

Optimizing Law Enforcement of Illicit Narcotics Trafficking in the Kuala Tanjung Port Area The Role of the Directorate General of Sea Transportation in the Supervision of Small Ships

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Abstract

The port as a strategic node in the national shipping system has a dual function, not only as an economic and logistical infrastructure, but also as a space for legal supervision and state security. The Port of Kuala Tanjung, which is projected as a national strategic port with direct links to industrial estates and international shipping lanes, faces vulnerability to the use of shipping facilities for illicit narcotics trafficking. This study aims to analyze the role of the Directorate General of Sea Transportation in the supervision of illicit narcotics circulation in port areas, especially ports in Kuala Tanjung. The research method used is normative juridical with a legislative approach, through a study of Law Number 17 of 2008 concerning Shipping as amended by Law Number 66 of 2024 and implementing regulations in the port sector. The results and discussions show that the shipping legal regime has provided a strong basis of authority to the Directorate General of Sea Transportation, especially through the function of Syahbandar supervision of ships, cargo, and port activities, which substantively serves as an instrument to prevent port abuse for illicit narcotics trafficking. The conclusion of this study emphasizes that the main problem does not lie in the absence of norms, but in the lack of optimal interpretation and implementation of shipping supervision authority as part of the support system for narcotics law enforcement in strategic ports.

Keywords: Role; DJPL; Narcotics; Ports; Kuala Tanjung

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Introduction

Archipelagic countries with a high dependence on sea routes make ports a strategic node in the national transportation, logistics, and trade system [1]. The function of the port is no longer limited to the movement of goods and people, but develops as an economic space, a state administrative space, as well as a space for legal supervision [2]. The intensity of cross-border interaction through sea routes puts ports in a crucial position in maintaining national interests, both in terms of economic development and in terms of security and order [3].

The development of modern ports in Indonesia is directed to strengthen the connectivity of industrial estates and increase the competitiveness of national logistics. The Port of Kuala Tanjung as a National Strategic Project has an important position because it is located in the Malacca Strait route, so it functions as the main node of global trade flows as well as the support of the Sei Mangkei Special Economic Zone and the Kuala Tanjung Industrial Estate [4]. The commitment to the development of Kuala Tanjung Port is reflected in the multi-stakeholder coordination between the government, state-owned enterprises, and business actors to make it a center for industrial growth. The involvement of port managers, industrial estates, railways, logistics associations, and land transportation confirms its position as an integrated logistics node that connects ports, industries, and various modes of transportation [5].

Industrial growth in the Sei Mangkei SEZ and Kuala Tanjung Industrial Estate is projected to increase port activities, so it is necessary to increase capacity, service efficiency, and intermodal connectivity to reduce logistics costs and facilitate exports. The success of this port is expected to have a multiplier effect in the form of increasing investment, employment, and strengthening regional supply chains [6].

The increase in economic and logistical activities has juridical implications in the form of potential surveillance loopholes that can be exploited by transnational narcotics crimes. The adaptive character of this crime tends to take advantage of legal trade routes, so that ports and sea routes become strategic means of smuggling due to large carrying capacity and the difficulty of comprehensive detection [7].

Empirically, the Strait of Malacca and the Southeast Asian region are strategic routes for international narcotics trafficking that are connected to production centers in the Golden Triangle. The increase in opium production in Myanmar strengthened the flow of distribution by sea, including through the Port of Kuala Tanjung and the Port of Tanjung Balai Asahan to Aceh, the Riau Islands, and the island of Java. This shows that the port not only functions as an economic infrastructure, but also as a prone point for cross-border narcotics crimes [8].

The discourse of law enforcement against illicit narcotics trafficking at ports has tended to focus on the role of repressive law enforcement officials such as the National Narcotics Agency, the Police, and the Directorate General of Customs and Excise [9]. This approach builds the assumption that narcotics eradication is completely within the realm of criminal law [7]. This position indirectly marginalizes the role of sectoral technical institutions that have direct control over port activities, especially the Directorate General of Sea Transportation [10].

The sectoral approach becomes problematic because shipping law places safety as a public interest. Law Number 17 of 2008 emphasizes that shipping must be held in a safe, secure, and orderly manner, so that ports as part of the national shipping system are in the responsibility of the state to prevent and overcome crimes that utilize shipping facilities [11].

Syahbandar as a representative of the Directorate General of Sea Transportation has strategic authority in ensuring the safety and security of shipping, including the supervision of ships, crews, cargo, and port traffic as stipulated in Law Number 17 of 2008. Amendments through Law Number 66 of 2024 affirm the strengthening of the supervisory and coordination function across sectors, so that shipping law is not only oriented to transportation services, but also also as an instrument for controlling maritime security risks, including the prevention of narcotics trafficking in strategic ports such as Kuala Tanjung [12].

The problem at the Port of Kuala Tanjung lies in the lack of optimal implementation of the role of the Directorate General of Sea Transportation in supporting the enforcement of the

illicit circulation of narcotics, even though regulations and infrastructure are available. The rapid growth of industry and logistics demands the strengthening of the shipping supervision function so that it is not used as a crime route. Therefore, this study normatively examines the role of the Directorate General of Sea Transportation in order to integrate port development with the interests of legal security and strengthen the narcotics law enforcement system in Indonesia.

Research Methodology

This study uses normative juridical research methods (*Normative Legal Research*) which focuses on the study of legal norms, legal principles, legal theories, and laws and regulations related to the authority of the Directorate General of Sea Transportation in shipping supervision and its role in supporting the supervision of narcotics circulation in the port area. The normative juridical approach is used because the main object of the research lies in the legal regulation regarding shipping safety and security as stipulated in Law Number 17 of 2008 concerning Shipping as amended by Law Number 66 of 2024. Normative research aims to analyze the consistency of norms, legal synchronization, and the effectiveness of institutional authority in the implementation of state supervision functions in the shipping sector [13].

The approach used in this study consists of a legislative approach (*Statute approach*) and conceptual approaches (*conceptual approach*). The legislative approach is carried out by examining various legal provisions related to shipping, port security, the authority of Syahbandar, and supervision of port activities. The main regulations analyzed include Law Number 17 of 2008 concerning Shipping, Law Number 66 of 2024, Regulation of the Minister of Transportation Number 17 of 2012 concerning ship loading and unloading activities, as well as various other provisions related to maritime security and port supervision. Through this approach, the research seeks to identify the normative basis that gives authority to the Directorate General of Sea Transportation and Syahbandar in carrying out the function of supervision of shipping and port activities [14].

Meanwhile, a conceptual approach is used to understand legal concepts related to shipping safety, administrative supervision, preventive law enforcement, and theory *Administrative Crime Prevention* in the shipping legal system. This approach is important because the research not only examines the text of laws and regulations, but also analyzes how the administrative authority of the Directorate General of Sea Transportation can be interpreted as part of the transnational crime prevention system, especially the circulation of narcotics through the sea. Thus, this research connects the concept of shipping safety and security with the function of protecting the public interest and national security [15].

The legal materials used in this study consist of primary legal materials, secondary legal materials, and tertiary legal materials. Primary legal materials include all laws and regulations related to the object of research, such as Law Number 17 of 2008 concerning Shipping, Law Number 66 of 2024, and other implementing regulations that regulate the authority of the Directorate General of Sea Transportation and Syahbandar in shipping supervision. In addition, the research also uses various legal provisions related to port security supervision and the control of loading and unloading activities as part of the state supervision system in port areas.

The secondary legal materials are obtained through literature studies of law books, scientific journals, academic articles, the results of previous research, and the doctrines of experts related to shipping law, maritime security, and narcotics law enforcement. The literature used discusses the effectiveness of shipping supervision, the role of Syahbandar in port supervision, and the concept of shipping security as part of national security. In addition, the research also uses various empirical research results on the vulnerability of sea routes and ports to international narcotics trafficking, especially in the Malacca Strait and Kuala Tanjung Port areas [16][17]. Meanwhile, tertiary legal materials in the form of legal dictionaries, legal encyclopedias, and other supporting sources are used to clarify legal terms and concepts used in research.

The technique of collecting legal materials is carried out through literature studies (*Library Research*), namely by collecting, reading, studying, and inventorying various legal sources that are relevant to the subject matter of the research. Literature studies are carried out systematically on regulations, legal literature, scientific journals, official government documents, and the results of previous research related to shipping supervision and narcotics supervision in port areas. The use of the literature study method is considered appropriate because this study focuses on the analysis of legal norms and legal doctrines that develop in academic studies [18].

In this study, the analysis of legal materials was carried out qualitatively using the deductive reasoning method. Qualitative analysis is carried out by interpreting legal provisions related to the authority of the Directorate General of Sea Transportation and Syahbandar, then relating it to the concept of shipping security and supervision of narcotics crimes in port areas. Deductive reasoning is used by drawing conclusions from general legal provisions towards an analysis of specific problems, namely the effectiveness of shipping supervision in preventing the misuse of ports as a route for narcotics trafficking. Through this method, the research seeks to explain how the administrative authority of the Directorate General of Sea Transportation can function as a preventive instrument in the national law enforcement system.

Results & Discussion

Authority of the Directorate General of Sea Transportation According to the Shipping Law

Law Number 17 of 2008 places the Directorate General of Sea Transportation as a state representative whose role is to regulate, foster, control, and supervise shipping, including port activities. This function affirms the state's responsibility to ensure the safety, security, and order of shipping as part of the public interest. Article 3 of Law Number 17 of 2008 emphasizes that the purpose of shipping is to realize a safe, safe, orderly, and sustainable sea transportation system. The phrases "safe" and "orderly" in the norm contain legal meanings that go beyond the technical aspects of ship safety, but also include the prevention of all forms of security disturbances, including crimes that utilize shipping facilities and infrastructure. Thus, ports as an integral part of the national shipping system are under a state supervision regime that is both administrative and preventive.

The strategic role of the Directorate General of Sea Transportation at the port is realized through Syahbandar as the highest authority that ensures the safety and security of shipping. Based on Law Number 17 of 2008, Syahbandar functions as the state's gatekeeper through the supervision of shipworthiness, crew, cargo, and ship traffic entering and exiting the port. Transnational and organized narcotics crimes, the authority to supervise ships and cargoes have high legal significance.¹⁶ Empirical data show that sea routes, especially in the Malacca Strait area, have long been used by international drug syndicates as a route to smuggle narcotics into Indonesian territory. The Port of Kuala Tanjung, along with other ports on the coast of North Sumatra, is recorded to be in a corridor prone to illicit trafficking of narcotics which are then distributed to mainland areas such as Aceh, Riau Islands, and Java. This fact shows that ports are not only an economic space, but also a legal risk space that requires strict state supervision [19].

The authority of the Directorate General of Sea Transportation through Syahbandar is a form of preventive control in preventing violations of the law before the criminal enforcement stage. Based on the theory of administrative crime prevention, supervision of ships, cargo manifests, and port activities are important instruments for the prevention of narcotics trafficking that complement the repressive approach of law enforcement [20].

The amendment through Law Number 66 of 2024 affirms shipping security and safety as a strategic public interest, while showing a shift in the paradigm of shipping law towards an integral maritime security approach. This change expands the role of the Directorate General

of Sea Transportation in detecting, preventing, and controlling the misuse of shipping facilities for criminal acts, including illicit trafficking of narcotics.

The Port of Kuala Tanjung, which is experiencing rapid growth as a national strategic port and a supporter of the Sei Mangkei Special Economic Zone, strengthening the role of the Directorate General of Sea Transportation is becoming increasingly relevant. An increase in ship and cargo flows as a consequence of industrial growth has the potential to widen the supervision gap if the shipping control and supervision functions are not optimized. The normative authority of the Directorate General of Sea Transportation must be understood as part of the narcotics law enforcement support system, not as a stand-alone administrative function [21].

According to Lawrence M. Friedman's view, the effectiveness of a law is determined by the exercise of institutional authority. Although the Shipping Law has provided a strong normative basis for the Directorate General of Sea Transportation to support the enforcement of narcotics laws at ports, the main challenge lies in optimizing the implementation of authority effectively, coordinated, and responsive to crime dynamics, especially at the Port of Kuala Tanjung as a strategic route for narcotics trafficking by sea.

Syahbandar's Role as a Representative of the Directorate General of Sea Transportation in Port Supervision

Ports as a strategic node for sea transportation have vulnerability to organized crime, including narcotics trafficking, so it demands the presence of the state through Syahbandar as a supervisory authority. Based on Law Number 17 of 2008, Syahbandar has the highest authority in ensuring the safety and security of shipping through inspection of shipworthiness, documents, shipping traffic, loading and unloading activities, and the issuance of a Sailing Approval Letter after all requirements are met.

The examination room before the issuance of the SPB normatively creates an initial control mechanism against the potential for misuse of ships and cargo. The examination of documents and cargoes not only ensures technical compliance, but also becomes an instrument for the early detection of narcotics smuggling by sea. In the context of Kuala Tanjung Port as an international port and strategic industrial area, the high flow of ships and goods increases the complexity of supervision, thus placing Syahbandar in an important position in balancing smooth logistics with the prevention of transnational crime.

Although not a criminal law enforcement officer, Syahbandar has the administrative authority to support crime prevention through actions such as delaying ship departures, refusal of documents, and reporting indications of violations to the authorities. Strengthening through Law Number 66 of 2024 affirms shipping security as a public interest, thus placing Syahbandar as a strategic actor in supporting the role of the Directorate General of Sea Transportation preventively and collaboratively to prevent illicit circulation of narcotics at Kuala Tanjung Port.

The Role of the Directorate General of Sea Transportation in Narcotics Supervision at Kuala Tanjung Port

The Port of Kuala Tanjung as a national strategic port not only functions as a logistics distribution node, but also as a state supervision area to ensure the safety and security of shipping. The high flow of ships and goods increases the risk of misuse as an entry point for narcotics, thus placing the Directorate General of Sea Transportation in an important position in supervising shipping and port activities.

Law Number 17 of 2008 defines shipping safety and security as the fulfillment of requirements that include transportation in waters, ports, and maritime environmental protection. This norm emphasizes that port security is part of the shipping system, so the threat of port abuse, including narcotics trafficking, is within the scope of supervision of the Directorate General of Sea Transportation.

The supervisory authority of the DJPL is carried out through Syahbandar as the highest official at the port who is authorized to inspect ships, documents, and cargo before departure, thus playing a strategic role in preventing narcotics smuggling through the sea route. The strengthening through Law Number 66 of 2024 emphasizes the importance of shipping supervision as part of national security, especially at the Port of Kuala Tanjung as a hub port that is integrated with industrial estates.

Regulation of the Minister of Transportation Number 17 of 2012 emphasizes that loading and unloading activities must meet the requirements of safety, security, and order of the port under the coordination of the port authority and Syahbandar. This provision puts the Directorate General of Sea Transportation in a strategic position in supervising one of the most prone points for smuggling of prohibited goods, including narcotics, namely the process of loading and unloading ships.

The Shipping Law regulates the Working Environment Area and the Port Interest Environmental Area as the DJPL's supervisory area, so that the control does not only include docked ships, but all port activities, including small ships and supporting activities. This supervision is a form of administrative law enforcement that functions as an initial prevention mechanism against narcotics trafficking, as well as affirming the role of the DJPL as an integral part of the state supervision system in the port area.

Narcotics supervision at the Port of Kuala Tanjung shows that there is a gap between the DGT's broad normative authority and implementation that is still understood to be limited to the technical aspects of shipping. In fact, the Shipping Law provides a strong legal basis for the DJPL to supervise ships, cargo, and port activities as part of the protection of ports from organized crime. Optimizing this role requires a more substantive interpretation of shipping security as an instrument to prevent narcotics trafficking.

Conclusion

Based on the results of the research and discussion that has been described, it can be understood that the Directorate General of Sea Transportation (DJPL) has a very strategic position in the system of implementing shipping safety and security in Indonesia. Through Law Number 17 of 2008 concerning Shipping as amended by Law Number 66 of 2024, the state mandates the DGTB to carry out the functions of regulating, supervising, and controlling shipping and port activities. The concept of shipping security in the law is not only understood in the sense of protecting ship safety and navigation, but also includes port security, supervision of loading and unloading activities, and control of various forms of threats that can disrupt national maritime security. Thus, the construction of norms in shipping law has provided legitimacy and a strong legal basis for the DJPL to carry out the state's supervisory function comprehensively in the port area.

In addition, this study shows that Syahbandar as a representative of the Directorate General of Sea Transportation at the port has a very central role in the implementation of the supervisory function. Syahbandar's position as a government official at the port provides broad authority in ensuring the safety and security of shipping, including conducting inspections of ships, shipping documents, cargo, and other port activities. This authority places Syahbandar not only as an administrative official in the shipping sector, but also as the state's main instrument in controlling port activities that have the potential to cause violations of the law. In this context, the supervisory function of Syahbandar has a broader dimension because it is directly related to efforts to prevent various forms of cross-border crimes, including smuggling and trafficking of narcotics through sea routes.

Furthermore, this study also confirms that normatively the role of the Directorate General of Sea Transportation in narcotics supervision at the Port of Kuala Tanjung already has an adequate legal basis in the national shipping legal regime. Administrative supervision of ships, documents, cargo, and loading and unloading activities is a very important preventive instrument to prevent the use of ports as narcotics distribution channels. However, the main

challenge faced is not the lack of regulation, but the lack of optimal implementation of shipping supervision authority as part of an integrated port security system. Therefore, the effectiveness of supervision is highly dependent on the professionalism of port officials, coordination between law enforcement agencies, and the strengthening of the maritime surveillance system as a whole in order to create shipping security and protection of national interests.

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