

# Juridical Analysis Of The Effectiveness Of The Role Of The Port Authority and Port Authority Office (KSOP) In The Supervision Of Port Security and Safety In Indonesia

## (Batam Special KSOAP Office Research Study)

Yuzirwan Nasution<sup>1\*</sup>, Erniyanti Erniyanti<sup>2</sup>, Ramlan Ramlan<sup>3</sup>, Soerya Respationo<sup>4</sup>

<sup>1-4</sup>Postgraduate Master Of Notariality, University Of Batam, Batam City, Indonesia

**Abstract.** *The importance of the role of KSOP in ensuring the security and safety of ports in Indonesia, especially in Batam, which is one of the main ports in Indonesia. Batam Port has dense activities and has the potential to pose various security and safety risks. Therefore, the effectiveness of supervision by KSOP is crucial to prevent incidents that can harm many parties. The purpose of this study is to analyze the effectiveness of the role of KSOP in the supervision of port security and safety in the Batam Special KSOP area and identify the obstacles faced and efforts that can be made to overcome them. The research methods used are normative juridical and empirical juridical approaches with qualitative analysis. Data was obtained through the study of relevant laws and regulations, as well as interviews with related parties at KSOP Batam. The results of the study show that although KSOP Batam has tried to carry out supervision well, there are several obstacles that reduce its effectiveness. These obstacles include limited human resources and facilities, lack of coordination between agencies, weaknesses in law enforcement, and low awareness and compliance with safety regulations. In addition, challenges in technology and infrastructure also affect the effectiveness of surveillance. Based on these findings, this study provides several suggestions to increase the effectiveness of the role of Batam KSOP. First, increasing the number and quality of human resources through periodic training and certification. Second, strengthen coordination between related agencies through the establishment of an integrated command center. Third, improve the supervision and law enforcement process by implementing stricter and more transparent standards. Fourth, increasing awareness and compliance with safety regulations through continuous education campaigns. Finally, optimizing the use of modern technology and infrastructure to support more efficient and effective surveillance. With the implementation of these suggestions, it is hoped that KSOP Batam can significantly improve the safety and security of the port.*

**Keywords:** *Effectiveness, KSOP, Port Security and Safety.*

## 1. INTRODUCTION

Ports are one of the critical infrastructures for a country because they act as a gateway for trade, shipping, and maritime economic activities. Therefore, port security and safety are crucial issues that must be managed effectively and optimally. To ensure port security and safety, the Harbormaster and Port Authority Office (KSOP) is responsible for the task of supervising and regulating ship traffic and services in the maritime sector. In Indonesia, KSOP is an institution that plays an important role in maintaining port security and safety. KSOP has the authority and responsibility to ensure that all activities at the port are carried out in accordance with the regulations and security standards that have been set. However, in the context of port security and safety supervision, the role of KSOP is still faced with various challenges and problems.<sup>1</sup>

<sup>1</sup> F.D.C. Sudjatmiko, *Pokok-Pokok Pelayaran Niaga*, Akademika Pressindo. Jakarta, 2009, hal. 2.

Transportation helps economic growth, improves and helps the country's defense and security, which can improve international relations and increase national unity. It also helps achieve the vision of the archipelago. The importance of transportation is shown by the implementation of transportation that affects all aspects of national and international life, as well as the increasing need for transportation services to transport people and goods both domestically and abroad.<sup>2</sup> Given the importance of transportation, sea transportation must be part of an orderly national transportation system. The level of demand and availability of reliable, high-quality, sufficient capacity, timely, easily accessible, organized, and safe transportation must be balanced. Sea transportation must be expanded in scope and have a greater role as a link between national and international regions, including across borders, if we want to be a binding force in the Unitary State of the Republic of Indonesia.<sup>3</sup>

Port authorities and vessels operated for maritime law enforcement work together. The purpose of maritime law enforcement is to ensure that laws and regulations governing outer space for transportation and communication and the sovereignty of the country's territorial sea are implemented. Optimizing the use of natural resources, environmental resources and marine ecosystems is essential for law enforcement. To enforce the law at sea, security and safety patrols are carried out, some of which are organized by various stakeholders and supervised by the maritime security coordination authority.<sup>4</sup> The importance of Sailing Approval Letter is specifically regulated in Law Number 17 of 2008 concerning Shipping. Even though there are regulations governing

Sailing Approval Letters, it is not uncommon to find several maritime transportation accidents caused by negligence in granting sailing permits. Safety and security issues and all activities in shipping are the responsibility of the port. One of the biggest problems in ship accidents in shipping is the issue of a person's ability and expertise in carrying out his harbormaster's duties in issuing ship seaworthiness certificates, sailing permits, safety and security of shipping, and all maritime transportation activities in Indonesian waters.<sup>5</sup> With a deeper understanding of the legal aspects in the effectiveness of the role of KSOP in port security and safety supervision, it is hoped that this study can contribute to the improvement of regulations and procedures in the Special KSOP Batam, so that port security and safety

---

<sup>2</sup> Sapto Sardjono, *Beberapa Aspek Hukum Laut Privat Di Indonesia*, Mikamur Express, Jakarta, 2014, hal. 34.

<sup>3</sup> Muctahrudin Siregar, *Beberapa Masalah Ekonomi dan Managemengt Pengangkutan*, Lembaga Penerbit Fakultas Ekonomi Universitas Indonesia, Jakarta, 2011, hal. 67.

<sup>4</sup> Hamzah A, *Laut Teritorial dan Peraliran Indonesia (Himpunan Peraturan)*, Akademika Pressindo, Jakarta, 2014, hal. 20.

<sup>5</sup> Ibid, hal. 76.

supervision can be carried out more effectively and efficiently. In addition, this study will also provide theoretical benefits in a broader understanding of the role of KSOP in maintaining port security and safety as well as practical benefits in improving security and safety in the Batam port area as a whole.

Law Number 17 of 2008 concerning Shipping gives authority to KSOP to regulate and supervise ship traffic and services in the maritime sector, including port security and safety. Second, in the legal basis, KSOP is also given the authority to issue regulations and operational standards related to port security and safety. Therefore, the role of KSOP in ensuring compliance with the established safety standards is very important in maintaining the integrity and effectiveness of port supervision. However, in practice, obstacles and challenges in port security and safety supervision may arise. Some obstacles may be limited human and financial resources, inadequate infrastructure, or less than optimal coordination with other related agencies. This can have an impact on the level of effectiveness of KSOP in carrying out its role as a port security and safety supervisor. Therefore, a legal analysis of the effectiveness of KSOP's role in overseeing port security and safety in Indonesia is important to identify possible legal problems and find solutions and recommendations to improve KSOP's performance and effectiveness.

The results of this analysis will provide important contributions to the improvement and development of regulations and supervision procedures, so that port security and safety objectives can be achieved better and more accurately in accordance with applicable legal provisions. In addition, this legal analysis will also provide theoretical benefits in enriching understanding of the legal aspects of port security and safety supervision and practical benefits in improving operational safety in the Indonesian port area as a whole.

Based on the background description above, the author raises several problems that will be discussed further. The problems are as follows:

1. How is the legal regulation of the role of the Harbor Master and Port Authority Office (KSOP) in supervising port security and safety in Indonesia?
2. How is the implementation of the role of the Harbor Master and Port Authority Office (KSOP) in supervising port security and safety in the Batam Special KSOP Office area?
3. What are the obstacles and solutions to the implementation of the role of the Harbor Master and Port Authority Office (KSOP) in supervising port security and safety in the Batam Special KSOP Office area?

Based on the formulation of the problem stated above, it can be seen that the objectives of this research are:

1. To find out and analyze the legal arrangements for the role of the Harbormaster and Port Authority Office (KSOP) in supervising port security and safety in Indonesia.
2. To find out and analyze the implementation of the role of the Harbormaster and Port Authority Office (KSOP) in supervising port security and safety in the Batam Special KSOP Office area.
3. To find out and analyze the obstacles and solutions to the implementation of the role of the Harbormaster and Port Authority Office (KSOP) in supervising port security and safety in the Batam Special KSOP Office area.

## **2. LITERATURE REVIEW**

Role effectiveness refers to how well an individual or entity performs a given role or function, based on established goals, standards, or expectations. This concept is highly relevant in a variety of fields, including organizational, management, education, and social psychology, because it highlights performance and the achievement of outcomes within the context of a given role.<sup>6</sup> Role effectiveness is measured by how successful an individual or entity is in achieving its stated goals. This includes achieving performance targets, meeting quality standards, and contributing to the overall goals of the organization or group. The goal achievement aspect in the context of role effectiveness refers to how successful an individual or entity is in meeting its stated goals and objectives in relation to the role it holds.<sup>7</sup> The ability to adapt to environmental changes and adjust roles to new needs is an important aspect of role effectiveness. This flexibility allows an individual or entity to remain relevant and effective in the face of new challenges. Adaptation and flexibility in the context of role effectiveness emphasize the ability of an individual or entity to adjust to changing environments, conditions, or evolving role demands.

Role effectiveness often involves interaction and collaboration with other individuals or entities. The ability to collaborate, communicate, and interact effectively enhances the achievement of shared goals. Interaction and collaboration are crucial aspects of role effectiveness, highlighting the importance of effective communication and collaboration between individuals or entities in achieving shared goals. To increase role effectiveness through interaction and collaboration, organizations and individuals need to prioritize the

---

<sup>6</sup> Satjipto Raharjo, *Penegakan Hukum Suatu Tinjauan Sosiologis*, Genta Publishing, Yogyakarta, 2009, hal. 210

<sup>7</sup> Riduan Syahrani, *Rangkuman Intisari Ilmu Hukum*, Citra Aditya Bakti, Bandung, 2019, hal. 19

development of communication skills, cross-cultural understanding, and empathy. Increasing awareness and appreciation of diversity of thought and approach can inspire innovation and enrich decision-making processes.

Commitment to self-development and growth in the role is also an indicator of role effectiveness. This includes learning and improving relevant skills to strengthen capacity in carrying out the role. The development and growth aspect of role effectiveness emphasizes the importance of continuous learning and self-improvement efforts to improve the ability to carry out the role.<sup>8</sup> In synthesis, role effectiveness reflects how well an individual or entity succeeds in carrying out the tasks and responsibilities entrusted to them. It is a dynamic concept that requires a deep understanding of the role, commitment to the goal, and the ability to adapt and grow in the role.

The Harbormaster and Port Authority Office (KSOP) is a technical implementing unit under the Directorate General of Sea Transportation, Ministry of Transportation of the Republic of Indonesia. KSOP has an important role in the management and operation of ports in Indonesia, covering various aspects such as shipping safety and security, operational efficiency, and port service delivery.<sup>9</sup> As a port authority, KSOP is tasked with ensuring that all activities at the port, from loading and unloading goods, passengers, to ship maintenance, run in accordance with applicable standards and regulations. The main tasks of KSOP include regulating ship traffic, granting permits for ship mooring and operations, managing port facilities, and supervising the implementation of shipping safety and security standards.

One of the main tasks of the Harbormaster and Port Authority Office (KSOP) is the regulation of ship traffic, which includes managing the arrival, departure, and movement of ships within the port area. This includes granting berthing permits for ships that will be loading and unloading goods or passengers, as well as ensuring that the ship's operation process runs smoothly and according to the established schedule.<sup>10</sup> KSOP also monitors and evaluates the implementation of safety and security procedures by all stakeholders in the port, including pollution prevention and emergency response. This supervision is carried out through routine inspections and security audits to ensure that all port operations are carried out in a safe condition and in accordance with national regulations and international standards, such as the ISPS (International Ship and Port Facility Security) code.<sup>11</sup>

---

<sup>8</sup> Ibid, hal. 25

<sup>9</sup> Kantor Syahbandar dan Otoritas Pelabuhan Kelas 1 Banten, Data Kecelakaan Kapal Tahun 2017-2018, KSOP Kelas 1 Banten, Banten. 2018, hal. 12

<sup>10</sup> Ibid, hal. 5

<sup>11</sup> Supit, Hengky, Pedoman Khusus Keselamatan dan Keamanan Pelayaran, Bakorkamla, Jakarta, 2019, hal. 2

KSOP works with various stakeholders, including port operators, shipping agents, and other related agencies, to ensure the smooth flow of goods and passengers, and to create a highly competitive port. In carrying out its functions, KSOP prioritizes the principles of good governance, compliance with national and international maritime regulations, and a commitment to preserving the maritime environment. These efforts are aimed at supporting Indonesia's vision as the world's maritime axis, which requires a port system that is not only efficient and modern, but also safe, environmentally friendly, and inclusive. KSOP plays a strategic role in advancing Indonesia's maritime sector through optimal port management, which in turn supports economic growth, improves connectivity between regions, and strengthens the integration of the national economy with the global logistics system.

As a positive law, Law Number 17 of 2008 regulates matters that contain important factors of transportation in waters. Article 1 of Law Number 17 of 2008 concerning Shipping states that shipping is a unified system consisting of transportation in waters, ports, safety and security and maritime protection. Talking about shipping in a broad sense, it cannot be separated from the aspect of transportation in waters (in the sense of ships), the aspect of ports, and the aspect of security and safety, while shipping in a narrow sense only concerns the aspect of transportation.<sup>12</sup> According to Government Regulation Number 20 of 2010 concerning Water Transportation, especially in Article 1, it is explained that inland water transportation which is also known as river and lake transportation (ASD) includes transportation in reservoirs, swamps, floods, canals, and canals. In Indonesia, inland water transportation is part of the land transportation subsystem in the national transportation system.

Law Number 17 of 2008 concerning Shipping regulates safety standards for ships, including technical requirements, maintenance, and safety equipment. Establishes criteria and requirements for crew qualifications, including training, certification, and competency standards.<sup>13</sup> Law Number 17 of 2008 sets out strict safety standards for ships operating in Indonesian waters. This includes requirements on the design, construction, and maintenance of ships to ensure that they are safe to sail. These standards are designed to prevent accidents that may be caused by ship damage or technical failure. These safety standards also include safety equipment that must be on board, such as rescue equipment, fire extinguishers, and navigation equipment.

---

<sup>12</sup> Wirjono Projodikoro, *Hukum Dagang, Hukum Pelayaran Laut dan Pelayaran Darat*, PT Citra Aditya Bakti, Bandung, 2013, hal. 23

<sup>13</sup> Cahyadi, Wira. *Regulasi Pelayaran di Indonesia: Evolusi dan Implementasi*, Erlangga: Jakarta, 2017., hal. 82

One of the important objectives of Law Number 17 of 2008 concerning Shipping is to align Indonesian shipping safety standards with international standards. This includes the implementation of provisions from various recognized international conventions, such as the SOLAS (Safety of Life at Sea) Convention and MARPOL (Prevention of Pollution by Ships). This harmonization is important to ensure that Indonesian-flagged ships can operate globally and comply with international maritime safety regulations.<sup>14</sup> The regulation on shipping safety and security in Law Number 17 of 2008 is an important step in improving maritime safety in Indonesia. With the strategically important maritime sector, effective implementation of this regulation is essential to protect life, property and the marine environment, as well as to maintain Indonesia's reputation as a responsible maritime nation.

### 3. RESEARCH METHOD

This research is descriptive analytical, focusing on an in-depth study of the effectiveness of the KSOP's role in overseeing port safety and security in Batam. The research will identify factors that influence the effectiveness of such supervision, including an analysis of applicable legal regulations, policy implementation, and the challenges and obstacles faced by the KSOP in carrying out its duties. The main objective of this research is to evaluate the performance of the Batam KSOP in overseeing port safety and security and provide recommendations for improvement.

This study will use a normative legal approach to analyze the laws and regulations relevant to port safety and security supervision in Indonesia. This approach involves the study of literature and legal documents, including the Shipping Law, government regulations, and KSOP regulations, to understand the legal framework governing KSOP operations in port safety and security supervision.<sup>15</sup> In addition, to obtain a real picture of the port security and safety supervision practices carried out by KSOP Batam, this study will adopt an empirical approach. This method will involve data collection through interviews, observations, and questionnaires to related parties, such as KSOP staff, port service users, and other related agencies. This empirical approach aims to identify gaps between theory and practice, as well as evaluate the effectiveness of regulatory implementation in the field.

Through a combination of normative and empirical legal approaches, this study is expected to provide a significant contribution to the understanding of the effectiveness of the

---

<sup>14</sup> Ibid, hal. 83

<sup>15</sup> Soerjono Soekanto dan Sri Mamudji, *Penelitian Hukum Normatif suatu Tinjauan Singkat*, Radja Grafindo Persada, Jakarta, 2013, hal. 47.

role of KSOP in overseeing port security and safety in Indonesia, especially in Batam, as well as providing practical recommendations for future improvements. The location of this research is carried out in the Riau Islands Province, precisely in Batam City. This location is determined based on the data that is the object of this thesis research. The population is all elements related to the object of research. As for the sample used by the author is the purposive sampling technique in determining respondents and informants who will be interviewed to meet the primary data needed to complete the research.

#### **4. RESULTS AND DISCUSSION**

##### **Legal Regulation of the Role of the Harbor Master and Port Authority Office (KSOP) in Supervising Port Security and Safety in Indonesia**

The Harbor Master and Port Authority Office (KSOP) is regulated by several laws and regulations that serve as the legal basis for carrying out port security and safety supervision duties in Indonesia. The following is a description of each article in the related regulations that can be used as the legal basis for the role of KSOP.

##### **a. Law Number 17 of 2008 concerning Shipping**

Law Number 17 of 2008 concerning Shipping is the main basis for regulating KSOP. Article 1 of Law Number 17 of 2008 concerning Shipping defines shipping as a unified system that includes various integral elements, namely transportation in waters, ports, safety and security, and protection of the maritime environment. This definition emphasizes that shipping is not only limited to ship transportation activities at sea, but also involves various aspects that are interrelated and function synergistically. Transportation in waters includes all forms of transportation of goods and passengers carried out via waterways, be it sea, river, or lake. Ports include infrastructure and facilities that support loading and unloading activities, storage, and distribution of goods and passengers. Safety and security in shipping includes regulations and operational standards that ensure shipping operations run without accidents or incidents that endanger human lives, property, and the environment.

##### **b. Regulation of the Minister of Transportation Number 34 of 2012 concerning the Organization and Work Procedures of the Harbor Master and Port Authority Office**

This regulation more specifically regulates the duties and functions of the KSOP, including Article 3 of the Regulation of the Minister of Transportation Number 34 of 2012 which stipulates that the Harbor Master and Port Authority Office (KSOP) has the



main task of implementing the regulation, control, and supervision of port activities and shipping safety at the port. This task includes various operational and administrative aspects that must be carried out by the KSOP to ensure that all activities at the port run smoothly, safely, and in accordance with applicable regulations. The regulation of port activities by the KSOP involves planning and scheduling port operations, including arranging ship arrival and departure schedules, allocating berths, and coordinating with port operators and ship agents. This regulation is important to optimize the use of port facilities and ensure operational efficiency. The control carried out by the KSOP includes the implementation of operational standards and procedures that must be followed by all parties involved in port activities.

### **Implementation of the Role of the Harbor Master and Port Authority Office (KSOP) in Supervising Port Security and Safety in the Special KSOP Office Area of Batam**

The Harbor Master and Port Authority Office (KSOP) plays a vital role in overseeing port safety and security as regulated in various laws and regulations. Law Number 17 of 2008 concerning Shipping stipulates that KSOP is responsible for shipping safety and security, port facility management, and the implementation of international safety and security standards such as the ISPS Code. Regulation of the Minister of Transportation Number 34 of 2012 further clarifies the main duties of KSOP which include regulating, controlling, and supervising port activities, issuing ship berthing permits, regulating ship traffic, and ensuring that all activities at the port are in accordance with the established safety and security standards. The implementation of the KSOP's role in overseeing port security and safety in the KSOP Batam City area includes various routine activities and procedures designed to ensure that port operations run according to established standards. KSOP Batam City conducts routine inspections of ships that will sail, checks the seaworthiness of the ship, and ensures that all safety requirements are met before issuing a berthing permit.

The Harbormaster and Port Authority Office (KSOP) has a crucial role in conducting routine inspections to ensure that port facilities and operations meet applicable safety standards. These routine inspections include checking various aspects of port operations, such as the condition of the dock, loading and unloading equipment, lighting systems, and other supporting infrastructure. KSOP also checks the seaworthiness of ships that will dock at the port, including ensuring that the ships are equipped with safety equipment such as fire

extinguishers, life jackets, and functioning navigation systems.<sup>16</sup> KSOP provides recommendations and instructions to port managers to make improvements if any discrepancies or potential hazards are found. By conducting comprehensive routine inspections, KSOP seeks to prevent accidents and incidents at the port, and to ensure that the port can operate safely and efficiently. These routine inspections also help to increase the trust of service users in the port, as they are assured that safety and security standards are prioritized and well maintained.

The Harbormaster and Port Authority Office (KSOP) also plays an important role in conducting security audits to detect and address potential risks at the port. These security audits are designed to identify vulnerabilities that may exist in port operations, both physically and procedurally. The audit process includes an assessment of existing security systems, such as CCTV surveillance, security patrols, access control to restricted areas, and the readiness of security personnel to deal with threats. The results of these audits are used to develop specific recommendations for improvement and preventive actions to mitigate the identified risks. KSOP then monitors the implementation of these recommendations and ensures that the corrective measures are implemented in a timely and effective manner. By conducting regular security audits, KSOP seeks to create a safer port environment, reduce the potential for security breaches, and improve emergency preparedness. These audits serve not only as an assessment tool but also as a continuous improvement mechanism to maintain optimal port security.

The implementation of the role of KSOP in overseeing port security and safety in the Batam Special KSOP area can be analyzed through three main theories: the theory of justice, the theory of the legal system, and the theory of risk management. The theory of justice, as proposed by John Rawls, emphasizes the importance of fair distribution of resources and equal treatment for all individuals. In the context of the Batam Special KSOP, the application of the theory of justice can be evaluated through how the KSOP ensures that all users of port services, be they ship operators, port workers, or passengers, receive fair treatment in terms of safety and security. The KSOP must ensure that every ship in operation meets the same safety standards without discrimination. The legal system theory proposed by Lawrence M. Friedman emphasizes the importance of three components in a legal system: legal structure, legal substance, and legal culture. Legal structure refers to the institutions and procedures in place to implement the law. In this case, the Batam Special KSOP is the institution responsible for overseeing and regulating port safety and security. Legal substance includes the rules and

---

<sup>16</sup> Wawancara dengan Pegawai KSOP Khusus Batam pada 4 Juni 2024.

regulations implemented by the KSOP, such as shipping safety standards and supervision procedures. Legal culture includes the attitudes and behavior of actors in the legal system towards these rules.

Risk management theory emphasizes the importance of risk identification, assessment, and mitigation to reduce potential negative impacts. In the context of the Batam Special KSOP, the application of risk management theory can be analyzed through the KSOP's efforts in conducting routine inspections, security audits, and emergency response. The KSOP must be proactive in identifying potential risks at the port, such as vulnerability to fire, oil spills, or safety violations by ships.

## **Obstacles and Solutions to the Implementation of the Role of the Harbor Master and Port Authority Office (KSOP) in Supervising Port Security and Safety in the Special KSOP**

### **a. Office Area of Batam**

Obstacles to the implementation of the role of the Harbor Master and Port Authority Office (KSOP) in supervising port security and safety in the Batam Special KSOP office area, namely:

One of the main obstacles in implementing the role of KSOP in Batam is the limited human resources and facilities. KSOP is often faced with an inadequate number of personnel to supervise all the fairly dense port activities. In addition, the limitations in modern facilities and equipment are also obstacles in carrying out inspections and security audits effectively. Without sufficient personnel and adequate equipment, KSOP has difficulty in carrying out optimal supervision and responding to various situations that require quick action.<sup>17</sup>

Another significant obstacle is the lack of coordination between agencies involved in monitoring and enforcing port security and safety. KSOP must work together with various agencies such as the Maritime Security Agency (Bakamla), the Indonesian Navy, and the police. However, this coordination often does not run smoothly, resulting in slow and ineffective responses to security incidents or threats. For example, in the case of an oil spill or a ship fire, delays in coordination between agencies can worsen the situation and hinder quick and efficient handling.

Inconsistent and weak supervision and law enforcement processes are also obstacles in implementing the role of KSOP. Several cases show that violations of safety and security standards are often not followed up with strict sanctions. This is due to complicated

---

<sup>17</sup> Wawancara dengan Pegawai KSOP Khusus Batam pada 4 Juni 2024.

bureaucratic procedures, as well as a lack of commitment to enforcing the rules. As a result, compliance with safety regulations among port and ship operators is low, which ultimately increases the risk of accidents and incidents at ports.

Awareness and compliance with safety and security regulations among port service users, including ship operators and port workers, are still low. Many parties ignore the importance of complying with safety standards due to a lack of understanding or because they want to save operational costs. This low awareness often results in violations of established safety procedures, increasing the risk of accidents and dangerous incidents.

Another challenge is the limitations in technology and infrastructure used for monitoring. Although there have been efforts to implement information technology in the port management system, its use is still not optimal. Existing technology is often not well integrated, making it difficult to monitor and supervise efficiently. Inadequate infrastructure also affects the ability of KSOP to conduct inspections and audits effectively, so that some aspects of safety and security may not be monitored properly.

To overcome the limited human resources, KSOP needs to recruit new workers who are trained and competent in the field of port safety supervision. In addition, periodic training and certification programs for KSOP personnel must be improved to ensure that they have the latest knowledge and skills in the field of port safety and security.

Effective coordination between KSOP and other related agencies such as the Maritime Security Agency (Bakamla), the Indonesian Navy, and the police is key to improving the response to incidents at the port. The establishment of an integrated command center or joint operation center involving all related agencies can improve coordination and communication in handling incidents. In addition, routinely holding coordination meetings and joint emergency response simulations can improve readiness and cooperation between agencies in handling emergency situations at the port.

To address weaknesses in the supervision and law enforcement process, KSOP must improve inspection and audit procedures by implementing stricter and more transparent standards. Consistent law enforcement and strict sanctions for safety violations must be implemented to improve compliance. In addition, KSOP can implement an information technology-based reporting and supervision system to monitor and record every inspection and audit activity in real-time, thereby facilitating the supervision and law enforcement process.

Increasing awareness and compliance with safety and security regulations among port service users is an important step. KSOP can conduct ongoing education and socialization campaigns regarding the importance of port safety and security. Dissemination of information

through social media, seminars, and workshops involving ship operators, port workers, and the surrounding community can increase understanding and awareness of the importance of complying with safety regulations. In addition, providing incentives for parties who comply with safety standards can also encourage higher compliance.

Technology and infrastructure improvements are key to addressing port surveillance challenges. KSOP needs to integrate information technology into the port management system to improve surveillance efficiency. The use of technologies such as geographic information systems (GIS), IoT (Internet of Things) devices, and mobile applications for inspections can help KSOP conduct more effective and efficient surveillance. In addition, there needs to be investment in the development and improvement of port infrastructure such as docks, warehouses, and other safety facilities to ensure that all aspects of port operations meet the established safety and security standards.

## **5. CONCLUSION AND SUGGESTION**

### **A. Conclusion**

Based on the discussion in the previous chapter, the following conclusions can be drawn:

- a. The legal regulation of the role of the Harbor Master and Port Authority Office (KSOP) in supervising port security and safety in Indonesia is regulated in Law Number 17 of 2008 concerning Shipping and Regulation of the Minister of Transportation Number 34 of 2012 which shows that KSOP has a crucial and multidimensional role in ensuring safe, efficient port operations, and in accordance with national and international standards, KSOP is responsible for regulating, controlling, and supervising ship traffic and port activities, including granting berthing permits, enforcing shipping safety standards, preventing pollution, and handling emergencies.
- b. The implementation of the role of the Harbor Master and Port Authority Office (KSOP) in supervising port security and safety in the Batam Special KSOP Office area shows that although KSOP has made significant efforts in routine inspections, security audits, and handling emergencies, there are still several challenges that need to be overcome to achieve optimal effectiveness. This implementation can be analyzed through three main theories: the theory of justice, which highlights the importance of fair distribution of resources and equal treatment for all port users; legal system theory, which emphasizes the need for integration between legal structure, substance, and culture; and risk management theory, which emphasizes the importance of systematic risk identification, assessment, and mitigation.

- c. Obstacles to the implementation of the role of the Harbor Master and Port Authority Office (KSOP) in overseeing port security and safety in the Batam Special KSOP Office area, as well as efforts to overcome them, show that although KSOP has made various significant efforts, there are still obstacles such as limited human resources and facilities, lack of coordination between agencies, weaknesses in the supervision and law enforcement process, low awareness and compliance with regulations, and challenges in technology and infrastructure. To overcome these obstacles, it is necessary to increase the number and quality of human resources, procure modern equipment, establish an integrated command center for coordination between agencies, implement stricter and more transparent supervision procedures, educational campaigns to increase awareness, and invest in sophisticated technology and infrastructure.

### **Suggestion**

From this conclusion, the author can provide several suggestions, namely:

- a. It is recommended that the Batam Special KSOP needs to improve periodic training and certification for KSOP personnel to ensure that they are always up-to-date with international shipping safety and security standards, and are ready to deal with various emergency situations at the port. It is also necessary to form an integrated command center with related agencies such as Bakamla, the Indonesian Navy, and the police to improve coordination, communication, and rapid response in handling port security and safety.
- b. It is recommended that the Government allocate an adequate budget for the procurement of modern facilities and equipment for KSOP, and support the improvement of port infrastructure to ensure that all operations run safely and efficiently.
- c. It is recommended that the public always comply with the safety rules and procedures set by KSOP and the port, and report if they find violations or conditions that have the potential to endanger safety.

### **6. REFERENCES**

- A'an, E., & others. (2017). Teori hukum. Sinar Grafika.
- Ali, A. (2012). Menguak teori hukum (legal theory) dan teori peradilan (judicialprudence). Kencana Prenada Group.
- Arikunto, S. (2010). Prosedur penelitian: Suatu pendekatan praktik. Rineka Cipta.
- Asikin, Z. (2013). Hukum dagang. RajaGrafindo Persada.

- Atmasasmita, R. (2019). Teori hukum integratif. Mandar Maju.
- Bahsan, M. (2007). Hukum jaminan dan jaminan kredit perbankan di Indonesia. PT Raja Grafindo Persada.
- Djumhana, M. (2003). Hukum perbankan di Indonesia. PT Citra Aditya Bakti.
- Efendi, J., & Ibrahim, J. (2018). Metode penelitian hukum normatif dan empiris. Prenadamedia Group.
- Erniyanti, & Purba, D. F. (2024). Penataan penegakan hukum maritim menuju Indonesia maju. Gita Lentera.
- Erniyanti. (2024). Reformasi birokrasi. Gita Lentera.
- Fahmi, I. (2013). Manajemen risiko: Teori, kasus, dan solusi. Alfabet.
- Friedman, L. M. (2009). Sistem hukum dalam perspektif ilmu sosial: "The legal system: A social science perspective". Nusa Media.
- Fuady, M. (2013). Teori-teori besar (grand theory) dalam hukum. Kencana.
- Hamzah, A. (2014). Laut teritorial dan perairan Indonesia (Himpunan peraturan). Akademika Pressindo.
- Hengky. (2019). Pedoman khusus keselamatan dan keamanan pelayaran. Bakorkamla.
- Kantor Syahbandar dan Otoritas Pelabuhan Kelas 1 Banten. (2018). Data kecelakaan kapal tahun 2017-2018. KSOP Kelas 1 Banten.
- Keputusan Menteri Perhubungan Nomor KM 112 Tahun 2021 Tentang Penunjukan kepada PT Biro Klasifikasi Indonesia (persero) untuk Melaksanakan Survei dan Sertifikasi Statutoria pada Kapal Berbendera Indonesia.
- Mamudji, S. (2015). Penelitian hukum normatif: Suatu tinjauan singkat. Raja Grafindo Persada.
- Muhajir, N. (2010). Metodologi penelitian kualitatif. Roke Sarasin.
- Muhammad, A. (2016). Etika profesi hukum. PT. Citra Aditya Bakti.
- Muljadi, K., & Widjaja, G. (2006). Hak tanggungan. Kencana Prenada Media Group.
- Peraturan Menteri Perhubungan Nomor 12 Tahun 2022 tentang Kelaiklautan Kapal Kecepatan Tinggi Berbendera Indonesia.
- Peraturan Menteri Perhubungan Nomor 39 Tahun 2017 tentang Pendaftaran dan Kebangsaan Kapal.
- Peraturan Pemerintah Nomor 31 Tahun 2021 tentang Penyelenggaraan Bidang Pelayaran.
- Projodikoro, W. (2013). Hukum dagang, hukum pelayaran laut dan pelayaran darat. Citra Aditya Bakti.

- Purwosutjipto, H. M. N. (2013). *Pengertian pokok hukum dagang Indonesia*. Djambatan.
- Rahardjo, S. (2009). *Penegakan hukum: Suatu tinjauan sosiologis*. Genta Publishing.
- Salim, H. S. (2001). *Perkembangan hukum jaminan di Indonesia*. PT Raja Grafindo Persada.
- Salman, O. (2015). *Ikhtisar filsafat hukum*. Armico.
- Sardjono, S. (2014). *Beberapa aspek hukum laut privat di Indonesia*. Mikamur Express.
- Singarimbun, M., & Effendi, S. (2009). *Metode penelitian survei*. LP3ES.
- Siregar, M. (2011). *Beberapa masalah ekonomi dan manajemen pengangkutan*. Lembaga Penerbit Fakultas Ekonomi Universitas Indonesia.
- Soekanto, S., & Mamudji, S. (2013). *Penelitian hukum normatif: Suatu tinjauan singkat (7th ed.)*. Raja Grafindo Persada.
- Soemitro, R. H. (2015). *Metodologi penelitian hukum (2nd ed.)*. Ghalia Indonesia.
- Soeryasumantri, J. S. (2008). *Filsafat ilmu: Sebuah pengantar populer*. Sinar Harapan.
- Subekti, R., & Tjitosubidjo, R. (1997). *Kitab undang-undang hukum dagang*. Pradya Paramita.
- Sudjatmiko, F. D. C. (2009). *Pokok-pokok pelayaran niaga*. Akademika Pressindo.
- Suhardi, G. (2003). *Usaha perbankan dalam perspektif*. Kanisius.
- Suhartono, I. (2009). *Metode penelitian sosial: Suatu teknik penelitian bidang kesejahteraan sosial lainnya*. Remaja Rosda Karya.
- Syahrani, R. (2019). *Rangkuman intisari ilmu hukum*. Citra Aditya Bakti.
- Undang-Undang Dasar Negara Republik Indonesia Tahun 1945; Undang-Undang Nomor 17 Tahun 2008 Tentang Pelayaran; Peraturan Pemerintah Nomor 51 Tahun 2002 tentang Perkapalan; Peraturan Pemerintah Nomor 61 Tahun 2009 tentang Kepelabuhanan.
- Widjaja, A. W. (2016). *Administrasi kepegawaian*. Rajawali.
- Woodward, F. H. (2012). *Manajemen transport*. Pustaka Binaman Pressindo.