
Juridical Analysis Of The Authority Of Quarantine Investigators In Handling Cases Of Animal Entry That Have Exceeded The Entry and Exit Points In Batam City

(Research Study At The Quarantine Of Animals, Fish, And Plants Office In The Riau Archipelago At Hang Nadim And Telaga Punggur Service Units)

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ABSTRACT : *Violations of quarantine regulations in Batam City continue to occur to this day. Despite the enactment of Law No. 21 of 2019 concerning Animal, Fish, and Plant Quarantine, which replaced Law No. 16 of 1992 on the same subject and introduced stricter criminal sanctions for violations, there has still not been a deterrent effect on those bringing prohibited items without meeting quarantine requirements. This research addresses how the authority and implementation of quarantine investigators' powers are regulated in handling cases of animal entry that have bypassed the designated import and export points in Batam City, what obstacles or challenges quarantine investigators face, and the solutions at the Animal, Fish, and Plant Quarantine Office of the Riau Archipelago at the Hang Nadim and Telaga Punggur Service Units. The research method combines normative legal research with empirical sociological approaches, utilizing both inductive and deductive methods to analyze and clarify the relationship between research variables and the research object. This approach aims to provide a comprehensive understanding that benefits readers, particularly future researchers and academics. The findings reveal ongoing uncertainty among quarantine investigators in enforcing quarantine regulations in Batam City. This issue arises from differing interpretations of Law No. 21 of 2019 among quarantine officers and the shortage of human resources, which affects investigators' focus on legal enforcement actions, including criminal sanctions. In Batam City, the resolution of quarantine regulation violations prioritizes the philosophy of "ultimum remedium" where punishment is seen as a last resort. Administrative sanctions for quarantine violations include quarantine detention, rejection, and/or destruction of the violating items.*

Keywords: *Quarantine, Authority, Implementation, Civil Servant Investigator*

1. INTRODUCTION

The implementation of quarantine according to Law Number 21 of 2019 covers three areas, namely animal quarantine, fish quarantine, and plant quarantine which are the authority of the Central Government through the Indonesian Quarantine Agency (BARANTIN) and to achieve its objectives, quarantine and supervision and/or control measures are carried out on carrier media. There are two officials who are given duties and responsibilities in the implementation of quarantine, namely Quarantine Officers (consisting of Animal Quarantine Officers, Fish Quarantine Officers and Plant Quarantine Officers) and Civil Servant Investigators (PPNS) hereinafter written as "Quarantine Investigators". The import of animals that do not meet quarantine requirements has a very large risk to animal natural resources and can even have an impact on human health because animals have the potential to transmit diseases to humans (zoonosis). One of the important things that the government must pay attention to is the management and protection of natural resources through the agricultural sector such as food crops, livestock and fisheries. Most of the Indonesian population works as farmers so it can be said that this sector is a strategic sector.

One of the efforts that has been made by the Indonesian government to prevent the entry and exit and spread of animal, fish and plant pest diseases is to establish the Indonesian Quarantine Agency (BARANTIN) to carry out the mandate of Law Number 21 of 2019 concerning Animal, Fish and Plant Quarantine. This shows the seriousness of the government in maintaining the security of natural resources and food security in this nation. One of the roles that can occur at the entry point or border of the Unitary State of the Republic of Indonesia is through quarantine measures carried out by the Indonesian Quarantine Agency. The form of quarantine action in the Quarantine Law begins with detention if the animal, fish and plant carrier does not meet the specified requirements. After detention, this carrier will be continued with rejection to the area or country of origin if the specified requirements cannot be met or can be destroyed if at the specified time the rejection is not immediately carried out but at the time of detention the specified requirements can be met and from the results of the examination of the healthy carrier, the carrier can be released.

Based on Article 1 of the Quarantine Law, Quarantine is a system for preventing the entry, exit and spread of quarantine animal pests and diseases, quarantine fish pests and diseases and quarantine plant pests; as well as supervision and/or control of food safety and food quality, feed safety and feed quality, Genetically Engineered products, Genetic Resources, Biological Agents, Invasive Alien Species, Wild plants and animals, and rare plants and animals that are brought into, spread from one area to another and/or removed from the territory of the Unitary State of the Republic of Indonesia. Protection efforts contained in Law Number 21 of 2019 concerning Animal, Fish and Plant Quarantine are classified into two types, namely preventive and repressive protection. Preventive efforts are carried out in the form of coaching the community to understand and comply with quarantine regulations, resource management, mitigation approaches, improving the technical capabilities of human resources, and research and development.

Based on the background description above, the author raises several problems that will be discussed further. The problems are as follows:

1. How is the legal regulation of the authority of Quarantine investigators in handling cases of animal imports that have passed through entry and exit points (post border)?
2. How is the implementation of the authority of quarantine investigators in handling cases of animal imports that have passed through entry and exit points (post border)?
3. What factors are the obstacles and solutions to the implementation of the authority of quarantine investigators in handling cases of animal imports that have passed through entry and exit points (post border)?

Based on the formulation of the problem stated above, it can be seen that the objectives of this research are:

1. To find out and analyze the legal regulations on the authority of quarantine investigators in handling cases of animal imports that have passed through entry and exit points (post border).
2. To find out and analyze the implementation of the authority of quarantine investigators in handling cases of animal imports that have passed through entry and exit points (post border).
3. To find out and analyze what factors are the obstacles and solutions to the authority of quarantine investigators in handling cases of animal imports that have passed through entry and exit points (post border).

2. LITERATURE REVIEW

Legal analysis activities are carried out by collecting legal materials and other relevant bases with the aim of forming a mindset in solving a problem in accordance with the law, especially regarding the problem of legal analysis of the authority of quarantine investigators in handling cases of animal imports that have been outside the entry and exit points in the city of Batam. Authority is the right to do something or order others to do or not do something in order to achieve a certain goal. Authority can also be interpreted as formal power granted by law or from the executive administrative power. In legal terms, the definition of authority is the ability granted by laws and regulations to cause legal consequences. Authority is usually associated with power. Authority is used to achieve the goals of the authorized party.

Violation is an act that is recognized by society as a crime because the law calls it a crime. Violation is also defined as an act by a person or group that violates rules that are not in accordance with applicable laws. Criminal punishment is suffering or misery that is deliberately imposed on a person who commits an act that meets certain requirements. Criminal sanctions are a punishment of cause and effect, the cause is the case and the effect is the law, the person affected by the consequences will receive sanctions, either going to prison or receiving other punishments from the authorities. Criminal sanctions are a type of sanction that is a misery that is threatened or imposed on acts or perpetrators of criminal acts or criminal acts that can interfere with or endanger legal interests.

Quarantine is a system for preventing the entry, exit and spread of quarantine animal pests and diseases, quarantine fish pests and diseases, and quarantine plant pests (OPTK); as well as supervision and/or control of food safety and food quality, feed safety and feed quality,

genetically engineered products, genetic resources, biological agents, invasive alien species, wild plants and animals, and rare plants and animals that are introduced into, spread from one area to another, and/or removed from the territory of the Unitary State of the Republic of Indonesia.

Civil Servant Investigators or PPNS are certain civil servant officials who are appointed as investigators based on laws and regulations and have the authority to conduct criminal investigations within the scope of the laws that form the legal basis. Based on Law Number 2 of 2002 concerning the Indonesian National Police, Civil Servant Investigators are one of the executors of police functions who assist the Indonesian National Police and exercise authority based on their respective laws. Civil Servant Investigators carry out investigations based on the Criminal Procedure Code but based on the authority granted by each specific law. Civil Servant Investigators are appointed by the Minister of Law and Human Rights (Director of Criminal Procedure, Directorate General of General Legal Administration), and are supervised and guided by the Indonesian National Police (Civil Servant Investigator Coordination and Supervision Bureau, Criminal Investigation Agency) and are responsible to the Head of the Ministry/Institution/Region where the Civil Servant is located.

3. RESEARCH METHOD

This research uses a qualitative approach, which involves analyzing legal texts and related literature to find relevant legal principles, precedents, and concepts. Empirical legal research involves collecting data for further analysis in order to understand how the law is applied and functions in society. This approach often uses quantitative or mixed methods, such as surveys, interviews, and statistical analysis. Empirical legal research aims to evaluate the effectiveness of the law, identify problems in the application of the law, and provide recommendations for legal reform based on empirical findings.

The legal research that the author uses in the research on the authority of quarantine investigators in handling cases of animal imports that have been outside the entry and exit points in the city of Batam (Research Study at the Animal, Fish and Plant Quarantine Office of the Riau Islands at the Hang Nadim and Punggur service units) is a research combining methods between the normative approach "legal research" with the empirical approach method "juridical sociologies". The research mechanism with this combined approach method is carried out by means of explaining the research explanation inductively leading to deductively and vice versa.

This method was used by the author to help explain the relationship between research

variables and research objects so that it can produce an understanding that is very helpful to readers, especially future authors and academics. This research examines the rules or norms and rules related to the problem to be discussed. This approach was chosen because the object of this research is based on administrative law norms which regulate administrative and criminal sanctions for violations of the Quarantine Law. This research uses primary legal materials and secondary legal materials.

The location of the study was conducted at the Animal, Fish and Plant Quarantine Center of the Riau Islands in the Hang Nadim and Pungkur Service Units. The population taken was the community who directly felt the effects of the authority of civil servant quarantine investigators in handling cases of animal imports that had passed through entry and exit points determined by the government, the Batam City Food Security and Agriculture Service and other agencies that carry out law enforcement functions. Given the large number of populations in this study, not all populations will be studied as a whole. The sample in this study was the case of coaching for Ms. Yani, the rejection of Osvaldo Adrisyel's cows and the cows belonging to Mr. Murdi and Agus in the Tanjung Piayu area, Sei Beduk District. For this reason, samples will be taken from the population using purposive sampling, a technique that is usually chosen for reasons of cost, time and energy, so that it cannot be taken in large numbers. The determination of the location, population and research sample by the author is to centralize the location as well as the effectiveness and efficiency in the study.

4. RESULTS AND DISCUSSION

Legal Regulations Regarding PPNS

Rules are made to protect the basic rights of every individual. With clear rules, human rights can be guaranteed and protected. Investigation according to the Criminal Procedure Code Article 1 Point 5 explains that an investigation is a series of investigator actions to search for and find an event suspected of being a criminal act in order to determine whether or not an investigation can be carried out according to the method regulated in the Criminal Procedure Code. Information obtained through an investigation is very helpful in the next process, namely the investigation of a criminal case, therefore Barantin specifically provides an intelligence function to carry out investigation tasks. Investigations in principle aim to protect and guarantee human rights because an event is not necessarily a crime so that evidence needs to be collected to make the event clearer. Once it is true that the event is considered a crime, it can be determined to proceed to the investigation stage. Investigation is one stage after the investigation process. If the results of the investigation conclude that a case is a criminal case,

then the investigation is carried out with and/or to determine the suspect.

The implementation of an investigation into a crime according to the provisions of the Criminal Procedure Code is carried out by an investigating officer. Article 1 number 1 of the Criminal Procedure Code explains that an Investigator is an official of the Republic of Indonesia National Police or a certain Civil Servant Official who is given special authority by law to conduct an investigation. Civil Servant Investigators (PPNS) are investigators who come from PNS to conduct investigations into certain crimes, usually these crimes are not general crimes that are usually handled by the police. Provisions regarding Civil Servant Investigators (PPNS) have been regulated in Article 1 number 1 of the Criminal Procedure Code (KUHP) in conjunction with Article 1 number 11 of Law Number 2 of 2002 concerning the Indonesian National Police, which states that Civil Servant Investigators are certain civil servant officials who are appointed as investigators based on statutory regulations and have the authority to conduct criminal investigations within the scope of the laws that are the legal basis for each. The authority of civil servant investigators is also regulated in Article 2 of Government Regulation Number 58 of 2010 concerning Amendments to Government Regulation Number 27 of 1983 concerning the Implementation of the Criminal Procedure Code. Investigators have the authority to coordinate, supervise, and request assistance from POLRI investigators in their investigations.

Analysis of the Elements of Quarantine Crime Violations

To determine whether an act is a crime in the field of quarantine or not, the act must meet the elements of the crime or crime in question. If an act does not meet the elements suspected, then the act that is violated can be categorized as a technical violation of quarantine which is resolved by the Quarantine Officer. The quarantine officer carries out the sanctions given in the form of quarantine measures, namely detention, rejection or destruction of the carrier media (legal object) while the person/owner of the carrier media (legal subject) is not subject to criminal penalties. An act can be said to be a criminal act and subject to criminal sanctions if in the formulation of the law the act is formulated as an act that is prohibited from being carried out (a commission crime) or ordered to be carried out (an omission crime) and as a consequence anyone who does not comply with the order or prohibition will be subject to sanctions in the form of certain criminal penalties that are of a coercive nature.

The legal subject in the formulation of articles in the Quarantine Law is stated as every person, owner and every person responsible for the means of transportation. The purpose of criminal sanctions is basically in the short term to resocialize the convict, in the medium term is to protect society (social defense) and in the long term to realize social welfare (social

welfare). Efforts to realize social welfare are the goals of national development of the nation which are carried out through social policy (social policy) by implementing policies to protect society from acts that harm it. Efforts in implementing social protection policies are carried out through criminal policies, both by using non-legal (criminal) means of punishment (penal) namely prevention without using criminal sanctions (prevention without punishment). Efforts and policies to create criminal punishment regulations are essentially the goal of overcoming crime so that it can be said that criminal law policies or policies are also part of criminal politics.

The criminalization policy in the Quarantine Law can be categorized as enforcing the articles in Law Number 21 of 2019 concerning Animal, Fish and Plant Quarantine, where the Law was ratified on October 18, 2019. The articles in question are provisions that contain an obligation or prohibition. The obligations of every person who carries out the traffic of carrier media contain 3 things, namely: the provisions regarding quarantine requirements must be met; the provisions regarding quarantine actions must be met; and the provisions regarding the destruction of pest and other disease carrier media must be met. The provisions regarding quarantine action requirements are contained in Article 33, Article 34 and Article 35, the owner's obligations regarding quarantine actions are contained in Article 48 paragraph (3) and the provisions regarding prohibitions in this Law are contained in Article 70 paragraph (2).

Article 33 of the Quarantine Law contains provisions regarding the entry of carrier media from abroad into the territory of the Republic of Indonesia, where paragraph (1) states that anyone who enters carrier media into the territory of the Unitary State of the Republic of Indonesia must be equipped with a health certificate from the country of origin, through a place of entry determined by the Central Government and reported and submitted to quarantine officers. In addition, Article 33 paragraph (2) of the Quarantine Law states that anyone who enters carrier media must submit other required documents in accordance with the provisions of laws and regulations. Article 34 is a provision for exporting carrier media from the territory of the Republic of Indonesia to another country, in paragraph (1) it states that every person who exports carrier media from the territory of the Republic of Indonesia must be equipped with a health certificate, through a place of entry determined by the Central Government and reported and submitted to quarantine officers.

Furthermore, Article 35 contains provisions on the requirements for transporting carrier media between areas in the territory of the Republic of Indonesia where paragraph (1) states that every person who imports and/or exports carrier media from one area to another area within the territory of the Republic of Indonesia must be equipped with a health certificate,

through a place of entry determined by the Central Government and reported and submitted to quarantine officers. Another obligation in Article 48 paragraph (3) of the Quarantine Law states that the owner is obliged to bear all costs arising in carrying out quarantine measures and has no right to claim compensation.

Administrative Legal Sanctions for Violation of Quarantine Regulations

Law number 21 of 2019 concerning animal, fish and plant quarantine is a law containing administrative norms that contain criminal sanctions, therefore it is expected that the resolution of violations of quarantine regulations prioritizes the philosophy of *ultimum remedium* or that punishment is the last resort. The existence of criminal sanctions in administrative law regulations is to eliminate the feeling of impunity (tolerance) in committing certain violations that can have more serious impacts.⁵⁸ Although this does not mean that the threat of criminal sanctions is eliminated, when taking legal action, the advantages and disadvantages must be considered and the threat of criminal sanctions is truly an effort to heal and must be maintained so as not to make the disease worse.

Types of Administrative Sanctions can be seen from the target, namely:

- a. Reparatory sanctions, meaning sanctions applied as a reaction to violations of norms, which are intended to restore the original condition before the violation occurred
- b. Punitive sanctions, meaning sanctions intended to punish someone, for example in the form of administrative fines
- c. Regressive sanctions, are sanctions applied as a reaction to non-compliance with the provisions contained in the issued provisions.

Quarantine actions in the form of detention followed by rejection are reparative administrative sanctions carried out with the aim of returning the carrier media to the area of origin to prevent the entry of disease into the destination area, while detention actions followed by destruction are regressive administrative sanctions because they are carried out as a reaction to the non-compliance of the carrier media owner to immediately remove the carrier media after being given time to reject it. Violations that occur in the field of quarantine are closely related to administrative law, considering that licensing is an instrument of prevention and a requirement in the movement of carrier media. From a legal perspective, administrative and criminal sanctions can be imposed simultaneously because they have different purposes. Administrative sanctions aim to stop or restore unlawful or unqualified acts or omissions. While criminal sanctions aim to punish certain behaviors to enforce certain norms in society because criminal sanctions can provide a deterrent effect.

Analysis of criminal law provisions for violations of requirements for importing animals that are outside the entry and exit points

Criminal law with severe sanctions is said to have a subsidiary function, meaning that if other legal functions are lacking, then criminal law is used.⁶⁵ The imposition of criminal law on violations of animal importation is basically a form of important recognition that the state has a responsibility to address such violations just as the state also has a responsibility to address other types of violations. With firm actions such as the imposition of criminal sanctions on such violations, the state has acknowledged that there is an obligation that must be carried out, namely to prevent the spread of diseases that can have an impact on human health and environmental damage.

One of the scopes of quarantine implementation in Indonesia in Article 4 letter (i) of Law Number 21 of 2019 concerning Animal, Fish and Plant Quarantine is the traceability of carrier media. This traceability is further explained in Article 77 number 1 which states that the government implements traceability starting from pre-production, production, distribution, processing, and marketing in order to provide guarantees for: a. animal, fish, and plant health; and b. food safety and food quality as well as feed safety and feed quality. This provision emphasizes that every carrier media in the territory of the Republic of Indonesia is under quarantine supervision both before and after being transported. This is in accordance with the purpose of implementing quarantine as stated in Article 5 number 1 where the implementation of quarantine is based on the level of state protection that is appropriate for HPHK, HPIK, and OPTK so that they do not enter, leave or spread in the territory of the unitary state of the Republic of Indonesia.

Animals that have passed through entry and exit points or have been in an area are included in the quarantine responsibility for carrying out supervision, where the implementation of supervision can be coordinated with the local government.⁶⁸ If a violation of quarantine regulations is found during the investigation, the animal may be subject to administrative sanctions or criminal sanctions in accordance with quarantine regulations.

Analysis of the authority of quarantine investigators in handling the entry of animals that are outside the entry and exit points

Investigations in the field of animal, fish and plant quarantine are carried out by Civil Servant Investigators (PPNS) who in this article are referred to as quarantine investigators, who are state civil servants within the Indonesian Quarantine Agency who are assigned to become PPNS appointed by the Minister of Law and Human Rights. Quarantine Investigators before carrying out their duties and authorities must be inaugurated and sworn in and have a

Membership Card (KTA) as PPNS. Quarantine Investigators must meet the requirements contained in Article 3A paragraph 1 of Government Regulation Number 58 of 2010 where in order to be appointed as a PPNS official, they must meet the requirements.

The investigative function in the Quarantine Law is regulated in Article 83 which states that in addition to investigators of the Republic of Indonesia Police officers, certain Civil Servant Officials within the agency that carries out quarantine functions are given special authority as investigators as referred to in the Criminal Procedure Law to conduct investigations. In carrying out their duties as Quarantine Investigators as stated in Article 83 of Law Number 21 of 2019 concerning Animal, Fish and Plant Quarantine have the authority to: a) conduct examinations of the truth of reports or information regarding criminal acts in the field of Quarantine; b) summon a person to be heard and examined as a suspect or witness in a criminal act in the field of Quarantine; c) make arrests, detentions, searches, and confiscation of evidence of criminal acts in the field of Quarantine; d) request information and evidence from people or bodies in connection with criminal acts in the field of Quarantine; e) make and sign minutes; and/or f) stop the investigation.

When associated with the purpose of implementing quarantine based on Article 7 of the Quarantine Law, law enforcement by investigators can be viewed as a process that provides benefits to prevent the entry and spread of HPHK, HPIK and OPTK from abroad and between areas within the territory of the Unitary State of the Republic of Indonesia and prevent the exit of HPHK, HPIK and OPTK from the territory of the Unitary State of the Republic of Indonesia. In the case of quarantine crimes where the entry of animals is known after being outside the entry and exit points, the Quarantine investigator must be able to prove the fulfillment of the suspected elements and must truly understand each article that is violated. To impose a criminal penalty, the elements of a criminal act in an article must be fulfilled. Thus, to find out whether an act is a criminal act or not, the act must fulfill the elements of the crime or criminal act in question. An act may not be a criminal act but there has been an administrative violation in the field of quarantine.

Based on the provisions of Law 16 of 1992, quarantine investigators are required to first prove that the violation that occurred was intentional so that it is a type of crime or due to negligence so that it is said to be a violation with a lower criminal threat. In most incidents that occur, attempted crimes in the field of quarantine are more often found in plans to send or bring carrier media at the point of exit, either determined by the central government or at other points of exit not determined by the central government. This occurs with the aim of deceiving quarantine officials by not reporting or requesting a Health certificate as the main

requirement for carrier media traffic between areas and between countries. Various efforts are made by the perpetrators with the aim of being able to pass wild animals or plants or protected animals and plants because they do not have permission from the authorized agency. If the incident occurs before the carrier media is sent by a means of transport, either an airplane or a ship, then the crime in the field of quarantine has not been declared to have been committed.

Implementation of Quarantine Investigator Authority In Handling The Importation of Animals That Have Been Outside The Entry And Exit Places In Batam City

In the Quarantine Law, provisions regarding sanctions for violations have been regulated in Article 84 which refers to Article 33 concerning the import of animals from outside the territory of the Republic of Indonesia (import) and Article 86 which refers to Article 35 concerning the import of animals between areas in the Territory of the Republic of Indonesia. Efforts to handle violations in these articles have been carried out with a penal approach, namely efforts made through criminal law with an emphasis on repressive nature, such as action, eradication/suppression or non-penal, namely efforts made through channels outside criminal law that focus more on preventive nature, prevention/deterrence/control before the crime occurs).

The issuance of Law Number 21 of 2019 concerning Animal, Fish, and Plant Quarantine mandates broader Quarantine duties and authorities because it not only prevents the entry, exit, and spread of Quarantine Animal Pests, Quarantine Fish Pests, and Quarantine Plant Pests, but also carries out supervision and/or control of food safety and food quality, feed safety and feed quality, Genetically Engineered products, Genetic Resources, Biological Agents, Invasive Alien Species, Wild Plants and Animals, and Rare Plants and Animals that are imported into, spread from one area to another, and/or removed from the territory of the Unitary State of the Republic of Indonesia.

Based on the Regulation of the Indonesian Quarantine Agency of the Republic of Indonesia Number 1 of 2023 concerning the Organization and Work Procedures of the Indonesian Quarantine Agency, it is explained that the Indonesian Quarantine Agency is a Government Institution that is under and responsible to the President. The Indonesian Quarantine Agency is led by the Head of the Indonesian Quarantine Agency which has Technical Implementation Units (UPT) spread throughout the territory of the Republic of Indonesia. One of these UPTs is the Animal, Fish and Plant Quarantine Center of the Riau Islands which is tasked with implementing quarantine regulations in the Riau Islands with the main office located in Batam City.

Coordination with related agencies and active community participation in monitoring

carriers entering Batam City has greatly assisted quarantine tasks so far, but in several cases, the entry of animals without fulfilling Quarantine requirements was discovered after passing through the entry and exit points determined by the Central Government. Referring to the Quarantine Law, provisions on entry are contained in Article 84 relating to Article 33 concerning requirements for the entry of animals from outside the territory of the Republic of Indonesia (imports) and Article 86 relating to Article 35 concerning entry originating from other areas in Indonesia. Quarantine measures are not only imposed on animal carriers but also on people, means of transportation, equipment or packaging known or suspected of carrying HPHK.

Factors Constraining The Implementation Of Criminal Sanctions On The Importation Of Carrier Media That Have Passed The Entry And Exit Places Determined By The Government In Batam City

The constraints on the imposition of criminal sanctions for violations of animal imports that have been outside the entry and exit points in Batam City are divided into two factors, namely external constraints and internal constraints. External constraints come from factors outside the authority of the Agricultural Quarantine, while internal constraints come from within the authority of the Quarantine. Violations of quarantine rules by the community can occur due to the lack of public confidence in law enforcement by quarantine officials so that people often try to violate quarantine rules with the understanding that what they are doing is not a serious problem and will be tolerated by law enforcement officers. The low number of legal sanctions for violations in the field of quarantine ultimately leads to a lack of respect for existing quarantine rules. According to Edward Omar Sharif Hiarij, awareness to obey the law should arise from within oneself, without any coercion from anyone.

This legal awareness is a good trait that can be instilled through formal and informal education, as well as through habituation in everyday life, but in reality the legal awareness of the Indonesian people is still heteronomous. This means that legal awareness is only formed if there is external pressure, such as regulations or strict law enforcement officers. Quarantine rule enforcement can be more optimal with cooperation, coordination and communication between agencies outside Barantin, but in reality there are still many other agencies, both government and private, that do not understand the role, duties and functions of quarantine. This can result in weak coordination between law enforcers which has an impact on the emergence of overlapping authorities and policies of each agency so that it is very prone to conflicts of interest.

Batam City is an archipelago surrounded by oceans, causing Batam City to be open to

the possibility of carrier media entering without fulfilling quarantine regulations. Batam City borders directly with a number of surrounding areas, namely the north borders the Singapore Strait and Singapore, the south borders Lingga Regency, the west borders Karimun Regency and the east borders Bintan Island and Tanjungpinang. The number of unofficial ports makes the quarantine task even more difficult due to the limited human resources available. The different levels of education and legal knowledge between officers affect their understanding of the law, although there is a process of teaching quarantine rules to quarantine officers through basic quarantine education and training, but this is very limited.

Personal experience because each region has different characteristics of violation cases. This also has an impact on officers' understanding of quarantine rules. Officers with experience dealing with more complex quarantine criminal cases certainly understand the rules better than officers who have never handled cases of violations of the law in the quarantine field. Personal experience with the legal system, whether as a perpetrator, victim, or witness, can also shape a person's perspective on the law. Ease of access to mass media, the internet, and other sources of information can affect perceptions and understanding of the law. News, articles, and online discussions often present information that can be subjective or biased, influencing how people view the law. Officers in remote areas certainly have more difficulty accessing information due to limited facilities and without sufficient information, a quarantine officer may find it difficult to understand the law properly.

Law enforcement is an effort to implement the law carried out by the authorities in society, to ensure that the law is implemented and obeyed by every citizen.⁸³ The purpose of law enforcement is to create security, order, and stability in society as well as to make every individual have the same rights and feel safe. The obstacles that occur within the scope of the Animal, Fish and Plant Quarantine Office that cause law enforcement in Batam City to be less than optimal are as follows:

- a. Lack of Human Resources (HR)
- b. Inadequate facilities and infrastructure factors

Solutions to the constraints of implementing the authority of quarantine investigators in handling cases of animal imports that are outside the entry and exit points in Batam City.

Crime prevention efforts are also known by various terms, including penal policy, criminal policy, or strafrechtspolitiek, which is an effort to overcome crime through rational criminal law enforcement in order to fulfill a sense of justice in society. According to Friedrich Karl von Savigny as quoted by Sudarto: Law is formed based on the desires and awareness of each individual in society, with the intention that the law can run as desired by society itself,

namely requiring harmony and peace in social life together. People who commit crimes will be held accountable for their actions with criminal penalties if they have made a mistake, a person has made a mistake if at the time of committing an act, seen from the perspective of society, it shows a normative view of their mistake.

Crime prevention can be done through two channels, namely penal which emphasizes the repressive nature after the crime occurs and non-penal which emphasizes the preventive nature before the crime occurs. Repressive actions can essentially be seen as preventive actions in a broad sense that emphasize the preventive nature before the crime occurs. Therefore, efforts that can be made to overcome obstacles in the application of the authority of quarantine investigators in handling cases of animal imports that have been outside the entry and exit points in Batam City are as follows:

- a. Unifying the understanding of the importance of implementing quarantine in Batam city both in the community and other agencies that can support quarantine to be implemented optimally. The community must understand that crimes in the field of animal, fish and plant quarantine are extraordinary crimes that can have an extraordinary impact not only on human lives but also destroy nature, animals and plants as well as human welfare and peace so that in the long term it will have an impact on the community itself. This activity can be carried out through socialization activities of quarantine regulations to the community who may not understand the law to help them recognize the values and norms that exist in their environment. At BKHIT Riau Islands this activity is carried out by holding a coffee morning. Coffee morning as a form of synergy with stakeholders and quarantine work partners to maintain and supervise violations of quarantine regulations that have the potential to occur in the Batam area.
- b. Increasing community participation in the implementation of quarantine regulations by fostering community compliance to report quarantine. This activity can be carried out by increasing the dissemination of information through the installation of banners, leaflets or active notifications through the mass media about the clear quarantine application flow through the installation of a quarantine application scheme / flow. This is to avoid unclear information from officers between agencies to the public.
- c. Quarantine investigators need to be supported by facilities and infrastructure so that they can carry out their supervisory and enforcement duties more quickly, precisely and efficiently. There is a need for continuous training for quarantine investigators so that there is an update of knowledge in accordance with the development of existing laws in the community, this aims for quarantine investigators to understand and be able to carry

out their duties with confidence and in accordance with applicable laws and regulations.

5. CONCLUSION AND SUGGESTION

Conclusion

Based on the discussion in the previous chapter, the following conclusions can be drawn:

- a. Legal regulations regarding the authority of Quarantine investigators in handling cases of animal imports that have passed through entry and exit points have been regulated through Law Number 21 of 2019 concerning Animal, Fish and Plant Quarantine. The imposition of administrative sanctions is attached to quarantine actions in the form of detention, rejection, destruction and state control and the imposition of criminal sanctions in the form of fines and imprisonment (imprisonment) making criminal law used as a last resort (*ultimum remedium*).
- b. The implementation of the authority of quarantine investigators in handling cases of animal imports that have passed through entry and exit points until now still has many obstacles because not all quarantine officials are investigators. This limitation of human resources causes an investigator to carry out dual investigative duties and the duties of a quarantine official, namely the 8P actions (examination, isolation, observation, treatment, detention, rejection, destruction and release) so that quarantine investigators cannot carry out their duties professionally and have an impact on the emergence of doubts among quarantine investigators in enforcing the law to impose criminal sanctions.
- c. The inhibiting factors in the implementation of the authority of quarantine investigators in handling cases of animal imports that have passed through entry and exit points are the lack of public understanding of quarantine regulations, a lack of concern from the public and a lack of understanding of other agencies regarding quarantine regulations.

Suggestion

From this conclusion, the author can provide several suggestions, namely:

- a. There needs to be additional human resources at the Animal, Fish and Plant Quarantine Office of the Riau Islands to increase the effectiveness of the implementation of Law Number 21 of 2019 concerning Animal, Fish and Plant Quarantine in Batam City so that quarantine investigators can carry out their duties and functions more professionally.
- b. Improvement and rejuvenation of existing facilities and infrastructure to support the implementation of quarantine law enforcement by quarantine investigators.
- c. Planning the allocation of funds and budgets to support supervision and enforcement

activities needs to be carried out properly so that activities related to legal action against perpetrators who violate quarantine in Batam City can be carried out.

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