
MARINE DEFENSE STRATEGY IN SECURING INDONESIAN ARCHIPELAGIC SEA Lanes (ALKI) TO REALIZE MARITIME SAFETY AND MAINTAIN INDONESIAN SOILITY

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ABSTRACT

Indonesia is the largest archipelago country in the world consisting of 17,504 islands. Located on the equator and located between the continent of Asia and the continent of Australia, and between the Pacific Ocean and Indian Ocean. Indonesia as an archipelagic country has ratified the United Nation Convention on the Law of the Sea 1982 (UNCLOS 82) and as a consequence Indonesia has established three Indonesian Archipelago Sea Lines (ALKI), namely: ALKI-I, ALKI-II and ALKI-III. The implementation of ALKI rights makes maritime security in Indonesian territory a priority for countries in the world, because disruption of the ALKI route can threaten the world economy and its implementation must be in accordance with UNCLOS provisions. Geographically, Indonesia has a very strategic position in the water sector. Indonesia must be able to control and secure the ALKI route by presenting sea power along the ALKI route in an effort to safeguard the ALKI route, as well as to realize maritime security and defend Indonesia's sovereignty. The purpose of this study is to analyze the marine defense strategy in safeguarding the Indonesian Archipelago Sea Channel (ALKI) to achieve maritime security and defend Indonesia's sovereignty. The data collection method used is the documentation method. The policy of establishing the Indonesian Archipelago Sea Channel (ALKI) has made Indonesia an "open" country. Until now, various foreign shipping and airlines have freely crossed Indonesia's territory. The security threat on the three ALKI routes is a challenge for the Indonesian government in maintaining maritime security and defending Indonesian sovereignty.

KEYWORDS: ALKI, Threats, Security, Sovereignty, Marine Defense Strategy

1. INTRODUCTION

United Nations Convention on the Law of the Sea 1982, hereinafter abbreviated (UNCLOS 1982), states that the sovereignty of an archipelagic State includes waters which are closed by archipelagic baselines and drawn according to the provisions in UNCLOS 1982 which are referred to as archipelagic waters regardless of their depth and distance. from the beach. The sovereignty referred to includes air space above archipelagic waters, the seabed, and the land beneath it and the natural resources therein. Sovereignty (sovereignty) and sovereign rights (sovereignty right) of the state over the sea is the right of the state to regulate, supervise, protect and manage the sea in order to protect national interests in the oceans. Therefore, it is imperative that there is a sustainable marine safeguard in Indonesia.

The Republic of Indonesia has ratified UNCLOS 1982 through Law No. 17 of 1985, concerning the ratification of the 1982 United Nations Convention on the Law of the Sea so that Indonesia was bound to implement the provisions contained in UNCLOS 1982. Therefore, Indonesia implemented UNCLOS 1982 by issuing Law No. 6 of 1996 concerning Indonesian Waters. In Law No. 6 of 1996 there are regulations regarding the sea lanes of the Indonesian archipelago.

The strategic potential of Indonesia's territorial waters, geopolitically and geographically, coupled with the cross position of Indonesia which is flanked by two continents, Asia and Australia, and is located between the Pacific Ocean and Indian Ocean, makes Indonesia a very strategic country in the marine sector and is taken into account by many other countries. As a consequence, Indonesia has the duty and responsibility to maintain security and sovereignty in its territorial waters. This is in line with what Bynkershoek conveyed that all countries that own sea areas will depend on the country's ability to supervise the sea areas it controls.[1]

Changes in global and regional strategic environmental conditions at any time can affect the stability of defense and security in every area of the Republic of Indonesia, because ALKI can be used for regional and global interests.

2. RESEARCH METHOD

In this study the authors used a qualitative approach. Sugiyono stated that, qualitative research methods are research methods based on the philosophy of postpositivism, used to examine the conditions of natural objects, (as opposed to experiments) where the researcher is the key instrument, the data collection technique is done by triangulation (combined), data analysis. are inductive / qualitative, and the results of qualitative research emphasize meaning rather than generalization.[2]

Meanwhile, according to Hardani, qualitative research is a study that basically uses a deductive-inductive approach. This approach departs from a theoretical framework, the ideas of experts, as well as the understanding of researchers based on their experiences which are then developed into problems

and their solutions that are proposed to obtain justification (verification) in the form of support for empirical data in the report.[3]

The research method is basically a scientific way of obtaining data for specific purposes and uses. Based on this, there are four key words that need to be considered, namely, scientific method, data, objectives, and usability.[2] Meanwhile, according to Kurniawan and Puspitaningtyas, the research method is a scientific method or technique to obtain data for specific purposes and uses.[4]

Data Collection and Analysis

The data collection techniques that the authors use in this study are tailored to the focus and objectives of the study, namely:

The librarian study contains a systematic study of literature and the results of previous research that are related to the research that will be carried out and endeavored to show the current state of the field of science "the state of the art", a literature study conducted before conducting the research.[5]

Meanwhile, according to Sugiyono, library research is a theoretical study, references and other scientific literature related to culture, values and norms that develop in the social situation under study.[6]

Documents are records of events that have already occurred / have occurred. Documents can be in the form of writings, pictures, or the landmark works of others. Documents in the form of writing, for example diaries, life histories, stories, biographies, regulations, policies, and others. Documents in the form of images, such as photos, live pictures, sketches, films, videos, CDs, DVDs, and others. Documents in the form of works include works of art, paintings, sculptures, manuscripts, writings, inscriptions and so on.

Interpretive means that a document is a written or printed record of past events, it can be in the form of anecdotal notes, letters, diaries and documents. Office documents include internal sheets, communications to various publics, student and employee files, program descriptions and teaching statistics. Nasution explained that: "There are non-human resources, including documents, photos and statistical materials.[7]

3. RESULT AND DISSCUSSION

3.1 Indonesian Archipelagic Sea Lanes (ALKI)

Indonesia is an archipelagic country championed by Mochtar Kusumaatmadja since the 1957 Juanda Declaration until the recognition of this conception by the international community in the 1982 UNCLOS. the area of the ocean two-thirds of the land outside.

According to UNCLOS 1982, which is contained in article 46, states that an archipelago means a country which entirely consists of one or more islands and can include other islands. Meanwhile, archipelago means a group of islands, including parts of the island, the waters in between and others. The natural form which is so closely related to one another that islands, waters and other natural forms constitute an essential geographical, economic and political unity, or which have historically been regarded as such.[8]

The Republic of Indonesia has ratified UNCLOS 1982 through Law No. 17 of 1985 concerning the ratification of the 1982 Convention on the Law of the Sea, so that Indonesia is bound by the right to implement the provisions of the 1982 convention. Therefore, Indonesia implemented the 1982 Convention on the Law of the Sea by making Law No. 6 of 1996 concerning Indonesian Waters. In Law no. 6 of 1996 there is a regulation regarding archipelagic sea lanes.

Archipelagic sea lanes are sea lanes traversed by foreign ships or aircraft over said sea lanes, to carry out shipping and flights in a normal manner solely for continuous, direct and fast transit as possible and unobstructed through or over archipelagic waters. and the adjacent territorial sea between one part of the high seas or the Indonesian Exclusive Economic Zone and other parts of the high seas or the Indonesian Exclusive Economic Zone.[9]

Indonesia is the only archipelagic country that has determined archipelagic sea lanes. The Indonesian archipelagic sea lanes consist of 3 archipelagic sea lanes (ALKI-I, ALKI-II, and ALKI-III) which stretch from north to south and vice versa.[10] Foreign ships that are conducting international voyages in exercising the right of passage through ALKI, both commercial ships and warships can pass without having to ask permission from the Indonesian government first. Including foreign submarines can also pass without having to appear on the surface of the sea, but this only applies and is specific to the three agreed sea lanes. If it passes the predetermined path, it is considered to have committed a violation.[11]

Therefore, the rights and obligations apply for foreign ships and aircraft that will cross the ALKI route which is the jurisdiction of the Republic of Indonesia to comply with the agreed regulations, including: (1) Foreign ships and aircraft that exercise their rights. archipelagic sea lanes passage must pass immediately, through or fly over archipelagic sea lanes normally, solely for the purpose of continuous, direct, rapid and unobstructed transit. (2) Foreign ships or aircraft carrying out archipelagic sea lane passage, may not deviate more than 25 (twenty-five) nautical miles on either side of the archipelagic sea lane axis line, provided that the said ship and aircraft are not allowed to travel. sailing or flying closer to the coast less than 10% (ten percent) of the distance between the closest points on the islands bordering the archipelagic sea lanes. (3) At the time of exercising the right of archipelagic sea lane passage, foreign ships and aircraft may not make threats or use force against the sovereignty, territorial integrity or political independence of the Republic of Indonesia, or in any other way that violates the principles of international law listed. in the Charter of the United Nations.

(4) Warships and foreign military aircraft, when exercising the right of archipelagic sea lane passage, may not undertake war games or training using weapons of any kind using ammunition. (5) Except in cases of disaster or force majeure, aircraft exercising the right of archipelagic sea lane passage are not allowed to land in Indonesian territory. (6) When exercising the right of archipelagic sea lane passage, all foreign ships may not stop or anchor or go back and forth, except in cases of disaster or in case of force majeure or to provide assistance to a person or ship experiencing a disaster. (7) Foreign ships or aircraft exercising the right of archipelagic sea lane passage are not allowed to carry out illegal broadcasts or interfere with the telecommunications system and may not communicate directly with unauthorized persons or groups within Indonesian territory.

The three ALKI routes are very meaningful to other countries in the regional and global area. This route is used by many countries to support their economic activities. Increasing international trade and transportation places the Indonesian sea playing an important role as a link between islands and between countries. With the opening of ALKI-I, ALKI-II, and ALKI-III, of course there will also be opportunities for the presence of various security consequences and threats in Indonesian waters.

3.2. Threats that occur in the Indonesian Archipelago Sea Lanes (ALKI)

The establishment and enforcement of the ALKI is a way to facilitate other countries with an interest in exercising their rights and obligations to cross Indonesian territory. For Indonesia as a country that has territorial sovereignty, this policy should make it easier for the government to supervise. Because of the many water gaps in Indonesia, only these three routes have been officially opened so they can become a top priority. On the other hand, countries whose ships wish to cross this route are obliged to follow all the procedures that have been determined. The increasing intensity of shipping is directly proportional to the increase in problems at sea. Until now, maritime security issues have not found the right solution. In fact, it is often discussed in various forums to find a way out of this problem.

The geographical condition of Indonesia, which is an archipelagic country and directly borders a number of countries, has resulted in many threats and challenges that must be faced by the Indonesian nation. In general, these threats consist of military threats (traditional) and non-military threats (non-traditional). A threat is every effort and activity in the country and abroad that is deemed to endanger the sovereignty of the country, the territorial integrity of the country, and the safety of the entire nation.

Traditional security threats involving state actors are now being displaced by widespread non-traditional security issues. But that doesn't mean traditional security issues just go away. In fact, Indonesia needs to be more vigilant because this threat can appear suddenly. Non-traditional security threats are often referred to as transnational issues. Transnational crime actors are generally organized groups and their main objective is to gain profit/finance both legally and illegally by selling any merchandise that can provide the maximum possible profit and with the least risk.

Transnational crime is almost always related to criminal acts with financial motives, and will have an impact on the interests of more than one country. These crimes include transborder organized criminal activity, financial crimes, drugs trafficking, money laundering, willful damage to the environment., and others.

So based on this it can be explained that transnational crime is a crime that occurs and is transnational. The definition of an act can be categorized as a crime if there is a legal aspect that is violated so that an act that has been formulated, designed, prepared, and carried out in a country may occur. It may not constitute a crime, but when the proceeds of crime that have been regulated, prepared and committed cross national borders to enter the jurisdictions of different countries, it can be categorized as a transnational crime.

Sudrajat said that the transnational crime issues facing Indonesia can be classified into three categories, namely: First, security disturbances at sea such as smuggling of wood, sand, fuel oil, and illegal fishing. Second, security disturbances in the air such as sabotage, air hijacking, reconnaissance of Indonesian territory and others. Third, disturbances in border areas such as smuggling of weapons, goods, narcotics and people smuggling.[12]

Other maritime security issues that need attention are non-traditional threats, namely: separatism and maritime terrorism piracy. Social unrest between sea users, illegal immigrants and illegal logging, piracy and piracy, and smuggling are also problems that must be resolved immediately. The increasing number of foreign ships passing through Indonesian waters increases the possibility of maritime piracy crimes. This phenomenon is not only assessed in terms of vulnerability from the security aspect, but also in terms of its enormous economic loss. Although terrorism and maritime piracy are not currently the main threats, these potentials must be anticipated properly before they escalate to become a national threat.

The threat of maritime border disputes is a problem that has not been resolved until now, the territorial dispute issue does not only involve Indonesia but also other countries in Southeast Asia, such as Vietnam, Malaysia, the Philippines and Brunei Darussalam. This condition is certainly worrying for regional security, Indonesia's maritime strategic position is very important and very influential in the map of the ASEAN border conflict, where two-thirds of the total waters of the Southeast Asian region are waters under Indonesian jurisdiction. Seeing this situation, of course Indonesia will always play a central role in regional security and stability, according to Leong.[13]

The violations that occurred in the ALKI area included: the arrest of the super tanker MT Horse from Iran and MT Freya from Panama in the waters of Pontianak, West Kalimantan which was carrying out a ship to ship transfer of fuel outside ALKI, and MT Freya carrying out an oil spill (disposal oil).[14] In the North Natuna Sea there were also violations in the form of illegal fishing by 5 (five) foreign fishing vessels with Vietnamese flags targeting squid as a target commodity.[15] And during the period

October 2019 to June 2020, Indonesia has captured 62 illegal foreign fishing vessels consisting of 19 Vietnamese-flagged vessels, 13 Philippine-flagged vessels, 11 Malaysian-flagged vessels, 1 Taiwan-flagged vessel and 18 Indonesian-flagged vessels.[16]

The Indonesian National Army Air Force (TNI AU) also found a lot of marine pollution, especially from oil spills when carrying out security operations over the Indonesian Archipelago Sea Channel (ALKI) using Hawk MK-53 type fighters. Commander of Air Squadron XV Air Base (Lanud) Iswahyudi, Lieutenant Colonel (Pnb) Novian Samyoga told reporters in Mataram, Monday (20/2) that the contamination was found in the route ALKI III Ambon Sea Waters, possibly ships passing in the ALKI. get rid of waste.[17]

Sea transportation is still the main route of global trade traffic, it also has the potential for smuggling of goods. At the same time, the smuggling of illegal firearms, drugs, fuel oil and humans is also easy and has the potential to become a serious threat to security.[18]

3.3. Maritime Security and State Sovereignty

Recently, the issue of maritime security needs serious attention. These marine security issues include threats of violence (piracy, piracy, sabotage and terror of vital objects), threats of navigation (theft and lack of navigation aids), threats of marine resources (destruction and pollution of the sea and its ecosystems) and threats of sovereignty and law (illegal immigrants), illegal fishing, exploration and exploitation of marine resources).

The interests of countries in the region, both regional and global, also need to be given attention. The main interest for countries in the global region, especially from large countries such as: the United States, China and Japan, is the ease of maritime access and availability of resources for the geoeconomic interests of these countries. Indonesia's strategic position in which there is the Indonesian Archipelago Sea Channel (ALKI) will facilitate and ease the logistics of inter-continental trade carried out by these major countries. This geostrategic paradigm has a very important role in the security interactions between regions on the continents of Asia and Australia. The interests of countries outside the region in Indonesian waters must be anticipated and responded to by Indonesia according to Hardiana & Trixie.[13]

According to McNicholas, maritime security is the steps taken by owners, operators, port facilities, ship administrators, offshore installations and maritime organizations in an effort to protect marine areas from piracy, confiscation, sabotage, theft and other intrusions.[19] Meanwhile, according to Christian Buerger in Widyoutomo, maritime security is a series of processes related to (1) conditions concerning the creation of marine safety, maritime power, and resilience (2) the interests that are the basis for the threat of martyrdom; and (3) enhancing maritime security. Buerger explained that all marine safety which includes navigation activities and all maritime resource management activities

can run safely and well and does not disturb and harm people, parties and the surrounding maritime environment is part of maritime security.[20]

Difficulties in the formulation of the maritime security concept can be said to occur due to avoiding pre-emptive action against maritime security forums that are outside the UN mechanism, the desire to separate the concept of maritime security from maritime safety, and a rigid definition of maritime security resulting in a reduction in national security authority in terms of marine management. This means maritime security does not only focus on military action, but also deliberate marine pollution activities, fisheries, and research or survey activities taking place at sea.

Maintaining maritime security is one part of the effort to maintain defense for the country's sovereignty. Indonesian sovereignty certainly includes good maritime safeguards, which is an effort to increase the strength of fleets or marine troops in an Indonesian territory by developing maritime ship installations, compliance, supervision, safety procedures and increasing educational capacity and training in human quality for maritime according to Pratama.[21] Maritime Security is a security issue that is very important to pay attention to in the regional area, given the many economic activities that occur simultaneously through the water area.

The issue of maritime security has become an important matter which also reinforces the return of the maritime state discourse. The unexplored maritime potential economically confirms that Indonesia's maritime defense infrastructure is still very weak. Changes in the global environment see the importance of maritime trade routes, so the issue of maritime security is very important for Indonesia. Not only to defend its sovereignty in the sea, but to provide security guarantees for international logistics ships crossing Indonesian waters. This condition raises awareness that there are still many irregularities in defense policy making in Indonesia, which so far has been too oriented towards strengthening the military system on land alone and neglecting the development of maritime or maritime policy postures. In fact, Indonesia is an archipelagic country that has many strategic straits in international shipping.[22]

The consequences of implementing Indonesian government policies in the maritime sector must see that there are still many maritime security problems that need to be looked for weak points, not forgetting land and air areas as strategic resources that can be utilized to become a unit. Many cases of piracy and armed robbery occur on the ALKI route, which is one of the busiest routes in the world. In this case, the Indonesian government's response to the threat of maritime security that occurs is urgently needed in the form of a national security strategy.

Efforts to achieve the goals of national interests, which are often referred to as national security strategies, rests on three pillars, namely: the economic pillar, the political pillar and the defense and security pillar. These three pillars are the strategic framework for the national security policy established by the president or government.[23] In particular, the Indonesian maritime strategy

discussed to realize the vision of the World Maritime Axis, the idea of President Jokowi is to use the Indonesian Navy (TNI AL) as a state tool in securing the oceans to safeguard the sovereignty of the Unitary State of the Republic of Indonesia (NKRI) which has previously responded Long Term Development Plan (RPJP) developed by President Susilo Bambang Yudhoyono. The Indonesian Navy created a new paradigm that was initiated by Admiral (Ret.) Dr. Marsetio, namely realizing the Navy as a World Class Navy, which is stated in his book entitled Sea Power Indonesia, and contains the condition of the Indonesian Navy in terms of the main defense system equipment (alutsista) as well as the quality and quantity of its personnel. [24]

This is in line with the development of the Indonesian Navy which wants the target to exceed the Minimum Essential Force (MEF) in 2010-2024. Consists of the level of ability, strength and strength degree patterns. With this MEF, it is hoped that the Indonesian Navy can become the main tool in the defense of the state in the maritime dimension, which has the ability to cope with future threats.[25]

3.4 Marine Defense Strategy

The maritime state defense strategy or often called the Archipelago Marine Defense Strategy (SPLN) is a strategy that is formulated based on the geostrategic concept as an archipelagic country, in accordance with Republic of Indonesia Law number 3 of 2002 concerning national defense, that state defense is prepared by considering Indonesia's geographical conditions. as an archipelago. The concept of state defense is layered defense which has the aim of deterring, overcoming and overcoming military or non-military threats and for the purpose of facing protracted war.[26]

The layered defense concept is a defense concept that rests on the integration of the military and non-military defense layers.[27] The SPLN is designed based on three interconnected pillars ranging from deterrence, multi-layered defense and sea control. In essence, the SPLN is a defense strategy carried out at sea which is dynamically influenced by the development of the strategic environment, and the availability of national resources which is carried out through joint operations, dimensional operations, and assistance operations supported by national forces. The three main concepts that underlie the SPLN are the concept of layered defense, shifting the battlefield, and universal defense.[28]

In essence, the SPLN is a defense strategy carried out at sea which is dynamically influenced by developments in the strategic environment, as well as the availability of national resources which is carried out through joint operations, dimensional operations, and assistance operations supported by national forces.[29] The three main concepts that underlie the SPLN are the concept of layered defense, shifting the battlefield, and universal defense. The three strategic objectives of the SPLN, namely preventing the intrusion of the intruders, overcoming various kinds of threats, and creating a controlled maritime jurisdiction are the three strategic objectives of the SPLN.[30] These three targets will be achieved by the SPLN which consists of three main strategies, namely the deterrence strategy, the layer defense strategy and the sea control strategy.[31]

4. CONCLUSION AND RECOMMENDATIONS

The United Nations Convention on the Law of the Sea (UNCLOS) defines the rights and obligations of participating countries in the use of world marine waters. It includes guidelines for trade, the environment and management of marine natural resources. This convention document has been discussed and updated into several versions. The third and final version is the active version and is valid until today. As of today, this document has been ratified by 165 participating countries.

Since 2002 through Government Regulation no. 37 of 2002, Indonesia has determined 3 (three) ALKI routes in Indonesian territorial waters which become the passage routes for foreign ships and foreign aircraft flying across Indonesian airspace. This provision regulates the rights and obligations of archipelagic states and archipelagic sea lanes users. Crossings of international ships and aircraft must comply with the designated routes. So that in carrying out archipelagic sea lanes passage, every foreign ship, both commercial ships, tankers and warships and aircraft, commercial aircraft or foreign military aircraft, must meet the conditions determined by the archipelagic state so that each route user can sail to his destination. safely.[33]

The idea of a maritime state for Indonesia has often been a mere discourse, currently all parties hope that this will not happen again. Efforts to realize Indonesia's vision as a 'World Maritime Axis' require a long process and time. Entering the new regime under the leadership of President Jokowi, the desire to make Indonesia the world's maritime axis received a good response from the public. Jokowi comes as a leader who continues Mochtar Kusumaatmadja's struggle to fight for the Indonesian sea by utilizing the ALKI route and the wealth of marine resources that he owns.[34]

The Archipelago Marine Defense Strategy (SPLN) is a strategy based on the geostrategic concept of being an archipelagic country, having three main concepts, namely: layered defense, shifting the battlefield, and universal defense. The SPLN has three main strategies, namely: a deterrence strategy, a layer defense strategy and a sea control strategy.

Several things that need to be underlined about future government policies are: First, the use of a marine defense strategy that prioritizes Indonesian maritime power which is realized by the development of the Indonesian Navy as a World Class Navy, as the driving force of Indonesia's marine guard. In addition, the government must act firmly against anyone who violates the rule of law. Second, the existence of ALKI as an international route that makes Indonesia an open country does not always cause problems and losses to the state, but as a careful nation we must be clever in utilizing the ALKI route to generate profits. Third, the idea of a world maritime axis should be supported by maximally mobilizing the strength of the maritime dimension, assisted by other related entities such as local governments, water and air police, fishermen, environmental activists, and others.

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