

Resolving Transnational Crime in the Indonesian Sea Border Area: Case Studies and Legal Effects

by Sugeng Apriyanto

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Resolving Transnational Crime in the Indonesian Sea Border Area: Case Studies and Legal Effects

Sugeng Apriyanto^{1*}, Fauzie Yusuf Hasibuan², Atma Suganda³

^{1,2,3} Doctoral Program in Law, Jayabaya University, Indonesia

Email: sugeng.apriyantobc@gmail.com^{1*}, fauzie.ysh@gmail.com², atma.sugandajyby@gmail.com³

Address: *Jl. Pulomas Selatan Kav. No.23 4, RT.4/RW.9, Kayu Putih, Pulo Gadung District, East Jakarta City, Special Capital Region of Jakarta 13210*

Corresponding author: sugeng.apriyantobc@gmail.com

Abstract. *The Indonesian maritime border area is susceptible to a range of transnational criminal activities, such as drug trafficking, human trafficking, and forced displacements. These criminal activities pose a significant danger to both the stability of national security and the territorial integrity and sovereignty of Indonesia. The law enforcement challenges in the Indonesian maritime border area are intricate, encompassing inter-agency coordination, international cooperation, and limitations in resources and technology. The primary objective of this study is to address the following crucial inquiry: What are the obstacles encountered in law enforcement against transnational crime at the maritime border of Indonesia? The study employs a normative legal research methodology, which entails analyzing legislative regulations, legal documents, and relevant literature that pertain to law enforcement along the maritime borders of Indonesia. This technique in normative jurisprudence will analyze applicable legal laws, government policies, and pertinent international agreements. The obtained secondary data from legitimate sources will undergo qualitative analysis to identify significant obstacles and possible remedies in law enforcement against transnational crime in the maritime border region of Indonesia. The study revealed that key hurdles in the enforcement of legislation against transnational crime in Indonesia's maritime border regions encompass inadequate inter-agency coordination, restricted resources and technology, and impediments to international collaboration. To tackle these challenges, it is advised that the Indonesian Government bolster regional and international collaboration, reinforce the capabilities of law enforcement agencies through training and the provision of cutting-edge technology, and establish a comprehensive and integrated policy framework. In addition, enhancing the formulation of comprehensive operational cooperation protocols and implementing efficient dispute resolution processes could enhance the efficacy of law enforcement in the maritime border region of Indonesia.*

Keywords: *Indonesia's Maritime Borders, International Cooperation, Law Enforcement, Resource Limitations, Transnational Crime.*

1. INTRODUCTION

The peaceful and sustainable future of Indonesia is intricately connected to the utilization of maritime resources. The sea, being a geographically and biologically interconnected organism that links the land with other natural elements, has a crucial impact on the worldwide environment and human welfare. Indonesia, with its vast bodies of water, plays a crucial role in ensuring the long-term viability of global marine ecosystems (Article, 2004).

The marine boundaries of Indonesia, as defined by domestic and international legal frameworks, delineate the regions possessed by this nation. The border is legally regulated by a range of international treaties, including the 1982 United Nations Convention on the Law of the Sea, bilateral agreements, and state rules. The significance of law enforcement in the

maritime border region is not solely tied to the country's sovereignty, but also to the safeguarding of the plentiful natural riches within Indonesia's seas.

However, the task of enforcing the law in the Indonesian maritime border region is exceedingly intricate. These challenges encompass law enforcement efforts to combat illegal fishing, marine pollution, and human trafficking, which frequently involve individuals from multiple nations. Effective law enforcement in this broad and frequently physically isolated maritime area relies heavily on intergovernmental coordination, both domestically and internationally.

Indonesia, situated amongst the vast landmasses of Asia and Australia, as well as the expansive Indian Ocean and Pacific Ocean, holds a pivotal position as an island nation. Indonesia's geographical distinctiveness confers upon it a significant role in navigation and international trade. The stability of Indonesia's marine area is crucial not only for its security but also for ensuring regional economic viability in Asia and even on a global scale (Hartono & Bakharuddin, 2023)

Indonesia, being the most extensive archipelagic nation globally, encompasses over 17,000 islands spanning from Sabang in the west to Merauke in the east. The geographical diversity of the country presents not only a rich natural resource, but also poses challenges in effectively managing the cultural, social, and political diversity. Therefore, the management and conservation of Indonesian maritime resources are not solely a domestic obligation, but also an international imperative for maintaining ecosystem resilience and promoting equitable utilization of natural resources.

Indonesia's waterways serve as a crucial maritime pathway within the realm of international trade, linking multiple Southeast Asian nations to the global marketplace. The stability and security in Indonesian waters not only facilitate seamless trade, but also establish a basis for regional collaboration in addressing transnational issues like as human trafficking, illicit fishing, and marine pollution. Hence, ensuring the stability of Indonesia's maritime area is crucial not just for national security, but also for fostering peace and prosperity across the Asia-Pacific region.

Given the vast geographical conditions of Indonesia and its abundant marine resources, there are several issues that need to be thoroughly evaluated regarding maritime security. The issues encompass challenges to sovereignty and law enforcement, such as illegal fishing, looting of natural resources, smuggling of goods and weapons, as well as the problem of undocumented immigrants frequently crossing into Indonesian waters.

One significant problem is the issue of illegal fishing, which not only causes economic losses to the country but also poses a threat to the sustainability of marine resources. This illegal activity often involves foreign vessels that disregard Indonesia's maritime boundaries and violate established fishing regulations. In addition, the looting of natural resources such as mining products and forests is also a serious problem that affects the marine ecosystem and environmental sustainability.

In addition to the challenges to sovereignty and sustainability of marine resources, the risks to smooth navigation also need to be considered. This encompasses the loss or theft of navigation equipment that might disrupt maritime and navigational activities in Indonesian waters. This disruption not only affects trade and transportation activities but also has the potential to impact the safety of the ships and their crew.

Overall, a thorough evaluation of maritime security issues in Indonesia is crucial to identify the sources of problems, develop effective handling strategies, and provide optimal protection of marine resources and navigation safety. These efforts are necessary not only to maintain national sovereignty and strengthen the enforcement of the law but also to protect the crucial marine ecosystem for the sustainability of human life and marine life as a whole.

Transnational crime, often known as organized transnational crime, refers to criminal activities that occur across national boundaries and involve networks or individuals operating in numerous countries to strategize and carry out illegal actions or economic activities. These illicit activities commonly take advantage of weaknesses in security systems and socio-economic circumstances inside communities (Naseh et al, 2019).

Transnational crime encompasses a diverse array of illegal acts, such as drug trafficking, human trafficking, arms smuggling, cybercrime, and money laundering. These operations frequently exploit variations in legal systems among nations, permeable borders, and the interdependence of global economy. The main impetus driving international crime is economic benefit, propelled by profits derived from illicit trade, resource exploitation, or unlawful services.

To effectively tackle transnational crime, it is necessary to coordinate actions at both national and international levels because to its intricate nature and large scale. Collaboration between law enforcement agencies, intelligence services, and judicial systems across international borders is essential to disrupt criminal networks, dismantle their operations, and prosecute individuals involved. In addition, it is crucial to tackle the underlying factors such as poverty, inequality, and corruption to diminish the circumstances that facilitate the growth of transnational crime.

Efforts to combat transnational crime encompass the enhancement of legislative frameworks, the improvement of information-sharing channels, and the development of capability among law enforcement agencies and court systems worldwide. International accords and treaties are crucial in promoting collaboration and establishing uniform methods to address transnational crime, guaranteeing that wrongdoers cannot escape accountability by taking advantage of gaps in jurisdiction or legal intricacies.

To effectively address transnational crime, a comprehensive strategy is needed that incorporates several elements such as law enforcement, legal reforms, international collaboration, and socio-economic development efforts. By simultaneously tackling the symptoms and underlying causes of transnational crime, nations can strive to establish a safer and more secure global milieu.

According to Kapolri's statement in the last press release in 2019, out of a total of 22,2543 crimes, approximately 36,219 cases, or about 16.2 percent of all crime cases, have been identified as transnational crimes committed in Indonesia. This transnational crime covers various types of criminal activities that cross-national borders, such as human trafficking, arms smuggling, drug trade, and money laundering. The high number of these cases indicates the complexity and significant impact of crimes involving international networks in the country. Dealing with transnational crime requires intergovernmental cooperation and capacity-building in law enforcement to address these challenges effectively and comprehensively.

Territorial boundaries, particularly those about maritime areas, frequently serve as a source of contention in the realm of global politics. Border disputes can escalate into armed conflict, maybe even reaching severe levels of armed conflict. Hence, it is crucial for any country, including Indonesia as a nation consisting of islands, to guarantee the protection, regulation, and lawful standing of its maritime boundaries.

Indonesia, being the largest island state in the world, possesses around 17,500 islands and an extensive coastline, which presents challenges in establishing and defining its maritime boundaries. In addition, Indonesia possesses vast marine territory that serves as a crucial economic asset, encompassing valuable natural resources, navigation routes, and international commerce pathways. Hence, it is imperative to ensure the safeguarding of maritime borders to defend national sovereignty and security, as well as to facilitate continuous economic development.

Maritime boundaries not only affect sovereignty and security but also exert a substantial influence on diplomatic ties between nations. Disputes regarding maritime boundaries have the potential to cause significant political strain and impact both regional and global collaboration.

Hence, it is crucial for Indonesia to actively participate in productive discourse and diplomatic talks with neighbouring nations to uphold and develop unambiguous and steady maritime boundaries. Therefore, Indonesia can prevent unnecessary conflict and foster mutually advantageous collaboration in the region.

The border serves as a crucial point of entry for a nation, as it represents the forefront that requires safeguarding and fortification. Nevertheless, because to the multitude of illicit operations that can take place in border regions, such as illicit trade, weapons trafficking, drug smuggling, and people trafficking, borders are very susceptible to criminal endeavours if they are not adequately safeguarded and supervised. Historically, the Indonesian border area has primarily been regarded as the country's outermost line of defence. Consequently, border management strategies have predominantly focused on security measures.

Nevertheless, border management should not only prioritize security considerations. A comprehensive approach must also consider social, economic, cultural, and environmental factors. From a social and economic perspective, borders frequently serve as crucial points for trade and connection among neighbouring populations. Efficient border control may enhance relations between adjacent nations, foster positive cultural and economic interactions, and enable lawful and secure people mobility.

Furthermore, it is crucial to prioritize environmental conservation near the border to mitigate any ecological harm resulting from illicit practices such as deforestation, poaching, and pollution. A comprehensive border management strategy might encompass cooperative endeavours among governments, local communities, and other relevant parties to enhance security, welfare, and ecological sustainability in the Indonesian border area. Hence, the border is perceived not just as a demarcation, but also as a reservoir of prospective growth that can benefit the Indonesian community in a whole.

The study's objective is to identify and analyze the primary obstacles in law enforcement against transnational crime along Indonesia's maritime boundaries. The study will examine the elements that influence the efficacy of law enforcement in the region, particularly about transnational crime cases. This will include an analysis of the required regional and international collaboration.

This methodology will facilitate academics in examining the current legislative structures, both domestically and globally, and analyzing the execution of collaboration among law enforcement authorities. The utilization of case studies will serve to exemplify the specific obstacles encountered in law enforcement efforts against transnational crime at the maritime border of Indonesia.

This study aims to offer strategic recommendations to improve regional and international collaboration in law enforcement. It also proposes specific ways to enhance the efficacy of coordination between national and international law enforcement agencies. Therefore, this collaborative endeavour is anticipated to diminish the occurrence of transnational criminal activities along Indonesia's maritime boundaries and bolster security and stability in the area.

2. RESEARCH METHOD(S)

The method employed in normative jurisprudence involves analyzing legal factors about a specific legal matter, such as the implementation of laws against transnational crime along Indonesia's maritime borders. This technique seeks to discover, analyze, and assess the legal framework that is pertinent to the study issue, both at the national and international levels.

Initially, this approach will entail a comprehensive examination of the legal provisions within Indonesia about the enforcement of laws against transnational offenses, including but not limited to the Law on the Suppression of Corruption, Trafficking in Human Beings, and other prevalent crimes in maritime border regions. An examination will be conducted to comprehend the legal framework that governs the process of investigating, prosecuting, and penalizing such crimes.

Additionally, this approach will include a thorough examination of the legal systems in other nations that possess pertinent expertise and regulations about the implementation of laws against transnational crimes in their maritime border regions. This comparative analysis will facilitate the assessment of the achievements and shortcomings of legal methodologies implemented in other jurisdictions, thereby offering insights for enhancing the legislative framework in Indonesia.

Additionally, the approach to composing normative jurisprudence will involve utilizing both primary and secondary sources of law, including statutes, regulations, policy papers, and pertinent legal principles. Doctrinal analysis will be employed to comprehend the legal principles that form the basis of law enforcement against transnational crime, whereas empirical methodologies can be utilized to assess the soundness and efficacy of the current legal framework in real-world scenarios. By employing this methodology, the research is anticipated to offer valuable suggestions for enhancing the efficacy and efficiency of law enforcement efforts against transnational crime near Indonesia's maritime boundaries.

3. FINDINGS AND DISCUSSION

Maritime security pertains to the absence of any risks or threats to stability and safety in the maritime domain. These risks include interstate conflicts, terrorism, piracy, drug trafficking, human trafficking, smuggling of illicit products, environmental crimes, as well as maritime disasters and accidents. Transnational threats to maritime security fall under the category of non-traditional security and have the capacity to impact a country's security stability (Bueger, 2015).

Maritime security encompasses more than just the protection of a body of water. It also includes measures to safeguard a country's strategic and economic interests. Given Indonesia's status as an archipelagic nation with expansive and strategically significant waterways, ensuring maritime security is of utmost importance in preserving national sovereignty, conserving marine resources, and promoting secure and efficient trade and navigation.

The significance of maritime security is particularly evident in endeavours to tackle the diverse transnational issues that frequently arise in international waters. To address transnational crimes such as people trafficking, drug smuggling, and fish theft, it is imperative to establish regional and international collaboration. These crimes pose a threat to the sovereignty and long-term viability of maritime resources. This endeavour encompasses not just security elements, but also collaboration in the domains of legislation, intelligence, and law enforcement to establish a secure and enduring maritime environment for all participating States.

Borders, especially those in maritime territory, are often a source of controversy in international politics. This is reflected in Indonesian maritime security dynamics that are inseparable from the regional dynamics in Southeast Asia today. Indonesia, with its vast territory and close borders with neighbouring countries, has a significant role in ASEAN but also faces challenges in ensuring maritime security in the region. Indonesia's membership of ASEAN adds complexity to efforts to maintain regional stability, as it affects the security and economic dynamics of the region.

Various conflicts of interest such as disputes in the South China Sea, the Russian-Ukrainian conflict, and the China Belt and Road Initiative are increasingly being the main focus because of their impact on maritime security in Southeast Asia. Rapid global developments have also affected this dynamic, complicating efforts to manage maritime security effectively and thoroughly in the region. Threats such as cross-border crime, including human trafficking, drug smuggling, and other organized crime, are common concerns that require strong regional and international cooperation.

In this context, Indonesia plays an important role in facilitating dialogue and cooperation between ASEAN countries as well as with international partners to address this complex maritime security challenge. Diplomatic efforts, law enforcement, and security cooperation are key to the stability of the ASEAN region and promoting peace and security at sea in Southeast Asia as a whole.

The increase in global mobility has altered the dynamics of national borders and governmental authorities, rendering them progressively less significant in governing transnational interactions among individuals. This phenomenon not only enhances global interconnectedness but also exposes the possibility of new challenges, one of which is the rising potential of international crime. Transnational crime refers to criminal activities that occur across national borders and can manifest in several intricate forms, contingent upon the specific development and execution of the crime at hand. The consequences of this cross-border criminal activity can be severe, potentially endangering the very existence of an entire generation within a nation (Prayuda & Harto, 2020).

Transnational crime comprises a range of illicit activities, including human trafficking, drug trafficking, money laundering, illegal arms trade, environmental crime, and terrorism. These occurrences are frequently orchestrated by intricate networks spanning multiple countries, using vulnerabilities in national and international security systems to achieve their objectives. Due to the advancements in modern technology and global communication, this type of crime can quickly and extensively propagate worldwide, presenting novel obstacles to global law enforcement and security.

The significance of addressing this transnational crime lies not only in safeguarding the national security of individual countries but also in ensuring global security and international stability. Close collaboration among nations and international organizations is crucial in addressing these difficulties. Collaborative endeavours are required to formulate efficient law enforcement tactics, improve intelligence collaboration, and reinforce the global legal structure to address transnational crime in a synchronized and successful manner.

The variables contributing to the increase in overall crime rates, as well as the growth of organized crime, are interconnected and cannot be isolated from each other across various countries. Government regulation, both local and foreign, is essential in establishing legal boundaries and determining the potential for criminal activity. Inadequate or uneven regulation can give rise to loopholes that organized crime syndicates exploit to conduct their operations with little or no legal hindrance (Lumban, 2002).

Furthermore, economic variables play a significant role in stimulating crime, as economic volatility, joblessness, and socio-economic disparity can motivate individuals to partake in illicit behaviour in pursuit of improved living conditions or financial benefits. The escalation of crime is significantly influenced by consumer demand and needs, particularly about illegal substances, firearms, and other illicit commodities. The demand for these illicit items and services is increasing, hence fuelling the presence of organized criminal activities.

Technical advancements and contemporary societal settings enhance transnational criminal activities by enhancing worldwide interconnectedness and the efficiency of criminal organizations in conducting operations across international boundaries. Technology not only increases the scope of criminal activities, but also enhances communication and logistical capabilities.

Furthermore, there is a rising trend in the market for marketing illicit goods and services in society, mostly through social media and digital platforms. This enables transactions that are challenging for legal authorities to trace or supervise.

When considering these five factors collectively, it becomes clear that the increase in both common crime and organized crime is not attributed to a single factor, but rather to the intricate interplay of various economic, social, technological, and regulatory factors that are interconnected and operating at both national and international levels. Hence, effectively addressing organized crime necessitates a comprehensive strategy encompassing legislative restructuring, economic advancement, bolstering international collaboration, and societal empowerment to lessen vulnerabilities and tackle the complex issues confronting contemporary global communities.

Mutual Legal Assistance plays a crucial role in the worldwide endeavour to combat transnational crime. The fundamental basis of this system lies in the international collaboration to prevent, enforce, and prosecute transnational criminal activities. The concept of Returned Legal Assistance pertains to the premise of States collaborating to offer reciprocal legal aid, encompassing the sharing of information, providing evidence, and assistance in the investigation and prosecution of criminals (Yuwono & Ardianto, 2021).

Within the framework of international collaboration, Return Legal Assistance allows States to overcome legal barriers that may occur while prosecuting individuals or presenting evidence that falls within the jurisdiction of another State. This is highly significant given that offenses such as human trafficking, money laundering, and terrorism frequently entail intricate transnational networks.

By using this system, states can exchange vital information, such as forensic data, digital evidence, and financial information. This enables law enforcement to collect the necessary evidence to prosecute criminals. Furthermore, the Return Legal Aid also expedites the extradition procedure, allowing for the prosecution of criminals in the country that seek legal assistance.

In essence, the Backward Law Aid establishes the structure for collaboration necessary to address the complexities of transnational criminal activities with more synchronization and efficiency. Therefore, the system enhances law enforcement endeavours on a national scale and also protects global justice by preventing wrongdoers from evading accountability for their activities through the exploitation of national boundaries.

The implementation of reverse law aid, while being a crucial tool in international law enforcement, frequently encounters substantial barriers. An important challenge encountered is the lack of clearly defined borders between nations that have a shared maritime domain. Indonesia, being an archipelagic nation with ten adjacent nations sharing a maritime border, encounters significant difficulty in defining precise boundaries.

Negotiations to determine these maritime boundaries are frequently hindered by divergent viewpoints and conflicting territorial assertions. This scenario gives rise to ambiguous areas or regions with uncertain legal status, which have the potential to incite infringements of law and sovereignty. One example is the phenomenon of Illegal, Unreported, and Unregulated Fishing (IUUF), which poses a challenge that can only be addressed by establishing a clear consensus on maritime boundaries.

The presence of uncertainty in the border zone heightens the likelihood of conflict and disputes between states, which in turn might hinder the efficacy of the Backward Legal Aid. In the absence of effective cooperation and agreement on boundary demarcation, nations may encounter challenges in executing legal regulations within their border regions. This presents an added difficulty for global endeavours to address transnational criminal activities, as successful law enforcement necessitates robust collaboration and effective coordination across nations.

Hence, resolving the demarcation of maritime boundaries is crucial to enable the efficient execution of the Return Legal Assistance. Sustained talks and dedication to attaining an equitable and uniform agreement among neighbouring nations will enhance the structure of global collaboration in effectively combating transnational crime.

The inherent transparency of all ASEAN member states holds significant promise for enhancing the efficacy of addressing regional conflicts or security concerns. Within the

ASEAN environment, the emphasis has been on collaborating within the security framework to achieve collective agreements and formulate joint declarations that govern different security concerns, such as the management of transnational drug trafficking in Southeast Asia. One of the implemented projects is ASEAN Drug-Free, which seeks to synchronize collaborative endeavours to tackle this issue.

However, the international negotiating process in ASEAN continues to encounter several notable obstacles about the execution of the agreed-upon agreements. The difficulties are frequently associated with the intricacy of the negotiation procedure among ASEAN member nations, as well as the presence and effectiveness of the ASEAN security system in dealing with common security concerns. An essential concern is the regulation and enforcement of drug trafficking, necessitating robust cooperation among the different stakeholders at both the national and regional levels.

To tackle these difficulties effectively, ASEAN member nations must bolster regional collaboration in law enforcement and enhance their capabilities in addressing transnational security concerns. These strategies encompass improved information sharing, bolstering law enforcement capabilities, and ensuring consistent policy enforcement to combat drug trafficking and other associated offenses. ASEAN can only manage complex security problems and protect regional stability in Southeast Asia via collective efforts and unwavering dedication.

Opium plants have played a significant role in the economies of Myanmar, Laos, and Thailand since ancient times. Traditionally, the inhabitants of this area have depended on this plant for their livelihood, yet its effects on health and society have raised significant concerns. Enforcing a policy to prohibit widespread opium growing could result in significant internal tensions and potentially exacerbate poverty in the affected areas.

The opium crops cultivated in Myanmar, Laos, and Thailand pose a significant risk to the security and welfare of neighbouring ASEAN countries, including Indonesia, the Philippines, Malaysia, and Singapore. These nations have enhanced domestic surveillance and participated in transnational collaboration to disrupt drug distribution networks and prevent illicit smuggling into their borders. The initiative encompasses endeavours to improve the sharing of information, bolster the capabilities of law enforcement, and enforce stringent policies to effectively tackle the issue of drug abuse comprehensively.

Within the framework of ASEAN, this collaborative endeavour is essential for effectively tackling intricate transnational issues like drug trafficking. Ensuring regional security and protecting civilians from the detrimental effects of widespread drug trafficking

heavily relies on the implementation of efficient cross-border cooperation among Member States. By implementing a well-organized and all-encompassing strategy, it is anticipated that ASEAN nations can effectively tackle these problems to achieve collective security and prosperity.

To address the obstacles that have been identified, it is necessary to establish a more robust and all-encompassing framework for international collaboration. This can be achieved by implementing more comprehensive bilateral and multilateral agreements, establishing precise operational cooperation procedures, and enhancing conflict resolution methods to ensure greater effectiveness. This explicit and official agreement is anticipated to diminish administrative obstacles at both the domestic and global levels, while also enhancing effectiveness in law enforcement.

Establishing a more robust collaboration framework will empower nations to engage in more organized cooperation when addressing transnational security issues, such as drug trafficking. By establishing comprehensive agreements and precise operating norms, the transmission of information between countries can be facilitated with greater efficiency and promptness. Furthermore, the implementation of more efficient conflict resolution methods will facilitate the resolution of any potential issues that may occur throughout this process of international collaboration.

Enhancing international cooperation will create a more robust structure for coordination among law enforcement agencies in various countries. This will bolster their ability to address transnational crime and reassert a shared dedication to achieving greater stability and security across borders for the entire regional community.

The Indonesian Sea holds significant geostrategic importance since it serves as a crucial connection between several states and territories. However, it also has the potential to become a source of conflict among these entities. Indonesia asserts ownership over around 80% of the expanse of this sea, spanning around 5,800,000 square kilometres (Munaf, 2015). The shoreline extends for 80,791 kilometres and encompasses 17,504 islands. The Indonesian Sea is located between the Indian Ocean and the Pacific Ocean and is situated between the continents of Asia and Australia. The presence of such substantial assertions may generate strain in both the bilateral and international relations between Indonesia and its neighbouring countries.

The Indonesian Sea holds significant importance not just from a geographical standpoint, but also from an economic and strategic perspective. The sea has emerged as a prominent trading route in Southeast Asia, facilitating the connection between countries in regional and global economic endeavours. Nevertheless, the presence of ample marine

resources and the overlapping territorial claims among nations might potentially instigate conflicts about sovereignty and the exploitation of resources.

The management and enforcement of the Indonesian Sea have become vital for maintaining regional stability because to its geographical and geopolitical complexity. Ensuring sustainable exploitation of maritime resources in the region without compromising peace and security requires effective coordination between Indonesia and neighbouring nations, as well as collaboration within the framework of international law.

Indonesia's geographical location offers a substantial strategic advantage due to its proximity to nine maritime routes and four communication routes. The primary objective of policy in Indonesia is to safeguard its security and territorial integrity by focusing on the protection zone of its sovereignty. This is significant due to Indonesia being a nation comprised of islands and having a vast expanse of maritime territory, encompassing approximately 5,800,000 square kilometres of territorial sea (Dirhamsyah, 2005).

Indonesia's ability to control and oversee maritime traffic, for both commercial and security reasons, is facilitated by the presence of nine maritime routes and four communication channels. These partnerships encompass law enforcement efforts to combat illicit activities such as smuggling, illegal fishing, and dangers to national security, such as piracy and drug trafficking.

Furthermore, Indonesia's efforts to safeguard its sovereignty encompass proactive maritime diplomacy endeavours aimed at securing international recognition of its territorial claims and ensuring that neighbouring states and other entities respect its national waters when traversing Indonesian territory. It is a crucial tactic for maintaining regional stability and bolstering Indonesia's foreign policy within the global geopolitical landscape.

Indonesia, as the largest island nation in the world, confronts a significant obstacle in safeguarding its extensive marine domain, which is abundant in valuable natural resources. The government's capacity to safeguard its waterways is crucial for ensuring the sovereignty and welfare of the Indonesian population. BAKAMLA, the Maritime Security Agency of the Republic of Indonesia, plays a vital role as a top guardian in ensuring maritime security.

According to Law No. 32 of 2014 on Maritime Affairs, BAKAMLA is created as a singular non-military organization that is primarily responsible for conducting security and surveillance patrols in Indonesian waters and its jurisdiction. These duties encompass the development of national policies for marine security and safety, the establishment of early warning systems, and the implementation of monitoring, preventative, and enforcement measures to address law violations in Indonesian waters.

In addition, BAKAMLA is tasked with coordinating water patrols alongside other pertinent agencies, offering technical and operational assistance, and contributing to the national defence system. This includes aiding in search and rescue operations and participating in endeavours to protect Indonesia's maritime territory from diverse threats in order to uphold its sovereignty and integrity.

BAKAMLA plays a crucial and extensive role in maintaining maritime security, taking the lead in safeguarding Indonesian waters to promote national stability and well-being.

BAKAMLA, being an Indonesian maritime security body, possesses broad jurisdiction to examine vessels suspected of contravening national or international laws within Indonesian seas or under Indonesian jurisdiction. BAKAMLA's collaboration with international law enforcement agencies, exemplified by the Coordination Meeting between BAKAMLA and the Delegation from Malindo Malaysia's Maritime Operations Planning Team (TPOM), showcases a dedication to strengthening maritime security and fostering cooperation among nations.

The Batam coordination meeting has addressed a range of strategic matters pertaining to maritime security and the execution of maritime law. The specific actions considered involve strengthening collaboration in combined patrols, sharing marine intelligence, countering transnational crime, and managing maritime disasters. This collaboration is anticipated to bolster the efficacy of maritime law enforcement, enabling it to effectively tackle the growing intricacies in regional seas.

This form of bilateral collaboration not only aids in combating transnational criminal activities, but also enhances the relationship between adjacent nations in the more proficient and effective management of resources and maritime security. The specific actions taken during this coordination meeting are a crucial first step in improving marine security in the Southeast Asian region.

In addition to BAKAMLA, the utilization of Mutual Legal Assistance is also a highly pertinent strategy in combating transnational crime. Return Legal Assistance is an essential mechanism for international collaboration that plays a crucial role in enforcing laws across borders. Under this framework, nations collaborate to offer reciprocal legal assistance, which includes easing the flow of information and offering aid in investigating and prosecuting wrongdoers. Using this mechanism, collaborative endeavours to uphold law and justice on a global scale are enhanced in terms of coordination and effectiveness (Yuwono & Ardianto, 2021).

The implementation of reverse law help is essential in the context of international crime, which frequently entails cross-country networks. Through this collaboration, nations

can strengthen their ability to address the progressively intricate security issues in the era of globalization, including the problems posed by activities like drug trafficking, money laundering, and cross-border human trafficking.

The collaboration between Indonesia and Malaysia in addressing incidents of transnational crime, such as the one in the Riau Islands, highlights the significance of inter-country cooperation in combating the menace of narcotics and other forms of organized crime.

In January 2014, BNN and Malaysian authorities successfully apprehended MS, an Indonesian national believed to be a key operative in an international drug trafficking syndicate. MS utilized the maritime channel to bring in 4.45 kilograms of heroin and 1.66 kilograms of squid into Indonesia through Batam. MS is a migrant worker originally from Bawean, East Java, who has resided and worked in Malaysia for an extended period before being involved in this illicit business.

This case not only underscores the intricacy of transnational drug trafficking but also underscores the significance of collaboration among the many law enforcement agencies of the countries involved. Collaboration of this nature facilitates the sharing of information, coordination of operations, and apprehension of criminals operating across borders. These actions are crucial in a collective endeavour to combat transnational crime.

Given the expansive marine territory in the Riau Islands, it is imperative to establish cross-border collaboration in order to effectively monitor and enforce laws to combat smuggling. The statement highlights the importance of enhancing both bilateral and multilateral collaboration, as well as establishing more efficient operational systems to safeguard maritime security and combat criminality in vulnerable regions.

4. CONCLUSION AND RECOMMENDATION

Ensuring marine security along Indonesia's maritime boundaries is a multifaceted and crucial matter, considering the various cross-border dangers such as border conflicts, terrorism, piracy, and drug trafficking. Indonesia, being a nation with an extensive landmass and maritime boundaries that are contiguous with neighbouring nations, confronts a significant obstacle in maintaining maritime stability inside its jurisdiction.

The maritime security dynamics of Indonesia are intricately linked to the regional environment of ASEAN, where intergovernmental cooperation plays a vital role in tackling these difficulties. The rise in global mobility has created opportunities for transnational

criminal activities that take advantage of cross-border resources, hence complicating law enforcement efforts.

Despite the implementation of initiatives like the Return Legal Aid to enhance global collaboration in crime prevention and punishment, substantial barriers remain. The ongoing maritime border dispute between Indonesia and its neighbouring countries poses a significant challenge to these endeavours.

Furthermore, the divergence in perspectives among ASEAN nations when it comes to addressing issues like drug trafficking is an additional obstacle. The adoption of specific techniques notwithstanding, discrepancies in the definitions of narcotic risks can impede collaborative endeavours to successfully tackle the issue.

ASEAN regional collaboration is crucial for addressing cross-border security concerns in the Indonesian maritime border area. Enhancing collaboration, surmounting administrative obstacles, and enhancing interstate operational coordination are crucial measures to guarantee marine security and deter transnational criminal activities in the region.

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Resolving Transnational Crime in the Indonesian Sea Border Area: Case Studies and Legal Effects

ORIGINALITY REPORT

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