

## **CHAPTER THREE**

### **RESEARCH METHODS**

#### **A. Type of Research**

In this research the author used a normative legal research method. This means that the research is based on the library research and focuses on reading and analysis of the primary and secondary materials.<sup>1</sup> The research refers to the legal norms contained in legislation and international regulations.

#### **B. Type of Data**

##### **1. Primary Data**

In this research, the data is type of secondary data that used as the primary data. The sources of the data is obtained from library research, that the data obtained through documents such as books, journals, International regulations and legislation relating to the law enforcement on illegal fishing in Indonesian sea.

##### **2. Secondary Data**

Secondary data is divided into three types, namely:

- a. Primary Legal Material: is legal materials which have binding legal force. In this research the primary data is as follows:

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<sup>1</sup> Johnny Ibrahim, 2006, *Teori dan Metodologi Penelitian Hukum Normatif*, Second Edition, Malang, Bayu Media, p. 46.

- 1) United Nations Convention on the Law of the Sea (UNCLOS) 1982;
  - 2) International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IIU Fishing);
  - 3) Law No. 32 Year 2014 on Marine;
  - 4) Law No. 45 Year 2009 in conjunction with Law No. 31 Year 2004 on Fishery;
  - 5) Law No. 17 Year 2008 on Cruise;
  - 6) Law No. 1 Year 2014 in conjunction with Law No. 27 Year 2007 on the Management of Coastal Area and Small Islands;
  - 7) Government Regulation No. 60 Year 2007 on Fish Resources Conservation;
  - 8) Government Regulation No. 30 Year 2008 on the Implementation of Research and Fisheries Development;
- b. Secondary Legal Material: is the data that provides an explanation of the legal substance of primary data, such as books, thesis, newspapers, internet articles, the results of research, expert opinions or legal scholars who can support this research.
- c. Tertiary Legal Material: is the data that provide an information on primary and secondary, such as the legal dictionaries, encyclopedias, magazines, mass media and the Internet.

### **C. Data Collection**

The data collection in this research is use the library research by collecting various legal provisions, books, journals, documentations, collection of literature, and internet search relating to the issues within the scope of international law. The library research conducted by the authors by reading and understanding the books, journals, and articles as well as reading materials related to the research subjects.

### **D. Data Analysis**

In this research the author use the materials from the library research that sourced from the books and other materials. The data will be analyzed in normative way by comparing the data that obtained by the rule of law. The method that used in the data analysis is qualitative analysis, which describes the data in the form of a sentence that is regular, logical, non-overlapping, and effective, so as to facilitate data interpretation and analysis.