Jurnal Saniri

Volume 7 Issue 1, November 2026: p. 35-47
E-ISSN: 2774-1850
https://fhukum.unpatti.ac.id/jurnal/saniri/
Jurnal Saniri : 10.47268/saniri.v7i1.4234

Optimizing the Management of Indonesian Archipelagic Sea Lanes to Support the Development of Special Economic Zones in Maluku Province

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Abstract

***Introduction**: Article 53 of the 1982 United Nations Convention on the Law of the Sea establishes the obligation of an archipelagic State to designate archipelagic sea lanes. Indonesia has implemented this obligation through Government Regulation No. 37 of 2002, which designates the Indonesian Archipelagic Sea Lanes (ALKI). In this context, the designation of ALKI IIIA, IIIB, and IIIC, all of which pass through the Banda Sea west of Buru Island, has significant strategic implications for the development of the Southern Buru region as a Special Economic Zone.*

***Purposes of the Research**: This study aims to examine how the Indonesian Archipelagic Sea Lanes can be optimized to support the development of a Special Economic Zone in Maluku Province.*

***Methods of the Research**: This study employs a normative juridical legal research method, which seeks to establish coherence by examining whether legal rules conform to legal norms, whether norms prescribing obligations or prohibitions are consistent with legal principles. The research adopts a statute approach and a conceptual approach.*

***Results / Main Findings / Novelty/Originality of the Research**: The optimization of the Indonesian Archipelagic Sea Lanes can form an integral part of regional development strategies when there is policy synergy between the central and local governments in marine spatial management, the development of maritime connectivity infrastructure, the enhancement of port capacity, the strengthening of maritime security and navigational safety, and the integrated and sustainable utilization of marine economic potential.*

***Conclusion**: The Indonesian Archipelagic Sea Lanes are designated along three international shipping and air navigation routes. All this passes through the Banda Sea, the Maluku Sea, and the Arafura Sea. Therefore, discussions concerning the optimization of ALKI management cannot be separated from the development of the Maluku Islands. The development of Maluku as an archipelagic province is consequently imperative, particularly in positioning the province as a "center for the optimal management of ALKI IIIA" in order to safeguard Indonesia's national interests and address the particular circumstances arising from its status as an archipelagic State.*

Keywords: Archipelagic Sea Lanes; Special Economic Zone; Regional Autonomy

Submitted: 2026-10-06 *Revised: 2026-11-11* *Accepted: 2026-11-15* *Published: 2026-11-16*

How To Cite: Wilshen Leatemia, Rosa Ristawati. "Optimizing the Management of Indonesian Archipelagic Sea Lanes to Support the Development of Special Economic Zones in Maluku Province". 2026. *Jurnal Saniri.* 7(1): 35-47. https://doi.org/10.47268/saniri.v6i1.XXXXX

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INTRODUCTION

The Preamble to the 1945 Constitution of the Republic of, particularly the Fourth Paragraph, affirms the objectives of the Republic of Indonesia, namely, "to protect the entire Indonesian nation and all of the people of Indonesia, to promote the general welfare, to educate the life of the nation, and to participate in establishing a world order based on independence, lasting peace, and social justice." The aspiration of the Republic of Indonesia to establish a just and prosperous society can only be achieved within an international environment that is free, friendly, orderly, and peaceful, governed by

international law. In addition to maintaining order within the international community, international law also serves as an instrument for social change by guiding members of the international community, particularly States, toward the ideals of world peace and the realization of social welfare. One branch of international law that has developed rapidly within the international community is the Law of the Sea. The principal international legal framework governing the use and management of the seas and oceans is the 1982 United Nations Convention on the Law of the Sea. The Convention defines the rights and responsibilities of States with respect to the use of the world's oceans and establishes a legal framework governing maritime activities, environmental protection, and the management and utilization of marine natural resources.[1]

The 1982 United Nations Convention on the Law of the Sea has been recognized as the "Constitution of the Oceans," under which States may establish various maritime zones, including internal waters, the territorial sea, the contiguous zone, the exclusive economic zone, and the continental shelf. UNCLOS further provides that these maritime zones are to be measured from established baselines. In this regard, the 1982 Convention sets out several types of baselines, including the ordinary baseline (normal baseline), reaffirming the rules previously established under the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone; the further development of rules governing straight baselines; and the introduction of a specific regime concerning straight archipelagic baselines. These three methods of establishing baselines are important to consider in determining the scope of the authority of autonomous regions over maritime areas, particularly given the diverse geographical characteristics of regions within the Indonesian archipelagic State. Such regions may be characterized as predominantly terrestrial (continental), predominantly terrestrial-aquatic (where land areas are greater than maritime areas), or predominantly aquatic-terrestrial (where maritime areas exceed land areas, as in archipelagic regions), thereby allowing for the application of the three aforementioned methods of establishing baselines.[2]

The Republic of Indonesia has ratified UNCLOS 1982 through Law No. 17 of 1985 concerning the ratification of the 1982 Convention on the Law of the Sea, thereby granting Indonesia the right to implement the provisions of the 1982 Convention.[3] Under the 1982 United Nations Convention on the Law of the Sea, the legal regime governing archipelagic States imposes an obligation on such States to provide archipelagic sea lanes for the passage of foreign vessels and aircraft. This provision is set out in Article 53 of UNCLOS, which stipulates that "an archipelagic State may designate sea lanes and air routes thereabove, suitable for the continuous and expeditious passage of foreign ships and aircraft through or over its archipelagic waters and the adjacent territorial sea." Passage through archipelagic sea lanes constitutes the exercise of the right of navigation and overflight in accordance with the provisions of the Convention, solely for the purpose of continuous, expeditious, and unobstructed transit between one part of the high seas or an exclusive economic zone and another part of the high seas or an exclusive economic zone.

[1] Wiliawati, Yulia, Danial Danial, And Fatkhul Muin. Eksistensi UNCLOS 1982 Dalam Upaya Penegakan Hukum Laut Internasional Di Perairan Negara Pantai. Sultan Jurisprudence: Jurnal Riset Ilmu Hukum 2.2 (2022): 286-298.

[2] Johanis Leatemia, *Pengaturan Hukum Daerah Kepulauan*, (Yogyakarta: Deepublish, 2015), h. 129

[3] Listiyono, Yudi, Lukman Yudho Prakoso, and Dohar Sianturi. "Strategi pertahanan laut dalam pengamanan Alur Laut Kepulauan Indonesia untuk mewujudkan keamanan maritim dan mempertahankan kedaulatan Indonesia." *Jurnal Education and Development* 10.2 (2022): 319-324.

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E-ISSN: 2774-1850
Published by: Faculty of Law, Universitas Pattimura

Indonesia, as an archipelagic State forming an integrated whole with the surrounding waters, is required under Article 53 of the 1982 United Nations Convention on the Law of the Sea to provide sea lanes and air routes thereabove for the passage of foreign vessels and aircraft, known as the Indonesian Archipelagic Sea Lanes (ALKI). Following its ratification of UNCLOS through Law No. 17 of 1985 on the Ratification of the United Nations Convention on the Law of the Sea 1982, Indonesia established its archipelagic sea lanes through Law No. 6 of 1996 on Indonesian Waters, supplemented by Government Regulation No. 37 of 2002 concerning the Rights and Obligations of Foreign Ships and Aircraft Exercising the Right of Passage through the Indonesian Archipelagic Sea Lanes. The geographical position of the Indonesian archipelago is highly strategic, as it constitutes a major maritime crossroads connecting different continents.[4]

Indonesia's strategic position as a global trade shipping route. The Indonesian Archipelagic Sea Lanes (ALKI), which serve as shipping routes for the global economy, are vulnerable to maritime crime, such as piracy against merchant vessels and other vessels carrying economic goods. This research addresses the issue of security and law enforcement in Indonesian waters related to the establishment of Indonesian archipelagic sea lanes.[5] Indonesia's archipelagic sea lanes were established as a consequence of the ratification of UNCLOS 1982, with Indonesia's obligations as an archipelagic state regulated by Articles 47-53 of the 1982 Convention on the Law of the Sea.[6] Given the geographical characteristics and extensive maritime territory of Indonesia, the Indonesian Archipelagic Sea Lanes (ALKI) have been designated to connect two major bodies of open ocean, namely the Indian Ocean and the Pacific Ocean. The designation of the Indonesian Archipelagic Sea Lanes was established through Government Regulation No. 37 of 2002, comprising the following routes :

(1) ALKI I : Sunda Strait – Karimata Strait – Natuna Sea – South China Sea;
(2) ALKI II : Lombok Strait – Makassar Strait – Celebes Sea;
(3) ALKI III A : Sawu Sea – Ombai Strait – Banda Sea (west of Buru Island) – Seram Sea (east of Mangole Island) – Maluku Sea – Pacific Ocean;
(4) ALKI III B : Timor Sea – Leti Strait – Banda Sea (west of Buru Island) – Seram Sea (east of Mangole Island) – Maluku Sea – Pacific Ocean;
(5) ALKI III C : Arafura Sea – Banda Sea (west of Buru Island) – Seram Sea (east of Mangole Island) – Maluku Sea – Pacific Ocean.

From a normative perspective, Article 53 of the 1982 United Nations Convention on the Law of the Sea establishes the obligation of an archipelagic State to designate archipelagic sea lanes. Indonesia has fulfilled this obligation through Government Regulation No. 37 of 2002 concerning the designation of the Indonesian Archipelagic Sea Lanes (ALKI). Accordingly, the designation of ALKI IIIA, IIIB, and IIIC, all of which pass through the Banda Sea west of Buru Island, has significant strategic implications for the development of South Buru Regency as a Special Economic Zone. This is consistent with Law No. 39 of 2009, as amended by Government Regulation No. 2 of 2011, which provides that one of the criteria for designation as an Special Economic Zone is that the area is located in proximity

[4] Lasabuda, Ridwan. Pembangunan Wilayah Pesisir Dan Lautan Dalam Perspektif Negara Kepulauan Republik Indonesia. Jurnal Ilmiah Platax 1.2 (2013): 160727.

[5] Yustitianingtyas, Levina. "Pengamanan dan Penengakan Hukum di Perairan Indonesia sebagai Konsekuensi Penetapan Alur Laut Kepulauan Indonesia (ALKI)." *Pandecta: Research Law Journal* 10.2 (2015): 143-152.

[6] Waas, Richard Marsilio. "Penegakan Hukum Di Kawasan Alur Laut Kepulauan Indonesia (ALKI) Menurut Konsepsi Hukum Internasional Dan Hukum Nasional Indonesia." *Sasi* 22.1 (2016): 22-36.

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E-ISSN: 2774-1850
Published by: Faculty of Law, Universitas Pattimura

to international trade routes or international shipping routes in Indonesia, or in an area with significant potential for leading natural resources. To date, numerous special economic zone have been developed across various regions of Indonesia. Their development has been based on the demographic potential and accessibility of each area to global markets. By developing special economic zone in accordance with their respective regional potential, it is expected that these zones will attract greater investment, facilitate industrial development and export-import activities, and stimulate economic activity, ultimately creating large-scale and globally competitive economic centers within the regions concerned.[7]

The optimization of the utilization of Indonesian Archipelagic Sea Lanes for the development of Special Economic Zones cannot be separated from regional autonomy in Maluku Province. This is directly related to the responsibility of local governments for the development and administration of autonomous regions. Regional autonomy constitutes the right and authority of a region to independently regulate and administer governmental affairs in accordance with the interests of its local community.[8] From the perspective of regional autonomy, the development of Maluku should provide sufficient scope for the local government to optimize its geographical potential and marine resources. Regional autonomy concerns not only the division of governmental affairs between the central and local governments, but also the capacity of local governments to manage regional potential in order to promote the welfare of their communities. For an archipelagic region, this principle has broader significance because development cannot rely solely on a land-based approach. Accordingly, regional development policies should integrate marine spatial considerations, inter-island connectivity, ports, trade, maritime industries, and international shipping routes. In this context, the optimization of ALKI can form an integral part of regional development strategies when there is policy synergy between the central and local governments.

METHODS OF THE RESEARCH

This study employs a normative juridical legal research method, which seeks to establish coherence by examining whether legal rules conform to legal norms, whether norms prescribing obligations or prohibitions are consistent with legal principles, and whether an individual's actions (act) conform to legal norms, rather than merely to statutory rules, or to legal principles.[9] The study primarily relies on a literature review as the basis for developing concepts and obtaining a comprehensive understanding of the problems or legal issues under investigation. The research adopts a statute approach and a conceptual approach.

RESULTS AND DISCUSSION

A. Regional Autonomy in Indonesia

[7] Suryani, N. I., & Febriani, R. E. Kawasan Ekonomi Khusus Dan Pembangunan Ekonomi Regional: Sebuah Studi Literatur. Convergence: The Journal of Economic Development. Vol 1 No 2. (2019): 40-54.

[8] Christia, Adissya Mega, And Budi Ispriyarso. Desentralisasi Fiskal Dan Otonomi Daerah Di Indonesia. Law Reform 15.1 (2019): 149-163.

[9] Peter Mahmud Marzuki, *Penelitian Hukum* (Edisi Revisi, Cet. 18, Kencana Prenada Media Group 2023), h. 47.

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E-ISSN: 2774-1850
Published by: Faculty of Law, Universitas Pattimura

The granting of broad autonomy to regional governments in the administration of local government is intended to accelerate the realization of public welfare through improved public services, community empowerment, and greater public participation. Furthermore, broad regional autonomy is expected to enhance regional competitiveness while upholding the principles of democracy, equitable development, justice, regional distinctiveness and particularity, as well as the potential and diversity of regions within the framework of the unitary state of the Republic of Indonesia.[10] Article 18 paragraph (1) of the 1945 Constitution of the Republic of Indonesia provides for the territorial division of the State into provinces, with provinces further divided into regencies and cities, each of which has its own local government. This provision serves as a strong constitutional foundation for the implementation of regional autonomy by granting regions broad, substantive, and accountable governmental authority.[11] At the same time, Article 18 paragraph (1) of the 1945 Constitution recognizes the diversity and historical rights of regions, which form part of Indonesia's long national history. The Republic of Indonesia adopts a unitary state system in which ultimate governmental authority is vested in the central government. Nevertheless, given the considerable heterogeneity of Indonesian society, including differences in social, economic, and cultural conditions and varying levels of educational attainment, the decentralization of governmental authority is an imperative.

The choice to implement the decentralization of governmental authority is also grounded in the geographical characteristics of the Republic of Indonesia as a unitary archipelagic State. According to Inu Kencana Syafiie,[12] whether a State should adopt a rigidly centralized system or, conversely, grant extensive authority to regional governments through decentralization may be determined by the following factors :

(1) An archipelagic State, due to its geographically dispersed territory, should implement decentralization to promote greater administrative efficiency;
(2) In a continental State, governmental supervision is relatively easier to exercise and transportation is comparatively more accessible; therefore, a centralized system of government is more appropriate;
(3) States with relatively homogeneous populations tend to adopt centralized systems, whereas States characterized by heterogeneous populations tend to implement decentralized systems.

The implementation of the principle of decentralization is reflected in the exercise of regional autonomy in the administration of local government. Regional autonomy constitutes the right, authority, and obligation of an autonomous region to regulate and administer its own governmental affairs and the interests of its local community in accordance with applicable laws and regulations (Article 1 point 5 of Law No. 23 of 2014). In this context, regional autonomy through decentralization is not granted to the local government, the Regional House of Representatives (DPRD), or the region as such, but rather to the local community. This constitutes the essence of autonomy. Accordingly, the process of granting autonomy to a community is directed toward a particular community within a defined territorial area which, having previously lacked autonomy, is

[10]Fauzi, Achmad. Otonomi Daerah Dalam Kerangka Mewujudkan Penyelenggaraan Pemerintahan Daerah Yang Baik. Spektrum Hukum 16.1 (2019): 119-136.

[11] Soehino, *Hukum Tata Negara dan Hukum Pemerintahan Daerah* (Yogyakarta: Gadja Mada University Press, 2000), h. 17.

[12] Inu Kencana Syafiie, *Ilmu Politik* (Jakarta: Rinega Cipta, 2000) h. 36.

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Published by: Faculty of Law, Universitas Pattimura

subsequently vested with the authority to exercise it. The implementation of regional autonomy has also been widely adopted in countries other than Indonesia. Regional autonomy is intended to confer authority upon local governments to manage their respective regions, including in the economic sector, on the premise that local governments possess a better understanding of the characteristics, needs, and potential of their respective regions. Such knowledge enables local governments to develop their regions more effectively through the exercise of regional autonomy. Accordingly, decentralizing development responsibilities to the regions is intended to promote regional development and accelerate economic growth, particularly by strengthening the economic potential of each region.[13]

Granting of regional autonomy is intended to improve the quality of public services and community welfare, promote democratic life, ensure the more effective, equitable, and fair distribution of public services, respect local cultures, and recognize the potential and diversity of each region. In essence, the granting of autonomy is development-oriented. According to Sarundayang,[14] the rationale for adopting decentralization and regional autonomy may be examined from several perspectives :

(1) From a political perspective, decentralization and regional autonomy are intended to involve the community and provide channels for its ideas, interests, and aspirations, both in pursuing regional interests and in supporting national political objectives and policies within the framework of development and the democratization process at the grassroots level;
(2) From the perspective of governmental management, they are intended to enhance the efficiency and effectiveness of government administration, particularly in the provision of public services, by expanding the types and scope of services available to meet the diverse needs of the community;
(3) From a societal perspective, they are intended to increase public participation and foster community self-reliance through empowerment initiatives, enabling communities to become increasingly independent, less dependent on government assistance, and more competitive in the process of social and economic development;
(4) From the perspective of development economics, they are intended to facilitate the implementation of development programs in order to achieve continuously improved public welfare.

The implementation of regional autonomy in Maluku Province critically requires the local government to optimize the potential arising from its strategic geographical position, particularly given that the province is traversed by Indonesian Archipelagic Sea Lane (ALKI) III. Through the legal framework governing regional government, the Maluku Provincial Government has the authority to formulate marine spatial planning and establish integrated economic growth clusters connected to these international shipping routes. The utilization of ALKI III is directed toward transforming the potential of local commodities—including fisheries, marine resources, and marine tourism—into high-value

[13] Ristanti, Yulia Devi, And Eko Handoyo. Undang-Undang Otonomi Daerah Dan Pembangunan Ekonomi Daerah. Jurnal RAK (Riset Akuntansi Keuangan) 2.1 (2017): 115-122.
[14] Sarundayang, *Babak Baru Sistem Pemerintahan Daerah* (Jakarta: Kata Hasta, 2005) h. 82.

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E-ISSN: 2774-1850
Published by: Faculty of Law, Universitas Pattimura

export commodities by shortening global logistics routes to the Pacific and East Asian markets.

Local governments are required to apply the principles of good governance in the administration of regional autonomy, as these principles have become a new paradigm in the conduct of government and are universally recognized.[15] In exercising regional autonomy, and in accordance with the rights vested in regions, local governments are also subject to a number of obligations, including protecting the community; preserving national unity, solidarity, and social harmony, as well as the integrity of the unitary state of the Republic of Indonesia; improving the quality of community life; promoting democratic governance; realizing justice and equitable development; improving basic educational services; providing adequate health-care facilities; providing appropriate social and public facilities; developing social security systems; preparing regional development plans and spatial plans; developing productive resources within the region; protecting and preserving the environment; administering population registration and civil administration; preserving socio-cultural values; enacting and implementing laws and regulations within the scope of their respective authorities; and fulfilling other obligations prescribed by laws and regulations.

Regional governments have the authority to conduct exploration, exploitation, management, and conservation activities in the marine areas under their jurisdiction. This regional government authority must be mapped on a regional marine area map attached to an implementing regulation of Law Number 32 of 2004 concerning Regional Government.[16] The development of Special Economic Zones (SEZs) has significant dual effects on the implementation of regional autonomy, as this policy can strengthen regional economic self-reliance while simultaneously presenting challenges to the autonomy of regional governance. On the one hand, SEZs function as drivers of Regional Original Revenue through large-scale employment creation, increased community purchasing power, and the optimization of regional taxes and levies generated by supporting sectors outside the main SEZ area. In addition, the establishment of SEZs generates a multiplier effect by accelerating the development of strategic infrastructure, including road access, ports, and energy networks, through collaboration between the central government budget and regional government budgets. Such infrastructure development directly reduces the isolation of remote areas and strengthens regional logistics connectivity.

In the context of Maluku Province as an archipelagic region, the implementation of regional autonomy cannot be separated from the role of the central government in managing national interests in maritime areas, including the utilization of the Indonesian Archipelagic Sea Lanes. Although local governments possess the authority to regulate and develop regional potential based on the principle of regional autonomy, ALKI forms part of the international maritime navigation regime, the designation of which is directly related to Indonesia's obligations as an archipelagic State under international law of the sea. Accordingly, the utilization of ALKI does not fall exclusively within the authority of the local government but requires coordination and policy synergy between the central government and the Maluku Provincial Government. In this context, the central

[15] Bunga, Marten. Model Pembentukan Peraturan Daerah Yang Ideal Dalam Penyelenggaraan Otonomi Daerah. Jurnal Hukum & Pembangunan 49.4 (2020): 818-833.

[16] Tommy Hendra Purwaka, "Tinjauan Hukum Laut Terhadap Wilayah Negara Kesatuan Republik Indonesia," Mimbar Hukum 26, no. 3 (2014): 355-365

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Published by: Faculty of Law, Universitas Pattimura

government plays a role in ensuring the continued functioning of ALKI as an international shipping route, maintaining maritime security and navigational safety, and providing strategic policies and infrastructure to support maritime connectivity. Meanwhile, the Maluku Provincial Government has a strategic role in integrating ALKI into regional development policies, particularly through marine spatial planning, the development of inter-island connectivity, the strengthening of port infrastructure, and the development of economic sectors that are consistent with the geographical characteristics and potential of the region.

B. Legal Implications of the Designation of Indonesian Archipelagic Sea Lanes III for the Development of the South Buru Special Economic Zone

The Indonesian Archipelagic Sea Lanes (ALKI) constitute routes designated for international navigation and overflight that may be used peacefully and normally by foreign vessels and aircraft passing through the designated sea lanes within maritime areas under Indonesian jurisdiction. The use of ALKI is open to all foreign vessels and aircraft whose purpose is to routinely transit through Indonesian archipelagic waters in accordance with the United Nations Convention on the Law of the Sea, from one part of the exclusive economic zone or the high seas to another part of the exclusive economic zone or the high seas. Accordingly, the use of ALKI must comply with the laws and regulations applicable within Indonesian territory and jurisdiction. This is consistent with the international legal regime governing passage through the archipelagic waters of any archipelagic State.[17]

Maluku Province constitutes an archipelagic region located in eastern Indonesia. Consistent with the characteristics of an archipelagic region, more than 90% of the province's territory consists of maritime areas, while only a relatively small portion comprises land, and not all islands are inhabited. The geographical dispersion of islands and the considerable distances between island groups result in limited inter-island accessibility, thereby extending the effective span of governmental control and creating significant physical challenges for infrastructure development.[18] Accordingly, the development of Maluku as an archipelagic province is imperative, particularly in positioning the region as a "center for the optimal management of ALKI IIIA" in order to safeguard Indonesia's national interests and address the particular circumstances arising from its status as an archipelagic State. First, the Indonesian people have historically regarded the waters surrounding its coasts as an extension of the archipelago and as an integral whole that cannot be separated from the islands themselves. Second, Indonesia's historical experience demonstrates that the seas between its islands function as a means of national integration rather than separation. Third, as a developing archipelagic State, Indonesia should constitute an integrated economic unit that requires access to the natural resources located within its archipelagic waters. Fourth, there is a national interest in maintaining security and public order, as well as safeguarding national defense.

[17] Harris, Amora, Aries Sudiarso, And Rudy Sutanto. Strategi Pertahanan Laut Dalam Rangkaancaman Keamanandi Alur Laut Kepulauan Indonesia II. Jurnal Education And Development 10.2 (2022): 325-331.

[18] Kharisma, Bayu, And Ferry Hadiyanto. Penentuan Potensi Sektor Unggulan Dan Potensial Di Provinsi Maluku. Jurnal Ekonomi & Studi Pembangunan 19.1 (2018): 21-34.

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The establishment of ALKI is intended to fulfill Indonesia's own interests in the security and sovereignty of its territorial waters, while also providing foreign vessels with the right of archipelagic sea lane passage through its archipelagic waters. The establishment of these Archipelagic Sea Lanes is carried out by establishing pivot points or axes through Indonesian archipelagic waters.[19] The Indonesian Archipelagic Sea Lanes must be understood as a dual-dimensional transit route. First, the Indonesian Archipelagic Sea Lanes serve as an instrument to fulfill Indonesia's obligations as an archipelagic state under the 1982 United Nations Convention on the Law of the Sea. Second, the Indonesian Archipelagic Sea Lanes serve as an instrument for controlling the safety, security, and order of navigation.[20]

The optimization of the management of ALKI III is intended to address the fundamental and macro-level challenges encountered in the development of Maluku as an archipelagic region, which include :

(1) From a legal perspective, the provisions of national legislation have not fully incorporated, *mutatis mutandis*, the principles applicable to an archipelagic State. Consequently, government policies have tended to be oriented toward regions characterized by continental conditions, namely terrestrial and terrestrial-aquatic characteristics. As a result, regions characterized by aquatic-terrestrial conditions (archipelagic regions), with extensive maritime territories, have received insufficient consideration and have, in some cases, been excluded from the indicators used in designing regional development programs;
(2) Inequitable legal and policy arrangements based on the concentration of governmental authority have contributed to the slow functioning of government administration, development, and public service delivery, as well as to limited economic growth. This is attributable to the uneven demographic distribution across archipelagic territories, coupled with limited financial resources, facilities, and institutional capacity;
(3) The considerable geographical span of governmental control constitutes a major challenge in carrying out the core functions of local government, particularly in the administration of government, implementation of development programs, and delivery of public services. This condition represents a given geographical reality that becomes a governance problem in the absence of adequate communication and transportation infrastructure. Such infrastructure is necessary to minimize geographical constraints and optimize the role of determining factors in accelerating development across various dimensions of community life;
(4) The isolation of large parts of the territory, both internally—through limited interaction among islands, island groups, and regions—and externally—through limited interaction between provinces and between provinces and other States—creates potential vulnerabilities within society across social, economic, and political dimensions. This is particularly significant for communities residing in underdeveloped and border areas, which are predominantly located in archipelagic provinces;

[19] Sudini, Luh Putu. "Penetapan Alur · Alur Laut Kepulauan Menurut Konvensi Hukum Laut 1982." *Jurnal Hukum & Pembangunan* 32.3 (2017): 4.
[20] Davis, Septiu Dicke, et al. "Sinkronisasi Kebijakan Alur Laut Kepulauan Indonesia Terhadap Standar Keselamatan Pelayaran Internasional." *Consensus: Jurnal Ilmu Hukum* 4.4 (2026): 340-349.

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(5) From a social perspective, the geographical characteristics of an archipelagic region comprising numerous islands have implications for various socio-cultural dimensions, including traditions and customary practices, namely generally accepted practices within local communities, as well as education and public health;
(6) From an economic perspective, limited economic activities in terms of both scale and diversity, which are not adequately supported by distribution and marketing networks, have resulted in the exploitation of local resources primarily to meet day-to-day subsistence needs. Consequently, such resources have not been sufficiently developed into economically valuable commodities, particularly given the geographical isolation of the region, its unique endemic habitats, and its biodiversity, which remains limited in terms of its capacity for economic utilization;
(7) The availability of relatively diverse natural resources, albeit in limited quantities, combined with a development approach that remains predominantly sectoral and insufficiently integrated, rather than being based on spatial comparative advantages and local potential, has resulted in government development interventions intended to improve public welfare producing outcomes that may, in practice, be contrary to their intended objectives.

The challenges of legal development in Maluku as an archipelagic province demonstrate that a centralized and highly centralized approach to legal development cannot be fully applied to regions with such geographical characteristics. A decentralized and context-sensitive legal policy is therefore necessary, one that is capable of adapting to the distinctive geographical and sociocultural characteristics of archipelagic regions. Without such an approach, legal development in Maluku risks benefiting primarily communities in urban centers, while communities on smaller and more remote islands continue to experience legal uncertainty and limited access to justice.[21]

Law No. 23 of 2014 provides that all components of regional government administration are vested with the authority to regulate and administer their respective governmental affairs based on the principles of regional autonomy and co-administration. Regional autonomy refers to the authority of a region to regulate and administer the interests of its community in accordance with applicable laws and regulations.[22] The implementation of regional autonomy within the framework of the Unitary State of the Republic of Indonesia is grounded in Article 18 of the 1945 Constitution of the Republic of Indonesia, as amended. Accordingly, the territory of the State comprises provincial regions, regency/city regions, and the customary territories of indigenous legal communities. In the management of marine natural resources and regional development, various governmental interests at the provincial and regency/city levels, as well as the interests of local communities, must be taken into consideration and effectively managed by the Government. This constitutes an important consideration in optimizing the utilization of the Indonesian Archipelagic Sea Lanes for the development of Maluku Province.

The management of ALKI III in relation to the development of Maluku as an archipelagic province is also intended to address the challenges arising from the use of border areas in

[21] Solissa, Richard, And SIPM AP. "Permasalahan Pembangunan Hukum Di Wilayah Kepulauan: Studi Kasus Provinsi Maluku."
[22] Lawalata, Carmel Rafaela, Sherlock Halmes Lekipiouw, and Yohanes Pattinasarany. Pengaturan Penetapan Batas Pengelolaan Wilayah Laut Oleh Pemerintah Daerah Provinsi Maluku. Jurnal Saniri 5.1 (2024): 42-55.

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Maluku as potential locations for the proliferation of transnational crime. The waters along Maluku's maritime borders, in particular, are frequently targeted for illegal fishing by foreign vessels, given the geographical characteristics of the border areas, which consist predominantly of extensive maritime spaces and numerous small islands. Data on reported cases indicate a high incidence of legal violations in the area, with a total of 422 cases recorded during the period from 2021 to 2024. The most prevalent violations include the use of explosives, the use of chemical or anesthetic substances to catch fish, fishing outside designated fishing grounds, and the falsification of licensing documents, including Fishing Business Licenses and Fishing Vessel Licenses. Offenders also frequently operate vessels without a valid Sailing Approval Letter issued by the competent authority. The high incidence of such violations reflects the significant challenges involved in monitoring and enforcing the law across extensive and remote maritime areas.[23] Such activities may involve violations of laws and regulations relating to customs, fiscal matters, immigration, or sanitary controls, as contemplated by Article 33 of the 1982 United Nations Convention on the Law of the Sea. These vulnerabilities arise partly because some of the islands located in Maluku's border areas are uninhabited, thereby making them difficult to monitor and potentially allowing them to remain beyond the effective oversight of law enforcement authorities and local communities

CONCLUSION

The Indonesian Archipelagic Sea Lanes (ALKI) are designated along three international shipping and air navigation routes. Among these, ALKI IIIA passes through the Banda Sea, the Maluku Sea, and the Arafura Sea. Therefore, discussions concerning the optimization of ALKI management cannot be separated from the development of the Maluku Islands. The development of Maluku as an archipelagic province is consequently imperative, particularly in positioning the province as a "center for the optimal management of ALKI IIIA" in order to safeguard Indonesia's national interests and address the particular circumstances arising from its status as an archipelagic State.

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Jurnal Saniri, 7 (1) November 2026: 35 - 47
E-ISSN: 2774-1850
Published by: Faculty of Law, Universitas Pattimura