

Harmonization of Security Authority Arrangements in The Restricted Area at Soekarno-Hatta International Airport

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Abstract. Security management at Soekarno-Hatta international airport in the borderless world era is important to be aware of the increasing threat and confusion that threatens, especially with the ASEAN open sky. Doctrinal legal studies with a more qualitative legislative approach and data analysis aim to map safety permit regulations. The study shows that there is a high level of security management between the police which has been legalized through the police law and the Presidential Decree on National Vital Objects with the airport authority and artificial space through the Government Regulation on Air Travel. The important harmonization carried out by the police is not limited to the situation after the incident. acts against the law but places greater emphasis on preventive efforts as a constitutional mandate to provide security for all Indonesian citizens and refers to the ICAO international civil aviation security standard specifications which require every member. To involve the police. Because, theoretically, the airport police have quite large resources in preventive efforts to overcome all threats and concerns at the airport. The most elegant way to overcome this problem is to build synergy between various authorities and involve the police to empower security governance so that all aviation security is integrated into the latest security.

Keywords: harmonization of law; safety regulations; security authority arrangement.

1. Introduction

At the beginning of the 1980s, we already knew the term revolution "*Triple T*" to explain the occurrence of fundamental changes in the world economy and economic relations between nations triggered by rapid developments in the fields of telecommunications technology, transportation, and tourism. This revolution caused the movement of goods and services and production factors like the flow of water rushing to all corners of the world. Then, we are increasingly familiar with globalization which describes a *borderless world*. The influence of globalization in Southeast Asia began with the concept of *ASEAN community* in 2015, with three pillars: economy, culture, and security. ASEAN Open Sky is a form of policy to open up airspace between fellow ASEAN member states.[1] The ASEAN Open Sky policy is part of the goal of establishing the ASEAN Economic Community to improve the economy in the ASEAN region and to increase international competitiveness so that the economy can grow evenly.[2]

Soekarno-Hatta International Airport is the leading regional and international gateway for the movement of people and goods. like it or not to experience the impact of the currents of globalization, with the emergence of national-scale vulnerabilities, such as the theft of goods in

the luggage of aircraft and the infiltration of people into the wheels of aircraft as well as those on a regional or international scale, such as the smuggling of narcotics and drugs[3] from abroad[4], the entry of international terrorist networks,[5] human trafficking, and others.[6]

Threats and vulnerabilities to security at airports, especially cases in restricted areas such as baggage theft, need serious attention from airport managers, Especially if it involves individuals or workers of the airline itself. Lately, there have been frequent cases of baggage problems, including theft or burglary of baggage contents, damage, and exchange. Vulnerabilities that interfere with the security of aviation service users, such as fires, electrical short circuits, bomb terror, passengers[3] carrying weapons, carrying explosives, smoking in restricted areas, or people who commit theft of aircraft components, then there are also cases of infiltration into the wheels of the aircraft, a tested security management concept is needed to overcome various security risk problems that occur.[7]

Discussions on security authority arrangement on national vital objects have not been much debated. Eko Kristianto with a study entitled "*Security Risk Analysis of Soekarno-Hatta International Airport*"[7] the focus of the research was to analyze the risks that may occur at Soekarno Hatta Airport after the bomb blast at Terminal F on April 27, 2003, as a concrete action against security disturbances and threats to airport facilities as national vital objects, which harmed financially and injured victims. In addition to the threat of bomb terror, there is also a rampant illegal business activity, such as: hawkers, illegal porters and ticket scalpers, which can cause security disturbances. The next discussion was held by the President Director of PT Angkasa Pura II Muhammad Awaluddin with the Head of BNPT Boy Rafli Amar on Thursday, December 10, 2020, [1] in this discussion discussed external security related to the position of the airport as a vital object of the state in accordance with the Presidential Decree of the Republic of Indonesia Number 63 of 2004 concerning the Security of National Vital Objects and decree of the Minister of Transportation Number KM 72 of 2004 concerning Vital Objects Transportation, Post and Telecommunications.[8]

The management of security at Soekarno-Hatta International Airport, at this time, is the responsibility and authority of the Head of the First Class I Region Airport Authority Office from the Directorate General of Air Transportation of the Ministry of Transportation and the Executive General Manager of PT. Angkasa Pura II, in terms of security, gave a mandate to the Senior Manager of Security in charge of *Aviation Security (AVSEC)*. Soekarno-Hatta Airport, as a vital National object, should also be the responsibility of the Indonesian Police. Especially in the integrated security control measures to prevent disturbances in security and order.[8]

However, in practice, there is an overlap in airport security functions between the Police and *Airport Security* from PT. Angkasa Pura II. The "*Airport Security Program*) of Soekarno-Hatta International Airport", which is determined by the Executive General Manager of PT. Angkasa Pura II, the function of the Soekarno Hatta Airport City Resort Police (Soekarno-Hatta Airport Police) is limited to providing support for the implementation of *contingency* following the needs and level of threat. One crucial thing is that support for implementing of the airport security program from the Soekarno-Hatta Airport Police should not be carried out in *restricted areas*[9]. Security areas are limited in particular and can only be provided in the event of unlawful activities and increased threat level conditions at airports in vulnerable conditions (yellow) and emergency conditions (red) based on the request of the *Executive General Manager* of Soekarno-Hatta International Airport.[9] From the existing theoretical discussions or debates, it shows that there are indications of disharmony in security measures in the restricted area of Soekarno Hatta Airport, so the author considers this research to be significant, in order to provide output on future concepts related to integrated and synergistic security management by involving the Airport Police, as well as the authority and responsibility that

regulated in ICAO especially Annex 17 ICAO: Security (Safeguarding International Civil Aviation Against Act of Unlawful Interference and Doc. 8973, Law Number 2 of 2002 concerning the Indonesian Police, Presidential Decree Number 63 of 2004 concerning The Security of National Vital Objects.

2. Research Method

This study is legal research with qualitative data analysis techniques, with a statute approach,[10] conceptual approach, theory and interpretation approach to the problem of [11] disharmony in the regulation of security authority arrangement in the restricted area Soekarno-Hatta International Airport using primary legal materials in the form of; UUD 1945, ICAO Annex 17 and Doc. No. 8973, Act No. 1 the Year 2009 concerning Aviation Law No. 2 Of 2002 concerning the Indonesian Police, PP No. 70 Of 2001 concerning Airports and other related laws and regulations.

3. Result and Discussion

3.1 Security of Authority Arrangement In Restricted Area Soekarno-Hatta International Airport After ASEAN Open Sky

The international community has a basic mutually agreed-upon rule to regulate the world of aviation as outlined in the 1910 Paris Convention, the 1919 Paris Convention, and the main one is 1944 Chicago Convention or better known as the International Civil Aviation Convention. The Convention is used as a reference in the preparation of national laws for ICAO (*International Civil Aviation Organization*) member states in organizing international civil aviation. ICAO, an international civil aviation organization consisting of 192 of the 193 UN member states (all but Liechtenstein, which does not have an international airport), which was founded in 1974. ICAO issues internationally applicable flight operational regulations that it uses in annexes. There are 18 annexes in force. The ICAO codes for flights are four codes.[12]

The influence of globalization in Southeast Asia began with the concept of *ASEAN community* in 2015, with three pillars: economy, culture, and security. ASEAN Open Sky is a form of policy to open up airspace between fellow ASEAN member states. The ASEAN Open Sky policy is part of the goal of establishing the ASEAN Economic Community to improve the economy in the ASEAN region and increase international competitiveness so that the economy can grow evenly[2]. Nowadays, ASEAN members are increasingly inextricably linked, becoming one perfect apparatus and one partner that cannot be less than that of major countries and influential international organizations. Today's ASEAN is transforming towards a spirit of solidarity to build "a long-term peaceful, safe, stable region, sustainable economic growth, social progress, and shared prosperity. "[13] Here are some international regulations governing the security and safety of civil aviation implemented in welcoming the ASEAN Open Sky: a). Annex 17 ICAO: *Security (Safeguarding International Civil Aviation Against Act of Unlawful Interference)*, b). Annex 18 ICAO: *The Safe Transport of Dangerous Goods by Air*, c). Document 8973: *Security Manual*, d). Document 9284, e). *Technical Instruction of The Safe of Dangerous Goods by Air*, and f). ICAO Circular Letter Number AS 8/11-06/100 dated December 1, 2006, regarding *recommended Security Control Guidelines for Screening Liquids, Aerosols, and Gels*.[13]

Based on Doc. 8973, *The International Civil Aviation Organization*, page 146 of the *Airport Organization And Programmes*, regulates the role of the police as law enforcement [14].

This is in line with national regulations regarding Soekarno-Hatta Airport as a National Vital Object; based on Presidential Decree No. 63 of 2004 concerning The Security of National Vital Objects, the airport is included in the category of National Vital Objects. Article 1, paragraph 1 states that the definition of a *National Vital Object* is an area or location, building or installation and business that concerns the lives of many people, the interests of the State, and a strategic source of income. Meanwhile, in article 2, it is stated that a National Vital Object of a strategic nature, as referred to in article 1 paragraph 1, must meet one, part, or sequence of the following characteristics: a). Threats and disturbances to it result in disasters in the form of humanity and development, b). Threats and disruptions to it result in transportation and communication chaos nationwide; and, c). Threats and disruptions to it resulted in disruption of the administration of the State government [15].

ANNEX 17 ICAO: Security (*Safeguarding International Civil Aviation Against Act of Unlawful Interference*). In the context of the airport security coordination system, the interdependence between security units is essential for the organization because it concerns the airport's survival. In that context, security control efforts are needed to prevent security and order disturbances at the airport in the form of infiltration of weapons, explosives, crimes such as theft of passenger luggage, and violations such as carrying prohibited items (drugs) or other materials that may be used to interfere with airports and flights unlawfully [16].

With the bomb explosion incident at Terminal II E-F departing Soekarno Hatta Airport on April 27, 2003, at 06.30.14 WIB, a piece of DPR-MPR information was born about the importance of the existence of a police station at the level of police at Soekarno Hatta International Airport. This was followed up by the Decree of the Chief of Police No. Pol.: Skep / 34 / VIII / 2003 dated August 25, 2003, concerning the Upgrade of the Soekarno Hatta Airport Special Police to the Soekarno Hatta Airport Police at the level of the Police with type B-1, which is in charge of carrying out police functions in maintaining public security and order, law enforcement, providing protection, protection, and services to the community and other duties within its jurisdiction under the provisions laws and regulations/policies that apply within the Polri organization. As a vital national and international aviation area, Soekarno-Hatta Airport has a high level of vulnerability to all forms of disturbances and threats, so it is necessary to manage security measures (security management) with high quality and capability standards as well. This is already regulated in ICAO provisions, especially Annex 17 ICAO: Security (*Safeguarding International Civil Aviation Against Act of Unlawful Interference*) and Doc. 8973, namely *Prevention, Surveillance, Contingency, Reporting*, and Presidential Decree No.63 of 2004 concerning The Security of National Vital Objects, in Article 5 which regulates:

- (1) The Manager of National Vital Objects, together with the National Police of the Republic of Indonesia, determines the configuration of the security standards for each National Vital Object, which includes the strength of personnel and their security infrastructure.
- (2) The Manager of National Vital Objects in internal security must meet the quality or capability standards set by the Decree of the Chief of Police of the Republic of Indonesia and consider input from relevant Departments / Agencies and applicable international provisions.
- (3) The Manager of National Vital Objects, together with the National Police of the Republic of Indonesia, shall conduct periodic audits of the existing security system per the Decree of the Chief of Police of the Republic of Indonesia.

However, in practice, there is *discretion* or a gap between the police and PT. Angkasa II and the Soekarno-Hatta Airport Authority Office as managers. These theoretical discussions or debates have been going on since 2007. The Head of the Soekarno-Hatta Airport Police was

held by AKBP. Drs. Guntur Setyanto, together with the Head of the Main Branch of PT. (Persero) Angkasa Pura II, which is held by Untung Rahayu, S.SiT and head of the Soekarno-Hatta International Airport Administrator's Office, which is held by Ir. IGN. Bambang Tjahjono, CES, has made a Joint Decree on the Airport Security and Order Program, which was signed on July 20, 2006. The joint working meeting between the Airport Administrator, PT (Persero) Angkasa Pura II, and the Soekarno-Hatta Airport Police, which was held on January 10-12, 2007, discussed the continuation of making the Implementation Guidelines (Juklak) as a continuation of the signed SKB, the interim results obtained were not final and there were differences of opinion and perception:

- 1). Regarding the authority of the Soekarno-Hatta Airport Police in a *restricted area (restricted area)*, the Airport Administrator and PT. (Persero) Angkasa Pura argues that the responsibility and authority of the Soekarno-Hatta Airport Police in general only exists in the general area (public area), while for the *Restricted Area* area, it is the complete responsibility and authority of the Airport Security (Avsec PT. (Persero) Angkasa Pura II), while the Airport Police are only helpful and can enter a restricted area when a criminal act has occurred, as regulated in the Airport Security Program (ASP)
- 2). The Airport Police argues that the authority of the Police is not only limited to public areas but covers the entire existing area, including *restricted areas* because the Airport Police is part of the security component and the person in charge of security in general at Soekarno-Hatta Airport following the mandate of Law Number 2 of 2002 concerning the National Police and Presidential Decree Number 63 the Year 2004 on National Vital Objects.

The problem can be analyzed using the Theory of Authority to provide clear boundaries regarding the authority of the National Police of the Republic of Indonesia Metro Jaya Region, especially the Soekarno-Hatta Airport Police and *Aviation Security* officers from PT. Angkasa Pura II (Persero) in the management of security in the *restricted area* of Soekarno-Hatta Airport. The term authority theory comes from the English translation, namely *authority of theory*, a term used in Dutch, namely *Theorie van het gezag*, while in German, namely *theorie der autorität*.

H.D. Stout, as quoted by Ridwan HB, presents an understanding of authority. The authority is: "The whole of the rules related to the acquisition and use of governmental authority by the subject of public law in the public legal relationship".[17] There are two elements contained in the definition of the concept of authority presented by H.D. Stout, namely:

- a. The existence of rules of law
- b. The nature of legal relations.

Before the authority is delegated to the institution that carries it out, it must first be determined in the laws and regulations, whether in the form of laws, government regulations, or lower-level rules. The nature of a legal relationship is a nature that is related and has a connection or bond or connection or is related to the law. The legal relationships are public and private.

Ateng Syafrudin presented the notion of authority and stated, "There is a difference between the notion of authority and authority. Authority is the so-called formal power, the power given by the Act, while the authority is only about a certain part of the authority. Within the authority, there are authorities (*rechtsbevoegdheden*). Authority is the scope of public legal action; the scope of government authority not only includes the authority to make government decisions (*bestuur*), but includes authority in the context of carrying out duties and gives authority and distribution of authority, mainly applied in-laws and regulations".[18] Ateng

Syafrudin presents both the concept of authority and the concept of authority. The elements listed in authority include:

- a. The existence of formal power
- b. Power to grant Laws – Undan[19]

The function of the Soekarno-Hatta *Airport Police (Airport Police)* indeed adopts international aviation security and safety regulations issued by ICAO, especially *Annex 17 ICAO: Security (Safeguarding International Civil Aviation Against act of Unlawful Interference and Doc. 8973*. [19] This is necessary because Soekarno-Hatta Airport, as a National Vital Object, has a high vulnerability and risk to various forms of insecurity that can become a security threat in various forms, such as the threat of terrorism, bomb threats, criminality, theft of aircraft baggage, smuggling narcotics and illegal drugs from abroad, infiltration of people into the wheels of aircraft and so on.

The increase in aircraft passengers after the enactment of the ASEAN open sky requires airport managers to ensure flight security. Airport managers must check everyone and their luggage that will enter the *restricted area / restricted area* of the airport without exception. One type of criminal activity rampant at Soekarno-Hatta International Airport is the criminal activity of theft of aircraft baggage. If we use the mode of transportation using aircraft services, of course we are familiar with baggage matters. With the creation and ratification of the Regulation of the Minister of Transportation Number 77 of 2011 concerning the Responsibility of Air Transport Carriers, it is considered capable of protecting passengers from cases of baggage theft. [3]

However, after a long time of ministerial regulation, it turns out that there are still many cases of baggage theft, especially if it involves individuals or workers of the airline itself. Recently, there are often cases related to baggage problems, including theft or breaking into the contents of the baggage, damage, exchange, being late, and possibly the wrong plane. Such as the case experienced by Titi Yusnawati, the wife of Kasat I of the Drug Directorate of the West Kalimantan Regional Police, Adjunct Commissioner of Police Prasetyono. At that time, Titi used Lion Air with flight number JT 715, from Supadio Airport (Pontianak) to Soekarno-Hatta Airport. [3] The plane *took off* at around 16.00 WIB and *landed* at Soekarno-Hatta Airport at around 18.30 WIB. When Titi was about to pick up her luggage bag in the luggage lounge, she saw that the lock was broken. Titi then opened her suitcase; jewelry in the form of necklaces, rings, and bracelets of considerable value to hers had been destroyed. This incident was also reported to the Soekarno-Hatta Airport Police. In addition, Rahmat (28), the event occurred on November 18, 2013. At that time, he was listed as a passenger on Citilink flight QG 804, at 11.35 WIB to Surabaya-Jakarta. "I was carrying a small bag and a suitcase filled with my belongings," she added. The suitcase contained a *Macbook Pro Md 104* brand laptop worth IDR 26.6 million [20], a diploma in the name of Rahmat Fauziy starting from kindergarten, junior high school, high school, and S1 (undergraduate), as well as some clothes and other valuables such as birth certificates, marriage books, account books and so on, were also lost. [21]

These events are certainly very concerning because they occurred in the *restricted area of* Soekarno-Hatta International Airport, which should be guaranteed security. Another incident that deserves special attention from airport managers is the theft of landing lights found along the *taxiway*. It is conceivable that if the lights were absent and the plane landed at night, the pilot had real difficulty in making the landing of the plane the light flow guide sign.

If not appropriately handled and integrated, various security threats at Soekarno-Hatta International Airport can cause financial losses, infrastructure damage, injuries, or even casualties. For example, The bomb blast case at Terminal F of Soekarno-Hatta International Airport is an actualization of threats and security disturbances to airport facilities that resulted

in injuries and material losses that were quite large and should not happen again. However, unfortunately, there are still many weaknesses in airport security management due to disharmony in authority arrangements, especially in the restricted area of Soekarno-Hatta International Airport.

3.2 Harmonization of Authority Arrangements in the Restricted Area of Soekarno-Hatta International Airport

Harmonization is mentioned in various terms: *harmonious, that is, friendly, peaceful. and without any disagreement, arranged together pleasingly so that each part goes well with the other. Meanwhile, the term harmonized means if two or more things harmonize with each other or more things harmonize with the other, the thing goes well together and produce an attractive result, while the term harmony is a state of peaceful existence and agreement.*[22] Kusnu Goesniadhie gives the meaning of the term harmonious, i.e., harmony, fit, harmony, balance, but also determines the elements of the notion of harmonization and its meaning.[23]

Harmonizing authority regulation in security management at Soekarno-Hatta International Airport *restricted area* requires a progressive law. Therefore, Progressive Legal Theory is used to analyze the concept of security management in the future in order to create harmonization of security measures in the jurisdiction of a limited area (*restricted area*) di Soekarno-Hatta International Airport, because building a legal system that is in accordance with the cultural vision of the Indonesian nation is not an easy job. Of course, it cannot be done in a short time. Therefore, Satjipto Rahardjo's paradigmatic offer is to build an Indonesian legal system that favors the welfare of the people (*substantial justice*) through a progressive legal paradigm.[24]

Jeremy Bentham (1748-1832) built a comprehensive legal theory on a foundation already laid on the principle of benefit. Bentham was a radical figure and staunch fighter for codified laws and overhauling ones that were chaotic for him. He is both the originator and leader of the expediency stream. According to him, the essence of happiness is enjoyment and a life free from misery. Bentham mentions "*The aim of the law is The Greatest Happiness for the greatest number*".[25]

According to Cornelis Lay, security is a classic function of the state, in addition to the function of prosperity. As a classical function of the state, security can be traced in the works of political philosophy that they designed to build an ideal society, where one of the prerequisites is the existence of security. Hence the need to know both the process in the direction of the acuteness of the threat and its prevention becomes equally important in security. This then becomes the basis for (a) Legitimizing the existence of intelligence-actors/agencies, activities, and products as a fairly autonomous function; (b) The emergence of specific functions of intelligence into information collection, information analysis, and formulation of policy recommendations necessary as a foreknowledge for policymakers; (c) As a basis for placing intelligence as a basis for the construction of an *early warning system*. Normatively based on the Chief of Police Regulation No. 5 the Year 2011 on the Use of Interpol Network (I-24/7) and ASEANAPOL Network (e-ADS) in Indonesia, I-24/7 is defined as "Interpol global communication network (Interpol Global Police Communications System) that works for 24 (twenty-four) hours a day and 7 (seven) days a week, which is used as a means of information exchange between ICPO-Interpol member states that is fast, precise, accurate and secure.[26]

About threats, according to Prof. (Ris) Hermawan Sulistyono, PhD., there are two ways of approaching, namely: (a) threats to what and (b) threats from what. In terms of threats to what, it is initially emphasized on the "state". The state became a target of the early paradigm in understanding security. The security function is more given to efforts to protect the State. This

can be seen from the functions of each security institution: army, police, and intelligence; for example, this function emphasizes efforts to protect territorial integrity, state safety, and state sovereignty. In more developments now, especially since the 1990s, the spectrum of "threats to" has been expanded to reach, but not limited to, human security, both as individuals and as groups/ collectivity. This expansion of the spectrum can be seen from the formulation put forward by the UN, which requires that the concept of "security against" be changed from "national security emphasis" to a greater emphasis on "*people security*".[27] Its achievements also achieved a shift in pressure, from security achieved through "*armament*" to security realized through "*human development*"; from an emphasis on "*territorial*" security towards *food, employment, and environmental security*".[27]

The role and function of the National Police in the maintenance of security have been regulated in the 1945 Constitution Article 30 Paragraph 4; "The National Police of the Republic of Indonesia as a state tool that maintains the security and order of the community is tasked with protecting, protecting, serving the community and enforcing the law". The role and function of the National Police include but are not limited to security measures at Soekarno-Hatta International Airport. Has a relatively high potential for vulnerability to all forms of security threats and disturbances. So, airport security management has particular specifications not only securing the airport physically, especially Soekarno-Hatta Airport is a National Vital Object. However, it must also carry out the security of the human soul.

Based on the progressive legal theory proposed by Satjipto Rahardjo, in the current democratic era, the practice of policing tends to respect the rule of law and the value of human rights in the life of civil society. This is in line with the opinion of *David Bailey* (1994:5) in his book "*Police For The Future*", which requires four norms of policing practices in the democratic era. The four norms are:[28]

- 1.) Prioritizing service;
- 2.) Legally accountable;
- 3.) Respect for Human Rights;
- 4.) Transparent;

The police function that cannot be carried out by aviation security PT. Angkasa Pura there are preventive and intelligence tasks such as preventing, reducing, eliminating, and even having to eradicate various symptoms that interfere with, hinder, harm, and even damage the course of the development process and the productivity of the lives of the community members. The various disturbing symptoms are part of social problems that must be managed systematically to ensure social processes. Because the development poses and various activities of the life of the citizens of the community are carried out in order to meet various needs, the improvement of the quality of life and the establishment of a safer, fairer, and more prosperous civilization of humankind, the function of the police acts as a guardian to improve the quality of human life[29] (*the guardian enhance the quality of life*)[30].

Furthermore, the security management concept that follows *the Theory of Crime Prevention Trough Environmental Design (CPTED)* is Swakarsa Security. Swakarsa Security, according to Djamin (2002: 45), is an elaboration of community security and order, which is defined as a form of security held on the will, awareness, and interests of the community itself, which then obtains confirmation from the Indonesian National Police Polri (Polri). In creating Siskamtibmas swakarsa, Article 3 paragraph (1) of Law No. 2 of 2002 mandates that the carrying out of police functions is seconded by the Special Police (Polsus), Civil Service Investigators (PPNS); and or forms of self-defense security. In the explanation of Article 3 paragraph (1) c of Law No. 2 of 2002 concerning the National Police, it states that: what is meant by "forms of self-defense security" is a form of security held at the will, awareness, and

interests of the community itself which then obtains confirmation from the National Police of the Republic of Indonesia, such as security units and business entities in the field of security services. The forms of self-security have limited police authority in the "place power environment" (*territoir gebied/ruimte gebied*), including the company environment and the work environment.[31]

However, whatever the institution organizing the Swakarsa Security, Article 12 paragraph 1 letter (f) of Law No. 2 of 2002 concerning the National Police mandates that the National Police remains under the supervision of security management, as explained in the article, that in carrying out the primary duties as referred to in Article 13, letter f of the National Police of the Republic of Indonesia is in charge of: "coordinating, supervising and technical guidance on the special police, civil service investigators, and forms of self-defense security". The regulation on the implementation of Article 12 paragraph 1 letter (f) of Law No. 2 of 2002 is contained in the Regulation of the National Police of the Republic of Indonesia Number 4 of 2020 concerning Swakarsa Security. By involving all elements of the Soekarno-Hatta International Airport security officers, it is hoped that it can harmonize security measures within the jurisdiction of a limited area (*restricted area*) in implementing security management at Soekarno-Hatta Airport. So that all threats and disturbances can be prevented, do not wait for unlawful actions to occur first, and then involve the police.

4. Conclusion

The author can conclude that there has been disharmony in the regulation of security authority arrangement in the restricted area of Soekarno-Hatta International Airport, between Law No. 2 of 2002 concerning the Indonesian Police, which gives authority to the Police to carry out security, especially Soekarno-Hatta Airport is a National Vital Object that must be guarded by the National Police as regulated in Presidential Decree Number 63 of 2004 concerning National Vital Objects. Disharmony can also be seen in Law No. 1 of 2009 concerning Aviation which does not regulate the authority of the Airport Authority, which delegates airport security responsibilities to PT. Angkasa Pura II, based on Government Regulation No. 70 of 2001 concerning Airports, so it is necessary to revise the Aviation Law or harmonize the regulation of security authorities in the restricted area of Soekarno-Hatta Airport in order to create fair legal certainty in facing all threats and vulnerabilities in the current borderless world era, especially after the enactment of ASEAN Open Sky.

References

- [1] F. Bari, *What Lessons Can We Learn from the Increasingly Flat World Phenomenon?*, Foreword of *The World Is Flat, A Concise History of the 21st Century* Thomas L. Friedman, Pertama. Jakarta: Second Printing, 2009.
- [2] R. B. Tuhumury, P. Susetyo, and K. Supriyadhie, "Implementasi Asean Open Sky Policy Dan Dampaknya Bagi Indonesia (Studi Kasus : Perjanjian Kerjasama Antara Garuda Indonesia Dengan Singapore Airlines)," *Diponegoro Law Rev.*, vol. 8, no. 4, pp. 2675–2690, 2019.
- [3] C. Mardiansyah, *Kajian Yuridis Kriminologis Terhadap Kejahatan Pencurian Dan Perusakan Bagasi Penumpang Pesawat Di Bandara Soekarno-Hatta Dihubungkan Dengan KUHP Jo UU No.1 Tahun 2009 Tentang Penerbangan*, Perdana. Bandung: Universitas Pasundan, 2016.
- [4] G. Cakrawartya, H. K. Supriyadi, and A. Pramono, "TINJAUAN UMUM KEAMANAN BANDARA DI INDONESIA (Studi Kasus pada Mario Penyusup

Roda Pesawat Garuda Indonesia GA177 Boeing 737-800 pada April 2015),” *Diponegoro Law J.*, vol. 5, no. 3, pp. 1–16, 2016.

- [5] P. Tristiawati, “Upaya Penyelundupan Narkoba Lewat Bandara Soetta Meningkatkan 27 Kasus,” *lIiputan 06*, 2019. <https://www.liputan6.com/news/read/4140799/upaya-penyelundupan-narkoba-lewat-bandara-soetta-meningkat-27-kasus> (accessed Jun. 17, 2023).
- [6] Hufron and Syofyan Hadi, “Legal Protection for Victims of Human Trafficking Crimes,” *J. Law Sustain. Dev.*, vol. 11, no. 12, p. e1513, Dec. 2023, doi: 10.55908/sdgs.v11i12.1513.
- [7] Eko Kristianto, “Analisis Risiko Keamanan Bandar Udara Internasional Soekarno-Hatta,” Universitas Indonesia, 2020.
- [8] A. P. II, “PT Angkasa Pura II dan BNPT Perkuat Koordinasi Cegah Radikalisme dan Terorisme,” *Angkasa Pura II*, 2020. <https://ppid.angkasapura2.co.id/id/news/event/pers/597-pt-angkasa-pura-ii-dan-bnpt-perkuat-koordinasi-cegah-radikalisme-dan-terorisme> (accessed Jun. 17, 2023).
- [9] A. P. II, *Soekarno-Hatta International Airport Security Program*, Chapter II. Jakarta: Angkasa Pres, 2021.
- [10] H. Hartiwiningsih, L. Karjoko, and S. Soehartono, *Metode Penelitian Hukum*, Pertama., vol. 1. Jakarta: Universitas Terbuka, 2019.
- [11] I. Irwansyah, *Penelitian Hukum-Pilihan Metode dan Praktik Penulisan Artikel*, 4th ed. Jogjakarta: Mirra Buana Media, 2021.
- [12] E. Agustini and Y. Kareng, *The rule of ICAO (international Civil Organization) in implementing international flight safety Standards*, Revisi. Jakarta Timur: Knee Social Sciences, 2021.
- [13] A. Pramono and H. Mubarak, *Civil Aviation in the Dynamics of Global Competition (ASEAN OPEN SKY Regulatory Study and the GATS / WTO Legal Regime for EUROPE)*, Pertama. Semarang: Pustaka Rizki Putra, 2018.
- [14] D. Dimas and A. Andaru, “Konflik Tumpang Tindih Kedaulatan Wilayah Udara Dan Flight Information Region : Alternatif Penyelesaian Kasus Tumpang Tindih Wilayah Udara Indonesia Dan Dan Flight Information Region : Alternatif,” *J. Islam. Law Stud.*, vol. 3, no. 2, pp. 1–18, 2021.
- [15] Y. Rusfiana and A. Hanifah, “DEVELOPMENT CAPACITY AND SYNERGY OF REGIONAL AUTHORITIES IN EARLY DETECTION OF TERRORISM ACTIONS,” *J. Ilm. Wahana Bhakti Praja*, vol. 11, no. 2, pp. 189–197, Oct. 2021, doi: 10.33701/jiwbp.v11i2.2080.
- [16] F. Rossi Dal Pozzo, *International and EU legal frameworks of aviation security*, Chapter 4. England: Social And Political Science Press, 2018.
- [17] R. HR, *Hukum Administrasi Negara*, Pertama. Jakarta: Raja Grafindo Persada, 2008.
- [18] A. Syafrudin, “Menuju Penyelenggaraan Pemerintahan Negara yang bersih dan Bertanggung Jawab,” *J. Pro Justisia Ed. IV*, vol. 4, no. 2, pp. 23–41, 2000.
- [19] M. F. Indrati, *Ilmu Perundang-undangan: Jenis, Fungsi, dan Materi Muatan*, Pertama. Yogyakarta: Kanisius, 2007.
- [20] Merdeka.com, “Perhiasan milik istri perwira polisi hilang di bagasi Lion Air,” *Merdeka.com*, 2014. <https://www.merdeka.com/peristiwa/perhiasan-milik-istri-perwira-polisi-hilang-di-bagasi-lion-air.html> (accessed Dec. 13, 2023).
- [21] T. Martjudi, “Laptop dan Ijazah Hilang di Bagasi Citilink,” *Viva.co.id*, 2013. <https://www.viva.co.id/arsip/467456-laptop-dan-ijazah-hilang-di-bagasi-citilink-rahmat-lapor-polisi> (accessed Dec. 13, 2023).

- [22] A. S. Hornby, "Oxford Advanced Learner's Dictionary," *Oxford University Press*. New York: Cambridge University Press., pp. 1–800, 2000.
- [23] K. Goesniadhie, *Kegiatan Sinkronisasi dan Harmonisasi Peraturan Perundang-Undangan Mengenai Pendaftaran Tanah*, Pertama. Lampung: FH Unila, 2012.
- [24] S. Rahardjo, *Penegakan Hukum Progesif*, 1st ed. Jakarta: PT. Kompas Media Nusantara, 2010.
- [25] A. G. Ansori, *filsafat Hukum sejarah, aliran dan pemaknaan*, Pertama. Yogyakarta: Universitas Gajah Mada, 2006.
- [26] H. Citrawan and S. Nadilla, "Model Kontrol Keimigrasian dalam Mencegah Tindak Pidana Terorisme di Indonesia," *Lentera Huk.*, vol. 6, no. 1, p. 69, Apr. 2019, doi: 10.19184/ejrh.v6i1.9819.
- [27] C. Lay *et al.*, *Dimensi-Dimensi Kritis Keamanan Nasional*, Seri Pertama. Jakarta: CV. Pensil-32 Press, 2012.
- [28] H. B. David, *Police For The Future*. New York: Oxford University Press Inc, 1994.
- [29] M. Shobirin and H. Ali, "Strategi Pengembangan Infrastruktur Dalam Meningkatkan Pelayanan Penumpang Di Bandar Udara Internasional Soekarno Hatta Cengkareng," *J. Ekon. dan Manaj. Sist. Inf.*, vol. 1, no. November 2, pp. 155–168, 2019, doi: 10.31933/JEMSI.
- [30] S. Tri Hardjanto, *Ilmu Kepolisian*, Pertama. Jakarta: PTIK Pers, 2015.
- [31] R. D. Bungsadewo, N. I. Chairunnisa, and S. A. Farhana, "Polemik Penghidupan Kembali Pengamanan Swakarsa: Dilema antara Community Policing dan Vigilantisme [Controversy Surrounding the Reestablishment of Civil Security Forces (Pam Swakarsa): a Dilemma Between Community Policing and Vigilantism]," *J. Polit. Din. Masal. Polit. Dalam Negeri dan Hub. Int.*, vol. 12, no. 1, pp. 23–42, May 2021, doi: 10.22212/jp.v12i1.2148.