

Investigation Of The Status Of The Natuna Marine Zone And Indonesian Oceanic Defense Technique Within The South China Ocean Debate

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Abstract

A country's borders and area have a huge affect on its sway. Proprietorship debate are a common source of regional clashes, especially in oceanic locales. Particularly, China's claims to the South China Ocean and Indonesia's sea sway within the Natuna Ocean cover. The reason of this investigate is to donate a more exhaustive understanding of the state of undertakings within the Natuna Ocean locale as well as Indonesia's eagerly for sea defense in connection to the South China Ocean struggle. Utilizing regulating lawful audit procedures, this examination was made. This ponder highlights Indonesia's oceanic sway based on related national laws and the 1982 UN Tradition on the Law of the Ocean (UNCLOS). In any case, China claims sway over the locale utilizing the Nine Dabbed Line Outline. In order to protect its sway and marine security within the Natuna Ocean, Indonesia must act rapidly to address this matter by reinforcing its equipped powers and discharging a challenge note. In this way, settling this oceanic debate and supporting Indonesia's position in ensuring its sway depend on an mindfulness of and adherence to worldwide law.

I. Introduction

The sovereignty of a country is very dependent on its position and territorial boundaries. A nation cannot be regarded as a subject of international law if its territory is unclear. Because national borders frequently lead to numerous territorial disputes between countries, a country's territory and borders must be clearly defined in order for it to be recognized under international law. Disputes include claims over land, sea, and even seizure of certain islands. Territorial disputes are often caused by claims of ownership of

territory by one country and the insistence on possession of bordering territory by neighboring countries.¹ Basically, the geographical position of a country that borders or is close to other countries can complicate these disputes, which can ultimately lead to tensions between neighboring countries.

Considering its association to the arrangements of the 1982 UN Tradition on the Law of the Ocean (UNCLOS), Indonesia's sea sway within the Natuna Ocean locale is an imperative and complex subject. State sovereignty is the main basis for the status of the Natuna maritime area as stipulated in UNCLOS in 1982. However, China's claims to this region, especially using the Nine Dotted Line Map, give rise to tensions and overlap with Indonesia's sovereignty based on international law. Apart from that, China's claims have also sparked conflict from several countries that also claim rights to the territory, because the political school of the Kuomintang believes that China occupies about 90%.

It is national interests are seen as being threatened by China's aggressive operations in the Natuna Sea, especially the economic EEZ which is an important resource for the progress and welfare of society, as well as Indonesia's sovereign rights in accordance with international maritime law.² China's actions also create a sense of insecurity among Indonesian citizens living around the North Natuna Sea, especially fishermen whose livelihoods have been disrupted. Apart from that, Indonesian and other ASEAN fishermen are threatened to be disturbed by China's claims, threatening Southeast Asian regionalism.

The Natuna Sea's abundance of natural resources that have the potential to spur economic growth frequently bring up concerns about illicit fishing and challenges to Indonesia's sovereignty there. Indonesia must make calculated moves in order to overcome this obstacle.³ Given this context, the author's interests are focused on learning about, monitoring, and comprehending the state military and security policies in the area. Under the heading "Analysis of the Status of the Natuna Sea Region and Indonesia's Maritime Defense Strategy in the South China Sea Dispute," the author brought up this global topic in a journal. The following is the formulation of the research problem:

1. In the Natuna Sea region, what is the current state of Indonesia's maritime sovereignty?
2. How does Indonesia utilize its marine defense plan to address issues within the South China Ocean?

2. Research Method

Knowing the degree of Indonesia's sea sway within the Natuna Ocean range and the nation's sea defense methodology with respect to the South China Ocean debate is the point of this research.⁴ An worldwide law approach is utilized to survey the debate and deterrents experienced in arrange to meet the ponder targets. To comprehend the significant lawful concerns, a standardizing juridical inquire about technique is utilized. Normative legal research includes, according to Soerjono Sekanto, studies of legal concepts, legal systematics, legal synchronization levels, and legal history. This study uses both primary and secondary data that are qualitative in character. Before making

conclusions, deductive processing and analysis are done on the data after it has been collected, working from general knowledge to particular elements.⁵

3. Results and Discussion

A. An diagram of Indonesia's standing within the Natuna Ocean as a sea majestic state.

a. The Natuna ocean area's status is sketched out within the 1982 Joined together Countries Tradition on the Law of the Ocean (UNCLOS).

Concepts Jean Bodin with George Jellinek are inextricably linked to state sovereignty. These two people helped to clarify the concept of state sovereignty. Jean Bodin, a prominent advocate of the sovereignty idea, characterized sovereignty as the state's unbridled power over its subjects and citizens, unhindered by the rule of law. Bodin went on to say that even while limited sovereignty exists both inside and outside of states, it is nonetheless the highest authority inside them.⁶

The three measurements of a nation's domain are discuss, ocean, and arrive. Concurring to the 1982 Tradition on the Law of the Ocean, states are in charge of their archipelagic waters. Majestic rights are frequently characterized as the capacity to utilize common assets in a certain domain. Imperial rights expand to the Mainland Rack, Elite Financial Zone, and Coterminous Zone, among other locales. Taking after the 1982 UN Tradition on the Law of the Ocean, too known as UNCLOS 1982, which adjusted and confirmed the 1958 Geneva Tradition on the Law of the Ocean, the Indonesian government sanctioned this enactment. Enactment Number 17 of 1985 concerning Declaration and Confirmation oversees the 1982 Joined together Countries Tradition on the Law of the Sea.⁸ Different clauses beneath the 1982 Joined together Countries Tradition on the Law of the Ocean set up the degree of a nation's paramount powers over its marine space, comprising:

1. In understanding with Article 33 section (1), letters (a) and (b), the State is enabled to screen additional ranges in arrange to hinder breaking migration, traditions, and sanitation laws and directions interior its borders or regional waters. It moreover has the specialist to rebuff wrongdoers.
2. Concurring to Article 33, section (2), the additional zone's breadth cannot be more noteworthy than 24 marine miles from the standard.
3. The state has the select right to investigate waters over and underneath the seabed as well as to oversee and moderate natural and non-biological assets inside the Select Financial Zone. Typically said in passage (1) of Article 56 letter (a).
4. The Elite Financial Zone and the standard are isolated by 200 maritime miles concurring to Article 57.
5. The mainland rack of a country incorporates the seabed and arrive underneath it from places exterior its regional ocean, or up to 200 marine miles from the standard utilized to degree the breadth of the ocean, as per Article 76 passage (1).

The previously mentioned clauses of the UN Tradition on the Law of the Ocean highlight each nation's autonomous rights over its marine locale. Each

country that complies with UNCLOS 1982 recognizes this sea boundary.⁹ The Indonesian Elite Financial Zone Law, Republic of Indonesia Number 5 of 1983, encourage strengthens this majestic privilege. Inside its Select Financial Zone, Indonesia has the paramount right to investigate, utilize, oversee, and defend normal assets, agreeing to Article 4 section (1) of this legislation.¹⁰

Also, as per the arrangements of Article 5 passage (1), any operation including the extraction of characteristic assets inside the Indonesian Elite Financial Zone is required to have authorization from the Indonesian government or be established on an worldwide assention with the Indonesian government. Agreeing to Law Number 5 of 1983, a state's sway amplifies to the Elite Financial Zone. As such, other countries are free to utilize the normal wealth in this locale, but they must to begin with get authorization from the Republic of Indonesian government. Indonesia has the proper to use its claim normal assets within the Select Financial Zone and Mainland Rack. Indonesia, being an archipelagic country, has the specialist to recognize inland waters interior its archipelagic oceans and archipelagic waters following to its archipelagic baselines.¹¹

Most countries see the 1982 UN Tradition on the Law of the Ocean (UNCLOS) as the definitive body of law that oversees the outline of their regional ocean borders. On the other hand, China draws state borders utilizing the Nine-Dash Line Outline. Old Chinese history states that the Han Line found this ocean locale around the moment century Advertisement. The South China Ocean was included to the territorial outline beneath the Yuan line, and this commitment was strengthened within the fourteenth century by the Ming and Qing traditions. Comparable measures were taken to enforce the eleven-dash line within the South China Ocean by the Kuomintang government, which added the zone in 1947.

b. China's Nine-Dash Line Map Alleges It Does Not Comply With UNCLOS 1982 Because It Crosses Indonesia's Exclusive Economic Zone

The larger part of nations consider the 1982 UN Tradition on the Law of the Ocean (UNCLOS) as the official lawful system for building up the boundaries of their regional oceans. In differentiate, China employments the Nine-Dash Line Outline to portray state boundaries. This oceanic zone was found by the Han Line within the moment century Advertisement, concurring to old Chinese history. The Yuan Tradition contributed the South China Ocean to the territorial outline, which was assist fortified by the Ming and Qing Traditions within the thirteenth century. The Kuomintang government, which prevailed the locale in 1947, actualized an eleven-dash line over the South China Ocean in a comparable manner.¹³

China claims control over the neighboring waters of the South China Ocean, counting the North Natuna Ocean. Claims based on China's verifiable acknowledgment and Indonesia's Select Financial Zone focalize at a certain point. In 1956, the Indonesian government authoritatively asked that the UN

recognize the Natuna Islands as portion of Indonesia's autonomous region. Within the Natuna Islands, which have a populace of around 85% Malay, 6.34 % Javanese and 2.52% Chinese, Indonesia at that point built framework. Individuals of Chinese plunge requested Chinese President Deng Xiaoping to bolster Natuna autonomy due to rising anti-Chinese sentiment.¹⁴

The Spratly Islands within the center of the South China Ocean make up the Nine Focuses zone, which China assigned as its Elite Financial Zone in 2009. Through the UN Mainland Rack Commission, Indonesia's then-president Susilo Bambang Yudhoyono voiced resistance to China's actions.¹⁵ Moreover, since numerous respect the Nine Sprint Line as China's claim to the South China Sea, several other nations within the locale have covering regional claims. Typically due to the South China Ocean region's borders with China and Taiwan to the north, Brunei, Malaysia, and the Philippines to the east, Indonesia and Malaysia to the south, and Vietnam to the west, as appeared on the nine-dash line outline.

China singularly set up the Nine Sprint Line without taking the 1982 Joined together Countries Tradition on the Law of the Sea's fundamentals under consideration. China's claims, which are based on verifiable contemplations, strife with the boundaries of the Financial Zone Only Indonesia as characterized by UNCLOS 1982, in spite of China's approval of the convention.¹⁶ With its regional borders represented by Law Number 6 of 1996 regarding the List of Arranges of the Geological Zones of the Indonesian Archipelago, Indonesia is recognized as an archipelagic country beneath UNCLOS 1982. The term "select viewpoint" in connection to the Select Financial Zone alludes to the ward and rights that are given as it were to the coastal state in address, not to other countries or legitimate substances. This extraordinary include gifts coastal states imperial rights for the purposes of asset abuse, investigation, preservation, and administration. It is based on UNCLOS 1982's Article 56 section (1) letter (a). Taking after the battling within the northern Natuna Islands over the South China Ocean issue, which touches on Indonesia's Select Financial Zone, Indonesia made a point of dismissing China's claims.

B. Indonesia's Approach to Maritime Defense in Handling South China Sea Disputes

Fish, oil, and natural gas resources are among the many plentiful and strategically significant natural resources that the South China Sea offers. Because of its abundance of resources, this area is crucial to the neighboring countries. But rival territorial claims have become a cause of conflict in the region, particularly between China, Vietnam, the Philippines, Malaysia, Brunei Darussalam, and Taiwan.¹⁸ There is frequently political and diplomatic tension between these nations because of their conflicting claims to islands, coral reefs, and seas in the South China Sea. Tensions have also increased as a result of China's growing military actions, which include building artificial islands and

holding drills in disputed areas. The international community and other surrounding nations are concerned about these moves because they perceive them as a possible danger to the stability and peace of the region. This conflict has an impact on regional ties, but it also has broader implications for global geopolitical relations and has the potential to escalate tensions internationally.

Indonesia does not have any coordinate claims within the South China Ocean. Given its "free and dynamic" remote approach and impartial status, Indonesia is cognizant of the complexities of the South China Ocean debate. Indonesia has taken a comprehensive conciliatory approach, based on the standards of worldwide law and multilateral participation, to resolve potential issues within the South China Ocean. To declare its sway over its marine zone, Indonesia alludes to the standards set forward within the Joined together Countries Tradition on the Law of the Ocean (UNCLOS) and other universal conventions. By implies of territorial participation activities, especially participation in gatherings like ASEAN and the ASEAN Territorial Gathering (ARF), Indonesia endeavors to cultivate peace and soundness within the locale by means of assorted communication channels and political outreach.¹⁹

Indonesia seeks to enhance cooperative efforts that benefit both parties while establishing bilateral ties with nations bordering the South China Sea. It also wants to keep lines of communication open so that disagreements may be resolved amicably. Indonesia's approach to help the South China Sea dispute resolution process also includes involving third parties, such as the United Nations (UN) and the European Union, proving Indonesia's commitment to resolving problems equitably and sustainably. An essential component of Indonesia's diplomatic strategy is the use of the mass media as a channel of communication for the country's official position and diplomatic approach, as well as for raising public awareness of the significance of preserving maritime sovereignty and regional peace.²⁰ Through cooperative and transparent diplomatic channels, Indonesia seeks to advance peace, stability, and security in the South China Sea, which is reflected in this overarching approach.

Following China's 2010 claim to Indonesia's Exclusive Economic Zone (EEZ) in the northern Natuna Islands, Indonesia became embroiled in the South China Sea dispute. The Indonesian government moved to protect the nation's sovereignty, particularly with regard to the Chinese government's claimed territory in the North Natuna Sea.²¹ Indonesia has suffered as a result of this conflict. Despite the fact that Indonesia's status as the cornerstone for the withdrawal of the Exclusive Economic Zone and complete sovereignty in the Territorial Sea strengthens its claim to possession of Natuna. As a result, the Indonesian government is doing the following to bolster its influence and pursue diplomatic initiatives in the Natuna Sea region:

a. Indonesian Diplomacy Efforts

During President Joko Widodo's administration, Indonesia has adopted various diplomatic approaches to respond to disputes in the Natuna Sea and South China Sea, including:

1. Sending a Protest Note

The diversity of natural resources with potential for economic development in the Natuna Sea often gives rise to problems such as cases of illegal fishing. Indonesia's strategic geographical conditions and limited monitoring of the Natuna Sea provide opportunities for violations of marine resources by foreign parties. Therefore, the Indonesian government needs to take action by issuing a protest note to the ship's country of origin.

Indonesia gave its first protest note to China due to the incident involving the seizure of the Chinese ship KM Kway Fey 10078 and a coastguard ship in the Natuna Sea. Violations occurred against Indonesia's EEZ, illegal fishing, and violations of sovereignty. Indonesia has invited China to respect international law. Three points were made by Indonesia in its protest note: first, that the Chinese maritime security vessel had violated Indonesia's territorial sea sovereignty; second, that it had violated the Exclusive Economic Zone (EEZ) and continental shelf; third, that it had violated Indonesia's efforts to enforce law and order in the area. The protest note was submitted in writing to the Chinese Embassy in Jakarta.²² However, China continues to argue that it complies with international law. In the end, the two countries agreed to resolve the dispute peacefully through mediation, by respecting each other's maritime territories and complying with international law. Until now, the entry of foreign ships into Indonesia's North Natuna Sea is still occurring. The Directorate General for Supervision of Marine and Fisheries Data Sources (Ditjen PSDKP) of the Ministry of Maritime Affairs and Fisheries (KKP) has even arrested two Vietnamese foreign fishing vessels (KIA) on May 4 2024.

2. Presidential Visit and Limited Cabinet Meeting

President Joko Widodo paid a visit to Natuna and held a limited cabinet meeting on June, 26, 2016. This visit aimed to emphasize Indonesia's sovereignty over the region. Jokowi ordered increased security by the TNI and Bakamla, and emphasized economic development of the Natuna islands. One step being considered is diverting fishing boats from densely populated areas in Java to Natuna. Several senior state officials were present at the meeting, including Retno Marsudi, the Minister of Foreign Affairs, and Luhut Pandjaitan, the Coordinating Minister for Political, Legal, and Security Affairs.²³

3. New Map Launch

At the July 14, 2017, launch of a new map of the Unitary State of the Republic of Indonesia (NKRI) with the name of the North Natuna Sea, twenty representatives from relevant Ministries and Institutions took part.²⁴ The North Natuna Sea is no longer named after the South China Sea. Determine The South China Sea is based on the decision made by the International Arbitration Court in the South China Sea dispute involving China and the Philippines. The revised map shows Indonesia's updated maritime borders with its neighbors and renames the Natuna Sea in accordance with international law.

4. Sending Diplomatic Notes to the UN

In a diplomatic letter to the UN, Indonesia denounced China's territorial claims in the South China Sea. China's historical claims were rejected by the

International Arbitration Court on July 12, 2016. Furthermore, China has no claim to Indonesia's exclusive economic zone (EEZ) or continental shelf. This action was carried out in response to the event in which multiple Chinese fishing vessels invaded Indonesia's EEZ. China denied this claim, but Indonesia continued to emphasize its position. This action is a part of China's reaction to a similar note on its South China Sea claims that it sent to the UN.²⁵

b. Strengthening Military Strength in the Natuna Sea

Presidential Regulation Number 41 of 2022 concerning the Zoning Plan for the North Natuna-Natuna Marine Area was issued by President Joko Widodo in order to maintain sovereignty. This regulation functions as an operational tool for maritime spatial planning as well as a means of coordinating and synchronizing development efforts in the region. The issuance of this Presidential Decree will of course not only have an impact on optimizing economic potential, but also strengthening defense and security. security aspect. The Indonesian government has developed a strategy by deploying military force in Natuna. 17 President Joko Widodo's direct instructions to the Indonesian Navy, Maritime Security Agency and Navy (Bakamla) aim to secure Indonesia's sovereignty and territory. Increased surveillance operations in the Natuna Sea are carried out to anticipate potential conflicts, while Bakamla is responsible for non-military security, including cross-border crimes such as illegal fishing which often occurs in the Natuna Sea.

c. Optimizing regional border management towards the Natuna Islands

Controlling Indonesia's borders is crucial. Negotiating borders with surrounding nations is one of the actions that Indonesia has performed. For instance, there are disagreements between Vietnam and Indonesia during border talks on the limits of the Exclusive Economic Zone (EEZ) in the Long Transition Zone (LTS). Following that, the Malacca Strait, Singapore Strait, Long Transition Zone (LTS), and Sulawesi Sea were the main topics of discussion during border talks between Indonesia and Malaysia.²⁶ The negotiations have resulted in Indonesia maintaining its claims to territorial sea borders in the eastern section of the Singapore Strait (northern part of Bintan Island) and EEZ boundaries in the southern part of the Malacca Strait.

d. Increasing Oil Exploration in the Natuna Islands Region

Natural gas and oil are abundant in the Natuna Islands in Indonesia. The East Natuna block of 222 TCF has D-Alpha gas sources. Then, around 145 MMscfd from Anoa and 75 MMscfd from Gajah were produced by the Natuna Sea A Block in the West Natuna Sea. Increasing economic activity will make Indonesia's position in managing the Natuna Islands region stronger. The use of Certificates of Origin (SKA) available in the Natuna Islands is one of the tactics carried out by the government. If China wants to maintain its unilateral claim to the Natuna Islands, there needs to be a dispute resolution to address China's violations in the Natuna Islands. Through litigation, the Indonesian government can take a case to the International Court of Justice. Because there

has been no mutually beneficial agreement through diplomatic channels, litigation is considered an appropriate legal alternative.¹³ Because it involves several countries that have claims in the South China Sea, this problem is multinational in nature. If diplomacy fails, Indonesia can take firm action and take legal action. Indonesia does not recognize China's unilateral claim to territorial control. National interests, as well as elements of national and international law, must be taken into account when resolving maritime border disputes. Resolving illegal fishing in the Natuna Islands must take into account ethical considerations based on international law.

4. Conclusion

Given its position as sea sway within the Natuna Ocean, Indonesia appears a solid lawful establishment, which begins from national laws and the 1982 UN Tradition on the Law of the Ocean. Indonesia follows to a conciliatory methodology and is based on worldwide law, whereas China bases its regional claims on the Nine Line Outline Dabbed. A few examples of Indonesia's assurance to preserve its sway are the president's visit, conveyance of a letter of challenge, and reinforcing the military within the Natuna Ocean. In any case, there are still issues to be settled, especially related to China's one-sided claims and debate encompassing unlawful angling. Future plans to back Indonesia's claims may require a worldwide legitimate technique through the Worldwide Court of Equity and conducting more in-depth financial investigate on the Natuna locale. Subsequently, settling oceanic debate and fortifying Indonesia's position in securing its sway depends on mindfulness and compliance with universal law.

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