous laws, such as Law No. 45/2009 and Law No. 7/2016, restricted the definition of small fishermen based on vessel size (<10 GT). This restriction has been lifted to encourage broader participation in the fisheries sector (Purwati, 2023). Additionally, the responsibility for managing the fisheries sector has shifted from the Minister to the Central Government, allowing for more centralized oversight and governance (Zulfiqar, 2023).

Another significant change is the simplification of business licenses for the fisheries sector. Previously, multiple permits were required to operate, but the Job Creation Law consolidates these into a single business license issued by either the Central or Regional Governments, depending on their respective authority (Zulfiqar, 2023). This streamlining is expected to reduce bureaucratic red tape, making it easier for businesses to enter and operate within the fisheries industry. The law also makes changes regarding foreign fishing vessels operating in Indonesian waters. Previously, foreign vessels were required to employ at least 70% Indonesian crew, but this requirement has been removed, simplifying the operation of these vessels in Indonesian waters (Purwati, 2023). Moreover, the authority to manage coastal areas and small islands (WP3K), which was previously under the jurisdiction of Regional Governments, has now been transferred to the Central Government. This shift allows the Central Government to issue permits for strategic national projects, even if these projects are not aligned with the Regional Government's plans. In terms of enforcement, sanctions for non-compliance with licensing and registration regulations have been relaxed. Violations such as operating vessels without the proper documents or modifying vessels without approval previously carried criminal penalties and fines. Under the Job Creation Law, these offenses are now subject only to administrative sanctions, further reducing the regulatory burden on the fisheries sector (Zulfiqar, 2023).

### 3. RESEARCH DESIGN AND METHOD

The research method used in this study is a normative juridical approach, which examines legal norms and positive law provisions. This method involves analyzing primary legal materials, such as laws, government regulations, and ministerial regulations, as well as secondary sources like legal literature, journals, and reports, to interpret and understand the legal framework surrounding ship certification after the issuance of the Job Creation Law. Data collection is done through literature studies, internet browsing, and reviewing relevant legal documents. The analysis employs a qualitative normative approach, where legal materials are systematically described and connected to the research topic, with conclusions drawn using deductive logic to explain the impact of the legal changes on fishing vessel certification. The research focuses on South Sulawesi, utilizing descriptive research to provide an in-depth understanding of the legal conditions regarding ship certification under the new legal regime.

### 4. RESULT AND DISCUSSION

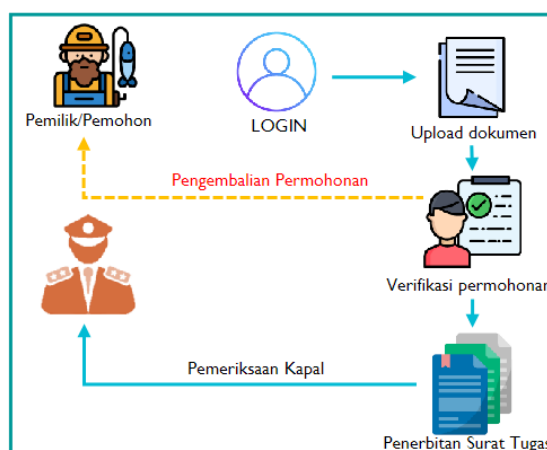
#### 4.1. Legal Power of Fish Vessel Certification

After the enactment of Law Number 11 of 2020 on Job Creation, significant changes were made to the certification process for fishing vessels, shifting the authority for issuing certificates from the Ministry of Transportation to the Ministry of Marine Affairs and Fisheries (KKP). Previously, fishing vessel certification was regulated under Law No. 17 of 2008 (Shipping Law), where fishing vessels were issued certificates of seaworthiness and manning. However, the Job Creation Law and its implementing regulation, Government Regulation No. 27 of 2021, now specify that the KKP is responsible for certifying fishing vessels, which includes three primary criteria: seaworthiness, fishworthiness, and spatial arrangement.

The certification process includes thorough examinations of vessel safety, pollution prevention, crew competency, loading lines, and welfare facilities, particularly for vessels over 300 gross tons. Fish vessel seaworthiness is assessed based on the compatibility of vessel size, fishing gear, and operational procedures. Additionally, storage requirements for frozen or fresh fish must include adequate refrigeration systems. The implementation of these changes ensures that the certification process aligns with the new legal framework established by the Job Creation Law.

#### 4.2. Legal Implications of Fish Vessel Certification

The transfer of the authority to issue fish vessel certification, following the enactment of the Job Creation Law, places the responsibility for certifying fishing vessels under the Ministry of Marine Affairs and Fisheries (KKP). The certification process starts with submitting an application to the Director General or the Head of the Fishery Port, using an online platform. The process involves document verification, vessel inspections, and finally, the issuance of the Certificate of Fitness for Fishing Vessels. The required documents include a fishery business license, vessel technical designs, and various safety and performance inspections.



**Figure 2. Mechanism for Applying for a Certificate of Fitness for Fishing Vessels**

The legal implication of this certification is to ensure that only vessels meeting the specified seaworthiness, safety, and operational standards are allowed to operate. This certification aligns with the Job Creation Law and its supporting regulations, including Government Regulation No. 27 of 2021 and Ministerial Regulations. The issuance of this certificate is crucial to guarantee the safety of fishing vessels at sea and to promote compliance with safety norms. Roscoe Pound's theory of law as a tool for social engineering applies here, as the certification aims to instill a safety-conscious fishing community and ensure the orderly conduct of fishing operations.

#### 4.3. Inspection and Supervision of Fish Vessel Safety

The inspection and supervision of fish vessel safety, as mandated by the Job Creation Law and outlined in Ministerial Regulation No. 33 of 2021, require fishing vessels to obtain a certificate of seaworthiness along with other licenses. The authority for vessel inspections has shifted to the Ministry of Maritime Affairs and Fisheries (KKP), but this transition has led to challenges, particularly due to a shortage of qualified fish vessel fitness inspectors. These inspectors, who must be civil servants with specialized training and qualifications, play a critical role in ensuring vessel safety and compliance with regulations. The limited number of inspectors has resulted in delays in the certification process, as each vessel requires an inspection before certification can be granted. To address this issue, the KKP



is working to increase both the quantity and quality of fish vessel inspectors to ensure timely and effective supervision.

**Table 2. Number of Fishermen by Type of Capture Fisheries Business (person)**

Year	Sea Fisherman	PUD Fisherman	Total Fishermen
2010	2.162.442	457.835	2.620.277
2011	2.265.213	489.965	2.755.178
2012	2.278.388	470.520	2.748.908
2013	2.164.969	475.126	2.640.095
2014	2.210.195	529.688	2.739.883
2015	2.275.139	427.525	2.702.664
2016	2.265.859	378.043	2.643.902
2017	2.289.529	378.043	2.667.572
2018	2.292.024	345.245	2.637.269
2019	2.088.959	647.259	2.736.218
2020	2.359.064	490.409	2.849.473
2021	2.359.264	566.554	2.925.818
2022	2.401.540	632.401	3.033.941

This is a problem that should be considered by the Ministry of Marine Affairs and Fisheries of the Republic of Indonesia, especially by the Directorate General of Capture Fisheries as a technical implementer, considering that the number of fishing fishermen in Indonesia as a maritime country continues to increase and in 2022 is at a high figure of 3,033,941 people consisting of 2,401,540 marine fishermen and 632,401 fishermen of public waters darata (PUD).

The number of fishermen is causally aligned with the use of fishing vessels, the number of which has also increased. However, despite the relatively high number of fishermen, there is no alignment with the number of qualified shipworthiness inspectors. This is illustrated, for example, in 2023, located in Central Java, 45 personnel of Fisheries Vessel Examiners (PPKKP) have been inaugurated. So that overall the Ministry of Maritime Affairs and Fisheries currently has a total of 235 PPKKP who are ready to provide services throughout Indonesia. This number is still relatively small when compared to its service capabilities to the number of fishermen who are in line with the number of fishing boats that continue to increase.

PPKKP as a public service law enforcer in the form of conducting a fish vessel seaworthiness inspection is an important element and cannot be excluded from a holistic fisheries implementation system. It is known that the certification of the seaworthiness of fishing vessels is intended to provide assurance and protection to business actors who carry out fishing using vessels. The purpose of certification as a legal objective cannot be established by itself, meaning that the law is not able to realize the promises and desires contained in its rules on its own but requires parties to implement it.<sup>70</sup> In this context, to know that a fish head is eligible to be qualified as a vessel that meets the requirements of seaworthiness, catchability, and storability, PPKKP is needed as a law enforcer who assesses this.

Thus, considering how important PPKKP is in organizing the certification of the feasibility of fishing vessels in Indonesia, but with the existing limited number of personnel members, the certification process takes a long time and the community is constrained in its application because it must be included in the inspection queue list. According to the researchers, this is important and should be considered as a matter that needs to be resolved immediately for the sake of fast and simple public services for national economic development as mandated by the Job Creation Law.

Broadly speaking, the lack of public awareness and compliance with a rule will have a major effect on the effectiveness of the rule. In the context of the certification of the seaworthiness of fishing vessels, it was found that people tend to complain about the complicated and long process, plus this

certificate is one of the many documents that must be fulfilled by fishermen before conducting fishing business, so that with the overly bureaucratic certification procedure plus the many other licenses that must be fulfilled in the end, people choose to continue fishing even without a permit.

This reality can be found across the country, for example in Rembang Regency, Central Java Province. The statement of the Secretary of the Indonesian Fishermen's Association (ANI) shows his concern for his colleagues who have difficulty going to sea due to overly bureaucratic permits, "the point is, fishermen can go to sea because of licensing. However, because it is closely related to stomach affairs, some fishermen are still desperate to go to sea even though they do not have a permit". The problem is mainly mentioned because before being able to go to sea, fishermen must have at least a dozen licensing documents, including: Surat Berlayar (SPB), Surat Tanda Kebangsaan Kapal (STKK), Surat Ukur, Certificate of Perfection, Ship Radio Certificate, Certificate of Fitness and Seaworthiness of Fishing Vessels, SIPI or SIKPI, Letter of Operation (SLO), Barcode, TPPP, STBKK, Fisheries Log Book, Health Book, Rat Exemption Letter. Of the many documents, it does not include documents for physical checks of ships or changes in ship construction.<sup>71</sup> In addition to the lack of inspectors, the fact that the certification process is long and the fishermen's energy, time, and material are exhausted because it must be accompanied by other licenses has an impact on the tendency of non-compliance to certify the seaworthiness of fishing vessels. In the end, this non-compliance has a further impact on the effectiveness of the certification rules after the Job Creation Law, which is unable to be present as a creator of social order. In fact, as referred to in Article 66 paragraph (1) of the Minister of Maritime Affairs and Fisheries Regulation, it is stated that "fishing vessels that will operate must meet the requirements of fishing vessels", the meaning of this norm when referring to number 269 of the Appendix to Law Number 12 of 2011 concerning the Formation of Legislation states that the phrase "must" as also contained in Article 66 paragraph (1) of the Minister of Maritime Affairs and Fisheries Regulation a quo is interpreted as something that must be fulfilled, which if the condition is not fulfilled then the person concerned will not get something that should be obtained if he fulfills the condition or requirement. In this case, a fisherman juridically, without certification of the seaworthiness of a fishing vessel, may not or is not entitled to take fish resources at sea.

There are people who obey the rules because they are afraid of being sanctioned, and there are also those who obey the rules because of their social status in society. According to Soekanto, compliance is essentially the result of an internalization process within the individual that is formed due to social influences that have an effect on a person's knowledge, attitudes and behavior patterns that will produce appropriate actions.<sup>72</sup> Thus, if it is related to the rules regarding the certification of the seaworthiness of fishing vessels, it is known that non-compliance with these rules is based on fear or institutionalized non-compliance. Specifically, with regard to the example of Rembang Regency above, this is because the process is long and bureaucratic so that people choose to get used to being non-compliant in order to fulfill their needs through the fishing profession.

Compliance with the law is mandatory, because the law itself is a compelling rule, so it must be obeyed by all citizens. It is said that legal disobedience is closely related to feelings opposite to the fear of sanctions, so that someone is very likely to develop an attitude of disobedience to these rules because they are not afraid of sanctions. In other conditions, in addition to the non-compliance of the community to apply for certification of the seaworthiness of fishing vessels, there are also other problems with this certification but still with the same variable, namely the community, namely public ignorance of the rules that require certification of vessels used in fishing. This is partly due to the fact that Indonesia is a maritime country with a large sea area and islands.

Therefore, it is not impossible for information regarding the applicability of a regulation to be unevenly distributed to remote coastal areas at the end of the country. This is worrying considering that the certification of the ship's seaworthiness is intended to provide assurance and protection to fishing businesses that tend to have high risks.

Legal awareness in principle is self-awareness without pressure, coercion, or orders from outside oneself to comply with an applicable legal norm. The concept of legal awareness contains elements of



values that have been lived by the community from an early age and have been institutionalized. This institutionalization process eventually becomes a moral compass and guideline that is maintained by the community and communally instilled through social relations. Furthermore, what has been lived is manifested in the behavior of everyday life.<sup>74</sup> In the phenomenon of the certification of the seaworthiness of fishing vessels in remote and coastal communities, there is a habit that has been lived as a behavioral guideline for a long time. Coastal communities who are fishermen tend to adopt the behavior and attitudes of their predecessors in carrying out their work for generations, which is as simple as preparing fishing tools and equipment and then going to sea. Certification and other fishing licenses are not something that is present in the guidelines of this community, so of course, coupled with the inequality of information on the rules, the result is that the community does not carry out these rules, namely not applying for certification of their fishing vessels to be classified as vessels that are fit and able to carry out fishing. This problem can be projected as a problem of awareness of something new and not as it has been lived so far. Doctrinally, it is stated that legal problems arise when the values to be realized in legal regulations are new values, so the logical consequence is that the law is constructed no longer just recording patterns of behavior that already exist in society. Instead, the law becomes a means of channeling government policies. Thus, new circumstances open up and emerge to change something that already exists. The problem is that even though new elements are contained in a rule, people tend to continue to pattern their behavior according to their own legal awareness. What is the maskud, purpose and ideals of the rule maker in fact cannot be realized under these conditions. Another case, for example, if the rule of law is to strengthen existing values and has been lived by the community. Such characteristics of the rule of law clearly will not cause legal awareness problems in the community, because in fact the rule of law has been integrated with the community communally since the beginning.

Thus, one of the important things that should be considered by the government in realizing the effectiveness of the implementation of the rules for certification of the seaworthiness of fishing vessels is with regard to the community, both with regard to public unrest related to procedures that are too bureaucratic so as to reduce compliance with them and public ignorance which results in not implementing these rules. This is an important element, because after all, the community is the main target of the law to create order. If the target does not implement what is intended by the regulation, the effectiveness of the regulation will decrease or even not exist at all and will ultimately have an impact on the implementation of the Job Creation Law which is oriented towards national development and growth through the ease of licensing.

The above problems are a holistic unit that challenges the government in carrying out the certification of the seaworthiness of fishing vessels. The construction of these problems is directly related to the certification process so that the government needs to be careful and serious in anticipating and overcoming them. A rule of legislation must essentially be obeyed and implemented according to the contents of the norms of the legislation, so that if there are problems in its implementation that are not immediately resolved or allowed to drag on, it is very possible that there will be social order anomalies and damage to the existing normative order.

## 5. CONCLUSION

This research highlights the regulatory changes related to fishing vessel certification in Indonesia following the enactment of Law No. 11/2020 on Job Creation. The main finding of this research is that the enactment of the law aims to provide work safety assurance for fishermen and simplify the vessel licensing process. Through the Job Creation Law, there is a significant shift in the authority to issue certificates of eligibility for fishing vessels, which was previously under the Ministry of Transportation and is now transferred to the Ministry of Maritime Affairs and Fisheries (MMAF). In addition, this study found that the regulatory changes brought challenges to the certification process, including limited human resources competent in conducting fishing vessel eligibility inspections.

These constraints resulted in delays in the issuance of certificates, which in turn impacted fishermen's operations.

The value of this research is highly relevant to the development of knowledge in the field of marine and fisheries law, as well as in the practice of government policies related to the fisheries sector in Indonesia. This research makes an important contribution in understanding how policy changes can affect the operation of the fisheries sector, which is the economic foundation of coastal communities. With the transfer of authority in fishing vessel certification, there is an opportunity for the government to optimize more efficient licensing procedures and strengthen the vessel safety monitoring system. This research also serves as a guide for policy makers in formulating further regulations related to fishing vessel certification and to ensure that the implementation of the Job Creation Law is truly able to simplify the process without compromising the safety of fishermen. However, this research has several limitations. First, this study focuses on the normative aspect and does not explore in-depth the impact of this policy implementation in the field. A follow-up study involving interviews and observations with fishermen and relevant authorities is needed to directly understand the obstacles experienced in the vessel certification process. Second, there is limited quantitative data to support further analysis of the impact of this policy change on fishermen's work safety and welfare. Future studies are expected to address this limitation by including a more in-depth empirical analysis, which not only highlights the effectiveness of the new regulation, but also evaluates its impact on fisheries productivity, legal compliance, and reduction of accidents at sea. Future researchers are also advised to further investigate the optimization of the number of vessel worthiness inspectors, given their critical role in ensuring the safety of fisheries operations in Indonesia. As such, future research agendas should include a thorough evaluation of the impact of this policy on a national scale and how it can be continuously improved to meet the evolving needs of the fishing industry.

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