

Handling People Smuggling in Indonesian Sea Territory

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Abstract: Juanda Declaration is one of the milestones of the Republic of Indonesia to be recognized and inclusion as Island States (Archipelagic State) in UNCLOS. The recognition of consequences of the condition of the waters of Indonesia to increase the breadth of the territorial waters of Indonesia. Indonesia is the largest archipelago in the world, with as many as 17,508 islands and territorial waters covering an area of 3.1 million km² and a coastline of 95 181 km (fourth longest in the world), making the Indonesian waters are open. During the conduct of security in the territorial waters conducted by the police in addition to referring to the positive law is also guided by the international rules contained in the 1982 UNCLOS. Implementation interception performed by a police patrol boat to boat used with a criminal offense of human smuggling done when discovered by a patrol boat while performing patrol duties or is the result of the investigation. Interception by a police officer patrol boats based on internationally applicable regulations and guided by the rules of the applicable legislation.

Keywords: Indonesia, law enforcement, people smuggling, repression, sea

I. Introduction

Law enforcement is a process to realize the desires of law becomes a reality. Which is referred to as the desires of the law here is nothing but the thoughts of a law-making body which is defined in the regulations of the law (Rahardjo, 1982: 24). The essence and meaning of the rule of law lies in harmonizing the activities that span the hierarchy of values in norms and attitudes manifest steady and acts as a series of translation of the value of the final stage, to create, maintain and sustain social peace alive. Rules that guide the behavior or attitude of acts that are considered inappropriate or should be. Behavior or attitude such acts intended to create, maintain and sustain peace. Can also be said that the law enforcement community to discuss the workings of the legal means to regulate and force people to obey the law. Law enforcement does not occur in the community because of the incongruity between the values, norms and behavior patterns. (Soekanto, 2004: 5)

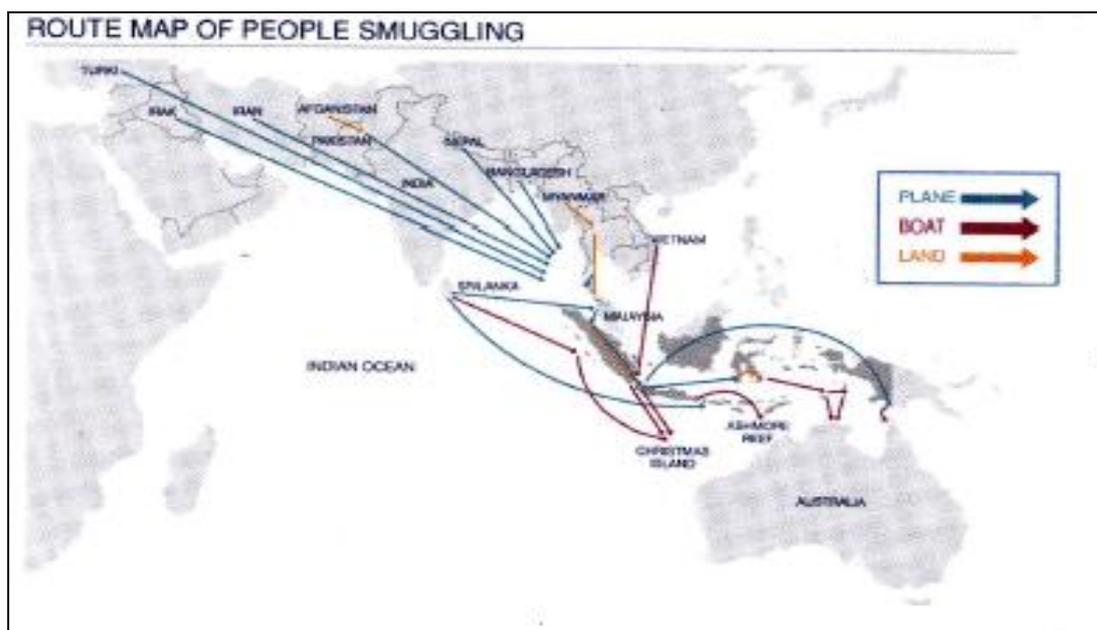
William J. Chambliss and Robert B. Seidman gives an overview of the law enforcement community in the complex (modern), namely (a) the complexity of a society begins by sharing resources, which led to the structuring of power; (B) law enforcement run organized by law enforcement agencies conducted in such a manner; (C) advantages would be obtained if law enforcement was run against people from the group who are not or have little political power; (D) regulations that prohibit unjust acts performed by people from the lower layers tend to be more often applied; (E) The legal system is organized into bodies arranged in a bureaucratic; (F) Preparation of formal bureaucratic as it raises the demands on officials to act in accordance with the role that has been formulated formally; (G) the modern legal system based on the legitimacy of a legal nature and rational; (H) Regulations addressed to law enforcement officials it wants them to apply the law in the same way (fair) to any person; (I) actions or roles that they do will differ from what is stated formally in the regulations. (Chambliss, 1971: 474-475).

Juanda Declaration is one of the milestones of the Republic of Indonesia to be recognized and inclusion as Island States (Archipelagic State) in UNCLOS. The recognition of consequences of the condition of the waters of Indonesia to increase the breadth of the territorial waters of Indonesia. Indonesia is the largest archipelago in the world, with as many as 17,508 islands and territorial waters covering an area of 3.1 million km² and a coastline of 95 181 km (fourth longest in the world), making the Indonesian waters are open. Coupled with the geographical position flanked by two oceans, the Pacific and Indian Ocean and two continents, the Australian Continent and the Asian continent, make the territorial waters of Indonesia has a strategic value.

Indonesian waters as a unifier between the regions of the Indonesian archipelago, is also the sea lines of communication and sea transportation lines for the international world. This is evident from the solid activity of international shipping through the Strait of Malacca and Indonesian archipelagic sea lanes (ALKI). In addition, as a liaison in the various forms of security problems, one of which is the crime of human trafficking (CMIS PS Task Force Criminal Investigation Police Headquarters, 2012: 1).

Conflicts in parts of the world, especially in third world countries led to an exodus of refugees in waves. Concerns about security on her safety due to pressure, either because of political factors and the ongoing conflict makes many people trying to find a safe place and hope to improve their lives, one of the country of destination is Australia. Indonesian position adjacent to Australia often the target location of transit before crossing to Australia. With the geographical conditions in the form of broad waters and islands numbering in the thousands, making it easier for people smugglers to perform the action.

The development of the human trafficking problem that was originally just looking for a better life gradually evolved into an organized activity oriented "profit" merely by exploiting the immigrants. The immigrants coordinated by the smuggler who increasingly neatly in carrying out its operations. It is seen to start the change in the modus operandi of the road entering Indonesian territory legally and utilizing the travel permit, when he got in Indonesia they meet and coordinate with the smuggler to prepare penyeberangannya to the destination country.



Generally, the smuggler who already know and study the geographical conditions as well as the character of the Indonesian people could easily determine the locations they consider "comfortable" as a place to go out and prepare the transporter means by utilizing the economic conditions of communities around the coast and the coast. Previously they also have studied the areas where it is relatively safe and away from the reach of the officers, in which officials would not keep an eye on around the location because of the natural conditions and limited facilities and the lack of support facilities along the territorial waters of the location of activities. The areas most often used as a crossing to Australia is along the South Coast of the island of Java, which is geographically closer to Australia especially Christmas Island, and has natural conditions that are difficult to predict, so that the security forces are very rarely touch the area for some reason security. The condition gives flexibility and opportunities for the smuggler in carrying out the action, not to mention the involvement of "elements" which always pave the way this human smuggling activities.

The smuggler exploit immigrants and lure them to the ease and safety during the journey to the destination country. So that immigrants are willing to pay dearly to be able to cross the amenities and entrusted to the smuggler. Utilizing the wishes of the immigrant smuggler prepare the ship which was originally used to cross, but the means provided and used in general far from seaworthy condition, so that many of the immigrants who are victims of the forces of nature as a result of inadequacies vessels used.

For example, the events in Psychology obtained the information from the officer investigating the immigrants who survived that means boats used to cross over to Australia is not appropriate because of the condition of the ship is small and not proportional to the number of passengers is estimated at ± 300 (approximately three hundred) people, whereas very large ocean wave. The immigrants feel cheated by people who suspected smuggler because they have to pay some money to the smuggler who promised to arrive at their destination safely, it turns out very badly prepared boat and drowned during the trip.

Another situation, many smuggler who make Indonesia as a crossing point for the voyage to Australia. Indonesian waters condition that has many islands be the route of choice for the smuggler, this is because the route of the relatively more secure because there are many small islands so it is protected during the bad

weather, rather than the smuggler had to wade through the Indian Ocean which is broader and has vulnerability to natural conditions that are difficult to predict. However, the profits on the one hand with the "safe side" of the natural conditions have consequences on the other side that is easily found by security forces who carry out patrols in the territorial waters of the islands. In addition, also found cases in which citizens of Indonesia as the smuggler did pick up the immigrants who were in the area by crossing the Strait of Malacca Malaysia for 4 (four) hours by speedboat. The length of coastline along the shores of the East Coast of Sumatra and the many small islands provide sufficient free space for the smuggler in carrying out the action in addition to the ingredients were quite fast.

Patrol boats Ditpolair Baharkam in February 2012 ambush against a speed boat with no name in the territorial waters carrying Dumai 18 (eighteen) immigrants from Afghanistan and Pakistan. In investigations conducted Ditpolair Riau Police revealed that the perpetrators came from Indonesia has several times to pick up by speedboat to the immigrants who had been waiting on the coast of the Malaysian peninsula by crossing the waterway. Mode influx of immigrants from the peninsula of Malaysia is also revealed by the Riau Islands Police Ditpolair where immigrants secured after crossing the waterway.

For law enforcement officers in the field often face problems sometimes associated with the discovery or the arrest of the ship and its passengers made up of immigrants from various countries who will cross over to Australia. Not a few problems faced by workers in the field when dealing with immigrants, ranging from machines reasons damaged ship, the ship that leaked through the efforts of immigrants refusal to descend from the top of the vessel as the MV Alicia cases that occurred in the Riau archipelago (CMIS PS Task Force Police Headquarters: 2012)

The situation would be very difficult for officers in the field and also endanger the safety and security not only to workers but also to immigrants while at sea. Under these conditions, of course, requires the role of law enforcement officials in the field to further improve preparedness in the face of risks that can arise when securing the territorial waters of Indonesia with regard to the crime of human smuggling.

II. Terms Of Repression

During the conduct of security in the territorial waters conducted by the police in addition to referring to the positive law is also guided by the international rules contained in the 1982 UNCLOS (United Nations Convention of the Law of the Sea 1982). The Convention has been ratified by the Indonesian Government through Law No. 17 of 1985 on the ratification of UNCLOS, so that Indonesia recognize and enforce such provisions. In the event of a violation or crime that occurred in Indonesian waters either by using national ships and foreign ships then carried out action based on international conventions and laws and regulations in force. However, Indonesia still respecting international rights, which are still provide space for foreign ships to traverse the waters of Indonesia in the framework of innocent passage (innocent passage).

Given to the right of innocent passage of foreign ships passing through Indonesian waters while respecting the sovereignty of coastal states and conditions. A right of passage for foreign ships do not apply when considered prejudicial to the peace, order, or security of Indonesia and if at the time were in the territorial sea and archipelagic waters or doing any of the activities prohibited by the Convention or other international rules. Against foreign ships that pass when committing a crime then the law enforcement officers to take actions based on the provisions that are aligned with international regulations. Criminal jurisdiction of coastal States can not be carried over foreign ships crossing the territorial sea to arrest any person or to conduct investigations relating to any crime committed on board during such traffic, except for:

- a. if as a result of the crime was felt in coastal countries;
- b. if the crime was the kind that disturb the peace of the country or the order of the territorial sea;
- c. if it has requested the help of the local authorities by the ship captain or by a diplomatic representative or consular officer of the flag state; or
- d. if such action is necessary to eradicate the illicit trade of narcotics or psychotropic substances.

Associated with the discovery of the ship used as a means of smuggling, which incidentally or intentionally entering or passing in the waters of Indonesia, if found or known by law enforcement officials then carried out repressive efforts to stop and carry out inspection of the ship, given the activities of human smuggling is transnational crimes also disturb the peace and order of the territorial sea state that has become a liability for police officers and other law enforcement and security to take action under the provisions in force despite these immigrants were on board with a variety of reasons that lie behind them.

Enforcement is carried out by officers in the field, especially in stopping the vessel and carry out checks on passengers and cargo boats and allegedly used as a means of smuggling in Indonesian waters observes human rights, given the repressive enforcement activities are vulnerable to human rights abuses. Repression is done should certainly be proportionate and paralyze the target. In the case caught the hand associated with the discovery of the ship used as a means of transport in smuggling activities in the territorial

waters of Indonesia, then in accordance with Article 111 of the Criminal Procedure Code anyone entitled to make an arrest. There are several law enforcement agencies in the territorial waters of which the Navy, the Ministry of Maritime Affairs, Customs and Excise, Marine and Coast Guard Unity (KPLP), Supervisory Fisheries Patrol Vessel CTF. In case caught by those institutions, then after cessation of ships suspected of transporting the immigrants were then taken to the nearest port to be submitted to relevant authorities conduct an investigation. Submission of handling ships carrying immigrants may be made to the local police and the local Immigration.

Certain situations where ships are docked at the port of destination are the immigrants who make efforts toward resistance that lead to criminal and uncooperative to disembark and make threats or vandalism, then the officers in the field anticipated by the judge of the various viewpoint before performing steps firmer. Officers in conducting the assessment should look at the strength of personnel to be deployed as well as the surrounding environment. Decisive steps need to be done by the police in view of the existence of the immigrants who entered illegally into Indonesia has the potential to disrupt public order. With discretionary authority owned police officers based on Article 16 (1) and Article 18 of Law No. 2 In 2002 the publishing effort can be done as a form of firm steps to ensure a sense of security.

III. Handling Procedures Smuggling Ship

Implementation interception performed by a police patrol boat to boat used with a criminal offense of human smuggling done when discovered by a patrol boat while performing patrol duties or is the result of the investigation. Interception by a police officer patrol boats based on internationally applicable regulations and guided by the rules of the applicable legislation. The pursuit of targets carried out by the ship clearly marked and identifiable as ships within Government agencies and authorities to perform the task.

1. Stop the ship preceded by the chase. The chase is done against ships suspected of committing an offense, both against the Indonesian-flagged vessels and foreign-flagged ships, especially the crime of human trafficking in the waters of Indonesia, and do not want to stop. The chase is done continuously uninterrupted until the high seas or ships / target entering the country or a third country.

2. How to inspect ships suspected as a means of smuggling people through the stages of preparation, stage inspection of ships, ransacked Ship, Ship Carrying way. Safety inspection team is a major concern, it should be made various efforts to ensure safety by observing the safety procedures before performing an examination of the means of smuggling ship, ship inspection preparation includes the following matters: (a) Observations before the examination. Observation is intended to collect and record information that can be seen in the target vessel transporting human smuggling and useful later during the examination. Objects made during the inspection at the time of observation is the position / location freighter to know when to detect whether they are in or outside the territorial sea area; activities freighter, the inspection team ensures suspicious movements made the target vessel so that the vessel examiner can take steps to halt the ship if only endanger the ship inspectors; the type of vessel used, including the categories of cargo ships or fishing boats and are made of steel or timber so that inspectors can undertake appropriate measures for the security and safety of the ship at the time of inspection; markings on the hull either the name of the ship or any other signs that can be recognized whether the vessel is a local vessel or foreign vessel or vessels that do not have a national identity; ship eligibility conditions are still good or harm to the examiner or the passengers on board; flag the vessel to determine and ascertain the identity of the vessel nationality to be checked; direction and speed of the ship to be inspected, this is done to ensure the direction, origin, and destination of the ship; owned electronics onboard the vessel, both radar and other navigation tools, to know that the ship is a vessel that has been prepared to commit human smuggling activities; the type and condition of the existing safety equipment on board to ensure the event of an emergency situation on board is checked then these tools can be used; the number of people on board, to ensure that vulnerability will face a team of inspectors and personnel strength will prepare the checks adjusted to estimate the number of people on board the target; reaction of the crew to the presence of inspectors, to estimate the response of the crew to the inspection team that the inspection team can prepare anticipative steps when getting the response that endanger the security and safety of the ship and its passengers; how these people, whether people who were on board indicated as immigrants showed a friendly response or not. (B) the level of risk / threat. All the examination of the ship means human smuggling can result in a risk to personnel because the inspection team sometimes circumstances both ships to be inspected as well as natural factors affect the risk faced by the inspection team, not to mention when on board there are other criminal acts follow. The determination of the level of risk is made to determine how to act in anticipation of possible risks will occur. Some things that can be used to determine the level of risk is the number of the personnel performing the examination should be adjusted to the condition of the passengers and crew who do not allow the inspection if the officer immediately asked for support personnel to unity; vessel configuration, the officers need to look if there is more than one ship side by side or in tandem, it is necessary to determine the appropriate measures against ships priorities which will be examined in advance so that inspection and security measures can be

focused and when the power is limited inspection team to ask for support personnel unity; nationality of the crew and passengers, it needs to be watched to remember every nation has the character and habits of different, especially foreigners more often showed rejection and resistance when the examination; the reaction of the crew to the presence of inspectors, sometimes the crew members were examined showed a reaction out of the ordinary and quite a few are harmful to the officer so that the officer need to be vigilant; weather conditions, weather conditions affecting the inspection effort carried out so that the officers in the implementation of the safety and security of both the means and human; timing of examination (day or night), the examination at night would pose a security risk because of the limitations of the view that is necessary to prepare equipment and support equipment; anticipation with consideration to the possibilities for firearms or weapons on board were checked, the officers in conducting the examination in order to take into account the possibility of the use of firearms and prepare a response team to secure the inspection team on board the target. (C) Make a plan of examination. The purpose of making inspection plan is to ensure that everyone in the inspection team knows what to do and when to do and also try to achieve maximum results with minimum disruption. Thus, the risk of disruption to the investigation team can be minimized. Inspection plan include: the level of risk faced by influencing the way to act in examinations so that officers have to prepare how to act in case of dangerous situations; specific tasks for each member when riding the boat so that inspection becomes more effective and safe (the division of tasks for which inspection where there is a team that secures and inspection team); when and where the collection crew, gathering a crew in place to facilitate supervision at the time of inspection; rekominikasi prepare the inspection team, officers in the field should always actively communicate with preparing communications equipment to facilitate coordination while aboard the target; how rekominikasi inspection team with a ship inspector, communication between ship inspectors with inspecting officers must be maintained for the sake of security and safety inspectors; preparing the code words used, the officers in conducting communications need to use code words that can be used if the seeing signs of suspicious on board so that it can immediately react to the evolving situation; proposed safeguards inspectors to anticipate the reaction of the passengers or crew are inspected, by preparing a response team that constantly monitor the situation of the target vessel for officers to conduct examination.

Safety inspection team is the main thing, so that the inspection process can run smoothly. For the examination procedures must be observed by the officers in the field. Some grain inspection procedures are described as follows: (a) Up to the ship. Some things to consider such as security inspection team, the inspection team pay attention to the security team personnel and the means used to take into account the weather conditions, sea waves and the situation on the ship are inspected; the security of both vessels (ships and boats are inspected checking), inspectors are looking for the right position to be able to move closer to the vessel being examined so as to avoid collisions that could jeopardize both ships; the size of the inspected vessel, vessel size will determine the area of the inspection team step in determining which areas are being targeted examiner in advance; location bottom of the vessel, to ensure the existence of spaces suspected as the location of storage / loading illegal; location of the ship equipment (nets, cargo), to ensure that location exploited as a storage place objects illegally. The crew was ordered to stay away from the place where the inspection team planned to go up, do not let the inspectors to help the team boarded the ship. Inspection team should immediately take the position of a safe room after being on the boat. (B) Procedure for boarding the ship provided that (1) the first to board the ship crew immediately defuse the situation by keeping the crew in order to stay away from the place of raising. It is intended that the inspection team on the way up to the ship is maintained and protected from surprise attack carried out crew objectives; observe the entire ship with vigilant to identify situations on board against their locations can be used by the crew to conduct an armed attack; conduct surveillance of the location carefully considered vulnerable to the emergence of a surprise attack; (2) the second person aboard to help others who will board the ship. The second person on duty to help his fellow team of inspectors in order to board the ship safely; (3) following the others boarded the ship to be moved to a safe position always keep an eye on the physical position of the entire team of inspectors, the location of all weapons, crew; (4) The next person after rising to ship soon occupy positions of high vigilance and safe with the inspection team in a position to ensure safe and complete including equipment to ensure crew that will be examined under conditions of no harm; (C) Introduction Investigation Team. At the time of the inspection team came on board and after meeting the direct ship captain acquaint themselves with the aim of conveying the purpose of inspection, and to investigate if there were weapons on board. Settling himself performed as soon after boarded the ship. Some things which includes measures introduce themselves: name (leader) examiners; of offices / agencies where (INP); briefly the reasons why the inspection team boarded the ship; ask the weapons on the ship when there are guns, do not take yourself. (D) checking documents. One reason for the inspection team boarded the ship is to examine the documents ship / crew and cargo. Some documents are documents that can be checked with respect to ship: letter sea / ocean pas / letter nationality; Gastric certification arise; measurement certificate; radio certification; port clearance from the port of origin; letter freighter equipment; firefighter certificate; free letter quarantine of the port of origin; free letter measurement; license to conduct activities in the waters of Indonesia; journal ships

/ boats books; and other letters relating to shipping activities in the waters of Indonesia. Letters relating to the charge: manifest (list of charges); copy of B / L (Bill of Lading); stowage (check the truth); personnel effects list (list of goods ABK); and other letters relating to the charge. Letters relating to the crew: Certificate list ABK (crew); waybill; sailor book; passport; health books (yellow books); and other letters relating to the identity of the crew and passengers. (E) Interview. The interview is intended to gather useful information and plan the existing information. Interviews were conducted in a manner that is courteous and professional, include the following questions: Who; What; Where; With what; Why; How; and where / when. Avoid questions that can be answered with "YES" or "NO" or questions that do not contain an answer.

The ship's shakedown activities intended to find / determine evidence of crime, taking into account the following matters: focus on hidden chambers; A team consists of three (3) minimum of 2 (two), 1 (one) person checking the other rooms that armed security checks waist guns or handguns; to include a minimum of two (2) crew members were examined, where it is required as a witness that the investigation is not detrimental to the vessel being examined; keep a distance between the inspection team and crew to maintain the security of a sudden threat; note the holes, doors, objects around the place that passed / checked that at any time can be a danger to members of the examiner; adjust the position of the body in relation to the place and the weapons so that at any time can maintain vigilance of any possibility of danger; action against ships that are not committing a crime: making a statement the results of the examination; made the remarks in a journal ships inspected; briefed / bimbas; dispatched / released, and report to the unit on; action against ships that are considered committed the crime of human trafficking: make a police report (LP); making warrant inspection; make the minutes of inspection; making warrant escort;

The ship and its crew were suspected of criminal conduct should immediately go to the nearest port for further investigation action. Bring the ship can be done in the following manner: (a) Escorted by the consideration that the magnitude of the suspect vessel does not allow for towed or indeed the condition of the vessel allows it to sail alone to the port specified. Some things to note are: complete with a warrant escort; put the guards on the ship suspects with consideration of the strength of a team of bodyguards and comparison crew qualified for the team of security guards; escort team communication and patrol boats secured properly and smoothly, and performed periodically; move some goods, equipment and the passengers and crew suspect patrol boats with regard to security; patrol boats maintain a distance that allows the visually can monitor every activity on board the suspect; the route followed by the shortest route in the shipping or should take the shortest path by taking into account the safety of navigation is not allowed to stop at the port; not interfering with the work on the ship or navigation affairs but is ready to provide assistance to the ship if necessary and make the minutes of the escort vessels. (B) Holding / delay if it is allowed, and the state should be, taking into account the strength of the ship that took primacy for security. Some things to note is the power cord trailer / delay adjusted to the size of the vessel is towed; cooperating in the stomach right / left, holding back; use safe speed to keep the towing rope is not too tense due to the pull and boost current can decide rope; consideration of the safety of both vessels so as not to collide with each other at the time of coupling and given a safe distance; pay attention to the weather, if the weather is good then coupling allows the vessel to be done but when the weather turns bad would be dangerous to the coupling vessel when done with makeshift tools; and completes the official report brings the ship.

3. In the event caught red-handed. Criminal offense of human smuggling that occurs in the territorial waters can be found by anyone. In handling the criminal offense of human smuggling is found then do the following steps take security precautions against the boats and people and cargo; safeguards against those made by separating the immigrants with the crew as well as to collect data while; gather information by interviewing immigrants and crew; conduct supervision to people who have a role to motion freighter immigrants and people of influence over a group of immigrants on board. Supervision is done during a trip to the port of destination; bring the ship to the nearest port for further submitted to the relevant authorities to continue handling (Ditpolair Police / Police / Police / Immigration). Actions taken upon arrival at the port of destination in which (a) the commander of the patrol boat / officer in charge on board the patrol boat patrol did commander / officer in charge at the top of patrol vessels as soon as possible in coordination with the territorial units to perform handover handling cases found by previously preparing the administrative records of investigation on the boat patrols; do security on ships, both cargo and goods related to the crime of human trafficking prior to the handover of suspects and evidence; do not allow down both the immigrants and the crew of the ship that was secured before the examination by the Health Department of the harbor or the local Health Department in order to anticipate the entry of infectious diseases; after checking / inspection of health and national identity immigrants handover handling the unit kewilayahan.pimpinan territorial unit Ditpolair Police / Police / Police did coordinate with the local immigration office, the Department of Health harbor / local Health Department, IOM, UNHCR to carry out checks before handover to the health conditions of immigrants and national identity; coordinate with local IOM to provide an interpreter to facilitate communication between officers and immigrants; health checks to ensure the absence of infectious disease; verifies the identity of the immigrants as

well as to collect data; accept delivery of such vessels, cargo consisting of the following passengers crew and the items allegedly linked to the crime of human trafficking; do security on the vessel, cargo or goods related with the crime of human trafficking for the purpose of the investigation; inform the embassy / consulate general of the immigrants from the country; conduct an investigation to the perpetrators allegedly involved in the offense / criminal offense of human smuggling and coordinate with the People Smuggling Task Team Criminal Police; handed handling of the immigrants who are not related to the criminal offense of human smuggling to the Immigration; in coordination with the Public Prosecutor in conducting criminal investigations of human trafficking; providing security and assistance when immigration officers / IOM / UNHCR / Health / the Embassy / Consul General paid a visit to the immigrants who secured. Actions taken by officers patrol boat after arriving at the port of destination followed by the handover of suspects and evidence following its administration to the territorial unity to be followed in the investigation process and the range of coordination.

Treatment of Immigrants is done by separating the crew and passengers of illegal immigrants, as well as separating children, women and people with special needs (illness / disability); if conditions allow, the passengers were transferred to the patrol boat, carrying ships and passengers to lean in the nearest port; identification of people who need medical assistance, provide initial treatment and seek medical help further medical assistance; lowering and securing all the crew and passengers are persuasive; bring in other parties such as the Embassy / Representation countries of origin of immigrants or the UNHCR in persuasion / negotiation; in terms of persuasive measures not succeed, within a period of 3 (three) days, the loss efforts remain to be done with due regard to safety and security and human rights; against immigrants given comprehension and understanding of their rights and obligations while under the supervision of both the police and immigration officers, as well as the legal consequences if they exhibit behaviors that lead to criminal (do threats, assault, vandalism, arson).

Treatment of immigrant ships at sea constrained by performing rescue efforts against the following persons and cargo ships in the ship; in conducting rescue facilities owned empowering as well as the potential for fishing communities to help with rescue efforts; coordinate with relevant agencies in conducting rescue efforts (TNI-AL, Port Administrator, BASARNAS, local government, the local health office, DVI (dissaster Victim Identification) Police, Regional Immigration, IOM, UNHCR, People Smuggling Task Force Criminal Police); preparing place as post coordination with the agencies that are part of the rescue; preparing shelters for survivors to facilitate data collection and monitoring; preparing place following equipment and supplies for the bodies of the victims were found. So also prepared the location for burial the bodies of the victims that have been carried out identification and data collection; prepare interpreters to facilitate communication with the immigrants; rescue is done by providing a grace period adjusted to the circumstances of the rescue area; victims who were rescued were evacuated to the designated place to do a medical examination by the Department of Health, data collection and verification by the Police and Immigration; separation between immigrants with those suspected of being part of a group smuggler after medical examination and data collection. People are then conducted in-depth investigation by the police to be able to uncover criminal acts that occurred; the bodies of the victims were found placed in a predetermined place to be identified by the Regional Police DVI team and recorded by the Police and Immigration. After completion of the identification and collection bodies were conducted funerals, through prior coordination with the Embassy of the concerned bodies of the victims and local government; Police reported this incident to the Embassy / Consul of the country of origin of the immigrants to be forwarded to the Ministry of Foreign Affairs.

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