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# REGULATIONS FOR ENFORCEMENT OF CRIMINAL LAW IN INDONESIA'S OCEAN AND COASTAL AREA

**Refli Sinus Tumbio Doctoral**

Program Faculty of Law  
Sultan Agung Islamic University,  
Semarang,  
Indonesia  
[refli1972@gmail.com](mailto:refli1972@gmail.com)

**Sri Endah Wahyuningsih**

Faculty of Law  
Sultan Agung Islamic University,  
Semarang,  
Indonesia  
[endah.w@unissula.ac.id](mailto:endah.w@unissula.ac.id)

**Gunarto**

Faculty of Law  
Sultan Agung Islamic University,  
Semarang,  
Indonesia  
[gunartowr2@yahoo.com](mailto:gunartowr2@yahoo.com)

## ABSTRACT

Indonesia adheres to the concept of multi agency single task in law enforcement in the marine and coastal areas, as can be seen from the existence of 13 (thirteen) state institutions that have law enforcement authority in the sea and coastal areas as a result of the delegation of 17 (seventeen) laws relating to maritime area. Which causes ineffective law enforcement due to overlapping authorities. This study aims to analyze the regulation of criminal law enforcement in marine and coastal areas in Indonesia. This research is a normative legal research using secondary data obtained through a literature study, which consists of primary legal materials in the form of laws and regulations governing law enforcement in marine and coastal areas, secondary legal materials in the form of scientific literature and previous research that discusses authority. law enforcement in marine and coastal areas, as well as tertiary legal materials in the form of legal dictionaries and online information. Based on the research conducted, there are several regulations regarding the assignment, function, and authority of ministries/state institutions that overlap with each other in the enforcement of criminal law in the marine and coastal areas as a result of the weakness of the legal substance. The implementation of law enforcement is influenced by technical weaknesses such as the high sectoral ego of each authorized institution so that it is difficult to establish communication and coordination of law enforcement in the marine and coastal areas. infrastructure is the reason for the ineffectiveness of law enforcement in marine and coastal areas, so it is necessary to reconstruct Law No. 32 of 2014 concerning the Marine Affairs and Presidential Decree no. 178 of 2014 concerning Security Agency.

## Keywords

law enforcement, criminal law, sea and coast, authority.

## 1. INTRODUCTION

Indonesia is the largest archipelagic country in the world with a very strategic geographical position located between two oceans and two continents which are the main routes of international trade as well as in the Pacific region, Indonesia is directly adjacent to 10 countries<sup>1</sup> namely: India, Thailand, Malaysia, Singapore, Vietnam, Philippines, Palau, Papua New Guinea (PNG), Australia, Timor Leste.<sup>2</sup> As an archipelagic country, the sea in Indonesia has a very important function for the Unitary State of the Republic of Indonesia, namely the sea as a unifying medium for the nation, communication media, resource media, defense and security media, as well as diplomatic media, the life of the nation and state of the sea also has an important meaning, namely as an area of state sovereignty, maritime industrial space, Sea Lane on Communication (SLOC), and as an ecosystem [1].

Based on this understanding of the function of the sea and the importance of the Indonesian sea, it is understandable that in the sea there are various interests that synergize or actually attract each other's interests. This condition will directly or indirectly affect law enforcement and security efforts at sea. In an effort to enforce law and security at sea, if viewed from the Legislation, it has been

regulated in 17 (seventeen) national Legislations. Likewise, if viewed from an institutional perspective, the number of maritime institutions or agencies has 13 (thirteen) law enforcement agencies at sea. Of these, there are 6 (six) institutions that have a patrol task force at sea and 7 (seven) other law enforcement agencies do not have a patrol task force at sea. Law enforcement agencies that have a patrol task force at sea are: TNI-AL, POLRI/Directorate of Water Police, Ministry of Transportation-Directorate General of Sea Transportation, Ministry of Maritime Affairs and Fisheries - Director General of PSDKP, Ministry of Finance-Directorate General of Customs and Excise and BAKAMLA [2].

The six law enforcement agencies carry out patrols related to security at sea on a sectoral basis in accordance with the authority they have based on their respective laws and regulations. Meanwhile, law enforcement agencies that do not have a patrol task force at sea are: The Ministry of Tourism, the Ministry of Health, the Ministry of the Environment, the Ministry of Forestry, the Ministry of Energy and Mineral Resources, the National Narcotics Agency, and the Regional Government [3].

The many laws and institutions that regulate law enforcement at sea have the potential to create overlapping authorities, and different perceptions of authority that tend to lead to sectoral egos. These differences are very likely to occur in synchronization in terms of coordination of performance and authority which in the end becomes inefficient and effective in guarding and enforcing laws at sea and coast [4].

One agency that has the same task as BAKAMLA is the Marine and Coast Guard. The Sea and Coast Guard is internationally known as the only law enforcer in terms of maintaining security and safety in Indonesian waters, especially in the field of international shipping. The legal basis for this is Law Number 17 of 2008 concerning Shipping. Prior to the enactment of Law No. 17 of 2008 concerning Shipping, the Marine and Coast Guard had actually existed since 1942 and was internationally known as the only institution in Indonesia that served as law enforcement in terms of safeguarding security and safety in Indonesian waters. especially in the shipping sector. KPLP is internationally known as the Indonesia Sea and Coast Guard (ISCG) [5].

The existence of two agencies that have the same task, does not rule out the possibility of overlapping authorities which will also result in less than optimal benefits resulting from the establishment of the two agencies. Until now, Indonesia does not yet have an institution that has dimensional or comprehensive functions which include law enforcement, security and safety functions at sea, whose duties consist of aspects of early warning information system services, law enforcement at sea, customs and excise, shipping security and safety, control of living and non-biological natural resources in the marine environment, search and rescue at sea and national defense in a state of war [6].

So far, existing institutions carry out these functions, but because they are not integrated into an institution, they cannot run optimally. Practices so far have shown that law enforcement, security and safety at sea carried out by patrol units from various agencies/ministries have not been able to create marine security in Indonesian waters, this will be difficult to achieve because each relevant agency/ministry has a strategy/ministry. policies, equipment (infrastructure), different human resources, not in one integrated system, as well as in a unified command and control. Therefore, in its implementation there is often overlapping of authority and friction between agencies and even sectoral egos between these agencies or institutions are likely [7].

Based on the description in the background of the problem, this study aims to analyze the enforcement of criminal law in the marine and coastal areas in Indonesia.

## 2. RESEARCH METHOD

This type of research is normative juridical, namely legal research conducted by examining library materials or secondary data. Normative legal research is also called doctrinal legal research or document study, because this research is carried out or aimed only at written regulations or other legal materials.

Research approach using the Statute Approach which is carried out by examining all laws and regulations relating to the legal issues being handled, regarding the institutions and authorities to maintain and enforce the law at sea and coast. The legal issue of overlapping guard and law enforcement at sea and coast is central to the research. With the management of legal issues which is central to identifying the reasons for the overlapping of guarding and law enforcement at sea and coast, and then giving birth to an argument that can solve these legal issues.

This research also uses a conceptual and comparative approach by exploring or discussing concepts, doctrines or opinions of experts or experts regarding the institutions and authorities to maintain and enforce the law at sea and coast. The comparative approach is to conduct a comparative study of legal institutions for the Protection and Enforcement of Law at Sea and Coast in the Philippines, Japan and China, which already have one institution in maintaining and enforcing the law at sea and coast. Research data sources consist of: a. Primary legal materials. In the form of statutory regulations, Secondary Law materials in the form of books, journals, articles, research reports, results of seminars/workshops/symposiums related to safeguarding and law enforcement at sea and coast. Data collection methods are carried out by tracing primary legal materials and secondary legal materials that are considered relevant to the issue of safeguarding and law enforcement at sea and coast. And the results were analyzed by qualitative descriptive method.

### 3. DISCUSSION

#### 3.1 The current regulation on the enforcement of criminal law in marine and coastal areas is not yet fair

Law Number 34 of 2004 concerning the Indonesian National Armed Forces assigns five tasks to the Navy. One of the tasks, according to Article 9b, is to enforce the law and maintain the security of the national marine area in accordance with the provisions of national law and ratified international law. become a national jurisdiction [8].

Elucidation of Article 9b, What is meant by enforcing the law and maintaining security are all forms of activities related to law enforcement at sea in accordance with the authority of the Indonesian Navy (constabulary function) which is universally applicable and in accordance with the provisions of the applicable legislation to overcome threats of action, violence, navigational threats, as well as violations of law in the marine area of national jurisdiction [9].

Enforcing the law carried out by the Indonesian Navy at sea is limited to the scope of pursuit, arrest, investigation, and case investigation, which will then be submitted to the prosecutor's office. The Indonesian Navy does not hold courts according to Article 14 paragraph (1) of Law Number 5 of 1983 concerning the Indonesian Exclusive Zone [10].

UU no. 2 of 2002 concerning the Police Article 2, The function of the police is one of the functions of the state government in the field of maintaining security and public order, law enforcement, protection, protection, and service to the community Article 5 The State Police of the Republic of Indonesia is a state instrument that plays a role in maintaining security and public order, enforce the law, and provide protection, protection, and services to the community in the context of maintaining domestic security.

According to Article 1 paragraph (1) number 8 and number 9, it is stated that police officers have the authority as investigators and investigators, where their roles and functions cover the entire territory of Indonesia. Article 6 of Law. No. 17 of 2006 concerning Amendments to Law Number 10 of 1995 concerning Customs confirms that Customs and Excise Officials carrying out their duties under this Law, may request assistance from the Indonesian National Police, Indonesian National Army and/or other agencies, and upon such request the Police, Army National Indonesia is obliged to fulfill it [3].

Article 24 paragraph (3) of Law no. 6 of 1996 concerning Indonesian Waters, if necessary, for the implementation of law enforcement as referred to in paragraph (1) and paragraph (2), a coordinating body may be established which is stipulated by a Presidential Decree. The provisions of the above article have been revoked based on article 72 of Law No. 32 of 2014 concerning the Maritime Affairs which confirms: At the time this Law comes into force, the provisions concerning the establishment of a coordinating body as regulated in Article 24 paragraph (3) of Law Number 6 of 1996 concerning Indonesian Waters (State Gazette of the Republic of Indonesia of 1996 Number 73 of the Supplement to the State Gazette Republic of Indonesia Number 3647) is revoked and declared invalid. Article 73 paragraph (1) of Law no. 9 of 2009 concerning Amendments to Law no. 31 of 2004 concerning Fisheries, hereinafter referred to as the Fisheries Law, states that investigators for criminal acts in the field of fisheries are Civil Servant Investigators (PPNS), TNI and Police Officers, can coordinate in handling fisheries crimes, the minister establishes a coordination forum. Article 73 paragraph (2) of the Fisheries Law states that in addition to TNI AL investigators, Fisheries Civil Servant Investigators are authorized to conduct investigations into criminal acts in the field of fisheries that occur in the ZEEI [11].

Article 73 paragraph (3) of the Fisheries Law states that investigations into criminal acts in the field of fisheries that occur at fishing ports are prioritized by Investigators of Fisheries Civil Servants. Article 73 paragraph (4) of the Fisheries Law states that investigators as referred to in paragraph (1) can coordinate in handling investigations of criminal acts in the field of fisheries. Article 73 paragraph (5) of the Fisheries Law states that in order to coordinate in handling criminal acts in the field of fisheries as referred to in paragraph (4), the Minister shall establish a coordination forum [12].

In the Explanation Section of Article 73 paragraph (2), it reads that the investigation is carried out by the Fishery Civil Servant Investigator in a coordinated manner with the Investigator of the Navy Officers so that the investigation runs more efficiently and effectively based on the Joint Permanent Procedures in the Explanatory Section of Article 73 paragraph (4) of Law No. 31 of 2004 reads that Coordination is needed in addition to the smooth implementation of the investigator's duties, it is also intended to facilitate communication and exchange of data, information, and other matters needed in the framework of the effectiveness and efficiency of handling and/or settlement of fisheries crime [9].

In the Explanation Section of Article 73 paragraph (4) of Law No. 31 of the Year Coordination forums for handling criminal acts in the field of fisheries are possible to form in the regions, in accordance with the need to manage state sovereignty, maintain the territorial integrity of the Unitary State of the Republic of Indonesia, and protect the entire nation and all spilled areas. Indonesian blood from threats and disturbances to the integrity of the nation and state in the sea area, a marine defense system is formed.

Article 58 (2) The marine defense system as referred to in paragraph (1) is administered by the ministry in charge of government affairs in the defense sector and the Indonesian National Army. Article 59 paragraph (3), In the framework of law enforcement in the territorial waters and jurisdiction, particularly in carrying out security and safety patrols in the territorial waters and jurisdiction of Indonesia, a Marine Security Agency is established Article 60, the Marine Security Agency as referred to in Article 59 paragraph (3)

is a non-ministerial government institution that is located under and directly responsible to the President through the coordinating minister [13].

Article 61, The Maritime Security Agency has the task of conducting security and safety patrols in Indonesian waters and Indonesian jurisdictions. Article 62, In carrying out its duties, the Maritime Security Agency carries out the following functions:

- a. formulate national policies in the field of security and safety in Indonesian waters and Indonesian jurisdictions;
- b. implement an early warning system for security and safety in Indonesian waters and Indonesian jurisdictions;
- c. carry out safeguards, supervision, prevention, and prosecution of law violations in Indonesian waters and Indonesian jurisdictions;
- d. synergize and monitor the implementation of water patrols by relevant agencies;
- e. provide technical and operational support to relevant agencies;
- f. provide search and rescue assistance in Indonesian waters and Indonesian jurisdictions;
- g. and carry out other tasks in the national defense system.

Article 63 paragraph (1) In carrying out the duties and functions as referred to in Article 61 and Article 62, the Maritime Security Agency has the authority to: a. make a chase b. stop, inspect, arrest, carry, and hand over the ship to the relevant competent authorities for the implementation of further legal processes; and c. integrate security and safety information systems in Indonesian waters and Indonesian jurisdictions. Article 63 paragraph (2) The authority as referred to in paragraph (1) is carried out in an integrated and integrated manner in a single command and control unit. Article 58 (2) The marine defense system as referred to in paragraph (1) is administered by the ministry which is in charge of defense and administers government affairs in the field of the Indonesian National Armed Forces. Article 59 paragraph (3), In the context of law enforcement in territorial waters and jurisdictional areas, particularly in carrying out security and safety patrols in Indonesian waters and jurisdictions, a Marine Security Agency was established 2. Law No. 17 of 2017 concerning Shipping Article 1 number 59 states: Sea and Coast Guard is an institution that carries out the function of guarding and enforcing laws and regulations at sea and coast which is formed and is responsible to the President and technically operationally carried out by the Minister [14].

Article 282 paragraph (1) states: In addition to investigators from the Indonesian National Police and other investigators, certain civil servants within the agency whose scope of duties and responsibilities are in the shipping sector are given special authority as investigators as referred to in this Law. Article 282 paragraph (2) states: In carrying out their duties certain civil servants as referred to in paragraph (1) are under the coordination and supervision of investigators from the State Police of the Republic of Indonesia. Article 283 paragraph (1) states: Investigators as referred to in Article 282 are authorized to investigate criminal acts in the shipping sector. Article 276 paragraph (1) states: To ensure the implementation of safety and security at sea, the function of guarding and enforcing laws and regulations at sea and coast is carried out. Article 276 paragraph (2) states: The implementation of the functions as referred to in paragraph (1) is carried out by the marine and coastal guards. Article 277 paragraph (1) states: In carrying out the functions as referred to in Article 276 paragraph (1) the marine and coastal guards carry out the duties:

- a. to supervise the safety and security of shipping;
- b. carry out supervision, prevention, and control of pollution in the sea;
- c. supervision and control of ship traffic and activities;
- d. supervision and control of salvage activities, underwater work, as well as exploration and exploitation of marine resources;
- e. security of Sailing-Navigation Assistance Facilities; and f. support the implementation of life search and rescue activities at sea.

Article 277 paragraph (2) states that in carrying out the functions as referred to in Article 276 paragraph (1), marine and coastal guards carry out coordination for:

- a. formulating and establishing general policies for law enforcement at sea;
- b. develop policies and standard operating procedures for law enforcement at sea in an integrated manner; activities for guarding, supervising, preventing and prosecuting violations of the law as well as securing shipping and securing community and government activities in Indonesian waters; and
- c. provide administrative technical support in the field of law enforcement at sea in an integrated manner.

Article 278 paragraph (1) mentions the authority of the Sea and Coast Guard: a. carry out sea patrols; b. conduct a hot pursuit; c. stop and inspect ships at sea; and D. conduct an investigation.

Article 278 paragraph (2) states: In carrying out the authority as referred to in paragraph (1) letter d, marine and coastal guards carry out their duties as PPNS officials in accordance with the provisions of laws and regulations. Article 279 paragraph (1) states: In order to carry out their duties, marine guards and the coast as referred to in Article 277 is supported by infrastructure in the form of bases for the marine and coastal guard fleets located throughout the territory of Indonesia, and may use ships and aircraft with the status of state ships or state aircraft. Article 279 paragraph (2) states: Marine and coastal guards are required to have qualifications and competencies in accordance with the provisions of laws and regulations. Article 279 paragraph (3) states: The implementation of guarding and law enforcement at sea by the marine and coastal guards as referred to in paragraph (1) must use and show a clear identity [5].

Article 280 states: Personnel guarding and enforcing regulations in the shipping sector who do not use and show a clear identity as referred to in Article 279 paragraph (3) will be subject to administrative sanctions in accordance with the above. Act as investigators, and the second position is the Navy, while PPNS is only mandated by sectoral laws [15].

The Fisheries Law regulates that investigators in the Indonesian exclusive economic zone are the Indonesian National Police, Naval National Army Officers appointed by the Commander of the Armed Forces of the Republic of Indonesia and Fisheries PPNS in the case of criminal acts in the field of Fisheries. fishery at the port and can coordinate with the police and navy, where a coordination forum is established by the Minister of Fisheries, as well as the Customs law confirms that customs officials who are carrying out their duties in accordance with the law can request assistance from the Police, the Indonesian National Armed Forces and/or or to other agencies, the Police, the Indonesian National Armed Forces and/or other agencies are required to comply, these two laws substantially require coordination between the Fisheries PPNS and the Police and Navy as well as Customs PPNS. However, at the implementation level there is no coordination, instead it seems that there is a sectoral ego, this is what causes law enforcement in the sea and coastal areas to be ineffective, as well as Bakamla has the authority that is stipulated in the legislation in the field of personnel [16].

Similar to the Coast Guard in Articles 61 and 62, the Maritime Security Agency has the authority to make immediate pursuit; stop, inspect, arrest, carry, and hand over the ship to the relevant competent authorities for the implementation of further legal processes; and integrating security and safety information systems in Indonesian waters and Indonesian jurisdictions, the Coast Guard has the same authority as stated in Article 278 paragraph (1) of the Shipping Law which states that the Coast Guard's authority is to carry out marine patrols; conduct a hot pursuit; stop and inspect ships at sea; and conducting investigations, this is what has resulted in an overlapping authority between Bakamla and the Coast Guard. The overlapping authority has a negative impact on the economic sector, especially in the sea shipping business. Where merchant ships are required to undergo several inspections carried out by many institutions so that it affects the increase in shipping operational costs [17].

Weaknesses of the Current Criminal Law Enforcement Authority Regulation in the Sea and Coastal Areas Article 58 paragraph (2) of Law No. 32 of 2014 concerning the Marine states that the marine defense system as referred to in paragraph (1) is carried out by the ministry that carries out government affairs in the defense sector and the Indonesian National Army that there are weaknesses. In this provision, the authority for law enforcement at sea is still not clearly divided, so it is possible that there will be overlapping authorities. Article 60 of Law No. 32 of 2014 concerning Marine Affairs states that the Maritime Security Agency as referred to in Article 59 paragraph (3) is a non-ministerial government institution that is located under and directly responsible to the President through the coordinating minister [18].

The Maritime Security Agency as referred to in Article 59 paragraph (3) is a non-ministerial government institution that is under and directly responsible to the President through the coordinating minister, in this provision it is not explained about the elements of Bakamla. Article 61 of Law No. 32 of 2014 concerning Marine Affairs states that the Maritime Security Agency has the task of carrying out security and safety patrols in Indonesian waters and Indonesian jurisdictions, That this Article gives law enforcement authority to Bakamla in general without clear boundaries so that overlapping the overlapping authority of law enforcement by the Navy based on Article 14 paragraph (1) of Law no. 5 of 1983 concerning the EEZ, Article 9 of Law No. 34 of 2004 concerning the TNI, and Article 10 of Law no. 3 of 2002 concerning National Defense [19].

In addition, it also overlaps with the authority of the Marine and Coast Guard as regulated in Article 276-Article 278 of Law no. 17 of 2008 concerning Shipping. Article 276 of Law Number 17 of 2008 concerning Shipping:

- (1) To ensure the implementation of safety and security at sea, the function of guarding and enforcing laws and regulations at sea and coast is carried out.
- (2) The implementation of the functions as referred to in paragraph (1) is carried out by the marine and coastal guards.
- (3) The marine and coastal guard as referred to in paragraph (2) is established and is responsible to the President and technically operational is carried out by the Minister.

This article gives law enforcement authority to the Marine and Coastal Guards without clear boundaries so that the authority of the marine and coastal guards overlaps with other law enforcement authorities in the Sea, Sea and Coastal areas. This article does not provide provisions regarding the obligation to coordinate with the Maritime Security Agency which is the coordinating agency for all law enforcement agencies in the Marine and Coastal Areas. Article 2 Presidential Regulation No. 178 of 2014 concerning Maritime Security Agency: Bakamla has the task of conducting security and safety patrols in Indonesian waters and Indonesian jurisdictions.

This provision is the same as explanation number 1, considering that Presidential Regulation No. 178 of 2014 is the implementing regulation of Article 59 of Law no. 32 of 2014 so it is also necessary to make changes [20].

According to Chambliss and Seidman, a role holder will act as a response to the rule of law, which is a function of the regulations directed at him, the sanctions, the activities of implementing agencies and the overall complex of social, political, and other forces regarding him. In addition to the role holders, it is also explained by Chambliss and Seidman that the legislators will act as a function of the regulations that govern their behavior, the sanctions, the whole complex of social, political, ideological, and other forces that concern themselves. them and the feedback that comes from stakeholders and the bureaucracy [21].

The description above shows that political power influences the regulators, which in this case is the regulation related to the granting and distribution of law enforcement authority in the marine and coastal areas to several institutions. In addition to the level of regulators, every role holder who exercises this authority is also subject to political pressure from interested parties, both domestic and international politics. Politics certainly affects the state of government considering that the existence of a country is always influenced by its environmental conditions [6].

The surrounding environment in question includes the strategic environment which shows a dynamic interaction pattern between the internal and external contexts, the relationship of tendencies, opportunities (opportunities), and threats (threats). This interaction pattern certainly involves a number of state actors and non-state actors which Yerger said as a dynamic interaction relationship will involve a pattern of relationships between the natural environment, state actors, and non-state actors. The paragraph above intends to show that the existence and resilience of a country is influenced by the strategic environment. Where the management of the maritime sector is classified as a strategic environment because the strategic environment has various contexts, conditions, relationships, trends, interactions, and impacts on internal and external state entities that affect success in establishing relationships with the physical world, entities of other countries, and other countries. actor. Non-state actors are organizations in the private sector, both for-profit and not-for-profit [22].

The strategic environment affects the existence of a country with randomness or order. The strategic environment is prone to rapid changes and developments that have implications for policy outputs and the orientation of political institutions. Such conditions will have implications for both positive and negative impacts. The positive implications will bring benefits to support the ideals, goals, and political interests, while the negative implications will cause an increase in the potential threat to political sustainability [23].

This strategic environment needs to be observed as a form of consideration for issuing political decisions. Furthermore, the strategic environment develops from various dimensions such as security, economic, political, social, technological, and so on. Each of the above dimensions competes with each other so scanning is necessary. This is also related to the idea that the implementation of public policy has a close relationship with domestic and international politics, which is analyzed using an intermestic approach. The intermestic approach is intended to analyze changes in the era of globalization that are used as a bridge between international approaches and domestic approaches to formulate or change a maritime law enforcement policy [24].

Through the policy of drafting regulations, the authority for law enforcement in marine and coastal areas is often linked to policy agendas and political agendas. This refers to the direction or strategy of enforcing the law of the sea like what is desired to be implemented. If you look at the factual conditions, the strategy in question tends to refer to the context of the division of authority in each relevant agency. Furthermore, political influence on the distribution of law enforcement authorities in the sea and coastal areas is closely related to the political situation promoted by the cabinet. This condition is emphasized in the Indonesian Defense White Paper which states that significant arrangements are currently coloring the course of national political conditions starting from aspects of political infrastructure, political superstructure, and political culture. Specifically in the maritime sector, the Coordinating Ministry for Maritime Affairs was formed in 2014 and now it has been changed to the Coordinating Ministry for Maritime Affairs and Investments so that it can improve and improve the quality of maritime policy coordination [25].

In addition to establishing the Coordinating Ministry for Maritime Affairs and Investment, the relationship between ministries/state institutions has also colored the ups and downs of law enforcement in the maritime and coastal areas as mentioned in the discussion of the first weakness. That the political direction proclaimed by the elected president and vice president will affect which institutions/ministries will receive the largest portion of support as the "rulers" of law enforcement in the marine and coastal areas [26].

#### 4. CONCLUSION

The regulation on the authority to enforce criminal law in the maritime and coastal areas has not been fair because of overlapping authorities. The overlapping authority in question is indicated by the similarity of authority to carry out surveillance, pursuit, and investigations in the marine area and jurisdiction of Indonesia. Such conditions are especially experienced by the Navy based on Article 14 paragraph (1) of Law no. 5 of 1983 concerning the EEZ, Article 9 of Law No. 34 of 2004 concerning the TNI, and Article 10 of Law no. 3 of 2002 concerning National Defense. with the authority of the Sea and Coast Guard as regulated in Article 276 Article 278 of Law no. 17 of 2008 concerning Shipping. 2. Weaknesses in Legal Substance, Article 58 paragraph (2), Article 60, Article 61 of Law No.32 of 2014 concerning Marine Affairs, Article 276 of Law Number 17 of 2008 concerning Shipping, Article 2 of Presidential Regulation No. 178 of 2014 concerning the Maritime Security Agency The implementation of law enforcement is

influenced by technical weaknesses such as the high sectoral ego of each authorized institution so that it is difficult to establish communication and coordination of law enforcement in marine and coastal areas. infrastructure is the reason for the ineffectiveness of law enforcement in marine and coastal areas.

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