

The Authority of the Indonesian Maritime Security Agency in Enforcing Law within Indonesian Waters

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ABSTRACT

Indonesia has established a comprehensive legal framework governing the authority of the Indonesian Maritime Security Agency (Bakamla) in maintaining maritime security and enforcing law at sea, as regulated under Law Number 32 of 2014 on Maritime Affairs and international instruments such as the United Nations Convention on the Law of the Sea. However, in practice, maritime law enforcement in Indonesian waters faces significant challenges, particularly overlapping institutional authorities and weak inter-agency coordination. This study aims to analyze the implementation of Bakamla's authority and identify the juridical constraints encountered. It adopts a normative juridical approach using secondary legal materials, analyzed qualitatively through a deductive method. The findings reveal that Bakamla's authority has strong legal legitimacy based on the 1945 Constitution, relevant laws, government regulations, and presidential regulations. Bakamla is authorized to conduct maritime patrols, monitor territorial waters, undertake initial law enforcement actions, and coordinate with institutions such as the Indonesian Navy and the National Police. Nonetheless, its implementation is hindered by fragmented authority, limited investigative powers, differing institutional legitimacy, and inadequate regulatory harmonization. Strengthening coordination and integrating maritime law enforcement systems are therefore essential to improve the effectiveness of safeguarding Indonesian waters.

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1. INTRODUCTION

Indonesia is widely recognized as the world's largest archipelagic state, possessing vast maritime territories and a highly strategic geographical position between two continents and two oceans [1].

These geographical conditions render Indonesia's maritime domain not merely as a regional connector, but also as a vital element in terms of state sovereignty, national security, and economic development [2]. Indonesian waters serve as a principal route

for international trade while simultaneously constituting a strategic space for the utilization of natural resources. Therefore, the establishment of an effective maritime security system becomes a fundamental necessity for the state in safeguarding the stability and sovereignty of its territorial waters.

The archipelagic state concept adopted by Indonesia has gained legitimacy in international law through the United Nations Convention on the Law of the Sea (UNCLOS 1982), which recognizes state sovereignty over archipelagic waters as well as sovereign rights to exploit the natural resources contained therein. The Convention also affirms the obligation of coastal states to maintain security and order within their maritime zones. In this regard, the state bears the responsibility to ensure that all activities conducted within its maritime domain remain within the framework of applicable law [3].

As an archipelagic state with a coastline extending over 108,000 kilometers, Indonesia faces considerable challenges in safeguarding the security of its maritime domain. The complexity of maritime issues continues to intensify alongside the proliferation of various forms of maritime crime, including illegal fishing, smuggling, human trafficking, and transnational crimes that exploit sea routes [4]. This phenomenon demonstrates that Indonesia's seas function not only as an economic space but also as a domain highly vulnerable to diverse legal violations [5].

In an effort to strengthen maritime security governance, the Indonesian government has enacted various legal policies regulating the protection of its maritime areas [6]. One of the key regulations is Law Number 32 of 2014 on Maritime Affairs, which serves as the legal foundation for the establishment of the Indonesian Maritime Security Agency (Bakamla). This institution is mandated to conduct security and safety patrols within Indonesian waters and areas under national jurisdiction.

As reported by the Constitutional Court of the Republic of Indonesia (mkri.id) on 10 December 2025, during a continued judicial review hearing of Article 59 paragraph (3), Article 61, Article 62 letter (c), and Article 63 paragraph (1) letter (b) of Law Number 32 of 2014 on Maritime Affairs, registered under Case Number 180/PUU-XXIII/2025, the Court heard statements from relevant parties, namely the Indonesian Navy, the Indonesian Maritime Security Agency (Bakamla), and the Indonesian National Police. In the proceedings, it was explained that the establishment of Bakamla aims to ensure security, safety, and law enforcement in Indonesian waters and jurisdiction, in line with the mandate of Article 30 of the 1945 Constitution. Bakamla is authorized to conduct maritime security and safety patrols as stipulated in Article 61 of the Maritime Affairs Law, including the authority to stop, inspect, detain, and escort vessels suspected of violating the law, which are subsequently handed over to the competent authority, in this case the Indonesian Navy. In practice, however, Bakamla does not possess investigative authority; therefore, all enforcement actions must be transferred to institutions vested with investigative powers in accordance with prevailing laws and regulations. This is reflected, for instance, in the handling of the alleged violation involving the vessel KM Suryani Ladjoni, which was transferred to the Indonesian Navy for further legal proceedings. From a constitutional perspective, Bakamla is regarded as an administrative body that derives its authority through statutory delegation rather than as a constitutional organ, unlike the Indonesian National Police, whose existence is explicitly regulated under Article 30 paragraph (4) of the 1945 Constitution. Accordingly, Bakamla's authority in administering maritime security and safety must be interpreted proportionally as a technical-operational and complementary function, ensuring that it neither replaces nor exceeds the constitutional authority of the Police in criminal law enforcement within national waters [7].

Normatively, the existence of Bakamla is expected to serve as the primary institution in safeguarding maritime security through patrol activities, coordination, and synergy among law enforcement agencies at sea [8]. The establishment of this agency is also intended to strengthen the national maritime security system, which had previously been considered insufficiently coordinated. In this regard, Bakamla holds a strategic function as an integrative body that connects various institutions possessing authority in maritime affairs [9].

Nevertheless, in practice, law enforcement in Indonesian waters continues to face various challenges, particularly those related to overlapping authorities among institutions [10]. In addition to Bakamla, several other agencies possess jurisdiction at sea, including the Indonesian Navy, the Indonesian National Police, and the Directorate General of Customs and Excise. Each of these institutions is governed by its own legal framework, which grants authority to conduct supervision and enforcement activities in maritime areas [11].

The existence of multiple institutions with relatively similar mandates has given rise to practical challenges in maritime law enforcement [12]. The lack of clear delineation of authority often results in duplication of functions as well as jurisdictional conflicts in the field. This condition indicates that the regulatory framework governing maritime law enforcement has not yet been fully harmonized in a comprehensive manner [13].

These regulatory issues ultimately have implications for the effectiveness of law enforcement in Indonesian waters [14]. In several cases, coordination among law enforcement agencies remains partial, resulting in suboptimal enforcement processes against maritime violations. This situation reflects weaknesses in the institutional design governing Indonesia's maritime security system [15].

Such phenomena are evident in the persistent occurrence of illegal fishing by foreign vessels in Indonesian waters. Illegal fishing not only causes significant economic

losses to the state but also threatens the sustainability of marine resources. In several enforcement operations, the involvement of multiple agencies often gives rise to coordination challenges, leading to delays in case handling.

Moreover, various cases of smuggling through maritime routes further demonstrate that the surveillance system in Indonesian waters still has notable deficiencies [16]. Criminal actors frequently exploit the vastness of Indonesia's maritime territory and the limitations of monitoring systems to conduct illegal activities. This condition underscores that maritime law enforcement requires a robust and well-coordinated institutional framework [17].

From a legal perspective, this condition indicates a gap between empirical realities and the ideal normative framework that should be realized [18]. Normatively, regulations governing maritime law enforcement should provide clear delineation of authority for each institution and establish effective coordination mechanisms [19]. However, in practice, regulatory disharmonization persists, resulting in a law enforcement system that has yet to operate optimally.

Within the framework of authority theory in administrative law, each state institution should possess clearly defined competences to prevent jurisdictional conflicts in governance [20]. Clarity of authority is also a fundamental prerequisite for ensuring legal certainty and the effectiveness of law enforcement. Therefore, the regulatory framework governing Bakamla's authority requires deeper examination to ensure that the institution can perform its functions optimally [21].

The urgency of research on Bakamla's authority becomes increasingly significant given Indonesia's strategic position as a maritime state. Law enforcement in maritime areas is not only related to the protection of natural resources but also concerns state sovereignty and national security stability. Accordingly, the existence of a strong and integrated maritime

security system is an indispensable necessity [22].

This research is also important to examine how Bakamla's authority is regulated within the framework of the national legal system and its relationship with other maritime law enforcement agencies [23]. The study is expected to provide insights into the effectiveness of existing regulations while identifying persistent challenges in the practice of maritime law enforcement in Indonesia [24].

The novelty of this research lies in its effort to analyze Bakamla's authority from the perspective of legal harmonization and the effectiveness of maritime law enforcement in Indonesia. This study not only examines the legal norms governing Bakamla's authority but also explores the issue of overlapping jurisdictions among maritime law enforcement agencies and their implications for the national maritime security system [25].

Therefore, this research is expected to contribute academically to the development of maritime law studies in Indonesia and to offer constructive recommendations for the formulation of more effective legal policies in maritime security governance. Through a comprehensive analysis, this study aims to strengthen the position of Bakamla as a strategic institution within the maritime law enforcement system in Indonesian waters.

2. LITERATURE REVIEW

2.1 Theory of Authority

Authority constitutes a form of legal power vested in public officials or governmental bodies to make decisions and/or take actions in the administration of governance. It reflects not only the right to act but also entails corresponding legal obligations. From the perspective of administrative law, authority is distinct from power, as it derives from law (*rechtsmacht*) and is regulated through binding legal norms, as affirmed in Law Number 30 of 2014. Scholars such as H.D. Stout, Bagir Manan, and Philipus M. Hadjon

emphasize that authority relates to the acquisition and exercise of power within the public sphere, which may be obtained through attribution, delegation, and mandate. These three forms differ fundamentally in terms of their source, transfer, and legal responsibility: attribution originates directly from legislation; delegation involves the transfer of authority along with its responsibility; and mandate refers to the delegation of the exercise of authority without transferring responsibility. Thus, authority functions as a legal instrument that determines the legitimacy of governmental actions within the framework of the rule of law [26].

2.2 Theory of Law Enforcement

Law enforcement is the process of translating legal norms and values into reality within society in order to achieve justice, legal certainty, and social order. Law cannot be separated from the socio-cultural context of society, as emphasized by Satjipto Rahardjo, indicating that the effectiveness of law enforcement depends significantly on the alignment between legal norms and the living values within society. According to Soerjono Soekanto, law enforcement represents an effort to harmonize the values embodied in legal norms with actual human behavior to create social order. It can be understood in a broad sense (involving all legal subjects) or in a narrow sense (limited to law enforcement officials), and it encompasses both formal and substantive dimensions. The effectiveness of law enforcement is influenced by five key factors: the legal substance itself, law enforcement personnel, facilities and infrastructure, society, and culture. Therefore, law enforcement is not merely normative but also sociological and structural in nature [27].

2.3 Indonesian Maritime Security Agency (Bakamla)

The Indonesian Maritime Security Agency (Bakamla) is a non-ministerial

government institution directly accountable to the President and plays a strategic role in ensuring security, safety, and law enforcement within Indonesia's maritime zones and jurisdiction. Based on its institutional grand design, Bakamla envisions the realization of a professional and reliable maritime security system to support national sovereignty and welfare. Its primary missions include the protection of maritime territories, the management of marine resources, and the strengthening of Indonesia's position as a global maritime axis. To achieve these objectives, Bakamla has established a long-term strategic plan (2019–2045), which encompasses the strengthening of national policies, the integration of maritime surveillance and information systems, the enhancement of institutional and human resource capacity, and the provision of modern infrastructure. Strategically, Bakamla contributes to the promotion of integrated maritime law enforcement, the development of early warning systems, and inter-agency synergy to create an effective, efficient, and sustainable maritime security system [28].

3. METHODS

This study employs a normative juridical approach, categorized as normative legal research [29], which emphasizes the examination of library materials or secondary data, particularly statutory regulations, legal principles, and legal doctrines related to the authority of the Indonesian Maritime Security Agency (Bakamla) in enforcing law within Indonesian waters. The operational variables in this study are focused on two main aspects: first, Bakamla's authority, including its legal basis, scope of duties, and forms of law enforcement actions; and second, the juridical constraints encountered, such as overlapping authorities among institutions, normative gaps, and regulatory disharmonization. In addition, this research

analyzes the implications of the exercise of such authority on the effectiveness of law enforcement, including the extent to which Bakamla's authority can be optimally implemented and its impact on inter-agency coordination within Indonesian maritime areas. The type of data used is secondary data, consisting of primary legal materials in the form of relevant legislation, secondary legal materials such as books and scholarly works in the fields of law and maritime security, and tertiary legal materials including dictionaries, journals, and encyclopedias as supporting references. Data analysis is conducted qualitatively by systematically processing and interpreting the data, and by applying a deductive method to draw conclusions from general legal provisions to the specific issues under study [30]. This approach enables a comprehensive understanding of the legal framework, the implementation of Bakamla's authority, and the juridical constraints affecting the effectiveness of law enforcement in Indonesian waters.

4. RESULTS AND DISCUSSION

4.1 *The Authority of the Indonesian Maritime Security Agency in Law Enforcement within Indonesian Waters*

The authority of the Indonesian Maritime Security Agency (Bakamla) in enforcing law within Indonesian waters essentially reflects a multi-layered construction of national law, ranging from constitutional norms to technical operational regulations, which systematically form a comprehensive, integrative, and functional framework of authority in safeguarding national maritime security. Constitutionally, the foundation of this authority can be traced to the 1945 Constitution of the Republic of Indonesia, particularly Article 30 paragraphs (2) and (3), which emphasize that the national defense and security system is implemented through a universal defense and security system involving the Indonesian National Armed Forces (TNI) and the Indonesian

National Police (Polri) as the main forces, with the people serving as supporting components. This norm philosophically reflects an integrative and participatory national security paradigm, where the responsibility for maintaining state security is not solely imposed on military and police institutions, but also involves various other state components in a synergistic manner.

In the context of maritime security, this provision opens the possibility for the establishment of specialized institutions with specific functions in supporting the national security system, including Bakamla as an institution responsible for maintaining security and safety in maritime areas. Furthermore, Article 30 paragraph (3) affirms that the Indonesian National Armed Forces have the primary function of defending, protecting, and maintaining the integrity and sovereignty of the state, which in the maritime context is carried out by the Indonesian Navy as the main component of maritime defense. However, the evolving dynamics of modern maritime security indicate that not all maritime issues are directly related to military defense functions, but also encompass law enforcement, navigation safety, natural resource protection, and the supervision of economic activities at sea. Consequently, institutional differentiation between defense and maritime law enforcement functions becomes necessary. Within this framework, Bakamla gains constitutional legitimacy as an institution that does not replace the role of the Indonesian Navy, but rather complements the maritime security system through the implementation of maritime security and maritime law enforcement functions.

Normatively, Bakamla's authority is further strengthened by Law Number 32 of 2014 concerning Maritime Affairs, which explicitly regulates its institutional status, duties, functions, and authority. The law stipulates that

Bakamla is a non-ministerial government agency directly accountable to the President through the coordinating minister, reflecting that maritime security constitutes a strategic national interest within the domain of state policy. This institutional positioning also addresses the fragmentation of authority previously dispersed across multiple agencies, such as the Indonesian Navy, Water Police, the Ministry of Marine Affairs and Fisheries, and other related institutions. Thus, Bakamla is designed as a coordinating body to integrate maritime patrol and surveillance activities.

Bakamla's primary duty, as stipulated by the law, is to conduct security and safety patrols in Indonesian waters and jurisdictional areas, which normatively reflects the state's responsibility to maintain sovereignty, security, and legal order in maritime spaces. This duty extends beyond territorial monitoring to include natural resource protection, ensuring navigation safety, and preventing transnational maritime crimes. In carrying out these responsibilities, Bakamla performs comprehensive functions, including policy formulation, early warning system implementation, surveillance and patrol operations, law enforcement actions, inter-agency patrol synergy, provision of technical and operational support, and search and rescue assistance. These functions demonstrate that maritime security cannot be narrowly understood as mere law enforcement, but rather as a multidimensional and integrated maritime security system.

Operationally, Bakamla's authority in maritime law enforcement is clearly regulated in Article 63 of Law Number 32 of 2014, which grants the agency the power to conduct hot pursuit, stop and inspect vessels, make arrests, and hand over vessels to competent authorities for further legal proceedings. This authority indicates that Bakamla functions as an initial maritime law

enforcement body, where its actions are limited to the preliminary stage before being continued by authorized investigative institutions in accordance with prevailing laws and regulations. This arrangement reflects a functional distribution of authority within Indonesia's maritime law enforcement system, where each institution performs its role based on its legal mandate. Additionally, Bakamla's authority to integrate maritime security and safety information systems highlights its role not only as an operational body but also as a national maritime information coordination center connecting various surveillance systems across agencies.

Further reinforcement of Bakamla's authority is found in Government Regulation Number 13 of 2022, which governs the implementation of security, safety, and law enforcement in Indonesian waters and jurisdictional areas. This regulation emphasizes that maritime law enforcement is conducted collaboratively by multiple institutions, including Bakamla, the Indonesian Navy, the Water and Air Police, and other technical agencies. This provision reflects a multi-actor and integrative paradigm of maritime law enforcement, considering the complexity of maritime activities and the vastness of Indonesia's maritime territory. Within this framework, Bakamla plays a role in conducting security patrols and carrying out initial enforcement actions, including data and information collection, enforcement measures, and the transfer of cases to competent authorities. The regulation also highlights the importance of integrated maritime information systems as strategic instruments to enhance surveillance effectiveness, enable early detection of violations, and accelerate responses to maritime threats.

Presidential Regulation Number 178 of 2014 concerning Bakamla further provides operational clarity regarding its duties, functions, and authority. It emphasizes Bakamla's primary

responsibility in conducting maritime security and safety patrols, reflecting the state's obligation to maintain stability and sovereignty in maritime territories. The regulation also strengthens Bakamla's role not only in law enforcement but also in strategic policy formulation, early warning system management, and inter-agency coordination. Its authorities, including hot pursuit, vessel inspection, arrest, and maritime information integration, reinforce its strategic role as both an initial law enforcement body and a coordinator of national maritime security.

At a more technical level, Bakamla's operational doctrine, as stipulated in Regulation of the Head of Bakamla Number 18 of 2020, further clarifies the practical implementation of its authority. This doctrine identifies maritime patrol as the primary instrument for maintaining legal order in Indonesian waters and as a mechanism for early detection of maritime security threats. It also underscores the importance of inter-agency coordination and synergy in creating an effective and efficient maritime surveillance system, as well as the utilization of technology and information systems to support Bakamla's operational activities.

From a theoretical perspective, Bakamla's authority can be analyzed through the theory of authority in administrative law, which posits that every governmental action must be based on lawful authority granted by legislation. Bakamla's authority is derived from attribution provided by statutory law, particularly Law Number 32 of 2014, thereby granting it strong legal legitimacy within the national legal system. Implementing regulations such as government and presidential regulations serve as normative instruments to further elaborate this authority for effective operationalization. In this context, Bakamla's authority represents a manifestation of state power

to enforce law within its jurisdiction, particularly in maritime spaces characterized by complex geographical and legal features.

In terms of law enforcement theory, Bakamla's existence aligns with Satjipto Rahardjo's perspective that law enforcement should not merely focus on formal rule application but must also consider the social values within society. Maritime law enforcement conducted by Bakamla aims not only to sanction violations but also to maintain social and economic stability related to marine resource utilization. Meanwhile, Soerjono Soekanto's theory on factors influencing law enforcement effectiveness indicates that the success of Bakamla's duties depends not only on regulatory frameworks but also on human resources, infrastructure, and inter-agency coordination. In practice, challenges such as the vast maritime area, limited patrol assets, and the complexity of involved actors significantly influence enforcement effectiveness.

In conclusion, Bakamla's authority in enforcing law within Indonesian waters reflects an attributed, operational, coordinative, and integrative system of authority within the national maritime security framework. This authority demonstrates not only the differentiation between defense and maritime law enforcement functions but also the state's strategic approach in developing an integrated, modern, and technology-based maritime security system. Therefore, strengthening Bakamla's institutional capacity, improving human resources, and developing integrated maritime information systems are key factors in enhancing the effectiveness of law enforcement in Indonesian waters, as well as in safeguarding national sovereignty and interests in maritime domains.

4.2 Juridical Constraints in the Exercise of the Indonesian Maritime Security Agency's Authority in Law Enforcement within Indonesian Waters

The issues arising in the judicial review of Article 59 paragraph (3), Article 61, Article 62 letter (c), and Article 63 paragraph (1) letter (b) of Law Number 32 of 2014 concerning Maritime Affairs before the Constitutional Court of the Republic of Indonesia indicate fundamental problems related to the construction of law enforcement authority in Indonesian waters. The proceedings involved testimonies from the Indonesian Navy Military, the Indonesian Maritime Security Agency (Bakamla), and the Indonesian National Police, which essentially reveal that the national maritime security system still faces structural problems in the form of fragmented authority among state institutions.

The establishment of Bakamla was originally intended to strengthen the system of maritime surveillance, security, safety, and law enforcement in Indonesian waters. This is in line with the constitutional mandate that places the state as the principal responsible authority for protecting the entire national territorial sovereignty. Considering that Indonesia is an archipelagic state with vast and strategically significant maritime areas, the existence of Bakamla is regarded as an important instrument to support the effectiveness of maritime surveillance, including the protection of natural resources, maritime safety, and the prevention of transnational crimes at sea.

Normatively, Law Number 32 of 2014 grants Bakamla the authority to conduct maritime security and safety patrols and to carry out initial operational measures in law enforcement. These measures include stopping vessels, inspecting documents and cargo, detaining vessels suspected of legal violations, and escorting vessels to port. However, such authority is not

accompanied by criminal investigative powers. Consequently, all enforcement actions conducted by Bakamla must be transferred to other institutions with investigative authority, primarily the Indonesian Navy and the National Police.

This condition creates fragmentation within the maritime law enforcement system, where one institution performs operational field actions while subsequent legal proceedings are handled by other agencies. From the perspective of constitutional law, this distinction is related to institutional legitimacy. The National Police possess explicit constitutional legitimacy under Article 30 paragraph (4) of the 1945 Constitution, granting them full authority in criminal law enforcement, including maritime areas. In contrast, Bakamla is an administrative agency established by statute, meaning its authority is derivative and limited to technical operational functions.

This difference in legitimacy positions Bakamla as a complementary institution rather than a primary criminal law enforcement agency. Meanwhile, the Indonesian Navy retains its role in defense and sovereignty protection at sea. This institutional arrangement reinforces a strict functional division, yet simultaneously creates limitations in achieving integrated and effective maritime law enforcement.

In addition, Indonesia's maritime security system also involves various other sectoral institutions such as the Ministry of Marine Affairs and Fisheries, the Directorate General of Customs and Excise, and immigration authorities. The existence of multiple institutions with different mandates results in a multi-agency enforcement model. Although theoretically intended to enhance surveillance coverage, in practice it often leads to overlapping authorities, jurisdictional ambiguities, and complex inter-agency coordination.

From an operational perspective, the limited investigative authority of Bakamla affects the continuity of legal processes following field enforcement actions. The transfer of cases to investigative agencies requires additional time and coordination, particularly given Indonesia's vast and dispersed maritime geography. This may result in delays in legal proceedings, risks of loss of evidence, and obstacles in examining suspects and seized vessels. In certain cases, such as the handling of the vessel KM Suryani Ladjoni, law enforcement proceedings had to be continued by the Indonesian Navy after case transfer from Bakamla, illustrating institutional dependency within the maritime law enforcement system.

From a maritime security strategy perspective, this condition creates operational risks in terms of delayed responses to maritime crimes. Offenses such as illegal fishing, smuggling, human trafficking, and other transnational maritime crimes require rapid and integrated responses. Delays caused by inter-agency coordination may reduce enforcement effectiveness and increase the likelihood of perpetrators escaping or destroying evidence.

Compared to international practices, many maritime states have adopted an integrated coast guard system with comprehensive authority covering patrol, law enforcement, and investigation. Such a model enables higher efficiency in maritime security management. In contrast, Indonesia still applies a multi-agency approach that tends to be fragmented, requiring strong coordination mechanisms to ensure effectiveness.

Overall, the problems faced by Bakamla are not only related to limited investigative authority but also reflect the incomplete institutional integration of the national maritime security architecture. Existing regulations remain dispersed across various sectoral laws, creating ambiguity in the delimitation of

authority among institutions. As a result, Bakamla is legally positioned as a supporting institution responsible for surveillance and patrol functions, while primary law enforcement authority remains with the National Police and the Indonesian Navy.

In essence, the juridical constraints can be classified into several main aspects: (1) fragmentation of authority among maritime law enforcement agencies leading to

overlapping jurisdiction; (2) differences in constitutional legitimacy Indonesian National Police and the Indonesian Navy Military and Bakamla; (3) discontinuity of law enforcement processes due to case transfer mechanisms; (4) a multi-agency enforcement system that potentially hampers coordination; (5) suboptimal harmonization of sectoral regulations; and (6) limited investigative authority of Bakamla, positioning it primarily as an operational support institution.

5. CONCLUSION

Based on the findings and discussion in Chapter III, this study concludes that the authority of the Indonesian Maritime Security Agency (Bakamla) has a strong legal basis within the national legal system, derived from the 1945 Constitution of the Republic of Indonesia, Law Number 32 of 2014 concerning Maritime Affairs, Government Regulation Number 13 of 2022, and Presidential Regulation Number 178 of 2014. These instruments normatively confer authority upon Bakamla to conduct maritime security and safety patrols, surveillance of Indonesian waters, and initial law enforcement actions such as stopping, inspecting, hot pursuit, and initial arrest of suspected maritime law violations. In practice, Bakamla functions as an initial operational law enforcement agency while also carrying out a coordinative role in synergizing maritime patrols and surveillance with the Indonesian Navy Military and the Indonesian National Police. This forms a collaborative maritime law enforcement system, while simultaneously reflecting a functional differentiation between state defense conducted by military institutions and security and law enforcement carried out by civilian agencies. It also strengthens an integrated information and technology-based maritime surveillance system to support the protection of national sovereignty and interests within Indonesian waters. On the other hand, the juridical constraints in the implementation of Bakamla's authority stem from the

fragmentation of authority among maritime law enforcement agencies involving the Indonesian Navy (TNI AL), the National Police (Polri), the Ministry of Marine Affairs and Fisheries (KKP), and the Customs and Excise Authority. Additional challenges include differences in constitutional legitimacy, where the National Police derive their authority directly from the 1945 Constitution, while Bakamla is administrative and delegative in nature; discontinuity in law enforcement processes due to mandatory case transfer to investigative agencies; the complexity of a multi-agency enforcement system; and suboptimal regulatory harmonization leading to overlapping norms of authority.

Overall, these conditions indicate that the effectiveness of law enforcement in Indonesian waters highly depends on strengthening inter-agency coordination, clarifying the division of authority, and harmonizing regulations in order to establish a more integrated and effective maritime security system.

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