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Research Paper

Legal Review of the Implementation of the International Ship and Port Facility Security (ISPS) Code at Kijing Terminal International Port

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Abstract

This study aims to analyze the implementation of the International Ship and Port Facility Security Code (ISPS Code) at the Kijing Terminal International Port and also to identify the gap between normative provisions and practices that occur in the field. This study uses a qualitative method with an empirical juridical research type and uses a descriptive analytical approach. Primary data were obtained from interviews with five (5) key informants, namely the Pontianak Class II KSOP Official, the Port Facility Security Officer (PFSO) of the Kijing Terminal Port, representatives from PT. Pelindo, and security officers from the Indonesian Navy involved in the port security process. Meanwhile, secondary data were obtained from the results of a review of various literature sources regarding laws and regulations and documents related to the ISPS Code. The results of the study indicate that the implementation of the ISPS Code at the Kijing Terminal Port has been implemented, but there are still several aspects that do not meet security standards, especially in terms of consistency in the implementation of security procedures. This finding indicates a gap between normative aspects and implementation in the field that needs to be followed up through strengthening policies and increasing institutional capacity.

Keywords: ISPS Code; Port Security; Maritime Law; Kijing Terminal.

1. Introduction

Maritime transportation plays a fundamental role in international trade. Approximately 80% of world trade volume is transported by sea, making it the primary mode of transportation in the global supply chain. The maritime transportation network involves ports, container ships, shipping lanes, and logistics systems interconnected in a complex ecosys-

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tem [1]. Indonesia's strategic geographic location lies between two major oceans, the Pacific and Indian Oceans. This makes Indonesia a hub for international maritime trade routes, making maritime security related to shipping lanes crucial for the smooth flow of national and international trade. Therefore, it is vital to regulate and manage the maritime transportation system professionally for the benefit of the nation and state. Furthermore, Indonesia's vast marine natural resource potential requires robust maritime security to maintain the sustainability of its maritime economic industry. This potential presents significant potential if optimized, given that this geographic location will lead to high-intensity shipping activity within Indonesia. Furthermore, globalization, which has blurred national borders, has resulted in a massive and rapid increase in the flow of mobility. This requires the existence of adequate infrastructure to support the smooth flow of international trade and the effectiveness and efficiency of the global production chain [2].

Fisu explained that a port is a port equipped with buildings that function to serve the loading and unloading of goods and boarding and disembarking of passengers, such as docks, moorings, and other supporting facilities [3]. As a transportation infrastructure, ports play a strategic role in supporting the transportation system because they serve as a connecting point between regions/countries. Furthermore, ports serve as a point of intra- and intermodal transportation transfer. Economically, ports serve as a driving force of the economy because they facilitate the distribution of production. Socially, ports serve as public facilities where interactions between users (the community) take place, including interactions that occur due to economic activity. Conceptually, ports have three strategic functions. First, as a link or link. This means that ports are one of the links in the transportation process from the point of origin of goods/people to their destination. Second, as an interface (meeting point), namely the port as a meeting point for two modes of transportation, for example sea transportation and land transportation. Third, as a gateway, namely the port as a gateway to a region/country. In relation to its function as a gateway, it is not surprising that every ship visiting a region/country is required to comply with the regulations and procedures applicable in the region/country where the port is located. Furthermore, as a center of economic activity, ports typically also provide services for the following five activities. First, ship services (anchoring, pilotage, tug, and mooring). Second, handling loading and unloading (containers, liquid bulk, dry bulk, general cargo, roll-on-roll). Third, passenger embarkation and disembarkation. Fourth, stacking services (general cargo, containers, tanks, silos). Fifth, bunkering (filling supplies such as ship water, fuel). Sixth, reception, equipment, and industrial land. Seventh, rental, equipment, and industrial land [4].

In the context of international law, there is a set of regulations concerning the port sector, a branch of maritime law. International regulations in the port sector govern matters related to international port parameters, international shipping safety, security, and the role of international organizations in port management. Many parties emphasize the need for sovereignty at sea through access to international ports. They almost certainly deny that port issues are closely related to maritime security issues. Indonesia's maritime traffic lanes are among those with high levels of maritime traffic density. The potential threat posed by the large number of vessels utilizing these trade and transit routes must be seriously addressed to minimize losses to Indonesia [5].

In this regard, as a commitment to the Global Maritime Axis, the Indonesian government is currently developing several new ports in the Indonesian region as a supporting facility in realizing the development of maritime infrastructure and connectivity. This is emphasized in Presidential Regulation Number 3 of 2016 concerning the Acceleration of the Implementation of National Strategic Projects, which aims to ensure increased growth and equitable development, to improve community welfare and regional development. One of the priority projects regulated in it is the Development of the Kijing Terminal Port in West Kalimantan Province, which is implemented based on Presidential Regulation Number 43 of 2017 concerning the Acceleration of the Development and Operation of the Kijing Terminal at Pontianak Port, West Kalimantan **[6]**.

Maritime security has also been enhanced considering the increasing threats. To address this issue, the member states of the International Maritime Organization (IMO) held a conference in London from December 9 to 13, 2002, and produced an amendment to the 1974 International Convention on the Safety of Life at Sea (SOLAS). This amendment included Chapter V on Safety of Navigation and the addition of Chapter XI to Chapter XI-1 on Special Measures to Enhance Maritime Safety and Chapter XII-2 on Special Measures to Enhance Maritime Security, also known as the International Ship and Port Facility Security (ISPS) Code **[7]**.

A study related to the ISPS Code was presented by D.A. Lasse in 2009 with the ISPS Code Perspective Study Post Law No. 17 of 2008 Concerning Shipping that Seaports as a trade chain that serves domestic ship and goods traffic as well as exports/imports must be protected from security disturbances. This means, in special cases, member countries can expand the provisions to domestic port facilities that serve international vessels. However, the provisions in the ISPS Code do not apply to warships, naval auxiliary vessels, or other vessels for non-commercial purposes **[8].**

The ISPS Code is very important to implement to provide guidance for ports and port facilities to learn the necessary practical skills, to test the feasibility of the security plan that has been prepared so that it is ready to be implemented if a force majeure occurs. The ISPS Code is also motivated by the threat of terrorism that occurred in the tragedy of September 11, 2001 and then raised global awareness about the vulnerability of transportation infrastructure, so the International Maritime Organization (IMO) adopted an international legal instrument in the form of the International Ship and Port Facility Security (ISPS) Code in 2002. The ISPS Code requires member countries, including Indonesia, to implement international security standards on ships and port facilities to prevent actions that endanger maritime security **[9]**.

The strategic port focused on in this research is the Kijing International Terminal Port in Mempawah Regency, West Kalimantan. This port was built as a modern international port to support the export and import of leading commodities, including plantation, mining, and energy products. The Kijing International Terminal Port itself is part of the National Strategic Project (PSN), which was recently inaugurated by President Joko Widodo on August 9, 2022 **[10]**. With its status as an international port, the implementation of the ISPS Code principles at Kijing Terminal is crucial to ensure the security of ships, cargo, and port infrastructure from non-traditional security threats.

Until now, there has been no empirical study that focuses on the implementation of the ISPS Code at Kijing Terminal International Port, even though as an international port it is an obligation to be able to meet security standards according to the provisions of international regulations relating to ports so that the role and function of the port can run optimally. Based on this background, the author's team is interested in exploring and understanding further regarding the Legal aspects of the Implementation of the International Ship and Port Facility Security (ISPS) Code at Kijing Terminal International Port.

2. Method

This research is a field study, commonly known as empirical legal research, using qualitative methods to gain an in-depth understanding of the implementation of the ISPS Code security standards at Kijing International Terminal Port. An empirical approach was used because the data collected came directly from experience, field observations, and interviews, and were then analyzed using descriptive and interpretive approaches **[11]**. The location where this research was conducted was at the Kijing International Port Terminal in Sungai Kunyit District, Mempawah Regency, West Kalimantan, which served as the research object. The research used primary data sources obtained directly from the parties authorized to implement the ISPS Code at the Kijing International Port Terminal in the form of interviews, observations, and internal documents from the Port's archives. Informants were selected using purposive sampling, which was at the researcher's discretion **[12]**. Considering that the informants have knowledge and are directly involved in the implementation of the ISPS Code at the Kijing Port Terminal, namely the Pontianak Class II KSOP Official, the Kijing Port Facility Security Officer (PFSO), the Representative of PT Pelindo as the port operator, the security apparatus from the Indonesian Navy assigned to secure the Port, and a port security operations officer (security chief). Meanwhile, secondary data is data derived from regulations and literature such as reference books and scientific journals related to the research topic. The validity of the data was tested through source triangulation, namely comparing data from various informants and technical triangulation, namely through interviews, documents and literature. The data were analyzed qualitatively through the stages of data reduction, data presentation, and drawing conclusions by linking empirical findings with normative provisions in the ISPS Code.

3. Result and Discussion

Implementation of the International Ship and Port Facility Security (ISPS) Code at Kijing Terminal International Port

Kijing Terminal International Port is a strategic port located in Mempawah Regency, West Kalimantan Province. It is managed by PT. Pelabuhan Indonesia (Pelindo) Regional II Pontianak and is designed as a modern international port as part of a national strategic project (PSN) to strengthen maritime connectivity in western Indonesia **[13]**. Geographically, Kijing Port enjoys a strategic position, directly facing the Natuna Sea and the Indonesian Archipelago Sea Lanes (ALKI) I, an international shipping lane. This makes Kijing Port not only a hub for exports and imports and logistics distribution, but

also holds important responsibilities for shipping security and protecting port facilities in accordance with international standards **[14]**.

In the legal and operational context, Kijing Port is obliged to implement the provisions of the International Ship and Port Facility Security (ISPS) Code, which is an international legal instrument under the International Maritime Organization (IMO) as part of SOLAS (Safety of Life at Sea) 1974 Amendment 2002. The International Ship and Port Facility Security (ISPS) Code is an international legal instrument that was born as a response to the increasing threat of global maritime security after the events of September 11, 2001. The ISPS Code is an integral part of the International Convention for the Safety of Life at Sea (SOLAS) 1974, especially Chapter XI-2, which is binding for member countries of the International Maritime Organization (IMO), including Indonesia **[15]**.

Within the context of national law, the implementation of the ISPS Code in Indonesia has been adopted through various regulations, including Law No. 17 of 2008 concerning Shipping, Government Regulation No. 31 of 2021, and technical regulations issued by the Ministry of Transportation. Legally, these provisions require every port and port facility serving international vessels to implement security standards in accordance with the ISPS Code, including institutional aspects, human resources, infrastructure, and operational procedures **[16]**.

Kijing Terminal is structurally still a terminal and is under the Port of Pontianak. This status has significant legal implications for the implementation of the ISPS Code, particularly regarding the authority of regulators, operators, and port security authorities. From a port law perspective, even if a facility does not yet have the status of an independent port, as long as it serves international shipping activities, the obligation to implement the ISPS Code remains inherent. Kijing Terminal, managed by PT Pelindo as a Port Business Entity (BUP), has fulfilled the requirements for being a port facility as defined in the ISPS Code **[17]**.

However, the institutional structure, which remains centralized in Pontianak, means that several strategic functions, such as the Port Facility Security Officer (PFSO) and the approval of security documents, are not yet fully located at the Kijing Terminal. The PFSO, which is administratively located in Pontianak with a deputy in Kijing, reflects a centralized security management model. Legally, this pattern does not conflict with the provisions of the ISPS Code, as long as coordination and decision-making remain effective. However, in practice, centralized authority has the potential to cause response delays and limited discretion at the operational level, particularly when security incidents require rapid decisions in the field.

Implementation of ISPS Code Part A at Kijing Terminal

Based on the results of an interview with the Pontianak Regional II KSOP Official, Mr. Antony Wirya, stated that "Kijing Terminal has implemented the ISPS Code directly since its inauguration and is in accordance with IMO standards and national policies." The informant's statement that the implementation of the ISPS Code is in accordance with international organizations and national policies indicates a normative awareness of international legal obligations. Thus, legally, Kijing Terminal has placed the ISPS

Code as the basis for managing port security. ISPS Code Part A contains mandatory provisions (mandatory requirements) for member countries and port facilities **[18]**. Based on the results of the interview, Kijing Terminal has fulfilled most of the Part A obligations, particularly related to the formation of a security organizational structure, preparation of security documents, and regulation of security levels. The ISPS Code is mandatory for international ports that serve the import-export loading and unloading process. Since its inauguration in 2021, it has been implemented.

Kijing Terminal already has important documents such as the Port Facility Security Assessment (PFSA) and Port Facility Security Plan (PFSP). These documents cover security risk identification, security area allocation, security organizational structure, and incident handling procedures at various threat levels. Informants also stated that security SOPs and arrangements for Security Levels 1, 2, and 3 are available and documented. Organizationally, Kijing Terminal has established security teams that include a patrol team, a firefighting team, and an inspection and surveillance unit. Each security post has assigned and certified personnel, although in the initial stages there are still limitations on the number of personnel and equipment.

Mr. Antony Wirya explained that: "So far, there have been no serious threats to the security of the Kijing Terminal, such as terrorism or sabotage. The incidents that have occurred are more internal disturbances, such as conflicts between ship crews and truck drivers due to miscommunication during the loading and unloading process. Furthermore, there have been thefts in the trestle area, with people pretending to be fishing but carrying screwdrivers, wrenches, and other items." The incidents were handled through a clear command structure, from field officers to regional security officials. The conflicts that occurred were resolved without escalation and did not cause significant disruption to port operations. This indicates that the incident response mechanism has been running effectively.

However, there have been several incidents of theft or loss of goods occurring both within and outside the immediate scope of the ISPS Code. This situation demonstrates the importance of defining the security area boundaries (Port Facility Security Area) to prevent security gaps that could impact the port as a whole. Interviews also revealed that the most common mode of security disruption to date is disguised fishing activities, carrying tools such as screwdrivers and wrenches to commit theft. In these cases, port management hands over the handling to the local police. This step aligns with the principle of law enforcement cooperation in the ISPS Code and reflects the separation of authority between port management and law enforcement officials. However, the recurrence of this method demonstrates the need to strengthen preventive measures.

Implementation of ISPS Code Part B as a Technical Guideline

ISPS Code Part B serves as a technical guideline (guidance) in implementing the provisions of Part A.[19] Based on the results of the interview, the implementation of Part B at the Kijing Terminal was carried out in stages and adjusted to the characteristics of the terminal which is still in the development stage. Kijing Terminal does not yet serve containers, so the cargo characteristics, which are dominated by solid and liquid bulk cargo, influence the security pattern. Informants stated that inspections are conducted

visually because the goods can still be physically identified. In the context of Part B, this approach is justified as long as it is based on a risk assessment. However, with increased activity and the potential for future container influx, this approach is no longer adequate. ISPS Code Part B recommends the use of advanced inspection technology and equipment to anticipate hidden threats. Therefore, legally, Kijing Terminal needs to continuously adjust its Part B guidelines to remain relevant to evolving port activities.

Supporting and Inhibiting Factors for the Implementation of the ISPS Code at Kijing Terminal Port

Supporting Factors

Human resources are a key element in implementing the ISPS Code. Interviews indicate that security personnel at Kijing Terminal are required to hold port security certification in accordance with ISPS Code standards. This certification covers understanding of security procedures, incident handling, and inter-unit coordination. Kijing Terminal International Port also conducts internal drills four times a year, as well as exercises involving at least three elements: the KSOP, port management, and police.Sumber daya manusia merupakan elemen kunci dalam penerapan *ISPS Code*.

In the early stages of operations, some personnel were still uncertified. However, the company subsequently facilitated education and training for these personnel. This action reflects the fulfillment of the principle of due diligence under international law, namely the obligation to take reasonable steps to prevent security breaches. Furthermore, a system of regular morning and evening briefings, as well as regular patrols reported through internal communication channels, demonstrate ongoing efforts to develop and supervise security personnel. Although the reporting mechanism remains semi-formal, these practices continue to contribute to the effectiveness of port security.

Inhibiting Factors

The main challenges in implementing the ISPS Code at Kijing Terminal include limited personnel, limited security equipment, and discrepancies between planning documents and field conditions. Several security posts listed in the documents have not been implemented due to limited resources and limited area. Furthermore, the complexity of the industrial area with its numerous subsidiaries makes the division of security responsibilities challenging. Port security is responsible for general area security, while each company also has an internal security unit. Legally, this situation requires clear coordination to avoid overlapping authority or gaps in responsibility. Therefore, the implementation of ISPS Code Part A is not yet fully optimal, particularly in the aspects of physical inspections and the use of security equipment. Inspections of people, vehicles, and goods are still selective and do not fully utilize supporting devices such as metal detectors and advanced detection equipment. This situation indicates a gap between the normative provisions of the ISPS Code and technical implementation in the field.

Legal Analysis of the Compliance Level of Kijing Terminal

The International Ship and Port Facility Security (ISPS) Code is an international legal regime in the field of maritime security adopted through the 1974 International Convention for the Safety of Life at Sea (SOLAS), specifically Chapter XI-2 concerning Special Measures to Enhance Maritime Security **[20]**. This provision was created in response to increasing global maritime security threats, including terrorism, sabotage, smuggling, and transnational crime. Article 4 of SOLAS Chapter XI-2 stipulates that each state party is obliged to ensure that international ports and ships operating under its jurisdiction comply with the provisions of the ISPS Code. The ISPS Code itself is divided into two parts: Part A, which is mandatory, and Part B, which is guidance. Thus, legally, the implementation of the ISPS Code is not a policy choice, but an international legal obligation for state parties, including Indonesia. In the national context, Indonesia adopted the provisions of the ISPS Code through a Ministry of Transportation regulation that assigned the Directorate General of Sea Transportation as the Designated Authority (DA). Kijing Terminal International Port, as a port that serves international shipping, is automatically subject to this legal regime, both from the institutional, procedural and technical operational aspects of security.

Kijing International Terminal Port is a relatively new port and is still in the operational development phase. Based on interviews, the port currently does not fully serve containers, but is still focused on general cargo, liquid bulk, and dry bulk, with preparations for container services hampered by the readiness of road infrastructure. From the perspective of the ISPS Code, the operational status of a port does not eliminate the obligation to implement security standards. Section 1.1 Part A of the ISPS Code emphasizes that this provision applies to all port facilities serving international vessels. Therefore, even though Kijing Port is still in the transition phase, the obligation to implement the ISPS Code remains fully in place. This condition has legal consequences: any security gaps that arise, whether due to limited facilities or suboptimal personnel understanding, have the potential to create a risk of non-compliance with international regulations, which can ultimately impact the port's reputation and international trust in the port.

ISPS Code Part A Section 6 requires the appointment of port security officials and structures, including a Port Security Officer (PSO), and the establishment of a security coordination mechanism. Interviews revealed that the security structure at Kijing International Terminal Port includes a Port Security Committee (PSC) and a PSO, run by the Harbor Master. This structure demonstrates that Kijing Port has normatively complied with the security organization requirements of the ISPS Code. The PSC serves as a coordination forum for port security stakeholders, while the PSO is directly responsible for the implementation and maintenance of the security system.

However, the interviews also revealed that as a new port, not all personnel have a complete understanding of the technical implementation of the ISPS Code. This creates a gap between formal compliance and substantive compliance, which in international law studies is often a weak point in the implementation of global norms at the national level. One of the main obligations under the ISPS Code is the preparation of a Port Facility Security Assessment (PFSA) as stipulated in Part A Section 15 of the ISPS Code.

The PFSA is a security risk analysis that aims to identify potential threats, vulnerabilities, and the impact of security disturbances in the port area.

Based on the interview results, the Kijing International Port Terminal PFSA was prepared by a security consultant and has been approved by the Ministry of Transportation. Legally, this approval signifies that the government has recognized the results of the risk assessment as the official basis for implementing port security measures. However, empirical findings indicate that there are still areas with a high level of vulnerability, such as the area under the pier, areas adjacent to hills, and the POB area. This indicates that the PFSA needs to be updated regularly to capture the dynamics of changing security risks, as recommended in ISPS Code Part B Section 15.3.

As a follow-up to the PFSA, ISPS Code Part A Section 16 requires every port to have a Port Facility Security Plan (PFSP) that outlines detailed security procedures. Based on interviews, the PFSP at Kijing International Terminal Port has been developed and encompasses approximately 17 security procedures, including inspection of people and vehicles, patrols, monitoring, CCTV operation, and handling of non-conventional threats such as drones, cyberattacks, and terrorism. From a legal perspective, the scope of this PFSP aligns with the comprehensive security approach principle mandated by the ISPS Code. However, the effectiveness of the PFSP is largely determined by the readiness of infrastructure and consistent implementation in the field. Interviews revealed that several procedures have not been implemented optimally due to limited facilities, such as the lack of CCTV and adequate lighting in the POB area. This situation indicates a gap between written norms and the reality of implementation, which in state administrative law can be categorized as a weakness in public policy implementation.

The implementation of the ISPS Code at Kijing International Terminal Port is marked by the issuance of a five-year SCPR Certificate. This provision aligns with SOLAS Chapter XI-2 Regulation 9, which emphasizes the importance of certification as proof of compliance with international security standards. Based on interviews, after the five-year validity period ends, a reassessment is mandatory to reassess the suitability of the security system to the actual conditions of the port. In the context of Kijing Port, the reassessment is planned for 2026, considering that from 2021 to 2026 there have been various changes in terms of facilities and potential security threats. In addition to the reassessment, there is a second verification mechanism every 2.5 years by the Directorate General of Sea Transportation, as well as an annual internal audit. This mechanism reflects the principle of continuous monitoring and improvement as recommended in ISPS Code Part B Section 18.

The ISPS Code emphasizes not only the documentation aspect but also actual implementation through drills and exercises. Based on an interview with Mrs. Ernanda, a representative of PT. Pelindo, "Kijing Port conducts internal drills four times a year, as well as exercises involving at least three elements, namely the KSOP, port management, and local police officers, in this case the Polsek." The distinction between drills and exercises is in line with ISPS Code Part B Section 13.4, where drills are internal and exercises are cross-agency. Legally, the implementation of these activities is an indicator of substantive compliance with the ISPS Code, as it demonstrates the port's readiness to face security emergencies. However, the effectiveness of drills and exercises still

depends on the readiness of physical facilities and the level of personnel's understanding of the simulated procedures.

The use of surveillance technology is a crucial element in the ISPS Code, particularly in the context of monitoring restricted areas. Based on interviews, the Kijing International Terminal Port has approximately 40 CCTV units, in addition to company-owned CCTV that can be accessed in an integrated manner. However, the vastness of the Port area and certain geographical conditions mean that the CCTV system is not yet able to optimally identify perpetrators. In some cases, CCTV can only confirm that an incident has occurred, without providing sufficient information to identify the perpetrator. This condition indicates that the implementation of security technology is not fully aligned with the principle of effectiveness as emphasized in ISPS Code Part A Section 1.2, which requires that security measures be truly capable of preventing and mitigating threats.

One of the main obstacles revealed in the interviews was the security situation in the POB area, which currently lacks security posts, CCTV, and adequate lighting. This area, however, has a high potential for security threats due to its proximity to a hill and easy access from the outside. Legally, this situation potentially violates ISPS Code Part A Section 16.3, which requires the security of restricted areas. The lack of facilities in the POB area can be categorized as a structural vulnerability, which is at risk of being exploited by criminals.

In terms of human resources, all security personnel at Kijing International Port Terminal have IMO ISPS Code Model Course 3.21 and 3.24 certifications. The 40 personnel, divided into three groups with two shifts, have traditionally met the basic requirements for port security. Furthermore, there is strong synergy with the Indonesian National Police (Polri) and the Indonesian Navy (TNI AL), including regular fitness and physical training activities. This synergy aligns with ISPS Code Part B Section 4, which emphasizes the importance of inter-agency cooperation in maintaining port security.

Table 1. Gap Analysis of ISPS Code Implementation at Kijing Port

ISPS Code Provisions	Aktual Conditions	Compliance Status
PFSO Appointment	Already exist	Obedient
Drill and exercise implementation	Held four times a year	Obedient
Inter-agency coordination	Not optimal	Not optimal
Consistency of security procedures	Still fluctuating	Not optimal
Supporting facilities	Not complete	Not optimal

The discussion above shows that the implementation of the ISPS Code at Kijing International Terminal Port has normatively complied with SOLAS and ISPS Code requirements, particularly in terms of documentation, organizational structure, and oversight mechanisms. However, empirically, this implementation has not been fully optimized due to limited infrastructure and the port's still-developing conditions.

Therefore, the implementation of the ISPS Code at Kijing International Terminal Port is in the compliance-in-progress category, meaning it is legally compliant but still requires strengthening of its technical implementation.

Based on normative and empirical analysis, it can be concluded that Kijing Terminal has fulfilled the basic obligations of implementing the ISPS Code as stipulated in international and national law. This compliance covers institutional aspects, documentation, and operational procedures. The security oversight mechanism at Kijing Terminal is carried out through routine 24-hour patrols. Patrol results are reported periodically to the regional security leadership and the regional center in Pontianak. Weekly reports serve as a form of formal accountability, while daily reports and field documentation are provided through internal communication channels. Thus, legally, the oversight and reporting mechanism at Kijing Terminal has met the minimum standards of the ISPS Code, but still requires strengthening in the aspects of documentation and data integration. However, this compliance is still formal and administrative, while substantive and technical aspects still require strengthening. With increasing port activity and the potential influx of containers, Kijing Terminal needs to continuously improve its facilities, infrastructure, human resources, and strengthen security authorities at the local level.

4. Conclusion

Based on the results of research and discussion regarding the Legal Review of the Implementation of the International Ship and Port Facility Security (ISPS) Code at the Kijing Terminal International Port, it can be concluded that normatively the implementation of the ISPS Code at the Kijing Terminal has a clear and strong legal basis, both at the level of international law and national law. The ISPS Code as an integral part of the Safety of Life at Sea (SOLAS) Convention 1974 has been adopted into the national legal system through various laws and regulations in the field of shipping and ports, so that it is legally mandatory to be implemented by all international ports, including the Kijing Terminal.

However, research results indicate that the implementation of the ISPS Code at Kijing International Terminal Port is not yet fully optimal. This is evident in the continued presence of several gaps in physical and operational security, such as limited supervision in certain areas of the port, inadequate lighting at several strategic points, and challenges in monitoring the vast dock area. These conditions have the potential to create security vulnerabilities and indicate a gap between the ISPS Code's normative provisions and actual practice.

From a legal perspective, these problems are not solely caused by the lack of regulations, but rather by aspects of law enforcement, supervision, and coordination among port stakeholders. The authority and responsibility spread across various agencies require stronger synergy so that the implementation of the ISPS Code can run effectively and sustainably. Thus, it can be concluded that the implementation of the ISPS Code at the Kijing International Port Terminal legally meets the principle of compliance with international security standards, but empirically still requires strengthening in aspects of technical implementation, supervision, and security management. Efforts to improve the quality of ISPS Code implementation are important

not only to fulfill international legal obligations, but also to ensure port security as a vital national object and support the smooth flow of international trade and shipping activities.

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Authors' contributions and responsibilities

Anyta Widianti: conceptualization, methodology, writing – original draft, supervision. Nurman Mandala: supervision, writing – review & editing. Fiyona: investigation, formal analysis. Zaskya Leonantha: investigation, visualization.

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Availability of data and materials

All data are available from the authors.

Competing interests

The authors declare no competing interest.

Ethical approval

This study is a juridical-empirical legal study based on interviews with officials and port security personnel in their professional capacity. It did not involve clinical procedures, experiments on humans or animals, or the collection of sensitive personal data; therefore, formal ethical approval was not required.

Declaration of generative AI use

The authors declare that no generative artificial intelligence (AI) or AI-assisted technologies were used in the preparation of this manuscript. All content, analysis, interpretation and writing are the original work of the authors, who take full responsibility for the published article.

Additional information

No additional information from the authors.

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