

**PENANGGULANGAN PENCEMARAN LAUT AKIBAT LUMPUR MINYAK
DI WILAYAH YANG DIANGGAP SEBAGAI *OUTSIDE OF PORT LIMIT*
AREA BERDAMPAK TERHADAP WILAYAH PESISIR BINTAN
INDONESIA**

DISERTASI

Diajukan untuk memenuhi persyaratan
dalam rangka memperoleh gelar Doktor Ilmu Hukum



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ABSTRAK

PENANGGULANGAN PENCEMARAN LAUT AKIBAT LUMPUR MINYAK DI WILAYAH YANG DIANGGAP *OUTSIDE OF PORT LIMIT AREA* BERDAMPAK TERHADAP WILAYAH PESISIR BINTAN INDONESIA

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Penanggulangan pencemaran laut akibat lumpur minyak atau disebut juga *oil sludge* di wilayah yang dianggap sebagai *outside of port limit area* yang berdampak terhadap Pesisir Bintan Indonesia belum dilakukan. Kapal yang melakukan *anchorage* di area tersebut melakukan *illegal sludge oil discharge*. Pencemaran tersebut memberikan dampak negative terhadap pariwisata, ekonomi, biota laut, ekologi dan masyarakat, terutama masyarakat pesisir dan nelayan di Pesisir Bintan. Penanggulangan terhadap pencemaran tersebut harus segera dilakukan, sebagaimana diatur di dalam Pengaturan Internasional, Regional dan Pengaturan Hukum Indonesia. Adapun metodologi di dalam penelitian yaitu kualitatif dengan metode penelitian hukum empiris. Bahan hukum yang digunakan adalah bahan hukum primer, sekunder dan tersier yang dikumpulkan melalui penelitian lapangan dan kepustakaan yang dianalisa dengan cara preskriptif kualitatif. Adapun permasalahan yang dibahas yaitu, *Pertama*, bagaimana pengaturan perlindungan lingkungan laut akibat pencemaran lumpur minyak, *Kedua*, bagaimana pencemaran laut akibat lumpur minyak di *outside of port limit area* dan penanggulangannya. *Ketiga*, bagaimana pencemaran laut akibat lumpur minyak dan penanggulangannya, *Keempat*, bagaimana pencemaran laut akibat lumpur minyak di Segmen Timur 2 yang dianggap sebagai *outside of port limit area* yang berdampak terhadap Pesisir Bintan Indonesia dan penanggulangannya. Di dalam penelitian ini di peroleh, *Pertama*, Berdasarkan keseluruhan pengaturan internasional, regional, bahkan nasional belum mengatur mengenai *sludge oil* dari kegiatan *oil discharge* di OPL. *Kedua* Pencemaran laut akibat lumpur minyak di *outside of port limit area* disebabkan oleh kapal-kapal yang berlabuh jangkar atau *anchorage* di OPL. Sebagai upaya penanggulangan pembuangan limbah tersebut negara membentuk area OPL untuk dapat memantau kegiatan kapal di OPL, namun UNCLOS tidak mengatur mengenai OPL. Sehingga, batas port ditentukan sendiri oleh tiap negara. *Ketiga*, Penyebab Pencemaran laut akibat *oil sludge* terjadi karena adanya *illegal oil discharge* minyak. *Keempat* upaya penanggulangan pencemaran laut di OPL berdampak pada Pesisir Bintan dilakukan oleh Pemerintah Indonesia saat ini belum menghentikan pencemaran akibat *sludge oil* di wilayah yang terdampak. Dalam hal ini, tiga *littoral state* Indonesia, Malaysia dan Singapura perlu untuk melakukan kerjasama penanggulangan pencemaran laut akibat *sludge oil* di OPL area. Sehingga dapat ditemukan pencemarnya yang bersumber dari area Segmen Timur 2 yang dianggap sebagai OPL dan belum ditetapkan tapal batas antara Indonesia, Malaysia dan Singapura.

Kata Kunci : Penanggulangan, Pencemaran, Pesisir, Lumpur Minyak, *Outside of Port Limit*.

ABSTRACT

MARINE POLLUTION MANAGEMENT DUE TO OIL SLUDGE IN AREA CONSIDERED OUTSIDE OF PORT LIMIT AREA TO IMPACT ON BINTAN COASTAL AREA, INDONESIA

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Countermeasures for marine pollution due to oil sludge in an area that is considered as outside of port limit area affecting the Bintan Coast of Indonesia have not been carried out. Ships that anchor in the area illegally discharge oil sludge. The pollution has a negative impact on tourism, economy, marine biota, ecology and society, especially coastal communities and fishermen on the Bintan Coast. Countermeasures against such pollution must be carried out immediately, as regulated in International, Regional and Indonesian Legal Regulations. The methodology used in this research is qualitative with empirical legal research methods. The legal materials used are primary, secondary and tertiary legal materials collected through field and literature research which are analyzed in a qualitative prescriptive manner. The problems discussed are, First, how is the regulation of marine environmental protection due to oil sludge pollution, Second, how is marine pollution due to oil sludge outside the port area and its countermeasures. Third, how marine pollution due to oil sludge and its countermeasures, Fourth, how marine pollution due to oil sludge in the East Segment 2 which is considered as outside of port limit area that affects the Indonesian Bintan Coast and its countermeasures. In this study obtained, First, International, regional, and even national regulations have not regulated oil sludge from oil discharge activities in OPL. Second, marine pollution due to oil sludge outside the port area is caused by ships that anchor or anchor in OPL. As an effort to deal with the waste disposal, the state established an OPL area to be able to monitor ship activities in OPL, but UNCLOS does not regulate OPL. Thus, port boundaries are determined by each country. Third, the cause of marine pollution due to oil sludge occurs due to illegal disposal of oil. Fourth, efforts to deal with marine pollution in OPL affecting the Bintan Coast carried out by the Government of Indonesia have not stopped pollution due to oil sludge in the affected area. In this case, the three coastal countries of Indonesia, Malaysia and Singapore need to cooperate in tackling marine pollution due to sludge oil in the OPL region. So that pollutants can be found from the OPL East Segment 2 area as an area where boundaries between Indonesia, Malaysia and Singapore have not been established.

Keywords: Countermeasures, Pollution, Coastal, Oil Sludge, Outside of Port Limit.