

The Analysis Of Maritime Pacification Strategies In Security And Defense Aspects At The Unitary State Of Indonesia Republic(Case Study About Second Sea Channel Of Indonesia Archipelago)

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Abstract : Sea Security Agency (BAKAMLA) has been given some mandates by Article 59 Verse (3) Law No 32/2014 on Maritime Affair. These mandates involve conducting immediate pursuit, stopping, checking, capturing, making into delivery and handing over the suspected vessel to the in-charge institution to be prosecuted by the law as consistent with Article 63 Verse (1) Law No 32/2014 on Maritime Affair. This research is aimed to understand and analyze the success rate of policies designed to control, supervise, and protect maritime security; to investigate problem constraining the implementation of regulation; and to understand security and defense strategies that shall be proper for Second Sea Channel of Indonesia Archipelago (ALKI II). Some results of this research can be explained as follows. The discretion given to Maritime Command for Eastern Fleet of Indonesia Republic (Koarmatim) is to conduct fostering on naval strengths available and to use them as needed. The fostering of naval strengths is administered by Naval Headquarter (MABESAL), whereas the discretion to use these strengths for supporting Koarmatim operation is directly held by the Commander of Indonesia National Force (TNI). Moreover, Second Sea Channel of Indonesia Archipelago (ALKI II) is a place where TNI organizes enforcements of sovereignty and law. Sovereignty enforcement concerns with territory while law enforcement is related with the activity of human being in the territory. The existence of Second Sea Channel of Indonesia Archipelago (ALKI II) emanates from UNCLOS 1982 which gives a right for any states to have archipelagic water. This right is given by a condition that the state has determined its sea channel and the state itself shall free and secure this sea channel from any threats. Koarmatim has a discretion to maintain the security of water region at Sea Channel of Indonesia Archipelago (ALKI) and to make sure that ALKI will facilitate transportation and liaison structures used by sea users based on Koarmatim's terms. Pacification of water region at ALKI is done through the operationals related with sovereignty and law enforcements. Some factors are constraining Koarmatim from using its discretion for pacification. Patrol elements such as patrol boat, scout plane, and medium-haul intelmar, are not supportive due to few numbers of them. Logistic for these elements is not always available at the front naval base. The infrastructures of communication and information system that administers sea-based security data are not yet integrated. There is yet no priority given to the capacity building for human resource to support law enforcement activity on the sea. Koarmatim still does routine operations to deter threats and disturbances, and also to provide the feel of comfort for any activities passing through Indonesian waters despite very rare violation against the law at Second Sea Channel of Indonesia Archipelago (ALKI II). Strategies developed by Koarmatim to utilize its capacities and strengths are still depending on situation of threats happening. The mitigation of threats can be done either with Warfare Military Operation or Non-Warfare Military Operation. Overall, strategies used to carry out both kinds of operation include: modernizing the weaponry system; increasing the number of personnel that must be deployed to use weaponry system; reinforcing the existing naval fleet by making a procurement of new war ships such as KRI RE.Marthadinata and KRI I Gusti Ngurah Rai; providing ladders of education and career for military members; and facilitating the transfer of submarine technology during the making of submarines in South Korea's dockyard.

Keywords : sea channel, archipelago, security and defense

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I. INTRODUCTION

Sea can be the entrance of threats coming from inside or outside the state. These threats may trigger unnecessary conflicts. The security of the sea is always an important issue for the government to attend. This attention is given by using national organizations to administer the issue. There are three kinds of organization concerned, and these are: national defense organization, mainly Navy Force overshadowed by Indonesia National Army; ministerial organization; and non-ministerial organization. Governmental policies related with the security of Indonesian sea regions, after the effect of Law No. 32/2014 on Maritime Affair, are implemented through President Decree No.178/2014. The Decree has given a mandate to a non-ministerial agency to be responsible to President represented by the Coordinator Minister for Politic, Law, and Security Affairs, and the agency entrusted with this mandate is Sea Security Agency (BAKAMLA). Research has some objectives, and these are: to understand and analyze the success rate of policies designed to control, supervise, and protect maritime security; to investigate problem constraining the implementation of regulation; and to understand security and defense strategies that shall be proper for Second Sea Channel of Indonesia Archipelago (ALKI II).

II. MATERIAL AND METHOD

Time of Research

Research started from November 2016 to February 2017. Research-related activities, from proposal making until field study, were implemented during this interval.

Type of Research

Type of research is qualitative which usually uses interactive and flexible strategies to review participants' perspectives. In general, qualitative research is aimed to understand social phenomena based on participants' viewpoint.

Source of Data

Research informant includes Naval Force of Indonesia National Army (TNI AL) and BAKAMLA, while the location of research is Naval Headquarter for Eastern Fleet in Surabaya. Social case observed in this research is the security condition of the maritime at recent days. In this research, primary data are obtained by conducting a direct observation on field and interviewing the informants, respectively TNI AL and BAKAMLA. Secondary data are collected by reviewing books or other documents in the library (called as literature study). The author has performed a literature study at the central library of Brawijaya University.

Validity and Reliability Tests

Sugiono (2012; 302 – 311) has asserted that validity test in qualitative research always involves four (4) aspects, respectively: (1) truth value aspect, also called as *credibility* (internal validity);(2) implementation aspect, also called as *transferability* (external validity);(3) consistency aspect, also called as *dependability* (reliability); and (4) naturality aspect, also called as *confirmability* (objectivity). In relation with reliability test, SuharsimiArikunto (2006: 154) explained that “reliability refers to a condition that a certain instrument is trustable to be used as data collection method because the instrument is capable of doing it”.

III. RESULT AND DISCUSSION

Geographic site of Indonesia is very strategic because it locates between two oceans with coastline length of 99,093 km, and ZEE width of 6.1 millions square kilometers (source: data from Hydro-oceanographic Center, TNI AL). This strategic position makes easier for Indonesia to access other places and also, this position is very helpful to be the catalyst of national economy. There are three strategic entrances into Sea Channel of Indonesia Archipelago (ALKI) and these entrances are often used by international trading ships. These entrances are: Sunda Strait, Lombok Strait, and Makassar Strait. Other checkpoints also exist but security issue on these points is quite sensitive compared to the previous three. Indonesian citizens are required to be responsible to maintain the stability of security over the sea and also to protect the integrity of national territory for national interest concerning sea. Relevant institutions are needed to cope with threats and disturbances on Indonesia maritime.

Result of interview with PabantikKoarmatim is explained as follows. General strengths of TNI are focused on two aspects, respectively fostering and using the strengths. Concerning with these two aspects, firstly the Commander of Indonesia National Army gives a relevant discretion to the Staff Chief of Naval Force (KASAL), and then, KASAL delegates this discretion to Main Tactical Command (KOTAMA). The tactical command for eastern fleet, consistent with research discussion, is held by Maritime Command for Eastern Fleet (Koarmatim). By this process, Koarmatim has a discretion to foster and use the military strengths available. Related with fostering the strengths, Koarmatim is required to be submissive to MABESAL, while for using the strengths, Koarmatim's operation is directly under supervision of TNI Commander. Koarmatim's work scope is

limited only to tactical level, precisely related with fostering and using the strengths based on organizational tasks given. In relation with ALKI, focus is given on sovereignty enforcement and law enforcement. The former handles the issue of territory while the latter deals with the activity of human on the territory. Second Sea Channel of Indonesia Archipelago (ALKI II) is preceded by UNCLOS 1982, and this precedent gives any states a right to have archipelagic water by a requirement that the state has determined its own sea channel and the state itself must always attempt to free and secure the sea channel from any threats. Koarmatim has been given a discretion to secure water region at Sea Channel of Indonesia Archipelago (ALKI) and also to make certain that ALKI will allow sea users to deploy their transportation and liaison structures based on terms made by Koarmatim. Water region at ALKI is also secured by Koarmatim by doing some operational of sovereignty and law enforcements.

Result of interview with KasubditOpslatBakamla can be described as follows. Referring to President Decree No. 178/2014, the discretions given to BAKAMLA can be outlined as conducting immediate pursuit (initiating *early warning system*), stopping, checking, capturing, making into delivery and handing over the suspect to the relevant institution in presence of violation against maritime rules, and integrating the information system of security and safety on Indonesian waters. All these discretions are integrated into one command and one control (KODAL). Marine operational activities carried out by BAKAMLA is considered as integration because those activities are merged into one KODAL. One operational of BAKAMLA is developing surveillance system because this system represents an early warning system which is supportive to operational effectiveness, and also helps the user to share information with relevant stakeholders. BAKAMLA has planned for the future to establish Maritime Center. During the operational, BAKAMLA, however, does not have a discretion for investigation in the case of violation against rules on Indonesian water region. Concerning with Second Sea Channel of Indonesia Archipelago (ALKI II), BAKAMLA has been given a discretion to do the actions of monitoring and watching over the utilization of the peaceful passing right on Indonesian waters.

Two institutions are given assignment to deal with threats and disturbances on Indonesian waters. First is Koarmatim which is submissive to KASAL as the leader of Main Tactical Command (KOTAMA), while the second is Sea Security Agency (BAKAMLA). Both have different discretions on ALKI II as indicated by different operational method used by them over the channel. Koarmatim secures ALKI by conducting the operational of both sovereignty and law enforcements, while BAKAMLA maintains the security of ALKI through the aspect of law enforcement only.

Factors Constraining Sea Security Agency (BAKAMLA) and Maritime Command for Eastern Fleet of Indonesia Republic (Koarmatim) From Impelementing Maritime Security and Defense

As previously noted by Laksdya TNI Dr. Desi Albert Mamahit M. Sc during the Conference of Indonesia Rectors Forum held in Medan on 2015, it was told that there are three elements considered as important for improving infrastructures:

- a) Increasing the number of patrol elements such as patrol boat, scout plane, and medium-haul intelmar, with complete logistic at front naval base.
- b) Integrating the infrastructures of communication and information system that administers sea security data.
- c) Building the capacity of human resource to support law enforcement activity on the sea.

The interview with PabantikKoarmatim gives a result concerning problems. There are many problems needed to be solved. Weaponry system and patrol elements are very few in numbers and also do not match with the extensive width of Indonesian waters. Both number and quality of personnel are very low. Operational budget and personnel welfare are very tight. Structures and infrastructures of naval base in every region are unreliable and thus, must be redesigned. Operational budget does not cover operational activities in a year and, as a result, the activities can only be done quarterly. Naval base remains on the borrowed land.

Result of interview with KasubditOpslatBakamla is described as follows. The complexity of problems concerning joint operational activities can be resolved by creating an integration with related institutions because institutional ships may have different facilities. During the implementation of operational activities, BAKAMLA must synergize with other institutions that may have different but relevant discretion to guard the security of the sea. Any factors constraining institutions from implementing operations shall be alleviated to provide the feeling of free and secure from threats and disturbances on the sea, at least giving them a capacity to cope with challenges in the future. After dealing successfully with problems and challenges, both Koarmatim and BAKAMLA prepare strategic plans, or hereafter called as strategies. Koarmatim strategies to develop capacities and strengths are different depending on situation of threats where strategies used can be Warfare Military Operation or Non-Warfare Military Operation. These strategies consist of several items such as: modernizing the weaponry system; increasing the number of personnel to be deployed to use weaponry system; reinforcing the existing naval fleet by making available new war ships such as KRI RE. Marthadinata and KRI I GustiNgurahRai; and providing ladders of education and career that favor military members.

BAKAMLA sees the fact that threats and disturbances against the security of the sea are very complex. The government has initiated a program to develop sea toll to be designed as a maritime axis, and if this program is not supported with sea-based pacification effort, this can be a boomerang. In the future, BAKAMLA plans for developing a satellite-based monitoring system where the system is not only watching over the vessels passing Indonesian waters but also tracking down communication path on the sea through satellite. BAKAMLA also plans to build patrol structures either in the center area or at the stations in certain zone. The stations are usually the monitoring stations on the sea with a strong connectivity to each other. Patrol strengths can be improved by setting a new regulation that establishes deputies.

The Effective and Efficient Pattern of Maritime Security and Defense

The development of favorable maritime environment must consider five dimensions of military strategies as following:

- a) Economic
- b) Politic
- c) Law
- d) Military
- e) Physic

The strategies of maritime security and defense are designed to ward off threats and disturbances on the sea, and also to provide security for any activities passing Indonesian waters. Violation against maritime rules on ALKI II is almost rare but it does not mean that Koarmatim and BAKAMLA are lacking of strategies to repel such violation.

During the implementation of pacification and law enforcement on the sea, Koarmatim cannot stand alone because it must cooperate with other institutions, including Air Force of Indonesia National Army (TNI AU). One operational scheme on ALKI is called as *Operasi Kilat Batik*. It begins with putting routine patrol on schedule where the patrol is conducted based on *Standard Operational Procedure* to detect violation potentials, to recognize violation types, to identify violation occurrences, and to determine and estimate whether violation potentials are happening. After finding evidence of violation against maritime rules, the operation continues with making pursuit, capturing, and investigating the case. The task of case investigation is given primarily to the immediate naval station, and other institutions are involved if necessary. Based on relevant laws, Navy Force has given discretions of only pursuing, capturing, and conducting inquiry and investigation. In another cases, the relevant institutions are given discretion only to conduct inquiry, while the discretion of investigation is handed over to other institution with a capacity to ensure whether the case is related with forestry (coastal forest), natural resource, and immigration.

BAKAMLA performs law enforcement against illegal activities. However, this action is only limited to the process of capturing because further inquiry and legal process will be the responsibility of institutions with relevant discretions given by the laws.

IV. CONCLUSION AND SUGGESTION

Sea Security Agency (BAKAMLA)

Maritime Command for Eastern Fleet of Indonesia Republic (Koarmatim) has been given discretions of fostering and using the naval military strengths. Concerning with fostering these strengths, Koarmatim must obey the leadership of Naval Headquarter (MABESAL), while the use of these strengths requires Koarmatim to respect the leadership of the Commander of Indonesia National Force (TNI). Meanwhile, sovereignty enforcement and law enforcement are two activities implemented at Second Sea Channel of Indonesia Archipelago (ALKI II). If sovereignty enforcement deals with the issue of territory, law enforcement handles the issue of human activity in the suspected territory. The legal standing of Second Sea Channel of Indonesia Archipelago (ALKI II) comes from the enactment of UNCLOS 1982 which gives a right for any states to have archipelagic water. This right is bestowed only by a condition that the state has determined its own sea channel and must free and secure this sea channel from any threats. It is a duty of Koarmatim to maintain the security of water region at Sea Channel of Indonesia Archipelago (ALKI) and also to ensure that the use of transportation and liaison structures by sea users will be facilitated by ALKI on Koarmatim's terms. The security of ALKI is warranted through sovereignty and law enforcements. There are three issues challenging Koarmatim in using discretion to maintain security at sea channel. First issue concerns with the number of patrol elements such as patrol boat, scout plane, and medium-haul intelmar, with complete logistic at front naval base. Second, it is about how to integrate infrastructures of communication and information system that administers sea security data. Finally, the issue is about building the capacity of human resource to support law enforcement activity on the sea.

Routine operations are done by Koarmatim to mitigate threats and disturbances, and also to produce the feel of secure for any activities that pass through Indonesian waters although violation against maritime laws at

Second Sea Channel of Indonesia Archipelago (ALKI II) is very rare. Koarmatim has developed strategies to utilize its capacities and strengths but these strategies can still differ depending on situation of threats because it can be done either through Warfare Military Operation or Non-Warfare Military Operation. Some actions are possible to support the implementation of both operations, such as: modernizing the weaponry system; increasing the number of personnel that shall be available to use weaponry system; reinforcing the existing naval fleet by making available of new war ships such as KRI RE. Marthadinata and KRI I Gusti Ngurah Rai; providing the promising ladders of education and career for military members; and facilitating the transfer of submarine technology during the making of submarines in South Korea's dockyard.

Suggestion

1. Government and relevant stakeholders, especially military personnel at General Headquarter of Indonesia National Army (Mabes TNI), must consider as important of three elements concerning with the improvement of infrastructures of maritime security and defense. First element is increasing the number of patrol elements such as patrol boat, scout plane, and medium-haul intelmar, with complete logistic at front naval base. The second element is integrating the infrastructures of communication and information system that administers sea security data. Third or also final element is building the capacity of human resource to support law enforcement activity on the sea. All these elements are main issues that cannot escape from the supporting actions. Such actions include: modernizing and increasing number of weaponry system and base facilities; increasing the allocation of operational budget for the assigned personnel; establishing the centers for maritime training and education to prepare human resources who are ready to be used for transfer of technology, especially concerning with the construction of submarines at South Korea's dockyard; and building the networks and technologies needed for sea security system.
2. Two institutions with discretions to maintain sovereignty, security and safety of any sailing activities, which in this matter are Maritime Command for Eastern Fleet of Indonesia Republic (Koarmatim) and Sea Security Agency (BAKAMLA), shall improve their capacity to collaborate with other institutions on maritime security and defense. These other institutions can be Local Government or foreign agency with similar discretion on same field.

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