



## The authority of the Marine Security Agency Republic Indonesia in enforcing the law of the sea in Indonesia

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### Abstract

The Unitary State of the Republic of Indonesia is an archipelagic state as mandated by Article 25 of the 1945 Constitution of the Republic of Indonesia concerning the territorial of the state. The sea area that stretches around Indonesia brings abundant natural resources, both biological and non- biological resources for the benefit of national development. With the many advantages that Indonesia has, it will certainly be accompanied by security and safety issues in Indonesian waters. In an effort to realize security and safety in the territory of Indonesia and also with the intention to build Indonesia into a world maritime axis, Indonesia formed the Maritime Security Agency (Bakamla). The lack of regulations while Bakamla operates makes this institution not optimal in carrying out its duties. Therefore, for parties who are members of Bakamla, the issuance of Government Regulation Number 13 of 2022 concerning the Implementation of Security, Safety and Law Enforcement in Indonesian Waters and Jurisdiction is an opportunity to be able to exercise their authority without overlapping with other related institutions. This journal research uses normative juridical research methods by reviewing Law Number 32 of 2014 concerning Marine Affairs and Government Number 13 of 2022 concerning the Implementation of Security, Safety, and Law Enforcement in Indonesian Waters and Jurisdiction as a comparison within the authority of Bakamla. Seeing Government Regulation Number 13 of 2022 concerning the Implementation of Security, Safety, and Law Enforcement in Indonesian Waters and Jurisdiction, of course, must provide readiness for Bakamla to prepare everything. Given that Bakamla's condition is so limited, a large budget is needed to prepare Bakamla as a Coordinator in the administration of security, safety and law enforcement in Indonesian waters and jurisdictions.

**Keywords:** Authority, Marine security agency, law of the sea

### Introduction

#### a. Background

Indonesia is one of the largest archipelagic countries in Asia and even in the world. This is proven by the number of islands recorded in the territory of Indonesia, which reaches 17,499 islands. This number consists of 13,446 islands that have names and only 6,000 islands that have residents. Although for now there is still a need to re-collect data due to the reduction in the number of islands caused by tides.

The Unitary State of the Republic of Indonesia is an archipelago as mandated by Article 25 of the 1945 Constitution of the Republic of Indonesia concerning the territory of the state. The vast sea area surrounding Indonesia brings abundant natural resources, both biological and non-biological resources for the benefit of national development.

Given the important function of the sea for the Indonesian people, the Indonesian people are obliged to manage, maintain, utilize and preserve this sea area as mandated in Article 33 of the 1945 Constitution of the Republic of Indonesia. The importance of the function of the sea often raises various threats, including smuggling illegal fishing, pollution of the marine environment, disposal of hazardous and toxic waste (B3), etc.

Apart from being an archipelago, Indonesia also has unique marine characteristics that are used as international transportation routes supported by its geostrategic position. For this advantage, Indonesia deserves to become the world's maritime axis. With the many advantages that Indonesia has, it will certainly be accompanied by security and safety issues in Indonesian waters. In an effort to realize security and safety in Indonesian territory and also

accompanied by the intention to build Indonesia into a world maritime axis, Indonesia formed the Marine Security Agency (Bakamla).

Government Regulation (PP) No. 13 of 2022 on the Implementation of Security, Safety, and Law Enforcement in Indonesian Waters and Jurisdiction on March 11, 2022 places the Republic of Indonesia Marine Security Agency (Bakamla RI) as the coordinator of relevant ministries and institutions in the field of security, safety, and law enforcement at sea. The role of Bakamla RI as a coordinator itself without taking over the authority of related ministries and institutions in terms of organizing security, safety, and law enforcement at sea in Indonesia.

Given that in the previous regulation the role of Bakamla was regulated in Law Number 32 of 2014 concerning Maritime Affairs, the researcher raised the title "The Authority of the Republic of Indonesia Marine Security Agency in Enforcing Marine Law in Indonesia" in order to provide a deeper discussion of the authority of Bakamla both from previous regulations and regulations that have been issued at this time.

Bakamla, which is a replacement for Bakorkamla, is mandated by Indonesia as the Coast Guard. Whereas the Coast Guard has previously been carried by the Sea and Coast Guard Unit (KPLP), it raises the question of whether the establishment of Bakamla is beneficial for Indonesia or not. Bakamla is considered useless when compared to KPLP which is also mandated as a Coast Guard, because in carrying out security in Indonesian waters some of the duties, functions and authorities of Bakamla are sometimes not in accordance with the legal basis. This is done in order to reduce the number of crimes at sea that are increasingly

occurring in the territorial waters of Indonesian jurisdiction.

### b. Problem Formulation

Based on the above background, the formulation of the problem in this study is how the authority of the Republic of Indonesia Marine Security Agency in enforcing marine law in Indonesia?

### c. Method

The approach method used in the preparation of this research is normative juridical research. This research is also known as the literature approach, namely by studying books of legislation and other documents related to this research. This research refers to Law Number 32 of 2014 concerning Maritime Affairs and Government Regulation Number 13 of 2022 concerning the Implementation of Security, Safety and Law Enforcement in Indonesian Waters and Jurisdiction.

### d. Literature Review

#### 1. Authority of Bakamla

The word authority comes from the root word *wewenang* which is defined as the authority, right and power to do something. Authority is what is called legislative power (granted by law) or administrative executive power. Authority, which usually consists of several authorities, is power over a certain group of people or power over a field of government.

Authority itself according to the Big Indonesian Dictionary (KBBI) is "the power to make decisions to order and delegate responsibility to others." Authority in general is the scope of power that a person or group has to rule, regulate, and carry out tasks in their respective fields. Authority is an element of the power that a person has. In power, usually a power holder has the authority to exercise his power in accordance with the authority given to him. According to Kaplan, authority is a formal power that has the right to issue orders and make regulations and has the right to expect compliance with regulations.

Ateng Syafrudin argues that there is a difference between the notions of authority and power. Authority is what is given by law, while authority is only about a certain "onderdeel" (part) of authority. Within the authority there are authorities (*recht voegdheden*). Authority is the scope of public legal action, the scope of government authority, not only includes the authority to make government decisions (*bestuur*), but includes authority in the context of carrying out tasks, and granting authority and distributing authority mainly applied in legislation.

In public law, authority is related to power. Power has the same meaning as authority because the powers possessed by the executive, legislature and judiciary are formal powers. Power is an essential element of a State in the process of governance in addition to other elements, namely

- a. law
- b. authority
- c. justice
- d. honesty
- e. e.wisdom and
- f. f.virtue.

#### 2. Bakamla Law Enforcement

The Republic of Indonesia Marine Security Agency (Bakamla) acts as the main coordinator in law enforcement

in Indonesian waters. Here are some important aspects of law enforcement by Bakamla, among others, Law Enforcement Coordination, Bakamla is tasked with synergizing various agencies that have authority at sea, such as the Indonesian Navy, Polairud, Ministry of Maritime Affairs and Fisheries, and Customs. With the existence of Government Regulation No. 13 of 2022, Bakamla is strengthened as a coordinator in the preparation of marine security policies and national patrol plans.

As Patrol and Surveillance, Bakamla conducts security and safety patrols in Indonesian waters and Indonesian jurisdiction. The main focus is to prevent smuggling, illegal fishing and maritime boundary violations. Also as Advocacy and Legal Guidance, Bakamla provides Legal Service Post (*Posyankum*) to provide legal advocacy for personnel and related parties in facing legal issues at sea. This advocacy includes legal protection for fishermen, maritime border issues, and sustainability of marine resources.

Bakamla also has challenges in law enforcement where there are still overlapping authorities between various agencies operating at sea. Sectoral egos often hamper the effectiveness of law enforcement, so better coordination is needed. With its strategic role, Bakamla is expected to strengthen Indonesia's maritime security and ensure more effective law enforcement in the territorial waters.

### Discussion

#### a. Authority of the Republic of Indonesia Marine Security Agency

The authority originating from the people is delegated to the President. Then the president as the person in charge of the central government through the law submits and / or delegates some of its authority to the regions by means of decentralization, deconcentration and co-administration.

As an archipelago, Indonesia has a configuration as well as a challenge for other countries to enjoy its natural resources. This condition places Indonesia in an important position and role in international relations as the center of gravity in the Asia-Pacific region. Indonesia's position between two continents and two oceans also does not escape the high vulnerability to threats and influences from outside. This geographical position is widely exploited by outsiders who conduct illegal or unauthorized activities in Indonesian waters.

To synergize the implementation of security and safety patrols in the sea area carried out by several related enforcement agencies, one Agency was formed, namely the Marine Security Agency (Bakamla). In terms of coordinating the prosecution, investigation, and preliminary investigation of violations of the law at sea, Bakamla established the Law Enforcement Unit which is a forum unit represented by all agencies that have authority in the field of law enforcement at sea. The unit is under and responsible to the Head of Bakamla, which is an elaboration of the Regulation of the Head of the Marine Security Agency Number PER001/KEPALA/BAKAMLA/V/2015 concerning Organization and Work Procedures of the Marine Security Agency.

On March 11, 2022, a regulation was issued, namely Government Regulation Number 13 of 2022 concerning the Implementation of Security, Safety, and Law Enforcement in Indonesian Waters and Jurisdiction. Government Regulation (PP) Number 13 Year 2022 on the

Implementation of Security, Safety, and Law Enforcement in Indonesian Waters and Jurisdiction is the second highest regulation after Law Number 32 Year 2014 on Maritime Affairs that regulates the institution of Bakamla. This regulation officially existed when Bakamla was officially established in 2014, and after officially operating, the government only issued one regulation related to its existence, namely Presidential Regulation (Perpres) Number 178 of 2014 concerning the Marine Security Agency and after that there were no more regulations until the issuance of Government Regulations.

So far, the existing institutions that carry out these functions are not integrated in an institution, so they have not been able to run optimally. The practice so far shows that law enforcement, security and safety at sea carried out by patrol units from various Agencies / Ministries have not been able to create marine security in Indonesian waters, this will be difficult to achieve because each of the relevant Agencies / Ministries has different strategies / policies, equipment (infrastructure), human resources, not in an integrated system, and in unity of command and control. So it is understandable if in its implementation there is often overlapping authority and friction between agencies and even sectoral ego between agencies or institutions is likely to occur.

By uniting / integrating the authority in one agency, it will be easier to coordinate and control because the command and control is in one hand (not sectoral). The Marine Security Agency was formed as a forum for integrating all or part of the functions or authorities to carry out law enforcement, security and safety at sea which have been carried out sectorally in stakeholders (related ministries / agencies).

However, Law No. 32/2014 on Maritime Affairs does not explicitly explain who has the right to integrate and control in a unified command, with such conditions, it is necessary to have firmness in the form of government regulations that emphasize and designate that Bakamla is authorized to synergize and command law enforcement at sea.

The lack of regulations during Bakamla's operation makes this institution not optimal in carrying out its duties. Therefore, for those who are members of Bakamla, the issuance of Government Regulation No. 13 of 2022 concerning the Implementation of Security, Safety and Law Enforcement in Indonesian Waters and Jurisdiction is an opportunity to be able to exercise their authority without overlapping with other related institutions.

Article 2 of Government Regulation No. 13 of 2022 on the Implementation of Security, Safety and Law Enforcement in Indonesian Waters and Jurisdictional Areas explains that the regulation of the implementation of security, safety and law enforcement in Indonesian Waters and Indonesian Jurisdictional Areas aims to provide legal certainty, defined as the clarity of norms so that it can be used as a guideline for people who are subject to this regulation. The notion of certainty can be interpreted that there is clarity and firmness towards the enactment of law in society. This is done so as not to cause many misinterpretations. Therefore, legal certainty is the certainty of the rule of law, not the certainty of actions against or actions in accordance with the rule of law. The legal certainty here aims to provide confirmation of Bakamla's authority in Government Regulation Number 13 of 2022 concerning the Implementation of Security,

Safety and Law Enforcement in Indonesian Waters and Jurisdiction.

Providing security and safety protection at sea is the responsibility of Bakamla to prevent violations or crimes that occur in Indonesian waters. Ulum argues that effectiveness is basically related to the achievement of policy objectives or targets (results in use) Effectiveness is the relationship between output and goals or objectives that must be achieved. Operational activities are said to be effective if the activity process achieves the ultimate goals and objectives of the policy.

Efficiency is a measure of success that is assessed in terms of the amount of resources / costs to achieve the results of the activities carried out. In other words, the relationship between what has been accomplished. So the concept of efficiency will be created if the desired output can be produced optimally with only relatively fixed inputs, or if the smallest possible input can produce optimal output.

Bakamla in carrying out patrols must also prioritize effectiveness and efficiency in order to achieve the objectives of the issuance of Government Regulation Number 13 of 2022 concerning the Implementation of Security, Safety and Law Enforcement in Indonesian Waters and Jurisdiction, as stipulated in Article 2 paragraph (1) and paragraph(2).

In the implementation of security, safety, and law enforcement in Indonesian Waters and Indonesian Jurisdiction as stipulated in Article 3 of Government Regulation Number 13 of 2022 concerning the Implementation of Security, Safety, and Law Enforcement in Indonesian Waters and Jurisdiction is carried out by

- 1.Minister
- 2.Agency
- 3.Related Agencies and
- 4.Technical Agencies

The Agency acts as the coordinator of ministries/agencies in international forums in the field of security, safety, and law enforcement at sea in accordance with the provisions of regulations in the field of foreign relations as described in Article 4 paragraph (2) of Government Regulation Number 13 of 2022 concerning the Implementation of Security, Safety, and Law Enforcement in Indonesian Waters and Jurisdiction. In the regulation, the authority will only belong to Bakamla.

Article 4 paragraph (3) of Government Regulation Number 13 of 2022 on the Implementation of Security, Safety, and Law Enforcement in Indonesian Waters and Jurisdiction explains that the Related Agencies consist of ministries that carry out functions in the fields of customs, supervision of marine and fisheries resources, shipping, as well as the Indonesian National Army and the Indonesian National Police.

Technical Agencies consist of ministries/institutions that have functions in the fields of foreign relations, domestic government, defense, trade, environment and forestry, immigration, energy and mineral resources, culture, health, supervision of nuclear activities, drug and food control, quarantine, prevention and eradication of narcotics trafficking, counter-terrorism, search and rescue, disaster management, hydro-oceanography, meteorology climatology and geophysics, sensing and space, intelligence, and cyber and coding.

## **b. Marine Law Enforcement in Indonesia carried out by the Marine Security Agency of the Republic of Indonesia**

Law enforcement is defined as a means of driving societal renewal whose emphasis is on the formation of laws and regulations by the legislature. Law enforcement can also be interpreted as a process to realize the wishes of the law into reality. The purpose of legal desires here is the mind of the lawmaking body formulated in legal regulations. The formulation of law-making thoughts as outlined in the rule of law, also determines how enforcement is carried out.

Law enforcement in terms of its subjects, is a law enforcement effort that involves all legal subjects in every legal relationship. Anyone who carries out normative rules based on the norms of the applicable rule of law, means that he enforces the rule of law.

Law enforcement in this sea area is very difficult because it must understand the boundaries of the territory / territorial area so that law enforcement agencies are needed that specifically enforce the law in the sea area of Indonesia. Law enforcement agencies in the sea area consist of the Marine Security Agency (Bakamla), POLRI, the Indonesian Navy, the Sea and Coast Guard Unit (KPLP), Civil Servant Investigators (PPNS), Customs and Excise Officials, and other law enforcement agencies. The number of law enforcement agencies in the sea area causes overlapping authority. This happens because each law enforcer has a policy whose contents almost intersect, which results in law enforcement in the sea area not running optimally.

In the implementation of Law No. 32/2014 on Maritime Affairs which mandates the establishment of Bakamla, Presidential Regulation No. 178/2014 on the Marine Security Agency (Bakamla) has been established. The Presidential Regulation stipulates the position, duties, and functions, as well as the authority of Bakamla. In one of its functions, it is stated that Bakamla has a function to carry out guarding, supervision, prevention, and prosecution of violations of the law in Indonesian waters and Indonesian jurisdiction. This is an effort and solution to the ineffective and inefficient implementation of law enforcement at sea organized by various agencies and will be synergized in one place, namely Bakamla. For this reason, Indonesia needs a special agency / institution to synergize the implementation of security patrols carried out by related enforcement agencies, so the Marine Security Agency (Bakamla) was formed.

If examined in Article 61 of Law Number 32 of 2014 concerning Maritime Affairs, Bakamla's duties are very broad, but such a broad task has not been equipped with adequate patrol facilities and infrastructure. Bakamla's patrol vessels are small in size and are only able to patrol the territorial sea and have not been able to reach the high seas and the Indonesian Exclusive Economic Zone (ZEEI). Whereas the high seas and ZEEI are Bakamla's areas of responsibility that must be guarded given the threats or disturbances that may occur. The threats and disturbances that may occur are

1. The existence of threats to violence, namely threats using organized armed forces that have the ability to disrupt and endanger both personnel and materials and threats to the state. These threats can be in the form of threats of piracy, threats to piracy, threats to sabotage activities of national vital objects at sea, threats to the spread of mines and threats to acts of terror at sea.

2. Threats to navigation hazards, namely threats posed by geographic and hydrographic conditions and inadequate navigation facilities and aids, such as beacons, buoys and others that do not function properly, so as to endanger shipping safety.
3. Threats to the destruction of marine resources, namely in the form of marine pollution and destruction of marine ecosystems, as well as conflicts over marine resource management, so that they have a tendency to be easily politicized and will then be followed by the deployment of military forces, for example in island disputes and border disputes.
4. Threats to violations of the law, namely activities carried out in violation of applicable laws and regulations both nationally and internationally, the types of violations that are often carried out include threats to illegal fishing activities, threats to illegal logging, threats to smuggling and various other forms of violations.

Bakamla as a single non-military body has a task as stated in Article 59 paragraph (3) of Law Number 32 of 2014 concerning Maritime Affairs, namely to carry out security and safety patrols in Indonesian waters and Indonesian jurisdictional areas as stated in Article 62 of Law Number 32 of 2014 concerning Maritime Affairs carrying out the following functions namely Formulating national policies in the field of security and safety in Indonesia's marine territory; Organizing an early warning system for security and safety in the Indonesian sea area; Carrying out guarding, surveillance, prevention, and prosecution of violations of the law in the Indonesian sea area; Synergizing and monitoring the implementation of water patrols by relevant agencies; Providing technical and operational support to relevant agencies; Providing search and rescue assistance in the Indonesian sea area; and Carrying out other tasks that are still within the national defense system.

Bakamla ships do not have the status of State Ships and Bakamla personnel also do not have the status of investigators. As a result, Bakamla ships are not entitled to conduct hot pursuit because the ship does not have the status of a State Ship and Bakamla personnel do not have the status of law enforcement officers or investigators. Or in other words, the implementation of hot pursuit that will be carried out by Bakamla actually violates the law. Since Bakamla is not an investigator, it does not have the authority to stop, inspect or arrest vessels. The arrest of a vessel by Bakamla is an unlawful act, and can be categorized as piracy at sea.

In order to carry out its duties and functions, Bakamla also has the authority to implement a unified command and control in Indonesian waters and Indonesian jurisdiction as stated in Article 63 paragraph (1) of Law Number 32 Year 2014 on Maritime Affairs, namely Conducting instant pursuit; Stopping, examining, arresting, bringing, and handing over vessels to the competent authority for further legal proceedings; and Integrating security and safety information systems in Indonesian waters and Indonesian jurisdiction.

Furthermore, Article 63 paragraph (2) of Law Number 32 of 2014 concerning Maritime Affairs emphasizes that the authority as referred to in paragraph (1) is carried out in an integrated and unified manner in a single command and control unit. From this article, it is clear that the principle of

Law Number 32 of 2014 concerning Maritime Affairs is to unite all agencies under one command. Bakamla wants to be made the sole authority at sea. Meanwhile, the law does not clearly explain which agencies will be unified. This will intersect again with the duties of the Indonesian Navy.

Law enforcement is not possible with the principle of one command or single agent multi task. In law enforcement, the principle that can be used is single agent single task. This is because each agency has been regulated by laws that have the same legal force. Therefore, Bakamla itself must also have its own rules that have the same legal force as other agencies involved in the implementation of law enforcement at sea, especially in Indonesian waters.

Article 64 of Law Number 32 of 2014 concerning Maritime Affairs states that national policies in the field of security and safety in Indonesian waters and Indonesian jurisdiction as referred to in Article 62 letter a are stipulated by the president. However, the Presidential Decree in question has not yet been issued, this will affect the duties of Bakamla. Bakamla's extensive duties do not yet have and have not been supported by a presidential decree. Therefore, on March 11, 2022 President issued Government Regulation No. 13 of 2022 on the Implementation of Security, Safety, and Law Enforcement in Indonesian Waters and Jurisdiction to provide a detailed explanation of Bakamla's duties in enforcing marine law in Indonesian seas.

One of the marine security tasks is patrols carried out by the Agency and Related Agencies in accordance with statutory provisions, namely in the form of joint patrols, independent patrols and coordinated patrols as stipulated in Article 9 of Government Regulation Number 13 of 2022 concerning the Implementation of Security, Safety and Law Enforcement in Indonesian Waters and Jurisdiction. This joint patrol is organized by Bakamla RI by cooperating with related agencies and technical agencies. Meanwhile, independent patrols are organized by Bakamla RI together with related agencies and can involve technical agencies. Meanwhile, coordinated patrols are patrols organized by Bakamla RI and related agencies with law enforcement agencies of other countries in the region based on bilateral or multilateral cooperation agreements.

Article 17 of Government Regulation No. 13 of 2022 on the Implementation of Security, Safety, and Law Enforcement in Indonesian Waters and Jurisdiction explains that in the implementation of patrols as referred to in Article 9, the Agency and Related Agencies may conduct inspections of ships, installations, buildings, and artificial islands in Indonesian Waters and Indonesian Jurisdiction in accordance with the provisions of laws and regulations. The inspection is carried out selectively based on risk management, unless there is a strong suspicion that there has been a violation at sea. This selective inspection is carried out by considering alleged violations, smooth sailing, and data from information systems as stipulated in Article 18 paragraph (2) of Government Regulation Number 13 of 2022 concerning the Implementation of Security, Safety and Law Enforcement in Indonesian Waters and Jurisdictions.

Article 22 paragraph (2) of Government Regulation Number 13 of 2022 concerning the Implementation of Security, Safety, and Law Enforcement in Indonesian Waters and Jurisdictional Areas states that law enforcement in Indonesian Waters and Indonesian Jurisdictional Areas is carried out by the Agency, Related Agencies, and Technical

Agencies in accordance with the provisions of laws and regulations. Law enforcement carried out by the Agency as referred to in paragraph (1) includes data and information collection activities; Enforcement; and Submission of enforcement results.

In collecting data and information carried out by Bakamla, it aims to be able to examine every ship that has committed an offense in Indonesian waters and also identify which ships are allowed to sail in accordance with shipping regulations in Indonesian seas.

Bakamla RI can take action when Bakamla finds sufficient preliminary evidence or is caught red-handed, Bakamla submits the results of the action to the agency that has the authority to investigate for the implementation of the next legal process.

In carrying out the submission of the results of the action, of course Bakamla will cooperate with other agencies as an effort to prevent smuggling of goods that are considered unlawful in crossing the sea area in Indonesian Waters. Article 24 paragraph (3) of Government Regulation Number 13 of 2022 concerning the Implementation of Security, Safety, and Law Enforcement in Indonesian Waters and Jurisdiction describes the submission of results as referred to in paragraph (2) must be accompanied by the results of the examination, at least containing an incident report; Picture of the situation of pursuit and prosecution / oleat map; Statement about the position of the ship; Warrant and minutes of inspection of ships, people, and cargo; Minutes of arrest; Warrant and report of arrest and minutes of carrying vessels and people.

Submission of results is carried out immediately to the agency that has the authority in accordance with the provisions of laws and regulations. The submission of the results of the prosecution must be submitted in full with the minutes of the handover of the results of the prosecution for further legal proceedings. Agencies that have the authority to investigate are obliged to receive and follow up the results in accordance with the provisions of the invitation regulations. If the agency that has the authority to investigate refuses to submit and/or does not follow up on the results of the enforcement carried out by the Agency, the agency is required to report to the Minister within 7 (seven) days from the date of submission accompanied by legal reasons.

Article 28 paragraph (1) of Government Regulation Number 13 of 2022 concerning the Implementation of Security, Safety, and Law Enforcement in Indonesian Waters and Jurisdiction explains that in integrating information systems, the Liaison System Agency develops facilities and infrastructure supporting system integration; and human resource capacity.

In order to establish the information system, Bakamla invited technical and related agencies, in accordance with Government Regulation Number 13 of 2022 concerning the Implementation of Security, Safety, and Law Enforcement in Indonesian Waters and Jurisdiction. The working team is expected to operate the system, conduct data and information analysis that is expected to maintain maximum maritime security and safety, and support government programs in realizing Indonesia as a world maritime axis.

Seeing Government Regulation No. 13 of 2022 concerning the Implementation of Security, Safety and Law Enforcement in Indonesian Waters and Jurisdiction, of course, must provide readiness for Bakamla to prepare

everything, especially since Bakamla will be the coordinator between the National Police, the Indonesian Navy and the Ministry of Maritime Affairs and Fisheries as well as other related institutions in protecting the sea in Indonesian waters so that Bakamla will become a mainstay for the community regarding any problems that occur in the sea area. Therefore, what is needed now is the strengthening of Bakamla. Considering that the condition of Bakamla is so limited both from infrastructure facilities to human resources that there are not too many, a large budget is needed to prepare Bakamla as the Coordinator in organizing security, safety and law enforcement in Indonesian waters and jurisdictions.

### Conclusion

The conclusion regarding the authority of the Republic of Indonesia Marine Security Agency (Bakamla) in marine law enforcement in Indonesia can be summarized as follows Bakamla has a strategic role as the main coordinator for various agencies authorized in law enforcement at sea, such as the Indonesian Navy, Polairud, and the Ministry of Maritime Affairs and Fisheries. With this authority, Bakamla is tasked with formulating marine security policies, conducting patrols, and ensuring synergy between agencies. In order to enforce the law in Indonesian waters, Bakamla conducts patrols and surveillance to prevent legal violations such as illegal fishing, smuggling, and maritime boundary violations. This activity is carried out to maintain marine sovereignty and protect maritime resources.

Bakamla also plays a role in providing legal advocacy for fishermen and coastal communities affected by maritime policies. Through the Legal Service Post (Posyankum), Bakamla ensures that law enforcement is not only repressive but also educative. Despite its broad authority, Bakamla still faces challenges such as overlapping authority with other agencies and sectoral ego that can hinder the effectiveness of coordination. Therefore, improving regulations and synergy between agencies are the main keys in optimizing the role of Bakamla.

Overall, Bakamla plays an important role in maintaining security and law and order in Indonesian waters by prioritizing coordination, patrols, and legal advocacy. However, optimizing this role still requires refining regulations and increasing cross-sectoral synergies to face existing challenges.

### References

1. Arief Kresna Law. "Arief Kresna," January 5. <http://ariefkresnalaw.wordpress.com>. Atmosudirjo, S. Prajudi. State Administrative Law. Jakarta: Ghalia Indonesia, n.d, 2018.
2. Azis, Nazili Abdul. "The Authority of the Marine Security Agency (Bakamla) in the Implementation of Security in Indonesian Waters." *Diponegoro Law Journal*, 2017;5(4):1-13.
3. Damang. "Definition of Authority." Accessed June 30, 2022. <http://www.negarahukum.com/hukum/pengertian-kewenangan.html>.
4. Hadjon, Philipus M. "ABOUT AUTHORITY." *Yuridika*, 1997;(7):5-6. <https://doi.org/10.20473/ydk.v7i5-6.5769>.
5. Hidayat Taufik. "Implementation of Effective and Efficient Principles in Monitoring Research Activities." *Planner Media Magazine*, 2021;2(1):42-50.
6. "Ministry of Home Affairs (MOHA).," Accessed June 29, 2022. <http://kemendagri.go.id/news/2012/07/13/pulau-lari-larian-segera-didaftarkan-ke-pbb>.
7. Mauna Boer. *International Law: Understanding the Role and Function in the Era of Global Dynamics*. Alumni, 2001.
8. Munaf MS. "Study of Bakamla's Synergized Operating System in accordance with Law Number 32 of 2014 concerning Maritime Affairs." *Journal of Sociotechnology*, 2015;14(3):273-88.
9. Puasa Rafly Rilandi, Johny Lumolos, and Neni Kumayas. "Village Government Authority in Improving the Economy in Mahangiang Village, Tagulandang District, Sitaro Islands Regency." *Executive Journal*, 2018, 1(1).
10. Samiaji Ranu. "Harmonizing the Authority of State Institutions in Tackling Illegal Fishing Crimes in Indonesian Waters." PhD Thesi
11. Sunyowati Dina, Enny Narwati. *Textbook of the Law of the Sea*. Airlangga University Press, 2013.
12. Susanto, Dicky Munaf R. *Command and Control of Marine Security and Safety: Based on Early Warning System*. Jakarta: Gramedia Pustaka Utama, 2015.
13. Syafrudin Ateng. "Towards a Clean and Responsible State Administration." *Pro Justisia Journal Issue IV*, Parahyangan University, Bandung, 2000.
14. Trisianty Denisa. "Government Regulation on the Role of Bakamla Officially Enacted" [https://m.rri.co.id/Nasional/Law/1393144/Government Regulation on the Role of Bakamla Officially Enacted](https://m.rri.co.id/Nasional/Law/1393144/Government%20Regulation%20on%20the%20Role%20of%20Bakamla%20Officially%20Enacted), 2022. <https://m.rri.co.id/nasional/hukum/1393144/peraturan-pemerintah-terkait-peran-bakamla-resicially-enacted>.
15. Wasisto, Gentur. "The Authority of Bakamla in Law Enforcement of Certain Crimes at Sea Based on Law No. 32/2014 on Maritime Affairs." PhD Thesis, Brawijaya University, 2015.
16. Zakky. "Geographical Conditions of Indonesia Along with the State of Population & Its Influence." *ZonaReference.com* (blog), January 16, 2018. <https://www.zonareferensi.com/kondisi-geographical-indonesia/>.
17. 1945 Constitution of the Republic of Indonesia Law Number 32 of 2014 concerning Maritime Affairs
18. Government Regulation No. 13 of 2022 on the Implementation of Security, Safety, and Law Enforcement in Indonesian Waters and Jurisdictions 12