

The Role of International Law in Safeguarding Indonesia's Sovereignty: A Case Study of the North Natuna Sea

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Article Info:

Article History:

Received: 2024-02-23

Revised: 2024-03-15

Accepted: 2024-04-05

Keyword:

International Law,
Sovereignty, Maritime
Policy, UNCLOS,
Indonesia, Fishermen.

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Paper Type:

Research Paper



Abstract:

Purpose:

This study aims to explore and understand the role of international law in reinforcing Indonesia's sovereignty, particularly in resolving the North Natuna Sea territorial dispute, while considering the relevant principles of international law.

Methodology:

The methodology employed in this research is qualitative descriptive. It aims to provide an in-depth description of the role of international law in safeguarding Indonesia's sovereignty through the analysis of relevant secondary sources and available case studies.

Findings:

This study demonstrates the vital role of international law in protecting Indonesia's sovereignty, particularly in maritime disputes like those over the North Natuna Sea. It highlights the importance of frameworks like UNCLOS in supporting Indonesia's territorial claims and using international legal instruments for diplomacy and dispute resolution. The research also reveals Indonesia's challenges in enforcing these laws, particularly concerning illegal fishing, while emphasizing the need for stronger domestic enforcement aligned with international standards to safeguard maritime sovereignty.

Implication:

This research provides valuable insights for academicians, practitioners, and policymakers by deepening their understanding of international law's role in protecting national sovereignty and promoting effective maritime governance. It emphasizes the need for aligning domestic laws with international standards. Additionally, the study reminds fishermen and maritime professionals to exercise caution when crossing territorial waters, highlighting the risks of non-compliance and legal consequences.

INTRODUCTION

As the largest archipelagic nation in the world, Indonesia has an extensive territorial area recognized internationally, encompassing more than 17,000 islands with vast maritime regions and abundant natural resources. The sovereignty of Indonesia is enshrined in various international legal instruments, notably the United Nations Convention on the Law of the Sea (UNCLOS, 1982), which grants Indonesia rights over its maritime zones. This legal framework ensures that other nations, including major powers like China, should acknowledge Indonesia's sovereignty over areas like the North Natuna Sea (Supardi, 2020). Despite international recognition of Indonesia's sovereignty, significant challenges persist, particularly concerning issues at its maritime borders.

One of the major challenges Indonesia faces in its maritime borders is the phenomenon of illegal smuggling and other unlawful activities, such as the unauthorized entry of foreign vessels. The North Natuna Sea has become a hotspot for smuggling, with foreign ships often entering Indonesia's waters without permission to engage in illegal fishing or other illicit activities. Illegal fishing, in particular, undermines Indonesia's economy and threatens the sustainability of marine ecosystems (Siahaan, 2021). Despite strengthened surveillance and patrol efforts, violations by foreign vessels operating unlawfully in Indonesian waters continue to surface, highlighting weaknesses in the enforcement of international law.

In addition to smuggling, the issue of illegal immigration through maritime borders has become a significant concern. The North Natuna Sea is frequently used as a transit route by illegal immigrants attempting to enter Indonesia or proceed to other nations. These immigrants typically originate from neighboring countries or further afield, seeking better living conditions or fleeing conflict. Although Indonesia enforces strict immigration policies, the vast and sometimes inadequately monitored maritime borders make it challenging to effectively oversee and control this issue (Hassan, 2022). This situation calls for stronger international cooperation to address the issue comprehensively.

Furthermore, territorial claims by other nations continue to loom over Indonesia's sovereignty, particularly in the North Natuna Sea. Through its Nine-Dash Line claim, China frequently conducts activities in waters internationally recognized as part of Indonesia's Exclusive Economic Zone (EEZ). Despite Indonesia's firm rejection of China's claim, deeming it a violation of Indonesia's sovereignty, tensions persist, raising doubts about the effectiveness of international law in managing territorial disputes (Lestari, 2021). As a major political and economic power, China sometimes uses its influence to downplay or disregard the application of established international legal frameworks. On the diplomatic front, Indonesia has taken various steps to protect its sovereignty, including bilateral negotiations with neighboring countries and bringing territorial disputes to international courts, as seen in the Sulawesi Sea boundary case with Malaysia. However, challenges in enforcing international law at maritime borders, despite these diplomatic efforts, still need to be solved. This situation raises questions about how effective international law can safeguard Indonesia's sovereignty, particularly in the North Natuna Sea (Rahayu, 2022). Conflicting national interests often hinders international law implementation, and resolving disputes fairly and mutually beneficial is complex.

In this context, Indonesia faces a dilemma between upholding its territorial integrity and adhering to international legal principles. To address this, Indonesia must strengthen its role in international diplomacy and enhance its law enforcement capacity at its maritime borders. One viable approach is to leverage international organizations such as the United Nations (UN) and relevant institutions like the UN Commission on the Law of the Sea (CLCS). By bolstering its institutional and diplomatic capacity, Indonesia can advocate for its territorial sovereignty more effectively, in line with its endorsed international legal principles (UNHCR, 2022). On average, while Indonesia's sovereignty is legally recognized, the challenges in the North Natuna Sea indicate that international law enforcement requires further attention. Therefore, this research aims to analyze the extent to which international law can provide stronger protection for Indonesia in safeguarding its sovereignty in the North Natuna Sea and how diplomatic and law enforcement efforts can be improved. By doing so, Indonesia is expected to confront these challenges better. As the largest archipelagic nation in the world, Indonesia holds a vast and strategically important maritime territory acknowledged by international law. The sovereignty over its land and maritime boundaries, including the crucial waters of the North Natuna Sea, is explicitly protected under various international agreements, such as the United Nations Convention on the Law of the Sea (UNCLOS, 1982). Despite the legal recognition of Indonesia's territorial integrity, the nation faces significant challenges in enforcing its sovereignty, especially in areas with overlapping claims and frequent violations by foreign entities. The North Natuna Sea, a region rich in natural resources and strategic importance, has become a focal point for territorial disputes and illegal activities. This study examines the role of international law in safeguarding Indonesia's sovereignty, particularly in the face of illegal fishing, undocumented immigration, and territorial encroachments by foreign nations, especially China's claims in the South China Sea. This research aims to evaluate the effectiveness of international law in securing Indonesia's maritime boundaries and explore how Indonesia can strengthen its defense against such transgressions.

Despite Indonesia's international recognition of its sovereignty over the North Natuna Sea through various legal instruments, challenges in enforcing international law in this region remain a significant issue. The inconsistency in the application of international law, particularly concerning territorial claims and illegal activities at maritime boundaries, highlights a critical gap in its implementation. Incidents such as smuggling, illegal

immigration, and unilateral claims by other countries, especially China, illustrate that while Indonesia holds legitimate rights over its territorial waters, the enforcement and protection of these rights under international law are still limited. Therefore, it is crucial to examine the extent to which international law can provide effective solutions to these challenges and how Indonesia can enhance international cooperation and strengthen its legal enforcement capacities to safeguard its sovereignty in the North Natuna Sea.

Table 1. Several Indonesian Border Violations in the North Natuna Sea 2019-2020

Date of Incident and Countries Involved	Case
February 24, 2019 (Vietnam)	Two Vietnamese Government Fisheries Surveillance (VFRS) vessels attempted to obstruct the arrest of four Vietnamese-flagged fishing vessels in Indonesia's EEZ waters around the North Natuna Sea.
October 13, 2019 (Vietnam)	Officers caught the Vietnamese ship via the Hiu 11 surveillance vessel in the North Natuna Sea EEZ.
October 14, 2019 (Malaysia)	A Malaysian vessel crewed by one Laotian national was caught by supervisors while fishing illegally in the North Natuna Sea.
December 19, 2019 (China)	Foreign fishing vessels entered Indonesian waters in the North Natuna Sea without permission. After being expelled, on December 24, 2019, the foreign vessels re-entered.
January 3, 2020 (China)	Indonesian Air Force surveillance officers found around 30 Chinese fishing boats escorted by three Chinese coast guard ships entering Indonesian waters in the North Natuna

Source: Kompas News Summarized by Kompas Research and Development Unit/AIM

The data highlights recurring incidents of foreign vessels violating Indonesia's Exclusive Economic Zone (EEZ) in the North Natuna Sea. On February 24, 2019, two Vietnamese Fisheries Surveillance vessels obstructed the arrest of four Vietnamese fishing vessels operating illegally in Indonesian waters. Further incidents occurred throughout 2019, with Vietnamese and Malaysian vessels being caught fishing illegally in the EEZ and Chinese vessels entering Indonesian waters multiple times, even after being expelled. Notably, in January 2020, approximately 30 Chinese fishing boats, escorted by Chinese Coast Guard ships, were discovered operating unlawfully in the area. These recurring violations emphasize Indonesia's challenges in securing its maritime borders and enforcing its sovereignty. The repeated incursions by foreign vessels, especially from China, reflect the need for stronger enforcement mechanisms and more robust international cooperation. These incidents highlight the gaps in the application of international law and call for more effective measures to protect Indonesia's territorial integrity and maritime resources. Enhanced regional cooperation and improved legal frameworks are essential to address the growing threats to Indonesia's maritime sovereignty.

METHODS

The research adopts a descriptive qualitative approach, aiming to comprehensively explore the cases and role of international law in addressing the issues in the North Natuna Sea. This methodology seeks to provide an in-depth understanding of the phenomena related to boundary violations, territorial claims, and other illegal activities occurring in Indonesia's maritime boundaries, with a particular focus on the application of international legal instruments such as the United Nations Convention on the Law of the Sea (UNCLOS, 1982) and related frameworks. The study will describe the existing problems and critically assess the effectiveness of international law in safeguarding Indonesia's sovereignty in the North Natuna Sea. Additionally, it will explore potential

measures to strengthen the enforcement and application of international law to protect Indonesia's maritime rights and territorial integrity.

RESULTS AND DISCUSSION

The History of Natuna Based on Archaeological Findings. Natuna, located in the strategically significant South China Sea, has a long history intertwined with maritime activities and interregional interactions. According to archaeological research led by Drs. Sonny Chr. Wibisono evidence suggests that Natuna has been inhabited since prehistoric times. Discoveries of stone tools and megalithic graves on Bunguran Besar Island indicate the presence of human settlements dating back millennia. Moreover, discovering pottery shards with distinct Vietnamese characteristics underscores Natuna's role as a historical node in Southeast Asia's trade networks and cultural exchanges.

This evidence demonstrates that the Natuna archipelago has long been a critical part of a broader maritime trade system and an essential hub for cross-cultural interaction. Further investigations by the National Archaeological Research Center reveal that Natuna was not merely a transient stopover but a key component of a vast maritime trade network that spanned regions from Vietnam to Brunei, Malaysia, and the Philippines. The presence of Chinese ceramics and human remains discovered on the island further reinforces the idea of robust interregional exchanges. These findings suggest that Natuna was an integral player in Southeast Asia's economic and cultural exchanges, facilitating the movement of goods, ideas, and technologies across borders. As such, Natuna played a crucial role as a settlement and a bridge in the larger maritime trade and cultural system that defined the region.

Moreover, the archaeological evidence sheds light on the complex cultural identity of Natuna's society. The discovery of boat-shaped coffins, common across Vietnam, Brunei, Malaysia, and the Philippines, illustrates the shared maritime traditions of the region. These findings indicate that the inhabitants of Natuna were deeply connected to their regional counterparts through economic networks and cultural practices. This interplay of local and external influences has contributed to the distinct cultural identity of Natuna, making it a unique blend of indigenous and foreign elements. Thus, Natuna's history is not merely one of isolation but significant engagement with the wider maritime world, shaping the cultural and historical trajectory of the archipelago (Kemendikbud, 2020).

On the other hand, Natuna's history itself is very long. Natuna, located in the South China Sea, has a long history rooted in the ancient maritime kingdoms of the archipelago. In the 7th century, the Sriwijaya Kingdom, with its trading fleet, controlled crucial maritime trade routes in the South China Sea. A Chinese monk named I Tsing, who visited Sriwijaya in 671 AD, recorded his sea voyage in the South China Sea and mentioned visiting a cluster of islands, some of which he referred to as "NAN TOA," meaning "Big Island." This term marked the beginning of the long history of Natuna as an important area in maritime trade. After the decline of Sriwijaya, the Majapahit Kingdom took over and controlled the entire archipelago, including the Natuna islands.

As the successor to Sriwijaya, Majapahit considered Natuna an important stopover in its trade routes to China, Siam, Champa, Cambodia, and Annam (Vietnam). Natuna, originally known as "Pulau Besar" (Big Island), was renamed "Pulau Serindit" due to the abundance of Serindit birds found there. During Sultan Mahmud Syah I of Malacca, who later continued his power through the Johor Sultanate, Datuk Kaya-Datuk Kaya were appointed as representatives of the kingdom on the islands surrounding Natuna, including Pulau Serindit. This historical period shows how Natuna became a vital point in international trade networks during that era.

In the 16th century, Sultan Allaudin Riayat Syah III of Johor ordered the exile of his daughter, Princess Engku Patimah, who suffered from paralysis in remote islands, including Natuna. After wandering the seas aimlessly, her entourage landed on Pulau Siantan and continued their journey until Pulau Serindit. There, Engku Patimah met Datuk Kaya Indra Pahlawan, who then handed over the authority to her, and Natuna, particularly

Pulau Serindit, came under the rule of Princess Engku Patimah. It marked the beginning of independent governance in Natuna, which had previously been under the influence of Johor.

An intriguing story also arises from the encounter between Engku Patimah and Demang Megat, a wanderer found in the Segeram region. According to legend, Demang Megat drifted on a bamboo raft and washed up on the Segeram River. After meeting Engku Patimah, Demang Megat was converted to Islam and married her, receiving the title “Orang Kaya Serindit Dina Mahkota.” This marriage symbolized the fusion of local culture and royal influence from Johor. After this event, Pulau Serindit was renamed Pulau Bunguran, now known as Natuna.

Renaming Natuna from Nan Toa, as mentioned by the Chinese monk I Tsing, to Pulau Serindit and finally to Pulau Bunguran reflects the region's historical dynamics and cultural interactions. Natuna, with its long history involving the Sriwijaya, Majapahit, and Johor kingdoms and various interactions with foreign nations, stands as a testament to Southeast Asia's maritime and trade development. Natuna remains an important part of Indonesia, historically, culturally, and geopolitically.

Claims of Other Countries Based on Their Subjectivity. The territorial claims over the North Natuna Sea have become increasingly contentious, particularly with China's assertion of rights based on the controversial “Nine-Dash Line.” First introduced by the Republic of China in 1947, the Nine-Dash Line claims extensive areas of the South China Sea, including parts of the North Natuna Sea. China justifies this claim with historical arguments, asserting its rights over these waters dating back centuries. However, this claim has been widely disputed by several Southeast Asian nations, including Indonesia, which insists that the North Natuna Sea falls within its exclusive economic zone (EEZ) under the United Nations Convention on the Law of the Sea (UNCLOS, 1982).

China's claim needs a solid legal foundation from the perspective of international law. Under UNCLOS, coastal states are entitled to maritime zones, including an EEZ, based on clearly defined boundaries that are legally recognized. The Nine-Dash Line, however, is ambiguous and lacks legal precision, making it a weak basis for territorial claims. The 2016 Permanent Court of Arbitration ruling undermined China's claim, declaring that the Nine-Dash Line is inconsistent with international law and specifically refuted China's claims over areas within the EEZ of other Southeast Asian nations, including Indonesia. This ruling reinforced the positions of countries like Indonesia that assert their sovereign rights over the waters of the North Natuna Sea despite China's persistent claim.

Nevertheless, China upholds its claim, driven by its subjective interpretation of historical rights and strategic interests. The South China Sea is of critical economic and geopolitical importance to China, as it is a vital maritime route for international trade and energy supplies. The region is also rich in natural resources, including oil and natural gas, further incentivizing China to assert control over these waters. While China's claim remains contested and is not legally recognized by international courts, the country persists in maintaining its position to safeguard its economic and strategic interests in the region. Thus, China's claims over the South China Sea and the North Natuna Sea represent a complex intersection of historical assertions, economic priorities, and geopolitical ambitions, which continue to shape the dynamics of regional maritime disputes (Kemendikbud, 2020).

Sovereignty of Natuna over Indonesia for a Long Time and Indonesia's Claimed Recognition in the International Regime. The sovereignty of Natuna as an integral part of the Unitary State of the Republic of Indonesia (NKRI) has been recognized and maintained for a long time. The long history of Natuna's existence in Indonesia's records begins from the era of the maritime kingdoms of Nusantara, particularly the Sriwijaya Kingdom, which controlled trade routes in the South China Sea. The name Natuna originated from the ancient Chinese term “Nan Toa,” meaning Great Island, which later changed to Serindit Island and eventually became known as Bunguran Island. These various names indicate that Natuna has been part of the political and economic map of the Nusantara region since the 7th century AD. During the Majapahit and Johor kingdoms, Natuna was also recorded as part of the large kingdoms' influence over the region.

As part of Indonesia's administrative territory, Natuna holds a strategic position, both geopolitically and economically. Its location in the South China Sea makes it a crucial international shipping route. Since Indonesia's independence, the central government has recognized Natuna as part of Indonesia's territory. Indonesia has solidified its sovereignty over Natuna through various historical documents and actions taken by the Indonesian government, including establishing the Natuna Regency within the Riau Islands Province.

Internationally, Indonesia's claim to sovereignty over Natuna has been accepted by many countries through legitimate international agreements recognized by the UN. A significant moment occurred when Indonesia signed the 1982 UN Convention on the Law of the Sea, which regulates legal maritime boundaries, including in the Natuna waters. Through this convention, Indonesia received international recognition of its rights in the Natuna Sea, including the right to manage the natural resources in the area.

Furthermore, Indonesia's sovereignty claim over Natuna has been strengthened through diplomatic efforts made by the Indonesian government in international forums. Indonesia actively participates in international discussions regarding the South China Sea dispute and firmly asserts that Natuna is an inseparable part of Indonesia. As part of an area rich in natural resources, both fishery and energy, Indonesia is committed to safeguarding its sovereignty in the Natuna Sea by involving its military and other state apparatus to protect the territory.

However, Indonesia's claim over Natuna faces challenges from countries interested in the South China Sea, especially China, which claims part of the South China Sea as its territory based on the "Nine-Dash Line." Nevertheless, Indonesia consistently responds to these claims with a diplomatic approach emphasizing international law principles, including adherence to the UN Convention on the Law of the Sea, a global guideline for countries.

Indonesia's sovereignty over Natuna continues to be reinforced by various national and international policies that support it. Natuna's abundance of natural resources also makes it increasingly important for Indonesia in terms of both economic and national security contexts. Therefore, international recognition of Indonesia's sovereignty over Natuna is crucial in maintaining regional and global stability and ensuring that Indonesia's interests are maximally protected in various international forums (Rapang et al., 2020).

Fisheries Surveillance (VFRS) Vessels Attempted to Obstruct the Arrest of Four Vietnamese-Flagged Fishing Vessels in Indonesia's EEZ Waters around the North Natuna Sea. The tension in the North Natuna Sea, especially with Vietnam, has been a long-standing issue surrounding Indonesia's Exclusive Economic Zone (EEZ) sovereignty. On February 27, 2019, Indonesia's Navy encountered a confrontation with two Vietnamese Fisheries Resources Surveillance (VFRS) vessels that attempted to obstruct the Indonesian Navy's efforts to arrest four Vietnamese-flagged fishing vessels illegally operating in Indonesia's EEZ waters. The Vietnamese vessels, identified as Kiem Ngu 214214 and Kiem Ngu 214263, maneuvered dangerously to interfere with the arrest operation, posing significant risks to the Indonesian Navy and Vietnamese patrol boats. This incident marks yet another chapter in the recurring maritime skirmishes between the two nations in the disputed waters surrounding the Natuna Islands.

The arrest of the four Vietnamese fishing vessels caught violating Indonesia's fishing laws came as part of Indonesia's ongoing efforts to combat Illegal, Unreported, and Unregulated (IUU) fishing, a significant threat to the nation's maritime resources. Despite repeated attempts to undermine Indonesia's enforcement efforts, the Indonesian Navy safely secured the four vessels and took them into custody. The Vietnamese boats were found carrying cooling boxes filled with fish, further supporting the claim that these vessels were engaged in illegal fishing activities within Indonesia's jurisdiction.

In response to these maritime confrontations, Indonesia's Minister of Maritime Affairs and Fisheries, Susi Pudjiastuti, expressed strong disapproval of Vietnam's actions and called for an official explanation from the Vietnamese government. She emphasized that such disruptive behavior, particularly the interference with

Indonesian law enforcement, was unacceptable. Indonesia's government signaled its intention to pursue formal diplomatic measures, including a protest, to resolve the ongoing issue of illegal fishing in the region. The Indonesian Ministry of Foreign Affairs coordinated with other relevant ministries to address the issue diplomatically and ensure such incidents would not escalate further.

The persistent maritime confrontations in the North Natuna Sea highlight the growing tensions between Indonesia and Vietnam over overlapping maritime claims in the region. While both countries have made efforts to engage diplomatically, including high-level meetings such as those between Indonesian President Joko Widodo and Vietnamese leadership, incidents like these underscore the challenges in resolving disputes over maritime boundaries. Both nations have competing claims over the waters of the Natuna Sea, and the frequent incidents involving Vietnamese vessels illustrate the complexity of enforcing national sovereignty in the region.

These incidents also raise critical concerns regarding Indonesia's national security and economic interests. As Indonesia continues to assert its rights over its EEZ, illegal foreign fishing vessels within its waters pose a serious threat to its maritime ecosystem and the livelihood of local fishermen and the broader economy. To address these threats, Indonesia has adopted more stringent measures, including the sinking and burning of foreign fishing vessels, as part of its aggressive stance against IUU fishing. This approach, while controversial, demonstrates Indonesia's commitment to safeguarding its maritime territory and ensuring the sustainability of its fisheries.

The confrontations between Indonesian and Vietnamese vessels also highlight the broader geopolitical implications of the South China Sea dispute, where overlapping maritime claims involve Vietnam, China, and other Southeast Asian nations. Indonesia's position in the Natuna Sea has become increasingly important as it sits at the crossroads of these competing interests. Indonesia has made it clear that it will not compromise on its sovereignty, and its efforts to prevent IUU fishing in the Natuna Sea are an essential part of this broader strategy to protect its maritime interests and assert its territorial rights in the face of regional challenges.

On July 26, 2020, the Indonesian patrol vessel KN Pulau Dana 323 successfully intercepted a Vietnamese-flagged fishing vessel engaged in illegal fishing activities in the North Natuna Sea. This apprehension occurred approximately 1.5 nautical miles off Indonesia's coastline, within the nation's Exclusive Economic Zone (EEZ). Another Indonesian Navy ship, code-named Rakata Jaya, detected the Vietnamese vessel. This operation aimed to uphold maritime stability and sovereignty, particularly in the strategic waters of the North Natuna Sea.

During the operation, approximately one ton of illegally harvested fish was confiscated from the Vietnamese vessel, and 12 crew members were apprehended for further investigation. This incident highlights Indonesia's resolute efforts to combat illegal fishing practices, which undermine marine ecosystems and jeopardize the national economy. Moreover, it underscores the critical need for stringent surveillance in Indonesia's waters, which remain vulnerable to illegal activities, particularly unauthorized fishing operations conducted by foreign vessels (Tantri et al., 2022).

The operation, involving the warship KRI Bung Tomo-357 and other patrol units, exemplifies Indonesia's firm stance in addressing maritime crimes, particularly illegal fishing carried out by unlicensed foreign vessels. Beyond safeguarding Indonesia's natural resources, such enforcement measures protect the rights of local fishermen and ensure the sustainability of marine ecosystems in the region. Although challenges persist in combating illegal fishing—especially due to limited surveillance resources and patrol fleets—this operation demonstrates Indonesia's strong commitment to preserving its maritime sovereignty.

On October 14, 2019, Indonesian authorities intercepted a Malaysian-flagged fishing vessel crewed by one Laotian national in the North Natuna Sea. The vessel was caught engaging in illegal fishing activities within Indonesia's Exclusive Economic Zone (EEZ). Supervisors from Indonesia's Maritime Affairs and Fisheries Ministry conducted the operation as part of ongoing efforts to secure national waters from foreign fishing

intrusions. This incident highlights Indonesia's persistent challenge to protect its maritime sovereignty from unauthorized exploitation by foreign vessels.

The detained vessel lacked proper documentation authorizing it to operate in Indonesian waters, violating national fisheries law. Given its proximity to international waters and strategic location, the North Natuna Sea is vulnerable to illegal fishing. Indonesia's authorities have consistently strengthened their maritime surveillance and enforcement measures to address these issues, often facing resource and logistical challenges in monitoring such a vast area.

This operation reflects Indonesia's unwavering commitment to combating illegal fishing, safeguarding marine biodiversity, and protecting the economic interests of its local fishing communities. By enforcing strict penalties for violations of the Fisheries Law of 2009, including imprisonment and hefty fines, the government aims to deter future transgressions. These efforts are integral to maintaining Indonesia's maritime sovereignty and ensuring the sustainability of its marine resources for future generations (Antara News, 2019).

On December 19, 2019, foreign fishing vessels, escorted by Chinese coast guard ships, entered Indonesian waters in the North Natuna Sea without authorization. These incursions into Indonesia's Exclusive Economic Zone (EEZ), clearly delineated under international law through the United Nations Convention on the Law of the Sea (UNCLOS), challenged Indonesia's maritime sovereignty. Although Indonesia's Maritime Security Agency (Bakamla) initially repelled the vessels, they re-entered the EEZ on December 24, 2019, showcasing a pattern of persistent grey zone tactics. This incident underscored the strategic pressure China seeks to exert in contested waters while exposing the operational limitations of Indonesia's maritime enforcement.

Indonesia's response to these violations was multifaceted, balancing diplomatic assertiveness with restrained maritime action. The Ministry of Foreign Affairs formally protested China's actions, emphasizing Indonesia's rejection of the nine-dash line and reinforcing its adherence to UNCLOS. Domestically, the government prioritized public engagement to maintain national support and project a strong stance. Symbolic measures, such as President Joko Widodo's inspection of naval assets in the North Natuna Sea, aimed to assert Indonesia's sovereign authority. However, the decision to avoid confrontation with Chinese vessels reflected Jakarta's pragmatic approach to managing its bilateral relationship with Beijing while avoiding escalation.

This incident illustrates Indonesia's evolving strategy in addressing maritime disputes in the South China Sea. By leveraging international legal frameworks, diplomatic engagement, and symbolic domestic actions, Indonesia safeguarded its national interests and signaled its determination to uphold regional stability. Moving forward, Indonesia appears poised to strengthen its maritime capabilities, diversify foreign investment partnerships, and assert its sovereignty in a measured yet firm manner, demonstrating its resilience as a middle power in navigating the complexities of China's rise (The Diplomat, 2020).

On January 3, 2020, the Indonesian Air Force identified approximately 30 Chinese fishing boats escorted by three Chinese coast guard ships in Indonesia's Exclusive Economic Zone (EEZ) within the North Natuna Sea. This act violated Indonesia's sovereign rights to exploit its natural resources as outlined by UNCLOS, marking a provocative challenge to Indonesia's maritime jurisdiction. While Indonesia's Maritime Security Agency (Bakamla) was limited in its immediate response due to resource constraints, diplomatic efforts were initiated to assert Indonesia's territorial integrity and demand respect for international law.

In response, Indonesia balanced firm diplomatic signaling with a measured maritime strategy. A high-level ministerial meeting, chaired by Coordinating Minister Mahfud M.D., decided against confrontation, opting for Bakamla's oversight supported by naval warships in the background. Concurrently, the Ministry of Foreign Affairs strongly protested China, rejecting its claims based on the nine-dash line and reaffirming Indonesia's commitment to UNCLOS. Domestically, President Joko Widodo's symbolic visit to a naval base underscored Indonesia's determination to safeguard its sovereignty while maintaining regional stability.

The incident highlighted Indonesia's pragmatic approach to managing tensions with China. Indonesia preserved its national interests through peaceful diplomacy, strategic restraint, and proactive engagement with domestic public opinion without jeopardizing bilateral economic ties. By diversifying foreign investment sources and strengthening maritime enforcement capabilities, Indonesia demonstrated its intent to assert its sovereignty while navigating complex geopolitical dynamics in the South China Sea (The Diplomat, 2020).

Strategies for Securing Natuna Waters Against IUU Fishing. The Natuna and Anambas waters in the Riau Islands Province boast abundant marine and fisheries resources, positioning them as strategic and vulnerable to foreign fishing intrusions. The persistent presence of foreign fishing vessels, particularly from Vietnam, poses significant challenges to Indonesia's sovereignty. The Indonesian government has underscored the urgency of robust enforcement measures to secure the nation's maritime boundaries. These efforts include legal actions against intrusions and reinforcement of monitoring systems and patrols in outermost territorial waters.

To combat Illegal, Unreported, and Unregulated (IUU) Fishing, the government has adopted a multidimensional approach involving various stakeholders, including the empowerment of local fishermen. Local fishermen play a pivotal role in the monitoring and control system of Indonesian waters. This empowerment strategy aims to safeguard marine resources while enhancing the local economy. Such efforts are expected to foster a stronger sense of ownership and responsibility among coastal communities for their surrounding waters (Klara, 2020).

Illegal fishing activities in the Natuna region remain a pressing issue requiring comprehensive attention. The Indonesian government has committed decisive actions against foreign vessels violating national laws. Integrated operations involving the Indonesian Navy, the Maritime Security Agency (Bakamla), and other relevant institutions have been conducted to apprehend and deter illegal fishing activities. Sinking foreign vessels caught engaging in IUU Fishing has served as a preventive measure to instill deterrence among potential violators (Antari et al., 2023).

State presence in the Natuna waters is not limited to repressive measures but also extends to firm diplomacy on the international stage. Indonesia consistently advocates for the respect of its maritime territorial sovereignty in various global forums. Such assertive diplomacy is essential to pressure other nations to adhere to Indonesia's maritime boundaries, which align with international law. Thus, while law enforcement serves as a frontline defense, diplomatic engagement is a complementary strategy to protect Indonesia's maritime sovereignty (Beni, 2021).

In diplomacy, the issue of illegal fishing by foreign vessels—especially those originating from Vietnam—frequently features in bilateral and regional dialogues. The Indonesian government must ensure that such discussions and agreements yield concrete outcomes that protect national interests. These include cooperation on maritime surveillance, intelligence sharing, and strengthening cross-border monitoring systems. By employing this approach, law enforcement efforts can become more effective, minimizing potential conflicts in the maritime domain.

As part of its sovereignty protection measures, the government must also enhance infrastructure development in the Natuna region, such as constructing ports, radar stations, and integrated surveillance centers. These advancements will bolster defense and security and improve access for local fishermen to optimize the region's marine resource potential. These measures align with Indonesia's vision of becoming a global maritime fulcrum, ensuring Natuna is a symbol of sovereignty and a hub of prosperity for local communities (Bisma, 2023).

The Role of International Law in Assisting Indonesia to Maintain Sovereignty over Natuna Island. International law, particularly the United Nations Convention on the Law of the Sea (UNCLOS) 1982, is critical in safeguarding Indonesia's sovereignty over the Natuna Sea. UNCLOS provides a legal framework for defining the Exclusive Economic Zone (EEZ), which grants Indonesia the right to explore and exploit marine resources within the area. In the North Natuna Sea context, these provisions are a robust foundation for asserting Indonesia's jurisdiction against foreign intrusions (Guko, 2005). Furthermore, precedents from international legal disputes,

such as the South China Sea Arbitration case of 2016, have reinforced Indonesia's position. An in-depth analysis of these legal instruments highlights the significance of international law in ensuring territorial sovereignty.

Experts in international law, such as James Kraska, emphasize that maritime disputes require clear legal interpretation and enforcement mechanisms to avoid escalation. Kraska highlights that UNCLOS serves as a framework for resolving disputes and a mechanism to build state capacity in managing maritime zones (Kraska, 2011). For Indonesia, the strategic use of UNCLOS provisions has bolstered its diplomatic and legal claims, particularly in addressing the ambiguity exploited by other states in overlapping claims.

Moreover, legal diplomacy has emerged as a pivotal strategy for Indonesia. Using international legal forums such as the International Tribunal for the Law of the Sea (ITLOS), Indonesia can assert its rights while fostering cooperation with neighboring states. This dual strategy ensures that Indonesia maintains its sovereign rights while promoting regional stability, a key tenet of international legal practice (Dupuy & Vignes, 1991).

Indonesia's Efforts to Maintain Sovereignty through National and International Legal Instruments. Indonesia has adopted a dual approach by combining domestic policies and international law to protect its sovereignty in the North Natuna Sea. Domestically, the government has enforced the Sea Defense Policy, which enhances maritime surveillance and security in strategic areas (Guko, 2005). Additionally, empowering local fishermen has served as a de facto means to claim and utilize the resources within Indonesia's jurisdiction. Internationally, Indonesia has leveraged multilateral cooperation and engaged with global legal frameworks to address violations of sovereignty by foreign entities. This holistic approach demonstrates the interdependence between national and international legal systems in safeguarding territorial integrity.

The Indonesian government also seeks to solidify its claims by enhancing its presence in the Natuna Sea. Establishing maritime infrastructures, such as patrol bases and fishing ports, is a visible demonstration of sovereignty. These actions align with the principles of effective occupation under international law, necessitating a tangible presence to validate territorial claims (Beckman, 2013). Indonesia's consistent patrol activities and diplomatic protests against foreign intrusions further reinforce its sovereign rights (Permana et al., 2024).

On the international front, Indonesia has actively engaged in regional maritime organizations such as ASEAN and the Indian Ocean Rim Association (IORA). Through these platforms, Indonesia has sought to strengthen multilateral agreements and build a coalition to support its maritime sovereignty. By combining national and international efforts, Indonesia showcases a comprehensive approach to addressing threats to its territorial integrity (Guko, 2005).

Theoretical Analysis of International Law on the Natuna Dispute. Theoretical perspectives on international law provide a critical lens to evaluate the Natuna Sea dispute. The positivist theory of international law underpins Indonesia's legal claims by emphasizing adherence to codified instruments such as UNCLOS, which governs the global maritime regime. Furthermore, sovereignty theory sheds light on the interplay between state sovereignty and international legal norms, illustrating how Indonesia can protect its maritime rights amidst challenges from transnational actors. These theoretical frameworks offer a structured understanding of Indonesia's legal strategies to uphold its sovereignty in the contested waters of the North Natuna Sea.

Experts like Anthony Aust argue that the positivist approach is crucial in resolving maritime disputes because it relies on tangible legal instruments rather than subjective interpretations. Aust highlights that states must strictly adhere to the provisions of international treaties, such as UNCLOS, to legitimize their claims in contested zones (Aust, 2010). For Indonesia, this means consistent documentation and enforcement of maritime boundaries to deter illegal incursions.

The legal theory on maritime territorial sovereignty underscores the balance between the principle of *mare clausum* (closed sea) and *mare liberum* (open sea), reflecting a historical evolution in international law. UNCLOS represents a modern synthesis of these principles by providing specific maritime zones such as territorial seas, exclusive economic zones (EEZs), and continental shelves, each with distinct rights and obligations for coastal

states (Beckman, 2013). Territorial waters, extending 12 nautical miles from a state's coastline, are integral to sovereignty theory, as they grant a state full jurisdiction akin to land territory. Beyond this, the EEZ grants sovereign rights over resources but not full territorial sovereignty, requiring adherence to international norms for navigation and overflight. Scholars such as Donald Rothwell emphasize that the legal regime for maritime territories combines elements of state sovereignty with the principle of shared global resources, highlighting the complexity of reconciling national interests with international legal frameworks (Rothwell & Stephens, 2016). For Indonesia, these theoretical insights justify its robust legal and diplomatic engagement in asserting its rights over the Natuna Sea while navigating the intricate balance of compliance with international obligations.

Sovereignty and the Legal Framework: The concept of sovereignty, rooted in the Westphalian paradigm, emphasizes a state's supreme authority within its territorial boundaries. In the maritime context, this principle is enshrined in the 1982 United Nations Convention on the Law of the Sea (UNCLOS), which delineates the EEZ as an area where a coastal state has exclusive rights to exploit natural resources. Despite these legal provisions, China's actions, based on its unrecognized nine-dash line claim, represent a direct challenge to Indonesia's sovereign rights as codified in UNCLOS.

Indonesia's firm diplomatic stance, as seen in its rejection of China's maritime claims and asserting its EEZ boundaries, reflects a commitment to safeguarding sovereignty through legal instruments. By invoking UNCLOS, Indonesia reinforced its position within the international legal framework, emphasizing adherence to the rule of law in resolving disputes. However, the restrained use of maritime force illustrates the limitations of unilateral enforcement against a state employing "grey zone" tactics that blur the line between civilian and military operations.

Grey Zone Strategies and the Principle of Sovereignty China's deployment of fishing vessels escorted by coast guard ships exemplifies grey zone operations designed to assert maritime claims without provoking outright conflict. This approach strategically tests the resolve and capabilities of the targeted state, exploiting gaps in enforcement mechanisms. The incident exposed maritime surveillance and enforcement limitations for Indonesia, as the Bakamla (Maritime Security Agency) relied on observation rather than direct action.

Nonetheless, Indonesia's measured response, supported by naval assets in the background, aligns with the principle of proportionality under international law. This restrained approach prevented escalation while signaling resolve, a balance crucial for managing bilateral relations with a major economic partner like China. President Jokowi's symbolic inspection of naval vessels further projected Indonesia's determination to defend its sovereignty, resonating with domestic and international audiences.

The Natuna incident underscores the evolving nature of sovereignty in the maritime domain. Traditional concepts of territorial integrity are increasingly challenged by non-military incursions that exploit ambiguities in international law. The episode has catalyzed efforts for Indonesia to bolster maritime capabilities, diversify foreign investments, and deepen regional partnerships, as seen in its collaboration with Japan on fisheries and coast guard infrastructure.

On average, the Natuna Sea incident illustrates the need for states to adopt sovereignty doctrines to address unconventional threats. By leveraging legal, diplomatic, and strategic tools, Indonesia navigated the complex dynamics of asserting sovereign rights while maintaining regional stability. This case serves as a reminder that effective sovereignty in the modern era requires a multidimensional approach grounded in international law and pragmatic diplomacy.

CONCLUSION

International law is essential in safeguarding Indonesia's sovereignty, especially in the North Natuna Sea, as it provides a strong legal basis for recognizing and protecting Indonesia's maritime territory. Through the United Nations Convention on the Law of the Sea (UNCLOS, 1982), Indonesia has the legal right to establish its Exclusive

Economic Zone (EEZ) and claim its maritime rights. This legal framework is the foundation for Indonesia's diplomacy in rejecting unilateral claims, such as China's Nine-Dash Line, which contradicts international legal principles.

However, the effectiveness of international law in protecting Indonesia's sovereignty still faces challenges in enforcement, particularly in addressing violations such as illegal fishing, smuggling, and illegal immigration. Repeated incidents involving foreign vessels highlight the gap between legal recognition and law enforcement.

Therefore, Indonesia needs to optimize international law through enhanced multilateral diplomacy and strengthened regional cooperation. These efforts should be accompanied by strengthening national law enforcement capacities, including tighter maritime surveillance and leveraging international forums to ensure compliance with established rules.

With a comprehensive approach, international law can legitimize Indonesia's sovereignty and strengthen the nation's position in addressing challenges in strategic waters like the North Natuna Sea. It is crucial to ensure sovereignty and the sustainable use of maritime resources for national interests.

REFERENCE

- Aldis, M. (2020, January 15). The Natuna Sea Incident: How Indonesia is Managing Its Bilateral Relationship with China. *The Diplomat*. Retrieved from <https://thediplomat.com/2020/01/the-natuna-sea-incident-how-indonesia-is-managing-its-bilateral-relationship-with-china/>
- Antari, K. A. A., Agustina, N. K. W., & Yudhistira, P. G. A. (2023). The Influence of Risk Perception on Visit Decision to Tourism Village: The Mediating Role of Tourist Motivation. *International Journal of Social Science and Business*, 7(4), 947–956. <https://doi.org/10.23887/ijssb.v7i4.49853>
- Arkenas, Kementerian Pendidikan dan Kebudayaan. (2020). Menyingkap 'Ada Apa dengan Natuna': Arkeologi dari Batas Negeri. Retrieved from https://arkenas.kemdikbud.go.id/contents/read/news/758oev_1580374241
- ASEAN. (2019). ASEAN Outlook on the Indo-Pacific. Retrieved from <https://asean.org/>
- Blake, G. H. (1995). *Maritime Boundaries: World Boundaries Volume 5*. Routledge. <https://doi.org/10.4324/9780203306826>
- Bodin, J. (1576). *Six Books of the Republic* (R. Knudsen, Trans.). Harvard University Press.
- Brierly, J. L. (2012). *The Law of Nations: An Introduction to the International Law of Peace (7th ed.)*. Oxford University Press.
- Darmayadi, A. (2022). The Indonesia-China Relations in the Natuna Sea Dispute Resolution: Struggle for Sovereignty. *Journal of Eastern European and Central Asian Research (JEECAR)*. Retrieved from <https://jeecar.com> <https://doi.org/10.15549/jeecar.v9i1.870>
- Hobbes, T. (1651). *Leviathan* (A. R. Hackett, Ed.). Hackett Publishing.
- International Court of Justice. (2002). Pulau Sipadan and Ligitan (Malaysia v. Indonesia), ICJ Reports 2002. Retrieved from <https://www.icj-cij.org/en/case/102>
- International Court of Justice. (2016). Laut Natuna Utara (Indonesia v. China). Retrieved from <https://www.icj-cij.org/en/case/102>
- International Maritime Organization. (2019). IMO Report on Maritime Safety and Security. Retrieved from <https://www.imo.org/>
- Jackson, R., & Sørensen, G. (2019). *Introduction to International Relations: Theories and Approaches (7th ed.)*. Oxford University Press. <https://doi.org/10.1093/hepl/9780198803577.001.0001>

- Kiara. (2023, January 25). Menyingkap ‘Ada Apa dengan Natuna’: Kilas Balik Kepulauan Natuna. Retrieved from <https://www.kiara.or.id/2023/01/25/128057/>
- Kraska, J. (2011). *Maritime Power and the Law of The Sea: Expeditionary Operations in World Politics*. Oxford University Press.
- Ministry of Maritime Affairs and Fisheries of Indonesia. (2020). Annual Report on the Maritime Policy and Development in the North Natuna Sea. Retrieved from <https://www.kp.go.id/>
- Permana, G. E. S., Sujana, I. N., & Agung, A. A. I. (2024). Analysis of the Validity of Inter-Religious Marriages Held Abroad. *Journal of Political and Legal Sovereignty*, 2(1), 191-200. <https://doi.org/10.38142/jpls.v2i2.192>
- Permanent Court of Arbitration. (2020). South China Sea Arbitration, PCA Case No. 2013-19. Retrieved from <https://www.pcacpa.org/>
- Potkuli, R. (2021, September 10). Protecting Indonesia’s sovereignty in the North Natuna Sea. *The Diplomat*. Retrieved from <https://thediplomat.com/2021/09/protecting-indonesias-sovereignty-in-the-north-natuna-sea/>
- Rapang, I., Fanani, Z., Widagdo, S., & Domani, T. (2020). Maritime Policy Integration Model at Natuna on the Defense and Security Perspective. *RJOAS*, 100(4), 73-85. <https://doi.org/10.18551/rjoas.2020-04.11>
- Shaw, M. N. (2017). *International Law (8th ed.)*. Cambridge University Press.
- Suhanto, S., & Adi Putri, A. (2023). Indonesia’s Policy in Resolving the North Natuna Sea Conflict with China: A Case Study of Illegal Fishing in 2019-2020. *Populis Jurnal Sosial dan Humaniora*, 8(1), 48. <https://doi.org/10.47313/pish.v8i1.2210>
- Tantri, S. N., Norhamida, H., & Prasetyo, A. (2022). Presenteeism Among Accounting Educators: The Role of Work-Family Conflict, Work Engagement, and Organizational Support in the Covid-19 Pandemic. *JIA (Jurnal Ilmiah Akuntansi)*, 7(1), 88–111. <https://doi.org/10.23887/jia.v7i1.43407>
- United Nations. (1982). United Nations Convention on the Law of the Sea (UNCLOS). Retrieved from https://www.un.org/Depts/los/convention_agreements/texts/unclos/unclos_e.pdf
- United Nations. (1945). Charter of the United Nations. Retrieved from <https://www.un.org/en/charter-united-nations/>
- Wibowo, D. S., Supriatna, A., & Hewindati, Y. T. (2023). Analysis of compliance level of fishing activities in the Natuna Sea. *TORANI Journal of Fisheries and Marine Science*, 7(1), 17-29. <https://doi.org/10.35911/torani.v7i1.29598>