



# Law Enforcement Against Unauthorized Access to Security Restricted Area (A Study at Sepinggan Airport Balikpapan)

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**Abstract:** This study examines law enforcement against individuals who enter the Security Restricted Area without authorization at Sultan Aji Muhammad Sulaiman Sepinggan Airport in Balikpapan. The research identifies five contributing factors to the violations: the change in status of certain areas from Security Restricted Area to Controlled Area; substandard perimeter fencing conditions; inconsistent entry permit checks by aviation security personnel; low public awareness—with 79% of respondents unaware of the definition of a Security Restricted Area and 84% unaware of the penalties for violations; and the historical and economic background of fishermen who have inhabited the area since 1975. Although regulations stipulate penalties for violators, in practice law enforcement has been well to verbal warnings without firm criminal sanctions. Barriers to enforcement include a lack of assertiveness from aviation security personnel who are still permissive, and insufficient public dissemination of regulations. The study recommends enhanced supervision, strengthened regulatory frameworks, and public education to improve the effectiveness of law enforcement in ensuring aviation security.

**Keywords:** Airport Security, Aviation Law, Law Enforcement, Security Restricted Area.

## 1. Introduction

The national aviation administration system places security and safety as fundamental and strategic components. Through a regulatory framework, government coordination integrates the implementation of civil aviation safety and security services via a comprehensive supervision mechanism that includes regulation, control, and oversight. This spans from the development, utilization, to the advancement of the air transportation system in order to realize optimal, efficient, orderly, and interconnected safety and security standards with other modes of transportation. (*Permenhub No PM 33 Thn 2015 Ttg Pengendalian Jalan Masuk (Access Control) Ke Daerah Keamanan Terbatas d*, n.d.) To ensure flight safety, areas surrounding airports are designated as Security Restricted Areas (SRA). This designation reflects the aviation authority's commitment to enforcing strict security standards in accordance with national and international aviation regulations. The implementation of access restrictions aims to prevent potential disruptions to flight operations and minimize the risk of accidents that could endanger human lives.

Article 432 of Law Number 1 of 2009 on Aviation stipulates criminal sanctions of up to 1 year of imprisonment or a maximum fine of IDR 500,000,000 for any individual who enters a Security Restricted Area without an entry permit or an airline ticket, as referred to in Article 334 paragraph (1). (*UU No 1 Thn 2009 Ttg Penerbangan*, n.d.) However,

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field observations conducted on July 30 and August 9, 2023, revealed that unauthorized individuals continued to enter and traverse the Security Restricted Area at Sultan Aji Muhammad Sulaiman Sepinggan Airport in Balikpapan. These intrusions were particularly evident near the inner fence adjacent to Runway 25, where persons unaffiliated with airport operations were observed accessing the restricted zone. Despite clear legal provisions, aviation security personnel (Avsec) and Indonesian Air Force (TNI AU) officers responded merely with verbal warnings, refraining from imposing the criminal sanctions prescribed by law (Muhdar, n.d.) This discrepancy between regulation and enforcement practices underscores a critical gap in the operationalization of aviation security standards. The suboptimal application of legal sanctions raises significant concerns regarding the effectiveness of the aviation security system and its ability to deter future violations.

It also brings into question the extent to which legal norms are internalized and consistently applied across aviation security personnel. Therefore, a comprehensive analysis is imperative to uncover the underlying causes of these enforcement inconsistencies and to evaluate their impact on the overall effectiveness of national aviation security protocols. This study seeks to address the central research question: To what extent does the inconsistent enforcement of criminal sanctions against violations of access to Security Restricted Areas affect the effectiveness of aviation security systems nationwide? (Zahra, 2025 )

## 2. Materials and Methods

The research approach used in this study is based on an analysis of law enforcement practices against individuals entering the Security Restricted Area at Sultan Aji Muhammad Sulaiman Sepinggan Airport in Balikpapan. This study applies a socio-legal research method, combining a statutory approach, case studies of legal facts in the field, and analytical methods. Socio-legal research is a legal research approach that involves direct interaction with society. (Amin et al., 2022) It seeks to understand the social, economic, and political impacts to examine how the law operates and how it affects the implementation and compliance with legal norms in social life. This method is also referred to as empirical legal research. (Di et al., 2022a) The study uses both primary and secondary data sources. Primary data consists of information obtained from respondents or from direct observation of specific facts that reveal essential information. In this study, the primary data were collected through field research conducted at SAMS Sepinggan Airport in Balikpapan, using purposive sampling to select respondents. Purposive sampling is a sampling technique where respondents are chosen based on specific criteria that align with the objectives of the research.

The selected sample—comprising fishermen and visitors who entered the Security Restricted Area—represents a population with direct and recurring interactions with the restricted zone, making them legally and socially relevant to the issue of unauthorized access.

This representation allows for the exploration of both legal non-compliance and the socio-cultural context behind these violations, which are critical to evaluating the effectiveness of aviation security law enforcement.

The respondents include: (a) The Head of the Airport Authority Office Region VII Balikpapan, (b) The General Manager of Angkasa Pura Indonesia, Balikpapan Branch, and (c) Individuals (fishermen and visitors) who entered the Security Restricted Area without authorization. Secondary data refers to legal sources divided into three hierarchical levels: (a) Primary legal materials (e.g., legislation and statutory regulations), (b) Secondary legal materials (e.g., law journals and books), and (c) Tertiary legal materials (e.g., legal dictionaries and encyclopedias).

The analytical method employed is a mixed-method approach, combining qualitative and quantitative analysis. The collected data and information are systematically processed and presented to answer the research questions, supported by numerical data to verify assumptions or identify specific patterns. (Putra Atmadja et al., 2018) The study considers several factors affecting law enforcement, including legal norms, infrastructure and facilities, law enforcement officers, cultural elements, and the surrounding community—factors that influence individuals to enter the Security Restricted Area without authorization at Sultan Aji Muhammad Sulaiman Sepinggan Airport.

Furthermore, the study comprehensively examines law enforcement in accordance with Law Number 1 of 2009 on Aviation, particularly regarding the criminal offense of entering a Security Restricted Area without authorization at Sultan Aji Muhammad Sulaiman Sepinggan Airport. (Liber Sonata, 2014) The research analyzes the effectiveness of sanction implementation, law enforcement procedures, and the consistency of enforcement by authorized officials, considering the level of regulatory compliance and the impact on security and order in the airport area. (Yusuf et al., n.d.) The choice of respondents is intended to reflect both a legal subject (as violators under the Aviation Law) and a socially embedded group whose actions are shaped by historical, occupational, and recreational ties to the restricted area. By examining both legal infractions and underlying social dynamics, this study evaluates whether the current enforcement model adequately reflects the realities on the ground.

The population includes 34 individuals, grouped as follows: (a) 22 fishermen: residents of RT 19, Sepinggan Raya, members of the Sinar Jaya Sepinggan Fishermen Cooperative (KUB), relying on daily access to coastal areas. (b) 12 visitors: individuals entering for recreation (fishing, sightseeing, plane spotting).

Using the Djarwanto formula at a 15% precision level and proportional allocation, 19 respondents were selected (12 fishermen and 7 visitors). (Penegakan Hukum Pidana Terhadap Warga Masyarakat Yang Melakukan Kegiatan Tanpa Izin Di Bandar Udara Berdasarkan Undang-Undang Nomor 1 Tahun 2009 (Studi Di Bandar Udara Internasional Supadio Kubu Raya), n.d.) Based on the total population of 34 individuals, 19 were selected as respondents—consisting of 12 fishermen and 7 visitors—who entered the Security Restricted Area without authorization, especially within the fence before Runway 25.

### 3. Results and Discussion

#### 3.1 Legal Factors in Statutory Regulations

An analysis of regulatory aspects shows that the legal framework governing the Security Restricted Area at SAMS Sepinggan Airport in Balikpapan is adequate. Law Number 1 of 2009 on Aviation, along with its derivative regulations, governs the designation of Security Restricted Areas at each airport. The implementation of these regulations is reinforced by Minister of Transportation Decree No. KM 39 of 2024 concerning the National Aviation Security Program (PKPN). (Bendi et al., 2023) The change in status of areas around Pantai Seraya and the Runway 25 approach lighting system from Security Restricted Area to Controlled Area reflects regulatory adaptation based on risk assessment. PKPN defines a Security Restricted Area as a high-risk airside zone requiring strict security controls. (Abdullah & Hakim, n.d.) Meanwhile, a Controlled Area is defined as an area of aviation operational support facilities outside the Security Restricted Area that still requires security measures.

Controlled Areas are not part of Security Restricted Areas. Consequently, violations in Controlled Areas cannot be subjected to criminal sanctions as provided in Article 432 of the Aviation Law, which applies only to violations within Security Restricted Areas. (Sulastri, 2022) According to Soerjono Soekanto's theory of law enforcement, regulatory aspects are not considered an obstacle to law enforcement at the research site. The principles of the validity of statutory regulations have been well adhered to. The implementing regulation of the Aviation Law has been effectively enforced through Minister of Transportation Regulation No. PM 9 of 2024 on National Aviation Security. (Di et al., 2022b) The terminology used in the regulation clearly distinguishes between Security Restricted Areas and Controlled Areas.

#### 3.2 Infrastructure and Security Facility Factors

Field observations reveal significant weaknesses in security infrastructure and facilities. The security system employs a double fence, with two layers of barriers: the first layer encloses the Controlled Area, while the second encloses the Security Restricted Area. (Keputusan DJPU No PR 22 DJPU Thn 2024 Ttg Pedoman Teknis Penilaian Ancaman Keamanan Penerbangan, n.d.) The condition of the fencing indicates security vulnerabilities that allow unauthorized access. The research documented a gap in the Security Restricted Area fence approximately 1.5 meters wide, large enough for an adult to pass through easily. This condition violates Article 4 paragraph (2) of Minister of Transportation Regulation No. PM 167 of 2015, which requires the perimeter fencing of international airports to be gap-free from bottom to top.

Observations also confirmed violations in the Security Restricted Area. The study recorded individuals conducting plane spotting within the restricted zone and observed three individuals with fishing equipment entering the area. Fishing boats were also found moored very close to the fence. Using Soekanto's theory, the condition of facilities and infrastructure is a major impediment to law enforcement. Enforcement cannot be optimal without adequate support systems. (Peraturan Direktur Jenderal Perhubungan Udara Nomor KP 199 Tahun 2017, n.d.) The weak perimeter security system requires spe-

cial attention from airport management, and improvements must consider fairness for local fishermen who depend on sea access for their livelihood.

### 3.3 Law Enforcement Personnel Factors

The law enforcement system in the aviation sector involves both the Indonesian National Police (Polri) and Civil Servant Investigators (PPNS). Article 399 of the Aviation Law grants special investigative authority to civil servants in aviation agencies. In practice, they operate under the coordination and supervision of the police. PPNS from the Directorate General of Civil Aviation perform both investigative and preventive functions and collaborate with Aviation Security Personnel (Avsec) to implement preventive security measures. (*Permenhub No PM 9 Tahun 2024 Tentang Keamanan Penerbangan Nasional*, n.d.) Although Avsec officers are not classified as law enforcers, they bear primary responsibility for aviation security. Minister of Transportation Regulation No. PM 33 of 2015 outlines Avsec duties, including checking entry permits for Security Restricted Areas. They have the authority to deny access to those without valid permits. However, research findings show that no entry checks were conducted on individuals entering the restricted area via unofficial routes.<sup>T</sup>

his reveals a weakness in the execution of Avsec duties. The double-fence system should allow for entry checks in the Controlled Area before access to the restricted zone. (Allott, n.d.) Yet in practice, Avsec only intervenes if sabotage is suspected, while community access to the Controlled Area is tolerated as a "diplomatic" gesture toward locals. The analysis shows that Avsec personnel prioritize sabotage threats over unauthorized access violations, despite both being unlawful acts under aviation security regulations. Inconsistency and lack of firmness in checking entry permits are key barriers to effective law enforcement.

### 3.4 Community Factors

A survey of 19 respondents, comprising fishermen and visitors, revealed low public understanding of the Security Restricted Area. 79% of respondents did not understand airport area classifications or the meaning of a Security Restricted Area. Furthermore, 84% were unaware of the penalties for unauthorized entry. Public awareness was also low: only 26% of respondents admitted to entering the restricted area without permission, despite field observations showing that all had violated access rules. This disparity reflects a lack of awareness about their own actions. (*Instruksi Menhub No IM 4 Thn 2016 Ttg Pemeriksaan Keamanan Penerbangan Terhadap Orang Perseorangan, Kar*, n.d.) Community perceptions of the security system also showed contradictions. 68% believed the security system was strict, and 74% felt the boundary information was clear. However, 32% still considered security lax due to limited personnel and many unaddressed violations. These findings highlight that limited legal awareness is a significant barrier to law enforcement. Although most respondents could identify physical and visual warnings, these were ineffective in preventing violations. This aligns with Soekanto's theory that effective law enforcement depends on adequate legal awareness among the public.

### 3.5 Cultural Factors

An analysis of cultural factors reveals complex issues based on violators' characteristics. The fishermen group has a historical and economic background distinct from that of visitors. They have inhabited the area since 1975, prior to airport expansion, and faced multiple relocations due to the airport's growth through the 1990s. Around 22 fishermen from the Sinar Jaya Sepinggan Fishermen Group rely on coastal access near the airport for their livelihoods. Click or tap here to enter text. They built mooring posts along the lower reaches of the Sepinggan Baru River. To reach the sea, especially during low tide, they must pass through the restricted zone. The fishermen believe the moorings were provided by the airport authority and therefore feel entitled to use them. However, the airport security confirmed that no such support was given, indicating a communication gap or misinformation among the fishermen.

The visitors were mostly young people interested in observing aircraft up close, particularly in the afternoon and on weekends. Some engaged in plane spotting as a hobby in photography and videography. However, not all were aware of restricted area boundaries and unintentionally committed violations. Others entered the restricted zone for better fishing spots, purely motivated by convenience and unaware of the legal and safety implications. Using Soekanto's framework, cultural factors significantly hinder law enforcement. Click or tap here to enter text. Historical, occupational, economic, and recreational values clash with legal boundaries. For fishermen, these create a conflict between survival needs and security rules. For visitors, the recreational motive indicates ignorance of legal consequences. The complexity of cultural factors calls for approaches that consider the social, economic, and cultural context of the community. Effective law enforcement cannot be achieved without addressing the cultural roots of these violations.

### 3.6 The Role of Civil Servant Investigators and Aviation Security Personnel

The handling of alleged aviation regulation violations in Indonesia follows Standard Operating Procedures (SOP) issued by the Directorate of Aviation Security (DKP) under the Ministry of Transportation. These procedures apply to all aviation entities, including airport authorities, airports, airlines, and regulated agents. (UNDANG-UNDANG REPUBLIK INDONESIA NOMOR 8 TAHUN 1981 TENTANG HUKUM ACARA PIDANA, n.d.) The legal basis for issuing these SOPs is found in Articles 46 and 48 of the Directorate General of Civil Aviation Regulation No. KP 199 of 2017. This regulation authorizes Civil Servant Investigators (PPNS) and Aviation Security Personnel to prepare and draft regulatory materials related to civil aviation criminal investigations. The process begins with a report of an incident or suspected violation. Reports may come from five main sources: (a) Airline Avsec Personnel, (b) AirNav Avsec Personnel, (c) Regulated Agent Avsec Personnel, (d) Airport Avsec Personnel, (e) Public reports.

Each report is followed up by an ad hoc investigative team, which reviews the case and compiles findings into a report for verification. There are three possible outcomes from verification: (a) If there is no indication of a criminal offense, the case proceeds administratively. (b) If a general crime is suspected, the case is forwarded to the police. (c) If

an aviation-related offense is suspected, it is escalated to the Airport Aviation Security unit.

The Airport Avsec team then forms an Airport Investigation Team, which conducts a deeper investigation and issues a verification report. If a violation is confirmed, the case is escalated to the Airport Authority Investigation Team, a permanent unit within the organizational structure. This team performs in-depth investigation and delivers final verification. If a violation is proven, the case is forwarded to the Head of the Airport Authority and the Aviation Security Directorate for assignment to a Civil Servant Investigator (PPNS). This separation of handling between general and aviation-specific crimes is based on Article 399 (1) of the Aviation Law, which grants specific investigative authority to Civil Servant Investigators in aviation.

The Subdirectorate of PPNS under DKP issues investigation orders (Sprindik) and assignment letters (Springas) naming the investigators assigned. These investigators operate independently and are not bound by regional jurisdictions. However, Article 399 (2) also states that PPNS in aviation are under the coordination and supervision of the national police. Click or tap here to enter text. Once Sprindik and Springas are issued, investigators perform their duties according to the Criminal Procedure Code (KUHAP) and the Aviation Law's investigation chapter. The study uncovered that at SAMS Sepinggan Airport, no cases have ever reached the P21 stage (transfer of case files to prosecutors). Handling of alleged aviation crimes has only reached the reporting stage, without proceeding to prosecution. This occurs due to: (a) No reports from Avsec or the public. (b) No offenders caught in the act by PPNS.

As a result, prosecution cannot proceed due to the absence of initial reporting, arrest, or investigation. According to Robert B. Seidman's theory of law enforcement, those in authority do not act solely based on normative functions but are influenced by social and personal factors. Sociological and psychological dimensions shape how officials carry out their roles in the law enforcement system. One key obstacle is the permissive attitude of Avsec personnel, who fail to check entry permits of unauthorized individuals. This is worsened by the weak preventive enforcement by airport authorities. The fence before Runway 25 is left open, allowing access without oversight. This indicates the need to improve both preventive and repressive enforcement mechanisms. Relying solely on deterrence without sociological considerations may provoke social resistance. The historical relationship between local communities and the airport must be considered. The airport should adopt a more utilitarian and inclusive approach, such as creating designated access routes for locals—especially fishermen—so they do not have to pass through restricted areas.

### 3.7 Obstacles and Mitigation Efforts

Aviation Security Personnel play a vital role in the success of law enforcement. They are the front line of airport security and hold a strategic position in determining the overall effectiveness of enforcement efforts. At SAMS Sepinggan Airport, Avsec officers serve as the first responders to security violations, tasked with identifying, documenting, and addressing breaches before cases move to the next legal phase. Their technical capacity and professional integrity are key determinants of the quality of legal proceedings.

The way initial incidents are documented forms the basis for decisions in later legal stages. Robert B. Seidman outlined a theoretical framework of how law operates: (a) Legal rules indicate the expected behavior of role-holders. (b) Their responses are shaped by the law, sanctions, institutional practices, and socio-political context. (c) Enforcement institutions' actions are influenced by these same factors. (d) Lawmakers' behavior is also shaped by the law, ideology, and feedback systems.

In this context, Avsec personnel and PPNS are the role-holders operating as state agents. They are expected to realize legal, governmental, and social aspirations. Soetandyo Wignjosoebroto observed that officers often show permissiveness toward violations. This behavior is influenced by the severity of the offense, the social context, the social status of the offender, and the nature of the violation. Socio-cultural factors must be considered in enforcing criminal law. Many unauthorized entrants are long-time residents near the airport. Local fishermen have lived along the Sepinggan Baru River since 1975. Socio-economic factors also complicate enforcement. Most violators are fishermen with modest incomes, making strict prosecution problematic and socially sensitive. Soerjono Soekanto identified five key obstacles to law enforcement: (a) Limited capacity to recognize the roles of others. (b) Low aspiration levels. (c) Weak long-term planning enthusiasm. (d) Inability to delay material gratification. (e) Lack of innovative capacity.

Avsec officers face challenges in recognizing their roles in broader law enforcement and in achieving optimal performance. This leads to poor enforcement of laws against unauthorized entry. The absence of follow-up creates a perception that the law is ineffective. Permissiveness leads to a flawed legal system in which violations are normalized. Implementing regulations fail to clearly guide law enforcers, creating a gap between legal prohibitions and enforcement. This inconsistency delegitimizes the legal system as a whole. To address this, Avsec personnel must implement a comprehensive strategy, including: (a) Persuasive approaches through legal education and socialization to increase public understanding. (b) Verbal warnings and expulsion for those who enter without permission. (c) Repressive action as a last resort (*ultimum remedium*) against persistent offenders.

This strategy is expected to optimize criminal law enforcement and ensure airport security and order. These goals can only be achieved if PT Angkasa Pura Indonesia, Balikpapan Branch, also implements Corporate Social Responsibility (CSR) programs. CSR may include: (a) Building special access roads and mooring facilities for fishermen. (b) Providing safe areas for plane spotters and anglers that do not require access to restricted zones. (c) Permanently closing vulnerable points along the restricted area and enhancing enforcement. This holistic approach is expected to resolve violations of the Security Restricted Area by considering the legal, social, and economic context. A balance between strict law enforcement and social sensitivity is key to successfully implementing aviation security at SAMS Sepinggan Airport.

#### **4. Conclusions**

This study identifies that the phenomenon of unauthorized entry into the Security Restricted Area at SAMS Sepinggan Airport in Balikpapan is driven by five main factors: inadequate security infrastructure, weak supervision by Aviation Security Personnel, low

public legal awareness, and socio-cultural elements such as the economic dependence of local fishermen and recreational activities around the airport area. Law enforcement against violations in the Security Restricted Area has proven ineffective due to the absence of reports from both Aviation Security Personnel and the public, the lack of enforcement operations, and the permissive attitude of officers, resulting in cases never progressing to prosecution. These findings indicate a fundamental gap between the community's socio-economic realities and the rigid requirements of aviation security regulations.

Therefore, Corporate Social Responsibility (CSR) initiatives by PT Angkasa Pura must take on a concrete and strategic role in bridging this gap. CSR programs should not merely be symbolic, but must include the construction of alternative access routes for fishermen, the development of designated observation areas for visitors, and the strengthening of legal awareness campaigns through inclusive community engagement.

Such initiatives can align community needs with regulatory compliance, ensuring that security standards are upheld without neglecting the livelihoods and social rights of surrounding populations. The integration of CSR into aviation security efforts reflects a balanced approach that not only reinforces the rule of law but also fosters sustainable co-existence between airport operations and local communities. These conditions demand a reform of the supervision system, increased consistency in law enforcement, and the provision of secure access routes as part of a Corporate Social and Environmental Responsibility (CSER) initiative for communities living near the airport area.

## 5. Patents

There are no patents resulting from the work reported in this manuscript.

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