

The Strategy of the Indonesian Maritime Security Agency in Conducting Maritime Security Patrols

Inshan Padillah¹⁾, Lukman Yudho P²⁾, Pujo Widodo³⁾

^{1,2,3)}Maritime Security Study Program, Faculty of National Security, Indonesia Defense University

*Corresponding Author

Email: inshanpadillah98@gmail.com

Abstract

Historically, the Djuanda Declaration has been a significant achievement in Indonesia's maritime diplomacy, securing the territorial waters and sovereignty of the Unitary State of the Republic of Indonesia. The Geneva Conventions and participation in the International Maritime Organization require a country to ensure safety and security within its waters, a task assigned to the Indonesian Maritime Security Agency (Bakamla RI), which evolved from the Indonesian Maritime Security Coordination Agency (Bakorkamla) as Indonesia's Coast Guard. The complex security threats and the vast maritime territory of Indonesia present significant challenges. A maritime security strategy is expected to minimize and address these issues. This research employs a qualitative descriptive method. The results indicate that many cases occurred in 2023 based on official reports from the Indonesian Maritime Security Agency. According to the strategy theory of means, ways, and ends, two conclusions can be drawn regarding internal institutional strengthening: First, improving the understanding and application of Indonesia's maritime geopolitics. Second, reorganizing maritime security and law enforcement agencies based on Pancasila values. Furthermore, collaboration among cooperating parties can yield three levels of communication. For external institutional strengthening, maritime diplomacy can be pursued to maintain cooperative relationships and training with international Coast Guards.

Keywords: *Maritime Security, Bakamla RI, Strategy.*

INTRODUCTION

The maritime history of Indonesia plays an important role in the development of the marine and maritime sectors in Indonesia. We all know that Indonesia has a long history of maritime struggle, starting from the golden age of kingdoms that controlled trade routes in Southeast Asia. However, this glory began to decline due to colonization by Western countries such as Portugal, Spain, and the Netherlands. This situation began to improve when contemporary Indonesia actively fought for its maritime sovereignty through the concept of Nusantara insight, which later gave birth to the Juanda Declaration on December 13, 1957 (Sajidin, et al., 2023).

The Juanda Declaration states: (a) Indonesia's geographical form as an archipelagic state has its own characteristics and patterns, (b) Since ancient times, the Indonesian archipelago has been considered as a unified entity, (c) The territorial sea boundaries regulated in the *Territoriale Zee en Maritieme Kringen Ordonantie 1939* undermined Indonesia's territorial integrity by dividing Indonesian land into separate parts with their respective territorial waters. To strengthen its legal basis, the Juanda Declaration was reinforced by Government Regulation in Lieu of Law (PERPU) No. 4 of 1960, followed by implementing regulations concerning the peaceful passage of foreign ships through Government Regulation (PP) No. 8 of 1962. PERPU No. 4 of 1960 stipulates that the territorial sea extends to 12 nautical miles measured from straight baselines, and that all islands and seas within are considered as a unified whole (Sunaryo, T. (2019).

Indonesia is one of the countries that adheres to international maritime law known as UNCLOS 1982. UNCLOS 1982 is the result of various UN conferences on maritime law held from 1973 to 1982. Indonesia ratified UNCLOS 1982 through Law Number 17 of 1985 concerning the Ratification of the United Nations Convention on the Law of the Sea 1982

(Lamandasa, et al., 2023). The Convention consists of 320 articles and 9 annexes, regulating nearly all maritime activities and related issues. It includes provisions on different maritime zones with varying legal status, establishment of archipelagic state regimes, utilization of the seabed, regulation of passage rights for ships, protection of the marine environment, conduct of marine scientific research, fisheries management, and dispute resolution (Darajati, M. R., et al., 2018).

According to Article 53 paragraph 1, the Indonesian government is not obligated to designate archipelagic sea lanes and may choose not to do so. However, as a consequence, all international ships are allowed to navigate through routes normally used for international navigation (Article 53 paragraph 12, "routes normally used for international navigation"). Therefore, archipelagic sea lanes must continuously meet criteria that are continuous, suitable, non-disruptive, and safe for navigation (safety of navigation) (Hutagalung, 2017).

ALKI (Archipelagic Sea Lanes Passage) is the right that allows foreign ships and aircraft to transit through Indonesian waters from one passage between the territorial sea or Exclusive Economic Zone (EEZ) to another, including through territorial seas and archipelagic waters, as a matter of routine. Overall, passage rights in ALKI lanes are divided into three parts: ALKI I, ALKI II, and ALKI III (Elvis, E., 2020).

The Indonesian government imposes strict requirements for the use of Indonesia's Archipelagic Sea Lanes (ALKI) by foreign parties. These requirements include 19 conditions, such as prohibiting foreign military war exercises, to safeguard Indonesia's sovereignty and territorial integrity. The provisions also involve fishing vessels, disposal of hazardous materials, and regulations related to immigration, customs, and the economy. Certain vessels, such as tanker ships or nuclear-powered cruisers, are only permitted to transit through specific sea lanes. This demonstrates Indonesia's commitment to maintaining ALKI in accordance with established regulations (Harris, A., 2021). Will ALKI's role contribute positively as an opportunity for Indonesia or instead pose threats or challenges that hinder the government in realizing its ideas (Hermawan, T., 2021)

To address issues in maritime or marine areas, the international organization handling safety, maritime security, and prevention of ship pollution is the International Maritime Organization (IMO). By ratifying IMO conventions, Indonesia has obligations to establish Sea and Coast Guards. The IMO convention includes strategic points related to maritime safety and security that have been ratified by Indonesia, including the obligation to form Sea and Coast Guards. One of these strategic points is the Convention on the Safety of Life at Sea (Suwito, B. P., 2023).

Maritime security in Indonesian waters involves several government agencies with overlapping authorities, sectoral approaches, and lacks clear leadership, leading to inefficiencies and potential jurisdictional overlaps. Among the 13 agencies involved, 6 are supported by ships and have their own laws: (1) Indonesian Maritime Security Agency (BAKAMLA RI), (2) Indonesian Navy (TNI Angkatan Laut), (3) Water and Air Police (Polairud), (4) Unitary Sea and Coast Guard (KPLP), (5) Directorate General of Customs and Excise, and (6) Ministry of Marine Affairs and Fisheries (KKP). BAKAMLA RI was established under Presidential Regulation No. 178 of 2014, replacing the Coordinating Agency for Maritime Security (Bakorkamla). As a Single Agency with Multiple Tasks, BAKAMLA RI acts as the single integrative body and command holder, without diminishing the authority of other agencies. This differs from the Multi-Agency, Multi-Task approach, which is sectoral and not integrated. In international relations, BAKAMLA RI often uses the term Indonesia Coast Guard (ICG) when collaborating with Coast Guards of other countries (Yusup, 2018).

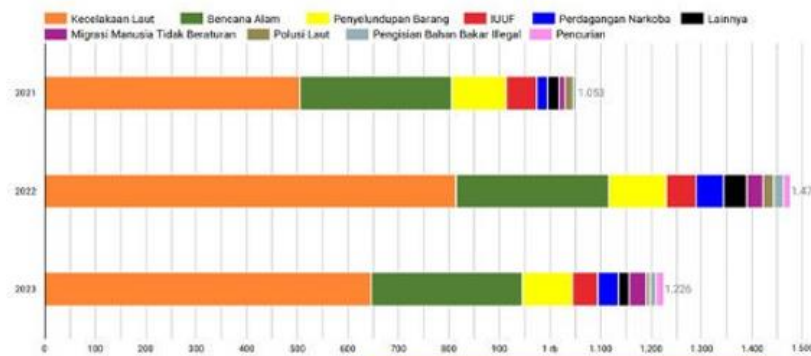


Figure 1. Maritime Security Safety Incidents
Source: Bakamla RI, 2023.

During the period from 2021 to 2023, Indonesia faced highly complex maritime security and safety threats. During this time, there were 1,143 maritime accidents. Throughout the 2021-2023 period, maritime accidents showed significant dynamics, especially in 2022, which saw an increase in the number of incidents. This reflects the complexity of challenges in maritime safety, particularly incidents involving ship sinking, overturning, or grounding caused by various factors such as extreme weather, human error, and technical issues.

Indonesia has three main Archipelagic Sea Lanes (ALKI), and in 2020, ALKI I faced 329 cases of drug smuggling through the borders in the Malacca Strait. Customs authorities recorded 811 enforcement actions related to drugs during that year, resulting in the seizure of a total of 3.2 tons of narcotics. This situation raises concerns about a security emergency related to the circulation of drugs through the Malacca Strait (Zega, Y. S. R. et al., 2022).

Incidents in ALKI II, focused on the Makassar Strait, have drawn attention due to a significant increase in drug use in Indonesia. In 2016, there were 133,503 individuals (1.95%) using drugs, while in 2017, the number rose to 138,937 in South Sulawesi province, equivalent to 2.27% of the population. Meanwhile, drug trafficking is also a concern in this context as 70% of narcotics enter through land routes, 20% through airports, and 10% through courier services. In August 2018, 114.9 kg of methamphetamine and 60,000 ecstasy pills were seized from 21 suspects. Of the methamphetamine seized, 31.4 kg was found in Riau, 73.50 kg in Aceh Tamiang, and 10 kg in Kubu Raya, West Kalimantan. All these substances originated from Malaysia and were part of an international drug network aimed at marketing in Southeast Asia, particularly Indonesia (Supartono, S., & Sugiharto, S., 2020).

Then, apart from drug trafficking, other problems such as IUU fishing are emerging in data. During the period from January to May 2023, the Indonesian maritime and fisheries supervision apparatus has seized and illegally arrested 70 fish trap carriers, consisting of a total of 61 Indonesian fishing vessels and 9 foreign fishing vessels flying flags of foreign countries such as There are 5 ships in the Philippines, 3 ships flying the Malaysian flag and 1 ship flying the Vietnamese flag. (Muhamad, 2012) Exacerbated by the heated conditions in the South China Sea are territorial conflicts which are still disputed regarding part of its ownership by several countries. China sent a Chinese coast guard ship to protect Chinese fishing boats fishing in the waters of North Natuna, which is Indonesia's exclusive economic zone. China bases its South China Sea claims in the waters of the North Natuna Sea on the basis of historical fishing rights in the past, China sent a coast guard ship in the waters of the North Natuna Sea, which is Indonesia's exclusive economic zone, to protect the fishing activities of Chinese fishing boats. Based on the perspective of international maritime law, namely UNCLOS 1982, China has violated the sovereignty of Indonesia's EEZ region (Nursalim, 2023). Considering the complexity of the data presented above, the task of the Maritime Security Agency to secure and

ensure maritime safety becomes increasingly urgent. Therefore, a comprehensive strategy is needed to address the existing challenges.

RESEARCH METHODS

This research employs a literature study method, which is a scientific study that includes views from various experts related to a problem considered worthy of investigation. In this method, these opinions are analyzed, compared, and conclusions are drawn (Haryanto, et al., 1999). Qualitative descriptive research is a research method that utilizes qualitative data and describes information descriptively. In terms of data collection technique, this research adopts a literature study approach, where literature related to the research is gathered, analyzed, and conclusions are drawn (Ali, I. M., 2021).

RESULT AND DISCUSSION

In analyzing regional security, it can be classified into four levels. First, concerns about the security of other countries can arise from the domestic security of a country, which can potentially spread due to domestic instability. Second, the level of regional security is formed through the relationships between states in that region, which influence the security conditions. Third, interactions between different regions can affect the level of security, either increasing or tightening the security situation. Finally, the fourth level involves global powers that feel they have a role in the region and intervene because of their power or influence (Prakoso, L. Y., 2021). Maritime security, fundamentally, consists of two interrelated aspects, such as efforts to maintain sovereignty and the implementation of laws, are interrelated. Authority to carry out these dimensions comes from the jurisdiction of a country, in accordance with applicable legal instruments at national and international levels (Arletiko, 2017).

The term maritime security or maritime security theory began to develop from the expansion of meaning and scope of security concepts after the end of the Cold War. Traditionally, security issues are often interpreted as threats originating from other countries, particularly related to military threats. However, in its development, the increasingly complex interaction among various actors, including non-state actors, has changed the perception of threats. Threats are no longer seen solely from a conventional (traditional) perspective but also include non-traditional threats. This has led to an expansion and transition in understanding security that includes non-military aspects (Winarno, 2008).

Buerger through the matrix framework approach then explains that maritime security relates to four concepts: national security, marine environment, economic development, and human security, which are graphically represented in the following matrix (Saraswati, A. L., & Pinatih, N. K. D. A., 2020)

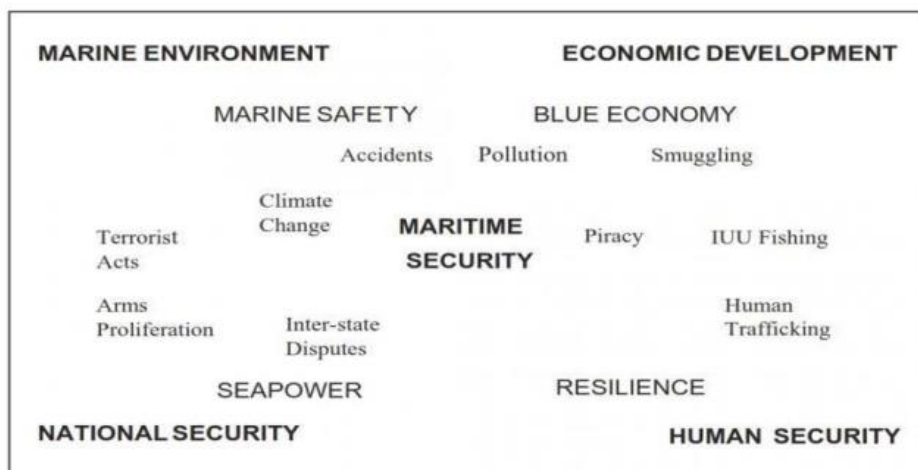


Figure 2: The matrix framework maritime security
 Source: Saraswati, 2020

Strategy theory, according to Arthur F. Lykke (1989), strategy is an arrangement of ways, means and ends arranged in a strategic structure at various levels to reduce the diversity of scientific interpretations. The goal of strategy is to explain the problem to be solved and the desired results of the steps taken, using the appropriate tools to achieve those goals. In general, strategy shows the relationship between ways to achieve goals (ways), the means used (means), and the goals themselves (ends or goals). Mathematically, strategy is explained as a combination of ways, means and ends, formulated as follows (Gartika, 2022):

$$ST=W+M+E$$

ST = strategy

W = The method taken to achieve the goal

M = Resources, facilities and infrastructure that can be used to achieve goals.

E = Goals that have been set in the policy

In this case the author will present it in accordance with the context of strategy according to Arthur F. Lykke, strategy is the arrangement of ways, means and ends, as follows:

Ends

Bakamla is based on Law Number 32 of 2014 concerning Maritime Affairs and Presidential Regulation Number 178 of 2014 concerning Bakamla, replacing Bakorkamla which was previously regulated by Presidential Regulation Number 81 of 2005. This replacement was because Bakorkamla was deemed no longer in accordance with the needs of the times. Bakamla, or Indonesia Coast Guard (ICG), is responsible for guarding security and safety in Indonesian waters and strengthening its existence in the international context (Azis, 2017).

Means

In terms of supporting infrastructure for Bakamla (Munaf, M. S, 2015);

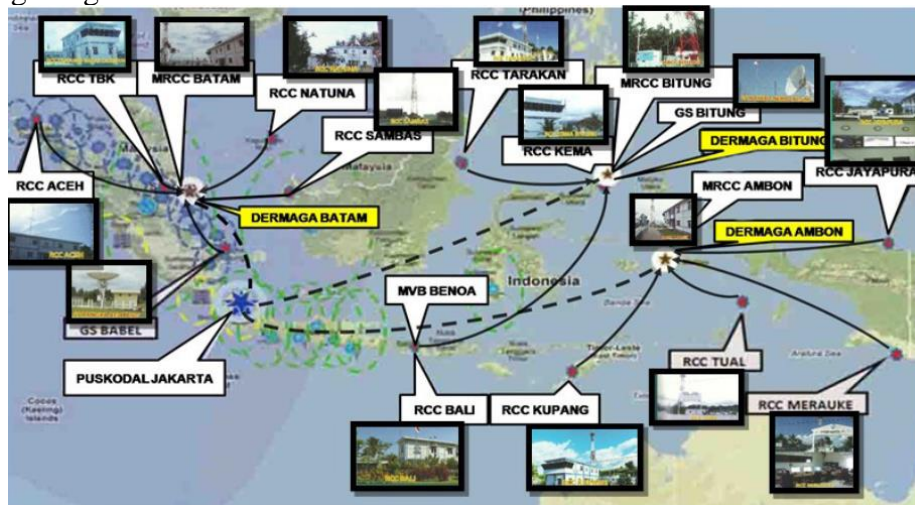
Patrol Ship

The patrol boats owned by Bakamla are 5 units of the catamaran type and 48 meter boats named KN Singa Laut and KN Kuda Laut. Bakamla has new ships, namely the Sea Eel, Starfish and Elephant Sea. In the future, Bakamla plans to add 30 ships.

Bakamla has the National Picture Compilation (NPC), an information technology system developed by utilizing access from two main satellites, namely Inmarsat and Vsat, which are also used by the Ministry of Transportation and KKP. NPC integrates weather forecast data, basic earth maps, current patterns, fishing ground maps, and information from the Vessel Monitoring System (VMS). All this information is integrated in the Bakamla Integrated Information System (BIIS) which has been developed since 2007.

Bakamla also has a Maritime Regional Crisis Center (MRCC) and a Regional Crisis Center (RCC) is a monitoring station spread throughout Indonesia, especially to monitor the

Indonesian Archipelagic Sea Lanes (ALKI). The station is equipped with radar, AIS, Long Range Camera and other communications equipment. The location of MRCC and RCC can be seen in the following image.



Maritime Regional Crisis Center (MRCC)

Source: Munaf, M. S, 2015.

In the context of maritime security, Bakamla emphasizes the synergy and integration of Early Warning System (EWS) and Information and Communication Technology (ICT) infrastructure. This aims to increase effectiveness and efficiency in maintaining maritime security and safety in waters and areas of national jurisdiction.

ways

In this context, the author considers that BAKAMLA has various methods that can be used to carry out its duties and responsibilities in maritime safety patrols, including:

Internal institutional strengthening

Several institutions are involved in enforcing maritime security in Indonesia. Management of maritime law and safety is carried out by various Ministries and Institutions, there are 12 (K/L). This situation results in a lack of efficiency in maritime security because each agency or ministry has different approaches, policies, infrastructure and human resources. These institutions are not integrated into a single system that includes overall command and control. (Wasisto, 2015).

The steps to create maritime security and law enforcement institutions based on Pancasila legal principles are as follows: First, increase understanding and application of Indonesian maritime geopolitics in all maritime security and law enforcement institutions as well as establishing non-military civil institutions that have authority in law enforcement at sea. Second, structuring maritime security and law enforcement institutions based on Pancasila values including: 1) increasing awareness and understanding of the archipelago insight in all maritime security and law enforcement institutions; 2) comprehensive, integral and holistic national maritime policy; 3) stabilization of national maritime security to support national development; 4) structuring non-military civil institutions and revising the multi-agency single function policy to become a single agency with multi functions which has the authority to enforce maritime law; and 5) optimizing Bakamla as a national maritime security information center to increase overall security stability (Saifulloh, P. P. A., & Simabura, C. 2023).

According to A.F. Stone James quoted by Susanto and Munaf, collaboration between parties working together can produce three levels of communication. First, at low levels of cooperation and trust, defensive and passive communication patterns can emerge. Second, at a high level of cooperation and trust, a respectful communication pattern of mutual respect and compromise is formed. Third, with good cooperation and trust, synergistic communication patterns can be formed which produce output that is greater than the sum of the results of each

party. This concept can be applied to various institutions that have authority in maritime security, and synergy between these institutions can create greater power to maintain security stability at sea. (Kusuma, A. W., 2021).

External institutional strengthening

Diplomacy is an effort made by entities in the context of international relations to achieve their goals peacefully without triggering further conflict. Diplomacy is often associated with the use of non-military force, known as soft power, while aiming to avoid the use of military force, or hard power. The state is one of the main actors that intensively uses diplomacy to achieve its national interests on the international stage. (Samy, M., & Kusumadewi, J. A., 2021).

Maritime diplomacy includes three main aspects that reflect the strategies of various countries in the international arena. First, the focus of cooperative diplomacy is on cooperation between countries through activities such as visits to ports, carrying out joint exercises, and maritime security operations. and humanitarian assistance. The goal is to expand diplomatic influence, strengthen alliances, and build trust between the countries. Meanwhile, persuasive diplomacy aims to gain recognition of maritime powers and build credibility at the international level. without impacting the policies of other parties. Even though it is often less popular because the results are difficult to predict, persuasive diplomacy has a crucial role in confirming the presence of maritime power. Third, coercive maritime diplomacy takes an expressive form in showing potential threats or the application of force in maritime areas to coerce opponents or as a form of pressure to achieve political goals. This is the latest trend in involving navies, coast guards, and other maritime forces to maintain maritime safety and achieve foreign policy goals (Suproboningrum, L, 2018).

Joko Widodo's government implemented a soft approach to build maritime awareness among Indonesia's young generation, after making strong efforts such as maritime doctrine and Maritime Domain Awareness. The main focus of this approach is to strengthen maritime diplomacy through maritime boundary negotiations, maritime cooperation and defense. Indonesia also plays an active role in ASEAN, IORA and IOM, integrating maritime diplomacy approaches through regional forums and multilateral organizations. Overall, these steps reflect a commitment to making Indonesia a maritime country with a global presence through cooperation, dialogue and collaboration (Prasetyo, K. A., 2021). The steps taken by the government related to international network drug prevention and safety patrols as well as other collaborative relationships are of course taken with commitment and cooperation with various countries

CONCLUSION

The Maritime Security Agency has a very strategic role in maintaining maritime security. Based on the juridical aspect, Bakamla is a coast guard whose task is to coordinate existing institutions or ministries. In the theory of the means, ways, end strategy presented by Arthur F. Lykke (1989), it is hoped that it can become an analytical tool that can synergize, transform the Indonesian Coast Guard into a strong one and can guarantee maritime safety and security in Indonesia's jurisdiction. In the mean, ways, end strategy theory, two things can be concluded in terms of internal institutional strengthening, including; First, increasing understanding and application of Indonesian maritime geopolitics. Second, the arrangement of maritime security and law enforcement institutions based on Pancasila values. Then, collaboration between working parties can produce three levels of communication. And external institutional strengthening can be achieved through maritime diplomacy to maintain cooperative and training relations with the International Coast Guard.

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