

Judicial Review of Indonesia's Position as the First Archipelagic State to implement the Traffic Separation Scheme to Establish Maritime Safety and Security

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Abstract : Indonesia has several straits that are very important as a shipping lane, including the Sunda Strait and the Lombok Strait, which are the part of the Indonesian Archipelagic Sea Lane (IASL). An increase in traffic on the Marine Archipelago makes the task of monitoring sea routes increasingly difficult. Indonesia has proposed the establishment of a Traffic Separation Scheme (TSS) in the Sunda Strait and the Lombok Strait and the country now has the right to be able to conceptualize the TSS as well as the obligation to regulate it. Indonesia has the right to maintain national safety and sovereignty. In setting the TSS, Indonesia needs to issue national regulations that are in accordance with international law and the general provisions of the IMO (International Maritime Organization) can then be used as guidelines for maritime safety and security in the Sunda Strait and the Lombok Strait. The research method used is a qualitative method with the concept of linguistic and visual data collection. The source of the data is the analysis of documents and regulations. The results show that the determination of TSS was justified by International Law, in accordance with article 22, article 41, and article 53 of the United Nations Convention on the Law of the Sea (UNCLOS) 1982. The determination of TSS by the Indonesian government would be in accordance with COLREG (International Convention on Preventing Collisions at Sea) 10, which has been designed to follow IASL. Thus, TSS can provide a function as a safety and monitoring medium to minimize ship accidents or collisions, including the warship and aircraft of other countries that cross the IASL.

Keywords : archipelago state, maritime law, maritime security, traffic separation scheme

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