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Maritime Centre in Batam: The Training Newcomer

By Siswanto Rusdi

SYNOPSIS

The US has finally materialised its commitment to fully support Indonesia's Maritime Security Board or Badan Keamanan Laut (Bakamla) by developing a training centre on Batam Island. But there are several critical areas that need to be cleared if the facility is expected to run well.

COMMENTARY

IN A recent virtual ceremony, the United States ambassador to Indonesia Sung Kim officiated the construction of a campus for Indonesia's Maritime Security Board or Bakamla (Badan Keamanan Laut) on Batam Island, just south of Singapore. With a commitment to spend US\$3.5 million, it was to be furnished with classrooms, barracks, and launching pad. The project was initiated by former head of Bakamla Vice Admiral Achmad Taufiqperrochman in 2019.

The training centre was originally to be developed in Serang, Banten province in West Java. But the new Bakamla chief, Vice Admiral Aan Kurnia, relocated the campus' site to Batam. Several problems have been bothering the US government, making it hesitant about going forward with its training assistance. Against this backdrop, the training centre was exposed to criticism as a form of US intervention in Indonesia's domestic affairs.

The Snags: Grey Areas

To resolve this potential snag, some grey areas need serious attention by the related parties involved in the preparation of the facility – both the US government and Bakamla. *Firstly*, the training curricula: Since the Batam training centre for Bakamla is

the first model in Indonesia's maritime law education, the issue is very important. For example, which curricula will be implemented, the US or local one?

There is speculation in the Indonesian media that the US Coast Guard (USCG), as the counterpart of Bakamla, will consequently be in charge of the training and therefore the deployment USCG officers.

The problem is that the USCG training materials and philosophical basis are totally different from Bakamla's. Even their tactical understandings are incompatible. USCG is a military branch of the US Armed Forces while Bakamla is purely civilian.

So, will the curricula adopt Bakamla's philosophy? Most unlikely, as the agency has no such experience and foundation. Since its beginning, including when it was still a coordinating entity named Bakorkamla or Badan Koordinasi Keamanan Laut, the employees are a blend of seconded civil servants, police officers and navy men. They had no training except that prepared by their respective institutions.

Indonesia's Judicial System: Bakamla's Lack of Clout

Secondly, the judicial system: In the US the Coast Guard has authority as the main party that handles all cases in the maritime realm of the country. It has its own attorney to do the job. His/her tasks are relatively easy to accomplish since the state's judicial system has almost everything related to maritime law: penal code, jurisprudence.

In the case of Indonesia's judicial system, it only knows the National Police as the party that has the authority to bring any legal case, including maritime-related ones, to court. Bakamla has no such power. That is why when it recently seized the Iranian and Panamanian tankers, MT Horse and MT Freya respectively, the board handed them over to the harbour master office of Batam for trial.

Thirdly, Indonesia has many legal provisions scattered over several different laws of which only limited numbers of attorneys and judges really understand them and have been using in their ruling.

Fourthly, the instructors. Who are going to teach at the training centre? USCG officers or domestic instructors? Of course, it will be a combination of them. But Indonesia has few experts to do the teaching and therefore will definitely depend on the overseas instructors. Accordingly, as soon as the training centre is completed, there will be many foreigners coming to Batam as instructors. This inflow will be perceived negatively by the locals and will not be good for the US-backed facility.

Despite its potential to improve Indonesia's maritime law by educating new Bakamla officers, the centre faces problems arising from the current maritime legal architecture.

The deficit, to a certain degree, can be perceived as a confirmation of speculation that the grant is a part of the US' move to contain China's expansionism in the South China Sea. Bakamla would be seen as having been easily persuaded to support the US in its rivalry with China for regional dominance.

Bakamla: Beefing Up the Newcomer

Bakamla is a newcomer to Indonesia's maritime legal landscape. Six years ago, the Board's profile among local maritime law enforcement institutions was still in the making. The Marine Police and Sea and Coast Guard unit of the Ministry of Transport had negative sentiments towards Bakamla; this is because the Board had publicly stated that the two agencies would be dismantled and absorbed into Bakamla.

On the other hand, the transport ministry's unit, locally known as Kesatuan Penjagaan Laut dan Pantai (KPLP), and the Marine Police are full-fledged institutions whose legal basis and traditions are much more established. Their resentment towards Bakamla is therefore understandable.

Bakamla came into force by the enactment of the law on maritime affairs in 2014. This is a generic regulation for an important agency with massive tasks and responsibility. Only one provision – chapter 58 – is dedicated to the board. It will carry out coast guard tasks like law enforcement at sea, maritime search and rescue operations.

Following this, President Joko "Jokowi" Widodo issued Presidential Regulation No. 178/2014. Legal experts, however, say that this is not enough basis for Bakamla to be effective. Instead, the government should issue a Government Regulation (PP) to raise the status of Bakamla to be a *primus inter pares* institution. That is to say, to be the first among equals.

In essence, the snags arise from the fact that the officials of Bakamla come from various educational backgrounds – from social sciences up to engineering. No specialist training is provided for them following their recruitment. For those who are seconded to Bakamla, the training is conducted by their respective internal training units without having anything to do with the board's mission.

Notwithstanding the circumstances, Bakamla's dedicated maritime law enforcement training centre in Batam is still a welcome development. At the very least, it will help streamline and integrate the institutional values, procedures and management of an important institution. In the long-run, Bakamla will help produce generations of officials who will contribute to the security of Indonesia's sprawling coastline.

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