2023
A new decade for social changes

Technium
Social Sciences
The Role of Civil Servant Investigators (PPNS) in Implementing Regulation of the Director General of Sea Transportation No: Kp.222/Djpl/2019 in Supporting the Main Duties and Functions of Class II Bitung Sea and Coast Guard Bases for Enforcement of Law No. 17 of 2008 Concerning Shipping

Iwan Suhana¹, Wilson Bogar², Marthinus Mandagi³
Public Administration Study Program, Magister Program, Universitas Negeri Manado
iwansuhana@gmail.com¹, wilsonbogar@unima.ac.id², marthinusmandagi@unima.ac.id³

Abstract. This study aimed to 1) find out how the Role of Civil Servant Investigators (PPNS) in the Implementation of the Director General of Sea Transportation Regulations No: Pk.222/DJPL/2019 in supporting the main tasks and functions of Class II Bitung Sea and Coast Guard Unit Base for Law Enforcement - Invite No. 17 of 2008 concerning shipping; 2) find out the factors that determine the Civil Servant Investigator (PPNS) in the Implementation of the Director General of Sea Transportation Regulation No: Pk.222/DJPL/2019 in supporting the main tasks and functions of Bitung Class II Sea and Coast Guard Unit Base for Enforcement of Laws No. 17 of 2008 concerning shipping. This study used a qualitative research method with purposive sampling. Sources of research data are informants, observations and documents. Data analysis techniques namely reduction, data presentation and conclusion. The research location is the Class II Coastal Marine Guard Base Office, Bitung City. The results of the study show that not all Civil Servant Investigators understand their main duties and functions so that the application of the Director General of Sea Transportation Regulation No: KP.222/DJPL/2019 in Supporting the Main Duties and Functions of Class II Bitung Coastal Sea Guard Base for Enforcement of Law no. 17 of 2008 concerning Shipping is not yet optimal. Factors that influence it are communication, resources, weather, responsibility and morale, as well as the mental and infrastructure of the ship as a support.

Keywords. Implementation, Directorate General Regulations, Civil Servant Investigators

A. Introduction

Sea and Coast Guard Unit (KPLP) or Indonesia Sea and Coast Guard which is one of the government institutions of the technical implementation unit under the Directorate General of Sea Transportation, Ministry of Transportation of the Republic of Indonesia which has the main tasks and functions as stated in the Minister of Transportation Regulation No: 65 2002 which has been changed to No.119 in 2021 concerning the organization and work procedures
of the Marine and Coast Guard Unit Base which includes the main duties and functions of the Marine and Coast Guard Unit Base including 1) Carrying out operations and enforcement of laws and regulations in the field of shipping; 2) Carry out investigations and investigations of criminal acts in the field of shipping[1].

Guaranteed shipping safety and security in Indonesian waters cannot be separated from the role of KPLP in carrying out its main functions as a Sea and Coast Guard Unit and enforcement of laws and regulations in the field of sea and coastal shipping. KPLP or what is called the Sea and Coast Guard Unit existed long before the Indonesian nation became independent before the outbreak of World War II in 1942 which was regulated in the Dienst van scheepvaart (Shipping Service) and government merine (Government Shipping Fleet) and have experienced several times changing the name of the organization since 1950 to DPLP (Sea and Coast Guard Service) and in 1973 to KPLP which is regulated in the Regulation of the Minister of Transportation KM.14/u/Phb-1973 dated January 30, 1974 along with the development of country. then a law was born no: 17 of 2008 which regulates Shipping in Indonesia, The provisions in article 276 of Law No. 17 of 2008 concerning Shipping which mandates the establishment of a sea and coast guard who is responsible to the President through the Minister. Sea and coast guards must be established pursuant to article 276 of Law No. 17 of 2008 concerning Shipping[2].

Decision-making in determining the feasibility of shipping both in terms of facilities in the form of ships and infrastructure such as navigation systems and human resources involved in it. Ports in carrying out their functions and activities must be equipped with safety and security facilities to protect ships, cargo, service facilities and vital installations that are located, served and operated at the port. Guaranteed shipping safety and security in Indonesian waters cannot be separated from the role of KPLP in carrying out its functions as a Sea and Coast Guard Unit as well as enforcement of laws and regulations in the field of sea and coast shipping.

In carrying out its duties and functions, KPLP is supported by infrastructure in the form of state ships which are supporting elements to carry out law enforcement patrols in the field of shipping as mandated in law no: 17 of 2008 article 279 paragraph 1 of Law 17 of 2008 concerning Shipping. KPLP has the duty to formulate and implement policies, standards, norms, guidelines, criteria and procedures, as well as technical guidance, evaluation and reporting in the field of patrols and security, shipping safety supervision and investigation and investigation of criminal acts in the field of shipping. Civil Servant Investigators (PPNS), which is a supporting tool for patrol ship elements in the framework of law enforcement in the field of shipping has an important role in supporting the success of the main tasks and functions of the KPLP in enforcing Law No: 17 of 2008 concerning shipping, Civil Servants Investigators who are in the environment KPLP institutions as one of the supporting tools for patrol ship elements that support the main tasks and functions of KPLP in law enforcement in the field of shipping have the authority as stipulated in law No: 17 of 2008 concerning shipping article 282 paragraphs 1, 2 and 3 namely (1) In addition to investigators from the State Police of the Republic of Indonesia and peny other idik, certain civil servant officials within the agency whose scope of duties and responsibilities are in the field of shipping are given special authority as investigators as referred to in this Law. (2) In carrying out their duties, certain civil servant officials as referred to in paragraph (1) are under the coordination and supervision of investigators from the Indonesian National Police. Article 283 whereby an investigator within the KPLP has authority in the context of law enforcement in the field of shipping. (3) Civil Servant Investigators as referred to in paragraph (1) convey the results of their investigations to the public prosecutor through investigators from the Indonesian National Police.[2]. In addition
to the two articles contained in UU No: 17 of 2008 concerning shipping, there are also articles in the Criminal Procedure Code which serve as the legal basis for the exercise of the investigator's authority within the KPLP in carrying out their duties under the coordination and supervision of Polri investigators Article 7 paragraph (2) Criminal Procedure Code. Investigation and investigative powers in general criminal cases (KUHP) are carried out by the Indonesian National Police according to the standard mechanisms and procedures stipulated in the criminal procedural law, Law no. 8 of 1981[3]. The problem is who has the authority to carry out investigations into criminal acts in the field of shipping and what mechanisms or procedures for such investigations are carried out.

Based on preliminary data and temporary information obtained by the author, it is known that Law no. 17 of 2008 concerning Shipping has regulated itself both regarding material criminal provisions in the field of shipping as well as formal criminal provisions or mechanisms for the investigation process, which theoretically should be referred to as "special law", and practically must be enforced on a "top priority" scale, according to the principle the law "lex specialis derogat lex generalis".

Based on the problems above, the researcher chose the title “The Role of Civil Servant Investigators (PPNS) in the Implementation of the Director General of Sea Transportation Regulations No: Pk.222/DJPL/2019 in supporting the main tasks and functions of Class II Bitung Marine and Coast Guard Unit Base for Law Enforcement No. 17 of 2008 concerning shipping”.

B. Literature review

Public Policy

Etymologically the term policy was put forward by Dunn (1981) that policy comes from the Greek "polis" (city-state), then enters the Latin "politea" (country) and the English "police" (policy) and "politics" (political)[4]. According to James Anderson in Wahab (2002) states that policy is: "Purposive course of action or inaction undertaken by an actor or set of actors in dealing with a problem or matter of concern"[5].

This opinion implies that policy is an action step that is deliberately carried out by an actor or a number of actors with regard to a particular problem or problem being faced. Ermaya (1993) also stated that the policy consists of 4 aspects: Policy that is applied subjectively which in its operation is: 1) An outline of provisions; 2) Which is in the nature of guidelines, guidance, guidance to reach an understanding in terms/means/means; 3) For every effort and activity of an organized group of people; 4) So that there is a dynamic movement of actions that are integrated, aligned and rhythmic in achieving certain goals[6].

Policy in this sense is related to someone who has authority who is clever and proficient in managing the power they have. In implementing policies, leadership and ways of acting in managing an organization accompanied by efforts to realize ideals, vision, mission, goals and principles are important elements. Based on the opinions of the experts above, it can be interpreted that policy is a step taken by a person or actor. who has authority because of certain problems or problems in managing the power they have.

Public policy includes government decisions in almost every aspect of human life. It manifests itself in every decision made in conflict resolution, aid provision, community welfare, finance, levies, law, and so on. Policies exist so that the service tasks provided are more focused and have clear rules and objectives. According to Thomas R. Dye in Nawawi (2009) that public policy is whatever the government chooses to do or not do.[7]. Meanwhile, according to
Anderson in Winarno (2007) public policy is a direction of action that has goals set by an actor or a number of actors in overcoming a problem or problem.[8].

The definition of public policy according to Santoso (2010) is a series of decisions made by the government to achieve a certain goal [9]. The policy is finally referred to as government policy as defined by Suradinata (2004) as follows: State/government policies are policies developed by agencies or institutions and government officials. State policy in its implementation covers several aspects, guided by applicable regulations, oriented to the public interest and the future, as well as the best problem solving strategy[10]. Meanwhile, according to Nugroho (2014) defines public policy as a decision made by the state, especially the government, as a strategy to realize the goals of the country concerned. [11].

From the various opinions of the experts above, it can be seen that public policy is whatever the government does in the form of decisions to overcome a problem, as a strategy to achieve certain goals and is oriented towards the public interest and the future. Principles or ways of acting are chosen to guide decision-making that applies in society, of course also through what is called the policy process. Several policy environments in the institutional process consist of manufacturing environments, implementation environments, and evaluation environments. As a policy process, of course it consists of several stages, as according to James E. Anderson, David W. Brandy and Vharles Bullock III in Nugroho (2014), the policy process consists of five stages, namely: (1) Policy agenda, at this stage carried out priority to serious issues to be resolved. (2) Policy formulation, at this stage it is more developed, namely regarding choices or alternative actions or programs to solve problems. (3) Policy adoption/determination, the stage where one of the alternatives has been agreed upon, which is then subject to legalization or validation. (4) Implementation of policies, implementation of policies that are recognized by the government. (5) Evaluation of policies, regarding the effectiveness of policies in solving problems[11].

Then Dye in Nugroho (2014) divides the policy stages into six phases, the first is problem identification, the second is agenda setting, the third is policy formulation, the fourth is policy legitimation, the fifth is policy implementation, the sixth is policy evaluation. From the above opinions it can be seen the stages put forward by experts are almost the same, and there are three main stages in public policy namely policy formulation then policy implementation and finally policy evaluation[11].

Based on the opinions of the experts above, this research will discuss one of the main stages in public policy. The Role of Civil Servant Investigators (PPNS) in the Implementation of the Director General of Sea Transportation Regulations No: KP.222/DJPL/2019 concerning SOPs for handling shipping crimes in supporting duties principal and functions of bitung class II sea and coast guard base for enforcement of Law No.17.Tahun 2008 concerning shipping[12].

**Implementation of Public Policy**

After a policy is formulated, the next step is of course to implement the policy. Regarding policy implementation, Nugroho (2014) states: "The plan is 20% success, implementation is the remaining 60%, the remaining 20% is how we control implementation"[11].

Policy implementation is the hardest thing, because here problems that are sometimes not found in the concept, appear in the field. In addition, the main threat, is the consistency of implementation. Seeing that implementation is a task that consumes the most resources, the task of implementing policies also deserves more attention.
Sometimes in the practice of public policy processes, there is a view that implementation will be able to run automatically after successful policy formulation. Nugroho (2014) states that the implementation of policies that often occur in Indonesia, one of which is "So far, we have assumed that if a policy has been made, implementation will work by itself". Sometimes most of the resources are spent on planning when it is precisely the stage of policy implementation that should consume the most resources, not the other way around[11].

Policy implementation in principle and simply can be interpreted as a way for a policy that has been formulated to achieve its goals. To implement public policy, there are two choices of steps that exist, namely directly implementing in the form of a program or through the formulation of derivative policies or derivatives of the public policy. The series of policy implementation can be observed clearly, starting from strategy, to programs and activities. The model adapts mechanisms in management, especially public sector management. Policies are derived in the form of strategies which are then translated into programs, and finally manifest in activities carried out by the government, the community and the private sector, as well as the cooperation of the three.

Meter and Horn in Winarno (2007) define the implementation of public policy as actions in previous decisions. These actions include efforts to convert decisions into operational actions within a certain period of time as well as in order to continue efforts to achieve big or small changes determined by policy decisions made by public organizations directed at achieve the goals that have been set[8].

As for the meaning of implementation according to Mazmanian and Sabatier as quoted in the book Solihin Abdul Wahab (2002), says that: Implementation is understanding what actually happens after a program is declared valid or formulated is the focus of attention on policy implementation, namely the events and activities that arise after the ratification of the State policy guidelines covering both efforts to administer them as well as to create real consequences/impacts on society or events[5].

From the various meanings above, it can be interpreted that the implementation of public policy is an action or method carried out by the government based on a policy that contains objectives and targets set or identified by policy decisions that have been mutually agreed upon so that an appropriate result will be obtained with goals and objectives.

**Investigators**

It is a single investigative agency, but for investigators it is not single, because it is still possible to have assistant investigators. According to Article 6 paragraph (1) of the Criminal Procedure Code it is stated: "An investigator is an official of the Indonesian National Police who is authorized by this law to conduct an investigation". Investigators, both in carrying out actions that are under the authority or on orders from investigators, must submit a report on the results of the implementation of these actions and then submit the report to the investigator (Article 5 paragraph (2) of the Criminal Procedure Code). Article 1 sub 5 (KUHAP) reads: "Investigation is a series of investigative actions to search for and find an event that is suspected of being a criminal act in order to determine whether or not an investigation can be carried out according to the method stipulated in this law". If so, it can be said that the investigation is the initial action of the officer to study the problem of a crime which is known because of reports, complaints or other information. The investigation as mentioned above, carried out by the Investigator, for details will be described below. Institutions that have the authority to carry out investigations according to Article 6 of the Criminal Procedure Code are a) Officials of the
Indonesian National Police; b) Certain civil servant officials who are given special authority by law, such as: customs and excise officials, immigration officials and forestry officials[3].

Certain Civil Servant Investigators have authority in accordance with the law which forms their legal basis and in carrying out their duties are under the coordination and supervision of Polri investigators (Article 7 paragraph (2) of the Criminal Procedure Code)[3].

Article 282 Law Number 17 of 2008 reads 1) In addition to investigators from the Indonesian National Police and other investigators, certain civil servant officials within agencies whose scope of duties and responsibilities are in the field of shipping are given special authority as investigators as referred to in this law ; 2) In carrying out their duties certain civil servant officials as referred to in paragraph (1) are under the coordination and supervision of investigators from the Police of the Republic of Indonesia. Investigation is a series of investigative actions in matters and according to the methods regulated in this Law to seek and collect evidence with which evidence sheds light on the criminal acts that have occurred and to find suspects. While the person is called the Investigator[2].

Civil Servant Investigators (PPNS)

KPLP has the task of formulating and implementing policies, standards, norms, guidelines, criteria and procedures, as well as technical guidance, evaluation and reporting in the field of patrols and security, safety supervision and Civil Servant Investigators (PPNS), orderly shipping, disaster management and under construction, water, sea and coast guard facilities and infrastructure.

Decree of the Minister of Transportation Number KM 24 of 2001 concerning the Organization and Work Procedure of the Ministry of Transportation stipulates in article 345 that the Directorate of Guard and Rescue has the following functions: 1) Preparing the formulation of policies in the field of security, patrolling, disaster and pollution prevention, orderly waters and ports, salvage and underwater work, preparedness of means of protection and rescue. 2) Preparation of the formulation of guidelines, norms, criteria and procedures in the field of security, patrols, disaster management and pollution, orderly waters and ports, salvage and underwater work, preparedness of guard and rescue facilities. 3) Provision of technical guidance in the field of security patrols, handling of disasters and pollution, orderly waters and ports, salvage and underwater work, preparedness of means of guarding and rescue[13].

In implementing the KPLP it is formed and responsible to the President and technically it is operationally carried out by the Minister. In this case the Minister in question is the Minister of Transportation.

According to Ministerial Decree Number 65 of 2002 which has been amended by PM.No.119 of 2021 concerning the Organization and Work Procedure of the Sea and Coast Guard Base, KPLP is given operational support facilities to carry out maritime security patrols in the form of patrol boats, wharves, command rooms and guard communications sea and coast as well as other supporting facilities[1].

In carrying out its duties, the KPLP has the authority as a Civil Servant Investigator (PPNS). According to Government Regulation Number 27 of 1983 concerning Implementation of the Criminal Procedure Code as amended by Government Regulation Number 58 of 2010 concerning Amendments to Government Regulation Number 27 of 1983 concerning Implementation of the Criminal Procedure Code of Civil Servant Investigators (PPNS) are certain civil servants as referred to in the Criminal Procedure Code both at the central and
regional levels who are given special authority by law and in carrying out their duties are under the coordination and supervision of investigators from the Indonesian National Police.[14].

According to Law Number 17 of 2008 Article 283 concerning Civil Servant Investigators (PPNS) has the authority, namely a) to research, search and collect information in connection with criminal acts in the field of shipping; b) Receiving a report or statement from someone regarding a criminal act in the field of shipping; c) Calling people to be heard and examined as suspects or witnesses; d) Arrest and detain people suspected of committing criminal acts in the field of shipping; e) Requesting information and evidence from people suspected of committing criminal acts in the field of shipping; f) Taking pictures or recording through audiovisual media of people, goods, ships or anything that can be used as evidence of criminal acts in the field of shipping[2].

Civil Servant Investigating Officers (PPNS) have an identification card issued by the Minister and the card is the legitimacy of authority in carrying out their functions and duties.

C. Method

This study used a qualitative research method with purposive sampling. The research location is the Class II Coastal Marine Guard Base Office, Bitung City. Sugiyono (2019) states that the qualitative research method is a research method based on the philosophy of postpositivism, used to examine the condition of natural objects[15].

The focus of his research is 1) The Role of Civil Servant Investigators (PPNS) in the Implementation of Law no. 17 of 2008 in Supporting the Main Duties and Functions of Class II Bitung Coast Guard Base; 2) What obstacles were encountered when carrying out the Role of Civil Servant Investigators (PPNS) in the Implementation of Law no. 17 of 2008 in Supporting the Main Duties and Functions of Class II Bitung Coastal Sea Guard Base.

Sources of data were obtained from informants, observations and documents using data analysis techniques in the form of Data Reduction, Data Presentation and Drawing Conclusions. The data validation techniques used are Credibility, Transferability, Dependability and Confirmability.

D. Result and discussion

The Role of Civil Servant Investigators (PPNS) in the Implementation of Regulation of the Director General of Sea Transportation No: KP.222/DJPL/2019 in Supporting the Main Duties and Functions of Bitung Class II Coastal Sea Guard Base for Enforcement of Law no. 17 of 2008 concerning Shipping

Policies should be carried out by functioning them to deal with various existing problems. Functioning a policy, not making it a big machine that is functioned with a mindset that is only on how to justify the violators of the policy, while we forget how to solve problems by using policies as social institutions and properly enforcing rules that are oriented towards solving logical problems that should be by applying these rules logically and rationally not for momentary (personal) interests.

Siregar (2016), discusses the views of Van Meter and Carl E Van Horn who put forward six aspects that influence policy implementation, namely first: policy standards and targets; both resources; thirdly inter-organizational communication and activity strengthening; the four characteristics of implementing agents; the five implementor dispositions; and the sixth social, economic and political conditions[16]. Damanik (2005), writes that for the smooth implementation of policies, dissemination needs to be carried out with four management requirements for policy dissemination as follows: (1) public respect for government authority
to comply with policies; (2) awareness to accept the policy; (3) public belief about the legitimacy of the policy; (4) the preconditions of public perception[17].

Based on the explanation of the concept above, it can be concluded that the process of implementing the policy actually does not only involve the behavior of administrative agencies responsible for implementing the program and eliciting adherence to the target group, but also involves a network of political, economic and social forces that directly or indirectly can affect the behavior of all parties involved, and which ultimately affects the impact – both intended and unexpected (spillover/negative effects).

Port services that must be carried out by every employee, especially in the Class II Bitung PLP Base environment, are very important because they involve security, especially the problem of life safety for users of transportation or shipping services. Shipping in terms of working time and discipline in terms of arrangements related to transportation issues, both goods and human transportation, in this case Government policies must be carried out in accordance with implementing instructions supported by loyalty of course which will encourage the effectiveness of the expected results, both by the Government itself as a regulator and for the safety of passengers and goods. (Stakeholders/public).

From focus I, based on data collected both primary and secondary, it shows that the application of sanctions is found when incomplete ship documents are found during shipping safety surveillance operations: from the data there is found to be a lack of documents or a complete lack of certificates and equipment other safety measures procedurally, an official report has been made and sanctions and sanctions have been given.

Regarding the implementation of sanctions when incomplete ship documents are found during shipping safety surveillance operations, they have not been strictly enforced. From the existing data it was found that there were ships whose documents did not exist, had expired, but for further action because in the shipping law there are 2 systems of criminal and administrative action. If it is only limited to a certificate, an official report is usually made in the form of an administrative action. If it's a criminal case, a BAP should be made.

From the data it shows that for prosecution problems when carrying out shipping safety patrol operations when it is found that a ship has complete documents, there are things that have not been fulfilled. inspection of the ship after we put it in the ship inspection report on the ship's data we find that there are documents that have not been or have not been fulfilled or have not met the first requirements by giving a warning in the form of a strong warning to complete or even fulfill the existing conditions in accordance with the applicable laws and regulations applies in Indonesia and if after being given a strong warning or in the form of guidance it is not heeded, it means that it can be continued to the level of investigation and investigation regarding violations of the shipping rules.

The authority of the KPLP in article 278 of Law no. 17 of 2008 concerning Shipping and whether the ships inspected include ships with foreign flags passing through Indonesian territory, namely: Referring to Law Number 17 of 2008 it contains the authority of sea and coast guards as mandated in Article 276 it can be analyzed regarding the authority of the sea and coast guards, namely there are 4 namely as follows; (1) carry out sea patrols, (2) carry out instant pursuit or hot persuit when there is a ship that we suspect has violated a shipping crime, the ship in this case can be chased immediately even if the ship has run out of Indonesian territory, of course in coordination with foreign countries, then other authorities mandated by Law 17 article 278 namely stopping ships and conducting inspections at sea. Then do an investigation. Based on regulations when it comes to the sea, of course there is international law of the sea that is regulated internationally and Indonesia is part of a country that always ratifies
international provisions, of course, as mandated by the KPLP Law, all ships can inspect all ships, even if they are foreign ships and to the knowledge of countries outside the coastguard, they are under the government's directive general of sea communications. There are also findings, namely: in enforcing the authority of the KPLP referring to article 278 of Law Number 17 of 2008 concerning Shipping, namely there are problems for enforcement on ships with foreign flags which tend to be rather difficult because of the Flag State, according to the provisions the officer must first coordinate with the country of origin of the flag because when the flag is located, it is likened to a country that is running.

The authority possessed by investigators of Civil Servant Investigators (PPNS) in committing shipping crimes based on the Regulation of the Director General of Sea Transportation Number KP.222/DJPL/2019 concerning Standard Operational Procedures for Handling Shipping Crimes by Civil Servant Investigators within the Directorate General of Sea Transportation is receiving reports or information, researching and searching, calling people for information, making arrests, looking for evidence, taking pictures of documentation, confiscating, stopping investigations in the field of shipping. As Civil Servant Investigators (PPNS) the authority there is not just to carry out the enforcement process before finding a case the officer must research and collect information on existing information, especially in the field of shipping safety, we must receive reports from several sources or we call people to hear or when officers make arrests while carrying out patrols, because indirectly Civil Servant Investigators (PPNS) attached to the position of ship commander can ask for information and evidence suspected of taking pictures searching confiscating objects involved in shipping crimes.

**Factors Influencing the Role of Civil Servant Investigators (PPNS) in the Implementation of Regulation of the Director General of Sea Transportation No: KP.222/DJPL/2019 in Supporting the Main Duties and Functions of Class II Bitung Coastal Sea Guard Base for Enforcement of Law no. 17 of 2008 concerning Shipping**

Ship Accident tragedies at sea caused by a lack of resources are of particular concern. There are many causes, ranging from overloading, bad weather, to collisions between ships. This demands the need for improvement and improvement in the system of work procedures and shipping safety.

Then not all investigators of Civil Servant Investigators (PPNS) understand their duties, this is revealed in the data above by the Head of Class II Bitung PLP Base, this statement can be seen in the minutes of inspection and administration of the investigation, with this, training is needed for an investigator, must understand this mandatory right until the court decides. Furthermore, there has never been a shipping crime handled by Civil Servant Investigators (PPNS) that can reach court, can be delegated to investigators of the public prosecutor up to P 21, so to my knowledge Civil Servants Investigators (PPNS) will be better if there are cases those who are delegated usually carry out an improvement task, so it may take a lot more Civil Servant Investigators (PPNS) so that they form a team and are also supported by a structure because at the base office it seems that there is no Civil Servant Investigators (PPNS) team, PPNS is only attached to individuals -personal.

In addition to the accident problem, another problem related to Illegal Fishing is a continuous problem that does not stop happening. The practice of illegal fishing is an illegal activity that can occur in every fishery (marine) both small and large scale (industry) which is contrary to laws and regulations. Activities without permits or using fake permits in fishing in the sea area which is a factor in the reduced number of fish in the North Sulawesi region. Such
as weak permits and supervision at sea, there is no common vision between agencies in dealing with Illegal Fishing, lack of supervision from various sectors who serve as law enforcers at sea makes Illegal Fishing cases more impactful on the country's economy.

The condition of the human resources in the Civil Servant Investigators (PPNS) team at PPLP Class II Bitung was not able to perform as optimally as possible because there was still a shortage of porcelain in handling cases that occurred in the Bitung area where indeed there were not too many fleets. This triggers the delegation of cases to related parties, namely the police. So that in this condition there is no deterrent effect from the perpetrators because there are cases that have been referred to because of a crime that will become an administrative case. The determinant factor in achieving the effectiveness of implementation of the Regulation of the Director General of Sea Transportation No. 222 of 2019 concerning the role of Civil Servant Investigators (PPNS) in carrying out the main tasks of Bitung Class II Sea and Coast Guard Base which was encountered namely first is that the human resource factor is still lacking, then stakeholders who lack of understanding of the rules will interfere with the implementation of tasks in the field, this can be seen when officers provide an understanding of shipping safety when carrying out investigations because many people do not really understand about this safety so that sometimes there are also arguments, the community does not want to be regulated by us as lifeguards on duty, this is also one of the weaknesses is the communication factor regarding weak rules, being the second factor, then the second factor is the bad weather factor, very influential in carrying out the task. Furthermore, the mental factors of the investigating officers, there are internal and external causal factors. In particular, the constraints on the Bitung KPLP fleet are that the five fleets have the same constraints related to the number of ships, because all of Indonesia is divided into 5 (five) bases, the area of Bitung is very wide, starting from Sorong, Kalimantan to Sulawesi itself, the Bitung KPLP only has a fleet that can reach only 2 (two) Class I KN ships. Gandiwa P. 118 and class II KN ships. Pasatimpo P. 212 has a lot of problems when it comes to problems with the fleet.

E. Conclusion

Based on the results of the research and discussion mentioned above, the authors conclude several things as follows:

1. Enforcement with sanctions when incomplete ship documents are found when carrying out shipping safety supervision operations has not been strictly implemented to the fullest. From the existing data, it was found that there were vessels whose documents did not exist or had expired/the operating permit period had expired.

2. Not all Civil Servant Investigators (PPNS) understand their duties, this was revealed in the data above by the Head of Class II Bitung PLP Base, this statement can be seen in the minutes of inspection and administration of the investigation.

3. Not yet maximally implementing Regulation of the Director General of Sea Transportation No: KP.222/DJPL/2019 in Supporting the Main Duties and Functions of Bitung Class II Coastal Sea Guard Base for Enforcement of Law no. 17 of 2008 concerning Shipping because there has never been a shipping crime handled by Civil Servant Investigators (PPNS) who have been able to reach court.

4. There are determining factors in carrying out the implementation of the Regulation of the Director General of Sea Transportation, namely: communication, resources, weather, responsibility and morale, as well as mentality and ship infrastructure as a support.
References


