



Implementation of Border Management Authority in Karimun Regency

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Abstract

Based on Law No. 43 of 2008 concerning State Territories, border management authority is divided at the central, provincial and district/city levels. This study discusses the implementation of border management authority in Karimun Regency. Institutional, financial and human resource issues are still issues that greatly influence implementing border management authority in Karimun Regency. The aim of this research is to find out how the Border Management Authority is implemented by the Karimun district government. This type of research is a type of empirical legal research. The approaches used in this research are the statutory approach, the sociological approach and the library approach. The data collection technique used in this study was interview and observation techniques. The data analysis carried out will use qualitative descriptive analysis. There are still several obstacles in implementing the border management authority carried out by the Karimun Regency Regional Government, such as the problem of border management institutions which do not stand alone, thus having an influence on the implementation of coordination and budgeting. The implementation of other authorities is carried out through strategic collaboration with other stakeholders related to border issues.

Introduction

At the state level, territorial boundaries are a matter of a country's sovereignty, they are considered as a marker of state ownership of a region and the potential contained within that country (Kartikasari, 2012).

Article 25A of the 1945 Constitution of the Republic of Indonesia states that the Unitary State of the Republic of Indonesia is an archipelagic country characterized by an archipelago with territories whose boundaries and rights are determined by law. It is further explained in the provisions of Article 1 point 1 of Law no. 43 of 2008 concerning State Territory, it is stated that the Territory of the Unitary State of the Republic of Indonesia, hereinafter referred to as State Territory, is one element of the state which is a unified land area, inland waters, archipelagic waters and territorial seas along with the seabed and land beneath them, as well as the air space above it, including all the sources of wealth contained therein. Furthermore, number 6 of the Law above also states that the Border Area is part of the State Territory which is located on the inner side along the territorial boundaries of Indonesia and other countries, in the case of State Territory Boundaries on land, the Border Areas are in sub-districts (Sudiar, 2017).

The provisions of Article 9 of Law no. 43 of 2008 indicates that the Government and regional governments have the authority to regulate the management and utilization of State Territory and Border Areas. The follow-up to the provisions of this article creates a division of authority

in the management and utilization of state territory and border areas (Putra, 2017). The authority of the Regency/City government in managing border areas includes; (1) Implementing Government policies and establishing other policies in the context of regional autonomy and assistance tasks; (2) Maintain and maintain boundary signs; (3) Carry out coordination in the context of implementing development tasks in the Border Area in the region; (4) Carrying out Border Area Development between regional governments and/or between regional governments and third parties.

Furthermore, according to Budi Hermawan Bangun (Bangun, 2014), managing state borders does not only involve institutions at the central level between the two countries but also in a structured and systematic manner also involves border management bodies formed at the provincial and district/city levels. Furthermore, the authority of the institutions Of course, border management does not need to be uniform for each border area, it should be adapted to the particularities of each border area. (Mahadiansar & Adhayanto, 2021). Apart from that, issues related to coordination and implementation of development policies due to the long distance of communication between local governments and regional or central governments also influence regional border management (Kartikasari, 2012).

As an additional argument, it can be seen in the conclusion of a study conducted by Saru Arifin (Arifin, 2013) which concluded that the factors that cause the development policy model used by the government to be less relevant to regional characteristics include a bureaucratic culture that is still sectoral, weak authority of management bodies. borders, inconsistency of technical policies with the border development paradigm, as well as isolated geographical conditions require extra-ordinary handling.

Referring to the Boundary Making Theory by Stephen B. Jones (1945), which states that the stages of state management consist of 4 stages, namely Allocation, Delimitation, Demarcation, and Administration. In this administration stage, all aspects of domestic government, including Regional Government, can be actively involved in border management (Kartikasari, 2012). So next, this research focuses on the administration stages in managing a country's borders, especially the management of state borders which are managed by district/city governments in the Riau Islands Province. In line with the above, this study is relevant to take a more comprehensive look at the implementation of authority at the district/city level regarding state border management. This study is limited to the topic of implementation of border management authority carried out by Karimun Regency.

Methods

Research methodology plays an important role in scientific research. (Nurhayati et al., 2021). This type of research is a type of empirical legal research. The approach used in this research is the statutory approach. The statutory approach is a condition sine quanon for someone in studying normative law. According to Peter Mahmud, the benefit of using a statutory approach is to look for logical ratios and the ontological basis for the birth of statutory regulations. For this reason, in this research the author will analyze existing laws, especially the 1945 Constitution, and other legislation, in relation to the topic of maritime constitutions, a sociological approach and a library approach. The data collection technique used in this study was interview and observation techniques. The data analysis carried out will use qualitative descriptive analysis.

Results and Discussion

Developing Indonesia from the Periphery as stated in the 2020-2024 RPJMN Technocratic Draft is basically one of the interesting issues in developing the country's border areas. In recent

years, the issue of border area development has become a serious topic for the government to address. (Zein, 2020).

The authority possessed by regional border management institutions is of course expected to encourage accelerated development in border areas and efforts to improve community welfare. Until now, it is felt that the implementation of the authority possessed by border management institutions has not been optimal, with various obstacles still being faced.

In Karimun Regency there are 7 sub-districts with priority location status. Karimun Regency itself is close to Malaysia and Singapore. This district is a transit route for people going to mainland Sumatra, so activity on the sea route is very busy in this district.

The institutional aspect of border management in Karimun Regency experiences ups and downs as explained in other research related to the comparison of border management institutions in the Riau Islands Province. Currently, the border management institution in Karimun Regency is in the Border Management and Cooperation Section of the Karimun Regency Regional Secretariat. Implementation related to the tasks and functions in border management carried out by the Border Management and Cooperation Section of Karimun Regency has been carried out well. This is illustrated from the results of the interview as follows: Regarding the implementation of duties and functions in border management in Karimun Regency, both in implementing central government policies and other tasks described in the Law, they have been carried out well although there are still shortcomings in their implementation. Results of the author's interview with the Head of the Border Management and Cooperation Section of the Regional Secretariat of Karimun Regency

In the context of implementing Government policies and establishing other policies in the context of regional autonomy and assistance tasks according to the Head of the Border Management and Cooperation Section of the Karimun Regency Regional Secretariat, this is carried out in the form of proposing activity programs for sub-districts in priority locations in Karimun Regency every year. Although field findings show that not all proposed programs can be accommodated by the central, provincial and Karimun district governments themselves.

In order to exercise authority in maintaining and guarding state boundary markers as mandated in Law no. 43 of 2008 concerning National Territory, the results of interviews with young analysts in the Border Management and Cooperation Section revealed that the Border Management and Cooperation Section of Karimun Regency had received ship assistance from the National Border Management Agency of the Republic of Indonesia in 2014, the ship was used by Karimun Regency for carry out authority in order to safeguard and maintain state border markings. At least the results of the interviews show that at least once a year the Border Management and Cooperation Section visits the outer islands using the ship's facilities. However, since 2020 the aid ship has been damaged and can no longer be used to visit the outer islands belonging to Karimun Regency. This causes the implementation of their duties and functions to be slightly hampered. Before the aid ship was damaged, every year there were programs and activities carried out in the form of visits to the outer islands. Results of the author's interview with Suhaimi, Young Analyst in the Border Management and Cooperation Section of Karimun Regency.

In the context of authority and maintaining state boundary markers, which is the authority of the Karimun Regency Border Management and Cooperation Agency, this is carried out in the form of several activities such as ceremonies commemorating Independence Day involving youth organizations in Karimun Regency. Other forms of activities carried out include participating in patrolling the outer islands with the Indonesian Navy and Polairud. It was

further stated that the obstacles related to the management of the outer islands in Karimun Regency currently are related to the availability of clean water on the outer islands.

Still related to the maintenance of state boundary signs on the outermost islands of Karimun Regency, in 2023 a budget for the maintenance program for state boundary signs in the form of painting and maintenance is IDR. 50,000,000,- (Fifty Million Rupiah). This boundary marking maintenance program was carried out by looking at the conditions in the field where the existing paint was starting to fade, so the Border Management and Cooperation Section of Karimun Regency took the initiative to carry out painting and maintenance related to the boundary markings.

Budget limitations are still the main problem in border management carried out by the Border Management and Cooperation Section, this is because since 2021, cooperation matters in the Karimun Regency Government regional secretariat have been merged into 1 section with the Border Management and Cooperation Section. So the available budget is divided into 2 matters, namely border management matters and cooperation matters.

Table 1. Budget Allocation in the Border Management and Cooperation Section of Karimun Regency Regional Government

No	Years	Budget		Total
		Border Management Affairs	Cooperation Affairs	
1.	2021	± Rp. 200.000.000,-	± Rp. 400.000.000,-	± Rp. 600.000.000,-
2.	2022	± Rp. 400.000.000,-	± Rp. 400.000.000,-	± Rp. 800.000.000,-
3.	2023	± Rp. 200.000.000,-	± Rp. 300.000.000,-	± Rp. 500.000.000,-

Source: Karimun Regency Border Management and Cooperation Section 2023

From the description in the table above, the average budget allocation allocated for border management matters in Karimun Regency in the last 3 years is ± Rp. 260,000,000,- per/year. Based on the information in the table above, cooperation matters receive a relatively larger portion of the budget than border management matters. Seeing this condition is certainly not directly proportional to the geographical conditions faced so that the authority possessed by the Karimun Regency Government in carrying out all authorities as stated in Law no. 43 of 2008 concerning State Territory cannot be implemented optimally.

Budget constraints are the main obstacle in border management in Karimun Regency. In practice, the border issue has not yet become an "interesting" issue, not only among the government but also among society. Border issues in Karimun Regency are always decorated with slightly negative news such as violations of immigration administration, smuggling and tracking.

The results of various interviews that the author has conducted show that the majority of border institutions in the Riau Islands Province rely heavily on budget allocations from the Central Government in developing border areas in each region. Based on field findings, it is known that every budget proposal for border affairs always competes with 222 districts/cities that have other border affairs. The results of the author's interviews found that the budget provided for border affairs combined with other affairs owned by the Regional Government. If we refer to the Decree of the Minister of Home Affairs Number 050-5889 of 2021 concerning the Results of Verification, Validation and Inventory of Classification, Codification and Nomenclature of Regional Development and Financial Planning, there is no separate nomenclature regarding border affairs.

It would be better if the Minister of Home Affairs 050 could provide a special nomenclature related to border affairs, so that regional governments carrying out border affairs do not need to look for other nomenclature. This will facilitate the effectiveness of planning for development in border areas. Results of the author's interview with Suhaimi, Young Analyst in the Border Management and Cooperation Section of Karimun Regency. Having a separate nomenclature related to border affairs in the Regional Government Information System (SIPD) will be a form of seriousness from the central government towards development for border areas in the region Ibid.

Field findings also show that in order to protect border areas carried out by the Indonesian Police, this institution provides special allowances for police officers who work in police units that have areas in border areas.

Uniquely, the Tebing Sector Police, who are actually located in the border area, receive special border allowances. Ibid.

In this regard, according to the Head of the Border Management and Cooperation Section of the Regional Government of Karimun Regency. The results of the author's interview with Didi, Head of the Border Management and Cooperation Section of Karimun Regency, stated that it was once proposed to the government that sub-district heads whose working areas are within border areas or are in priority locations can receive special allowances. However, to date this has not been realized.

Regarding the authority to carry out coordination in the context of implementing development tasks in designated border areas (Priority Locations), various activities have been carried out by the Border Management and Cooperation Section of Karimun Regency. Several national priority programs implemented in priority locations in Karimun Regency, such as the construction of the Malarko Strait airport and port, can be carried out well through harmonious coordination and communication with the Riau Islands Provincial Government and the Central Government.

The implementation of this coordination is a mandate from Minister of Home Affairs Regulation No. 140 of 2017, especially in relation to the provisions of Article 22 paragraph (1) which states: National coordination meetings of BNPP with Provincial BPPD and Regency/City BPPD are held at least 2 (two) times in 1 (one) year or at any time according to need.

Some of the collaborative activities carried out in order to protect and maintain national border markers include youth organizations such as the KNPI and Karang Taruna Karimun Regency by carrying out various activities such as a ceremony commemorating the Independence Day of the Republic of Indonesia which was held on the outermost island.

With all the existing limitations, according to researchers, collaboration is one solution in answering the challenges of border management in Karimun Regency. Collaborative government itself is not a new issue in regional government administration.

Conclusion

There are still several obstacles in implementing the border management authority carried out by the Karimun Regency Regional Government, such as the problem of border management institutions which do not stand alone, thus having an impact on the implementation of coordination and budgeting. The implementation of other authorities is carried out through strategic collaboration with other stakeholders related to border issues.

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