

The Natuna Waters Conflict between Indonesia and Vietnam: How is it resolved in International Law?

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Abstract

The Natuna Waters Conflict between Indonesia and Vietnam epitomizes the intricate web of maritime disputes and geopolitical tensions in the South China Sea region. At its core, the conflict revolves around competing claims over the sovereignty and resource exploitation rights in the waters surrounding the Natuna Islands. Against the backdrop of historical assertions and contemporary contestations, this abstract scrutinizes the application of international law as a framework for resolving the Natuna Waters Conflict. Central to the dispute resolution process are the principles enshrined in the United Nations Convention on the Law of the Sea (UNCLOS), which delineates maritime zones, rights, and responsibilities among coastal states. Both Indonesia and Vietnam are parties to UNCLOS, underpinning the significance of its provisions in addressing their respective claims. However, interpretations of UNCLOS provisions, especially regarding exclusive economic zones (EEZs) and continental shelf boundaries, have been contentious points of divergence



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between the two nations. Efforts to resolve the Natuna Waters Conflict through legal avenues have involved diplomatic negotiations, arbitration, and adjudication mechanisms provided for under UNCLOS. Despite these mechanisms being available, challenges persist in reaching a comprehensive resolution due to geopolitical interests and power dynamics in the region. Moreover, the role of external actors and regional organizations, such as the Association of Southeast Asian Nations (ASEAN) and major powers like China and the United States, further complicates the dispute resolution landscape. In navigating these complexities, understanding the interplay between legal principles and geopolitical realities is crucial. This abstract seeks to provide insights into the potential pathways for resolving the Natuna Waters Conflict within the framework of international law. By examining historical precedents, legal interpretations, and ongoing diplomatic efforts, it sheds light on the challenges and opportunities for achieving a peaceful and equitable resolution to this longstanding maritime dispute.

KEYWORDS *Natuna Conflict, Indonesia-Vietnam Conflict, Sea Boundaries Conflict, International Dispute Settlement*

Introduction

The Natuna Waters Conflict between Indonesia and Vietnam stands as a significant testament to the complexities of maritime disputes in the South China Sea region. At the heart of this conflict lies the struggle for sovereignty and resource exploitation rights in the waters surrounding the Natuna Islands, a strategically located archipelago in Southeast Asia. As two key coastal states in the region, Indonesia and Vietnam have found themselves embroiled in a protracted disagreement over the delineation of maritime boundaries and the assertion of exclusive economic zones (EEZs) and continental shelf rights.¹

¹ Belo, Zerah Amelia, Michael Mamentu, and Trilke E. Tulung. "Kebijakan Luar Negeri Indonesia Dalam Menyelesaikan Masalah Zona Ekonomi Eksklusif (ZEE) dengan Vietnam." *POLITICO: Jurnal Ilmu Politik* 9.2 (2020); Adikara, Ahmad Pradipta Budhiatma, and Adis Imam Munandar. "Tantangan Kebijakan

In the context of territory, territory stands as a fundamental pillar of any sovereign state, alongside its people and government. Clear and defined laws and regulations are imperative to delineate and safeguard a nation's territorial boundaries. Within the context of Indonesia, the territory is established according to historical legal frameworks, notably the *Territorial Zee en Marietieme Kringen Ordonantie* 1939 (TZMKO 1939), which governed the Dutch East Indies region.²

The archipelagic nature of Indonesia, with its numerous islands scattered across surrounding seas, necessitates a coherent and comprehensive understanding of territorial delineation. Recognizing the historical complexities and the need to assert sovereignty over its vast maritime domain, the Indonesian government, under the leadership of Ir. Djuanda, took a decisive step on December 13, 1957. This pivotal

Diplomasi Pertahanan Maritim Indonesia dalam Penyelesaian Konflik Laut Natuna Utara." *Jurnal Studi Diplomasi dan Keamanan* 13.1 (2021); Muslimah, Faindatul, and Depict Pristine Adi. "Analisis Konflik Kepulauan Natuna Pada Tahun 2016-2019." *Jurnal Al-Ahkam: Jurnal Hukum Pidana Islam* 2.2 (2020): 87-96.

- ² The Territorial Zee en Marietieme Kringen Ordonantie 1939, often abbreviated as TZMKO 1939, was a significant legal regulation enacted during the colonial period in the Dutch East Indies, which is now Indonesia. Translated as the "Territorial Sea and Maritime Circles Ordinance," this ordinance aimed to establish the territorial boundaries and maritime zones of the Dutch East Indies. The TZMKO 1939 delineated the extent of territorial waters and maritime zones around the islands of the Dutch East Indies, including provisions regarding the breadth of territorial seas and the jurisdictional reach of the colonial authorities. It provided legal clarity on issues related to sovereignty, jurisdiction, and rights over maritime resources within the defined zones. Specifically, the ordinance defined the territorial sea as the area extending from the coastline of the islands to a certain distance, typically measured as three nautical miles. It also outlined regulations concerning the contiguous zone and exclusive fishing zones, asserting the Dutch colonial government's authority over these maritime spaces. The enactment of the TZMKO 1939 reflected the colonial administration's efforts to assert control over the maritime territories of the Dutch East Indies and regulate activities within its waters. While the ordinance was promulgated during the colonial era, its provisions had implications for Indonesia's subsequent legal framework governing maritime boundaries and rights after independence. Overall, the Territorial Zee en Marietieme Kringen Ordonantie 1939 played a foundational role in shaping the legal framework for maritime governance in the Dutch East Indies and laid the groundwork for Indonesia's approach to maritime law and jurisdiction in the post-colonial period.

moment marked the issuance of the Djuanda Declaration, which unequivocally declared the Republic of Indonesia as an archipelagic state.³

This declaration affirmed Indonesia's unique geographic identity and its rights over the waters surrounding its islands, challenging the previous Dutch East Indies Donation Order of 1939, which had been perceived as detrimental to Indonesian interests. By asserting its status as an archipelagic state, Indonesia sought to consolidate its territorial integrity and assert its maritime jurisdiction in accordance with international law.

The Djuanda Declaration thus represents a seminal moment in Indonesia's history, signaling a shift towards a more assertive stance in safeguarding its territorial sovereignty and maritime interests. It underscores the importance of legal clarity and national determination in defining and defending a nation's territorial integrity, particularly in the dynamic maritime environment of the Indonesian archipelago.

December 13, 1957, marked a pivotal moment in Indonesia's maritime history, laying the foundation for what would later be recognized as the Wawasan Nusantara, or the Archipelagic Outlook. This declaration, formalized through Law No. 4/PRP/1960 on Indonesian Waters, established Indonesia's territorial boundary as extending 12 nautical miles from the coastlines of its outermost islands. The significance of the Djuanda Declaration transcended national borders, serving as a cornerstone of international maritime law, particularly enshrined in the United Nations Convention on the Law of the Sea (UNCLOS) of 1982, ratified by Indonesia through Law No. 17 of 1985.⁴

³ See Tangkilisan, Yuda Benharry. "The Declaration of Djuanda 1957." *Bogor International Conference for Social Science (BICSS) 2017*. 2017; Tsauro, Muhammad Ahalla. "Arti Deklarasi Djuanda dan Konferensi Hukum Laut PBB bagi Indonesia." *Gema Keadilan* 4.1 (2017): 180-190; Ernawati, Ernawati. "Implementasi Deklarasi Djuanda dalam Perbatasan Perairan Lautan Indonesia." *Seminar Nasional Multi Disiplin Ilmu Unisbank 2015*. Stikubank University, 2015; Miftahudin, Zulpi. "Peranan Deklarasi Landas Kontinen Sebagai Ketentuan Hukum Laut Negara Indonesia 17 Februari 1969." *Bihari: Jurnal Pendidikan Sejarah dan Ilmu Sejarah* 3.1 (2020).

⁴ Nurhidayati, Nida. "Dari Deklarasi Djuanda ke Wawasan Nusantara: Peranan Mochtar Kusumaatmadja dalam Mencapai Kedaulatan Wilayah Laut Indonesia, 1957-1982." *SUSURGALUR* 9.1 (2021): 37-54. See also Agoes, Etty R. "Praktik

Indonesia, boasting one of the world's largest archipelagos, encompasses thousands of islands, including the Natuna Islands situated in the southern reaches of the South China Sea. The Natuna Sea, rich in natural resources such as minerals and fish, serves as a vital international sea passage for vessels transiting between the Indian Ocean and the Pacific Ocean, facilitating trade and commerce for industrial nations bordering the sea.

While the sea represents a common heritage for humanity, the absence of clear maritime boundaries and regulations can foster conflicts over resource exploitation and territorial claims. The absence of a framework governing the rights and obligations of nations regarding maritime boundaries poses challenges to security and sovereignty. Therefore, establishing rules and agreements to regulate maritime boundaries becomes imperative to maintain stability and resolve disputes in the region. In this context, the Natuna Waters Conflict between Indonesia and neighboring countries underscores the pressing need for effective international cooperation and adherence to established legal frameworks to ensure the sustainable management and equitable utilization of marine resources while upholding the sovereignty and security of nations involved.

The quest for maritime control juxtaposed with the inherent openness of the seas motivates nations to forge agreements, pacts, and international norms aimed at governing maritime affairs. These regulations emerge in response to nations' aspirations for maritime dominance, particularly when considering the economic significance of the seas in bolstering national development. However, alongside the economic opportunities, the seas also harbor challenges, notably regarding the assertion of territorial power by nations.

The conflict between Indonesia and Vietnam in the Natuna Waters exemplifies a case falling within the purview of International Law, particularly the Law of the Sea. The tensions stemming from this dispute disrupted the harmonious and conducive relations between the two nations. The catalyst for this tension was the reported collision between

Negara-Negara Atas Konsepsi Negara Kepulauan." *Indonesian Journal of International Law* 1.3 (2003): 441-464.

two Vietnamese government surveillance ships and the hull of the Indonesian Navy vessel KRI Tjiptadi-381 in the North Natuna Sea on April 29th. Notably, this incident occurred within an area acknowledged by Indonesia as its Exclusive Economic Zone (EEZ).⁵

Such incidents underscore the complexities of maritime disputes and the importance of adhering to international legal frameworks, especially those governing maritime boundaries and territorial rights. Resolving conflicts like the one in the Natuna Waters necessitates diplomatic dialogue, adherence to established norms, and respect for each nation's sovereignty and territorial integrity. By navigating these challenges in accordance with International Law, nations can work towards fostering stability, security, and cooperation in the maritime domain, thereby safeguarding their mutual interests and ensuring the sustainable management of marine resources.

The series of maritime conflicts between Indonesia and Vietnam, culminating in the collision involving the Indonesian Navy ship KRI Tjiptadi-381 in the North Natuna Sea, underscores a pattern of repeated violations of maritime sovereignty. From October 2014 to May 2019, there were recorded instances of maritime violations, with 294 incidents—nearly 57 percent—attributed to vessels originating from Vietnam. This escalation reached a critical juncture when Vietnam's chief fisheries supervisor reportedly struck the Indonesian warship in the Natuna waters in April, exacerbating tensions and highlighting the severity of the maritime disputes.

The Natuna Islands, situated as the northernmost archipelago in the Karimata Strait, hold strategic significance within Indonesia's maritime domain. Bordered by Vietnam, Cambodia, South Sumatra, Jambi, Singapore, Malaysia, Riau, East Malaysia, and West Kalimantan,

⁵ De Yoshinov, S. M. "Marine Defense Strategy With Military Base Development on the Outside Island As a Leading Defense and Defense Mobility." *Jurnal Strategi Pertahanan Laut* 8.1 (2022): 74-80; Erlina, Esther Christie, Catur Siswandi, and Raden Ahmad Gusman. "Law Enforcement Issues and Regulations in Undelimited Maritime Boundaries: An International Law Perspective." *Lentera Hukum* 7 (2020); Putra, Bama Andika. "Gauging contemporary maritime tensions in the North Natuna Seas: Deciphering China's maritime diplomatic strategies." *The International Journal of Interdisciplinary Civic and Political Studies* 17.2 (2022): 85.

the Natuna region spans an expansive area of 141,901.20 km², predominantly comprised of oceanic territory. Renowned for its rich oil and gas reserves, the Natuna Islands serve as a vital economic asset for Indonesia, with oil reserves totaling 308.30 million barrels and natural gas reserves amounting to 54.78 trillion cubic feet, making them a crucial source of revenue.

Indonesia finds itself embroiled in the wider South China Sea conflict, as its Exclusive Economic Zone (EEZ) in the Natuna territorial waters intersects with Vietnam's unilateral claim map. Recognizing the threats posed to its national interests and sovereignty, Indonesia has adopted a multifaceted approach to address these challenges. This includes cracking down on Vietnamese-flagged vessels engaged in illegal fishing in Natuna waters and deploying a combat fleet, comprising warships, to bolster patrols in the area.

In addition, Indonesia has engaged in diplomatic negotiations to seek resolution and prevent further escalation of tensions in the South China Sea. Through concerted diplomatic efforts and strategic maneuvers, Indonesia endeavors to safeguard its territorial integrity, uphold international law, and ensure the peaceful resolution of maritime disputes in the region.⁶

This conflict is emblematic of broader tensions that have arisen within the context of competing territorial claims and geopolitical rivalries in the South China Sea. It encapsulates the challenges faced by coastal states in navigating the complexities of maritime jurisdiction and resource management, particularly in areas where overlapping claims intersect. Against this backdrop, the resolution of the Natuna Waters Conflict holds implications not only for Indonesia and Vietnam but also for regional stability and international law.

In this study, we delve into the intricacies of the Natuna Waters Conflict and explore the approaches taken to resolve it within the framework of international law. We will examine the relevant legal

⁶ Bangun, Budi Hermawan. "Upaya dan Peran ASEAN dalam Penyelesaian Sengketa Laut China Selatan." *Jurnal Komunikasi Hukum (JKH)* 7.1 (2021): 23-37; Adikara, Ahmad Pradipta Budhihatma, and Adis Imam Munandar. "Tantangan Kebijakan Diplomasi Pertahanan Maritim Indonesia dalam Penyelesaian Konflik Laut Natuna Utara." *Jurnal Studi Diplomasi Dan Keamanan* 13.1 (2021).

principles, including those enshrined in the United Nations Convention on the Law of the Sea (UNCLOS), which governs maritime rights and obligations among coastal states. Furthermore, we will analyze the mechanisms available for dispute resolution under UNCLOS, such as negotiation, arbitration, and adjudication, and evaluate their applicability to the Natuna Waters Conflict.

Moreover, we will consider the role of external actors and regional organizations in facilitating or complicating resolution efforts, recognizing the broader geopolitical dynamics at play in the South China Sea. By synthesizing legal analysis with geopolitical realities, this exploration seeks to provide insights into the challenges and possibilities for resolving the Natuna Waters Conflict through the lens of international law. Ultimately, the resolution of this dispute holds the potential to contribute to peace, stability, and cooperation in the region.

The Occurrence of Conflict Between Indonesia and Vietnam

An April 27 collision involving a Vietnamese fishing vessel and an Indonesian Navy vessel near the Natuna Islands highlighted the risks to competition in the South China Sea. The level of tension in footage taken by the Indonesian Navy showing the collision incident was very visible and highlighted the potential for such incidents to escalate into armed clashes. Indonesian personnel could be heard shouting a series of words of condemnation as the Vietnamese vessel deliberately rammed into the Indonesian corvette KRI Tjiptadi to prevent the seizure of the Vietnamese fishing boat.⁷

According to the Indonesian Navy, the Indonesian ship was hit while trying to dispel a Vietnamese fishing vessel that was suspected of

⁷ See Miranda, Githa, and Dwi Astuti Palupi. "Analisis Yuridis Tentang Tubrukan Antara Kapal Tni Al Dengan Kapalcoast Guard Vietnam di Perairan Natuna Menurut Hukum Internasional (SOLAS Convention dnd COLREG) dan Hukum Nasional." *Abstract of Undergraduate Research, Faculty of Law, Bung Hatta University* 11.2: 1-14; Arsyad, Jamal Hi. "Indonesia–Vietnam Maritime Boundary: Problems and Prospects of Settlement." *Scholars International Journal of Law* 3.10 (2020).

being fishing in the waters. Based on this information, the Vietnamese ship was in the disputed area of the South China Sea.⁸

The problem of conflict that occurred between Indonesia and Vietnam in Natuna Waters is one of the cases that is within the scope of International Law, especially in International Law of the Sea. The tension that occurred in the dispute between the two countries, namely Indonesia and Vietnam, caused unsmooth and less conducive security and comfort that occurred between the two countries. The tension that occurred was due to two surveillance ships belonging to the Vietnamese Government that reportedly hit the hull of the Indonesian Navy ship KRI Tjiptadi-381 in the North Natuna Sea (29/04), the area is an area recognized by Indonesia as Indonesia's EEZ.

Before the problem of being hit by the KRI Tjiptadi-381 Navy ship in the North Natuna Sea, there had been various problems or maritime conflicts between the State of Indonesia and the State of Vietnam. These conflicts include starting from recorded maritime violations from October 2014 to May 2019 there were 294 or almost 57 percent of vessels destroyed by the Ministry of Marine Affairs and Fisheries originating from Vietnam. Finally, the Indonesian warship, KRI Tjiptadi, was hit by Vietnam's chief fisheries supervisor in Natuna waters in April. Therefore, there have been too many violations of maritime problems caused by the Vietnamese state against the territory of the Unitary State of the Republic of Indonesia.

Causes of Conflict Between Indonesia and Vietnam

The conflict between Indonesia and Vietnam was the problem of being hit by the KRI Tjiptadi Navy ship with a Vietnamese-owned ship in the Natuna Islands region. However, tensions were further felt after it was discovered that the Vietnamese-owned ship was suspected of also taking fish in the waters. There is still a lot of confusing news about the

⁸ Yang, Yani, and Yizheng Zou. "Development and national security: Indonesia's Natuna Island and the South China Sea issue." *Third World Quarterly* 45.3 (2024): 493-512.

truth. Especially from the State of Vietnam which claims the territory as the territory of the State of Vietnam.⁹

Actually, regarding the boundary area around the Natuna Islands there is still no definite clarity. The number of countries around the region that also claim the region makes confusion and discomfort to one party or another. The tension also threatened bilateral relations between Indonesia and Vietnam. The conflict that occurs is also due to the potential found in the Natuna Islands itself which is very abundant.

Natuna Island, which is currently located in Natuna Regency, Riau Islands Province, is in the middle of the South China Sea, where it is a source of conflict between Indonesian sovereignty and the People's Republic of China (PRC). The issue came to light after President of the Republic of Indonesia Joko Widodo criticized the map of the People's Republic of China (PRC) which had included the natural gas-rich area into its territory. Natuna consists of seven islands with its capital at Ranai. In 1957, the Natuna islands were originally included in the territory of the Kingdom of Farmers and the Kingdom of Johor in Malaysia. But in the 19th century, the Natuna islands finally came under the control of the Riau Sultanate and became the territory of the Riau Sultanate, where the Natuna islands were in the strategic route of international shipping.¹⁰

After Indonesia's independence, the delegation from Riau also handed over sovereignty to the Republic of Indonesia based on Java. On May 18, 1956, the Indonesian government officially registered the Natuna islands as sovereign territory to the United Nations (UN). Many

⁹ See Sara, Gede Jeje Vijanathananda, Dewa Gede Sudika Mangku, and Ni Putu Rai Yuliartini. "Penerapan International Regulations for Preventing Collisions at Sea (COLREG 1972) Terhadap Penabrakan Kapal TNI AL Oleh Kapal Pengawas Perikanan Vietnam di Wilayah ZEE Indonesia Laut Natuna Utara." *Jurnal Komunitas Yustisia* 5.2 (2022): 68-85; Aini, Afyata Biqadrilla Nur. "Penyelesaian Kasus Perairan Laut Natuna yang Dilakukan oleh Kapal Asing Vietnam." *Thesis*. (Yogyakarta, Universitas Muhammadiyah Yogyakarta, 2022); Sigit, Rahmawati Novia. "Penyelesaian Kasus Pelanggaran Hukum di Perairan Natuna Yang Dilakukan oleh Kapal Asing Vietnam Dalam Perspektif Hukum Laut Internasional." *Jurnal Selat* 7.1 (2019): 98-117.

¹⁰ Pigawati, Bitta. "Identifikasi potensi dan pemetaan sumberdaya pesisir pulau-pulau kecil dan laut Kabupaten Natuna-Provinsi Kepulauan Riau." *Ilmu Kelautan: Indonesian Journal of Marine Sciences* 10.4 (2005): 229-236.

contradictions are carried out by neighboring countries that are directly adjacent to Indonesia's sovereign territory, namely Malaysia which states that the Natuna islands should legally belong to neighboring Malaysia. However, to avoid a longer conflict after the confrontation era in 1962-1966, Malaysia did not claim the status of the Natuna Islands.¹¹

Apart from various claims to the Natuna islands, the Indonesian government has built various infrastructures in the 3,420 km² archipelago. Ethnic Malays are the majority population in the Natuna Islands and reach around 85%, then Javanese around 6.34% and ethnic Chinese around 2.52%.

After the Indonesia-Malaysia Confrontation, followed by anti-Chinese sentiment in the Natuna region, the number of people of Chinese descent in Natuna fell from the range of 5000-6000 people, to only 1000 people. The grapevine emerged that surviving Chinese citizens had contacted Chinese President Deng Xiaoping in the 80s to support the independence of the Natuna region which at that time was inhabited by a majority of Chinese descent, or at least included the islands in the administrative area of the Chinese government. The Diplomat journal on October 2, 2014 predicted that open conflict between Indonesia and China would arise sooner or later.

Political analyst Victor Robert Lee said that Natuna in the early 20th century was quite heavily inhabited by Chinese citizens, but over time, especially after being officially controlled by Indonesia, Malays and Javanese became dominant. Victor claimed to have evidence, that there was an official request of Chinese citizens in Natuna for the government of the People's Republic of China (PRC) to annex the island.¹²

But under international law, the negotiations that have been trying to establish have not been proven until now, and what is clear is that China unilaterally in 2009 drew the Nine Points drawn from Spatly Island in

¹¹ See Sambogo, Alief. "Penamaan Laut Natuna Utara Oleh Pemerintah Indonesia Dalam Prespektif Hukum Internasional." *Jurist-Diction* 1.2 (2018): 381-396; Ardila, Ririn. "Sengketa Wilayah Zona Ekonomi Eksklusif Indonesia (Studi Kasus Klaim Cina Atas Laut Natuna Utara)." *Uti Possidetis: Journal of International Law* 1.3 (2020): 358-377.

¹² Tampi, Butje. "Konflik Kepulauan Natuna antara Indonesia dengan China (Suatu Kajian Yuridis)." *Jurnal Hukum Unsrat* 23.10 (2017).

the middle of the South China Sea, then claimed as its Exclusive Economic Zone area. The Indonesian government in the era of President Susilo Bambang Yudhoyono has protested China's move, through the United Nations Continental Shelf Commission (UN), where the dotted line claimed by China as an update to the 1947 map made the Indonesian government over countries in conflict due to the South China Sea.¹³

The claim that troubled the six countries was triggered by the policy of the Kuomintang Party government (currently in power in Taiwan). The political view of the Kuomintang interprets China's territory to account for 90% of the South China Sea. China has so far been in a bitter dispute with Vietnam and the Philippines over their claims in the Spratly Islands. In the past five years, the UN has not responded to protests from the Indonesian government. China has also never mentioned the issue, so Beijing-Jakarta relations are relatively cool.

However, since long ago, the TNI has been aware of the potential for conflict involving Natuna. More than 20,000 TNI personnel have been deployed to guard waters with Asia's largest gas reserves starting in 1996. After President Joko Widodo came to power, he wanted to assert a firmer and eras stance than the previous government.

According to President Jokowi, the nine-point line that has been claimed by China and marks its maritime borders does not have any international legal basis. President Jokowi issued a surprising statement during a working visit to Japan on Tuesday (23/3), as quoted by Japan's Yomiuri Shimbun newspaper, where Jokowi emphasized that in the chaos of the South China Sea, China needs to be careful in determining its sea border map. Indonesia is one of the countries threatened with harm because of China's action to draw nine points of new territory in the Natuna islands, Riau Islands Province. At first glance, the gas-rich waters seem to enter China's sovereign territory. According to the Foreign Ministry, China's claim to Natuna island violates Indonesia's Exclusive Economic Zone. Coordinating Minister for Maritime Affairs Indroyono Soesilo also stated that the position of the Natuna Islands is very far from

¹³ See Gao, Zhiguo, and Bing Bing Jia. "The nine-dash line in the South China Sea: History, status, and implications." *American Journal of International Law* 107.1 (2013): 98-123.

the Bamboo Curtain Country. According to him, Natuna island is actually closer to Vietnam and Malaysia. Therefore, it feels absurd if China claims that Natuna entered its territory.

The Natuna Islands which have an area of about 141,901 km² are said to have abundant natural wealth. It is said that natural gas reserves in these islands are the largest in Asia Pacific, even the largest in the world, so it is not surprising that many countries are very tempted to be able to own the Natuna Islands. The calculation from the government refers to one of the natural gas fields, the Natuna DAlpha Block, which holds gas reserves with a volume of 222 trillion cubic feet, and if it is to be taken and used, these natural gas reserves will not run out for the next 30 years. Meanwhile, the recoverable gas potential in the Natuna Islands is 46 TCF (Trillion Cubik Feet) equivalent to 8,383 billion Barrels of Oil. In total when combined with Petroleum, there are about 500 million Barrels of energy reserves only in the Block.

Indonesian Energy Observer Marwan Batubara considered that the government should anticipate the annexation of Natuna waters as early as possible, because if it is not maintained, Indonesia will lose huge oil and gas reserves. Later, Indonesia will not only lose oil and gas reserves but also marine potential, fisheries and marine product potential and other products. According to a rough calculation, if cashed, Natuna's gas wealth is worth up to Rp. 6000 trillion. This figure is obtained from the assumption of average oil during the exploitation period of USD 75 / barrel and an exchange rate of Rp. 10,000, - per USD.

The value of this wealth is very large when compared to state revenue in the State Budget (APBN) which is only around Rp. 1,700 trillion. If we lose Natuna, the impact is felt because the oil and gas sector is one of the largest revenues. This is the biggest threat, Energy Watch Chairman Ferdinands Hutahean explained. The South China Sea region is an area of economic, political and strategic value seen from its geographical position that connects the Indian Ocean and the Pacific Ocean as a Sea Lane of Trade (SLOT) and International Communication Line or Sea Lane of Communication (SLOC).¹⁴

¹⁴ Dutton, Peter. "Three disputes and three objectives: China and the South China Sea." *Naval War College Review* 64.4 (2011): 42-67.

In the field of fisheries, the South China Sea is one of the richest fishing areas in the world and contains a variety of fish species and potential sources of mineral wealth.¹⁵ South China Sea oil reserves are estimated at 7.5 barrels and currently petroleum production reaches 1.3 million barrels / day. The South China Sea region has a very large geopolitical role and significance because it is a meeting point with its neighbors, especially those in the ASEAN region and covering territorial issues, defense and security.¹⁶

In the interest of friendship between countries, the International Law of the Sea convention stipulates the peaceful passage through the territorial sea. What is meant by peaceful passage is a territorial sea lane that may be used by foreign parties as long as it is not detrimental to the peace, order, and security of the sovereign state, as outlined in ALKI (Indonesian Archipelago Sea Lane). In the eyes of the world, the name Natuna is not as famous as Batam, let alone Bali. However, seeing the potential it has, it is not impossible that the district whose capital is in Ranai will increasingly steal the attention. There are at least four reasons why Natuna is important to Indonesia, especially Riau Islands Province. First, from the geostrategic side. This region is directly bordered by Cambodia and Vietnam to the north, Singapore and Malaysia to the west, and East Malaysia to the east. In addition, this region is destined to be at the node of international shipping connecting Hong Kong, Japan, South Korea, Taiwan, with other countries. With that fact, the state should be "*present*" to maintain defense and security. Moreover, the islands located in the Natuna Cluster have been used as the outermost base point of Indonesian territory in the Djuanda Declaration in 1957.¹⁷

Second, from the economic side, the Natuna Islands have the potential of natural resources that are undoubtedly abundant. The region holds predicted gas reserves of more than 222 trillion Cubic Feet (TCT). If that is true, then it can be called one of the largest sources of gas in Asia.

¹⁵ Pitcher, Tony J., et al. "Marine reserves and the restoration of fisheries and marine ecosystems in the South China Sea." *Bulletin of Marine Science* 66.3 (2000): 543-566.

¹⁶ Park, Choon-ho. "The South China Sea disputes: who owns the islands and the natural resources?." *Ocean Development & International Law* 5.1 (1978): 27-59.

¹⁷ Park.

The Natuna D-Alpha Block is even said to be able to meet Indonesia's gas needs for more than 70 years to come. According to information reported from various sources, of the 16 gas source blocks owned by Natuna, only 5 have been producing and the rest are still in the exploration stage.

Third, from the fisheries side, this area has the potential of marine fishery resources which are estimated at more than 1 million tons per year. Unfortunately, only about 34 percent have been utilized. Even then, Natuna Regency has only enjoyed it no more than 4.3 percent. Not surprisingly, if the water area is used as an easy target for fish theft by fishermen from Vietnam, China, Malaysia, to Thailand. The excessive use of tiger trawls by these thieves is increasingly detrimental to Indonesia. Jakarta has plans to send thousands of vessels from less productive Java to build an integrated fish processing industry.

Fourth, in terms of tourism, Natuna Regency has potential that is not inferior to Bali, Lombok, Raja Ampat, Bunaken, Banda, Wakatobi, or Derawan. Its geographical condition which is approximately 99 percent of the waters holds peerless beauty. Moreover, it is relatively close to the Asian hubs – Singapore and Hong Kong. The Ministry of Tourism should fully build this region as a new mainstay destination. Sail Karimata 2016 hopefully reminds Jakarta of the importance of Natuna in an effort to succeed Wonderful Indonesia.¹⁸

These 4 things can be concluded that Natuna waters are a strategic area that is a symbol of sovereignty as well as part of the Republic of Indonesia which stores a myriad of potential Natural Resources that are abundant and this myriad of potentials should be worked on and processed one by one by Indonesia. Indonesia is very central to four oceans, and Natuna is an extraordinarily important spot with the potential of its diverse natural wealth, this is what makes the Natuna water area a potential point to become the world's maritime axis.

¹⁸ Sumarlan, Sutrimo, and Ahmad G. Dohamid. "Indonesia Defence Diplomacy Strategy in Resolving China Claims to Indonesia Exclusive Economic Zone in North Natuna Sea." *The Journal of Contemporary Issues in Business and Government* 27.2 (2021): 265-272; Putranto, Gayuh Nugroho Dwi, Muhammad Zid, and Mieke Miarsyah. "Maritime Limit Conflict, Illegal Fishing and Enforcement of Effort in Natuna Sea Region between Indonesia and China." *Jurnal Perikanan dan Kelautan* 9.2 (2019): 185-193.

The territorial waters of Natuna Regency also have the potential to conduct aquaculture business. Types of aquaculture that have been developed in Natuna Regency include caramba cultivation (floating nets and *tancap*), ponds, ponds, and tubs, with types of commodities including grouper (tiger, duck, night, *sunu*, mangrove, *kertang*, mud), white snapper, star pomfret, red snapper, and ornamental fish. Top commodities that have high selling value include grouper and white snapper. In addition, most sub-districts in Natuna Regency are also very suitable for the development of seaweed commodities, both using basic and longline peg methods (Directorate General of Marine Space Management, 2015).¹⁹

Natuna waters are the main gateway of the Republic of Indonesia in the waters of the South China Sea which is disputed by a number of ASEAN-China countries. Although Natuna is at the forefront of the country, the Natuna region is very strategic because not only today, the importance of Natuna's position has been realized since the time of World War II.

Countries using these waters request that the Indonesian government be able to ensure the safety of the traffic of ships passing through Natuna waters. In addition, as the entry point of ALKI I, Natuna waters are vital for the voyage of warships from the Pacific Ocean to the Indian Ocean. This is what the United States has always been worried about, so the country offered assistance for the security of these waters.

However, the Indonesian government feels that security cooperation in Natuna waters with other countries is an intervention in the sovereignty of the State. In fact, with this cooperation, Indonesia can also take advantage of the transfer of technology from developed countries to improve the quality of defense and security in Natuna waters so as to realize disturbances and threats in Natuna waters and its surroundings.²⁰

¹⁹ Putra, R. D., et al. "The potential study of fishing area and its relationship to marine security in Natuna island." *IOP Conference Series: Materials Science and Engineering*. Vol. 1052. No. 1. IOP Publishing, 2021; Wardono, Budi, et al. "Traditional fisheries supply chain management in the border area: the Natuna Islands, Indonesia." *E3S Web of Conferences*. Vol. 147. EDP Sciences, 2020.

²⁰ Adlan Mustafa, Rizal. Indonesian Government Efforts to Maintain Border Territory; Case Study of Natuna Island in The South China Sea. *Thesis*. (Lamongan: Universitas Darussalam Gontor, 2018); Sarah, Siti, et al. "Indonesia's

Based on the Exclusive Economic Zone (EEZ) drawn from the coastline of the Natuna Islands along 200 miles is a sea territory of Indonesian territory and it has indeed become a sovereignty that should be maintained and should not be exploited arbitrarily. The United Nations Conventions on the Law of the Sea (UNCLOS) in 1982 stated that other countries should not arbitrarily exploit and explore the wealth of the Natuna Sea. The policy has not made China retreat but continues to defend that it has indeed taken its wealth in its own seas.

Any other actions by China have greatly threatened the sovereignty of the Republic of Indonesia through the Maritime area, hereby the Government of Indonesia is on alert level 1 to secure the Natuna area with the deployment of warships (KRI) throughout the Natuna territorial waters. The Indonesian government should have thought of this from the beginning, namely state boundaries that are very vulnerable to recognition of its territory (Claim Territory) My opinion as a writer who cares about the sovereignty of the Republic of Indonesia is, this country should be more able to protect its territory by deploying all forces both in the military field and with only surveillance in the Natuna Sea and on other borders, if it does not do so, sovereignty will keep the name only or appendages solely for the Republic of Indonesia.

The waters of the Natuna islands are also rich in biological resources and there are hundreds of species of fish, aquatic animals and coral reefs. In addition, this region is very strategic as a military base and the lifeblood of international shipping. It should be noted that the PRC is one of the largest producers of marine products on planet Earth. Each year the PRC produces 17 million tons of seafood for consumption and export. Not to mention the wealth that exists within the continental shelf in the Natuna area which is rich in huge natural gas.

How strategic this region is as an international shipping lane. So it is not surprising that this region is contested by a number of ASEAN countries, even the PRC and Taiwan. Illegal fishing is also rife in this area of the South China Sea. Illegal fishermen from China, Malaysia, Vietnam

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and others, often drain the contents of the South China Sea by participating in catching small fish as a forerunner of big fish in the future, completely depleted. They use sophisticated equipment compared to Indonesian fishermen who still use traditional equipment and do not threaten the existence of fish in the future.²¹

Solutions to the Conflict between Indonesia and Vietnam

Based on the results of research uploaded on the official website of the National Seminar of the Geospatial Information Agency, Indonesia began discussing EEZ boundaries with Vietnam in 2010. From 2010 to 2016, Indonesia-Vietnam maritime delimitation negotiations have been held eight times.²² Director General of International Law and Treaties Damos Dumoli Agusman said EEZ boundary negotiations were still ongoing at the technical level. The two negotiators, said Damos, had agreed on several principles, namely the first based on the International Convention on the Law of the Sea (UNCLOS 1982). Indonesia and Vietnam, he said, also emphasized the principle that the boundary of the continental shelf and EEZ are two different regimes. According to the International Convention on the Law of the Sea, the Continental Shelf includes the rights of a state to the seabed and the land beneath it that lies outside the territorial sea.

EEZ problems often plague Indonesia with its neighbors such as Vietnam and the Philippines. This concept was first formally introduced at the 1982 Convention on the Sea. Previously, some countries have

²¹ Zhang, Hongzhou. "Fisheries cooperation in the South China Sea: Evaluating the options." *Marine Policy* 89 (2018): 67-76; Li, Jianwei, and Ramses Amer. "Closing the net Against IUU fishing in the South China Sea: China's practice and way forward." *Journal of International Wildlife Law & Policy* 18.2 (2015): 139-164; Dupont, Alan, and Christopher G. Baker. "East Asia's maritime disputes: Fishing in troubled waters." *The Washington Quarterly* 37.1 (2014): 79-98.

²² Arsyad, Jamal Hi. "Indonesia–Vietnam Maritime Boundary: Problems and Prospects of Settlement." *Scholars International Journal of Law* 3.10 (2020); Izzati, Nur Arissa, Chusnul Qotimah Nita Permata, and Miftah Santalia. "Assessing the Effectiveness of Settling Indonesian Sea Border Disputes through Litigation and Non-Litigation Paths." *Lex Scientia Law Review* 4.1 (2020): 1-18.

used the 200-mile boundary as a basis for establishing their maritime sovereignty.²³ Countries that had previously used the length of the boundary were Chile and Peru in 1947.

In Law Number 5 of 1983 concerning Exclusive Economic Zones, the definition of EEZ is a lane outside and bordering the sea of Indonesian territory with a limit of 200 nautical miles and measured from the sea baseline of Indonesian territory. This zone includes the seabed, land under the sea, as well as water at sea level.

Within the 200-mile boundary, Indonesia has rights, jurisdiction, and obligations. The rights referred to in Article 4 are exploration and exploitation, management of biological and non-biological Natural Resources, to other activities related to exploration and exploitation of the area. "*Such as hydropower, current, and wind (electricity) plants*," reads Paragraph 1 Letter A of Article 5.

Then matters related to jurisdiction related to the construction of artificial islands, installations and other buildings. Then scientific research and protection and preservation of the marine environment fall under Indonesia's jurisdiction within the EEZ. Other rights and obligations refer to the applicable Law of the Sea Convention. "*In the EEZ, freedom of shipping and civil aviation as well as the laying of submarine cables and pipelines are recognized in accordance with international law*," explains Paragraph 3 of Article 1.²⁴

Sea violations committed by fishing vessels from Vietnam have indeed become a subscription for Indonesian authorities so far. From October 2014 to May 2019, 294 or nearly 57 percent of vessels destroyed by the Ministry of Marine Affairs and Fisheries came from Vietnam. Finally, the Indonesian warship, KRI Tjiptadi, was hit by Vietnam's chief fisheries supervisor in Natuna waters in April.

Actually, in the law, the government allows foreign parties to operate in Indonesia's EEZ. However, this must be based on permits

²³ Ramasari, Risti Dwi. "Maritime Law Policy Analysis Regarding Illegal Fishing Activities in Indonesian Waters." *International Conference on Sustainable Development Goals (ISCIS)*. Vol. 1. No. 1. 2022.

²⁴ See also Karavias, Markos. "Submarine Cables and Pipelines: The Protection of Investors Under International Law." *The Journal of World Investment & Trade* 19.5-6 (2018): 860-889.

and requirements given by the Indonesian government. In Article 5 Paragraph 3, fish catches are allowed if the potential amount of catch exceeds the ability of the Indonesian side to utilize it.

Meanwhile, Fisheries Law Number 45 of 2009 has regulated that every foreign-flagged fishing vessel operating in Indonesia's EEZ must have a Fishing License (SIPI) granted by the government. In addition, the government also sets standards for the number of crew members of foreign fishing vessels operating in the EEZ. "*It is mandatory to use Indonesian fishermen with at least 70 percent of Indonesian citizenship,*" explained Article 35A of Law 45/2009.

In Law 5 of 1983, violations committed against the EEZ of the Republic of Indonesia will be rewarded with a maximum fine of IDR 225 million. Meanwhile, in the Fisheries Law, foreign fishing vessels that do not carry permits in the EEZ will be punished even more severely, namely six years imprisonment and a fine of Rp 20 billion.

The dispute between Indonesia and Vietnam is not the only EEZ boundary conflict between the two countries. Norway and Russia briefly fought over EEZs in the Barents Sea region before they agreed on maritime boundaries in 2020. The EEZ conflict between Indonesia and its neighbors is also a larger sea conflict, namely the seizure of the South China Sea.

The South China Sea boundary conflict began when in 2013 China built up in the Spratly and Paracel Islands that China claims are part of its Nine Dash Line or demarcation line map. Vietnam, the Philippines, Malaysia, Brunei Darussalam, Indonesia, and Taiwan protested for colliding with their EEZs.²⁵

The scope of maritime conflicts extends across various strategic points, spanning from the Gulf of Tonkin in Vietnam, the Spratly Islands, and Philippine waters, to Natuna in the Riau Islands. This extensive area encompasses key strategic locations where tensions have arisen due to overlapping territorial claims and maritime disputes. Notably, President Jokowi's symbolic gesture in 2016, holding a meeting in Natuna waters aboard the KRI Imam Bonjol, underscored

²⁵ Son, Nguyen Hung. "ASEAN and the South China Sea." *The South China Sea* (2019): 24-42.

Indonesia's firm stance on asserting sovereignty over the Natuna Islands. As Cabinet Secretary Pramono Anung articulated at the time, the President's visit aimed to reaffirm Natuna's integral role as part of the Republic of Indonesia, emphasizing Indonesia's commitment to safeguarding its territorial integrity amidst regional maritime tensions.

Another thing is that sea violations committed by fishing vessels from Vietnam have indeed become a subscription to Indonesian authorities so far. From October 2014 to May 2019, 294 or nearly 57 percent of the vessels destroyed by the Ministry of Marine Affairs and Fisheries came from Vietnam. Finally, the Indonesian warship KRI Tjiptadi was hit by the head of Vietnam's fisheries supervisory in Natuna waters in April.

President Joko Widodo and Vietnamese Prime Minister Nguyen Xuan Phuc agreed to complete negotiations on the boundaries of the two countries' Exclusive Economic Zones (EEZs). The bilateral talks were held on the sidelines of the 34th United Southeast Asian Nations (ASEAN) Summit which took place in Bangkok, Thailand on Saturday (22/6).

During discussions with the Vietnamese Prime Minister, President Jokowi highlighted the recurrent challenges faced by both Indonesia and Vietnam concerning maritime border issues within their respective Exclusive Economic Zones (EEZs). Expressing a sense of urgency, President Jokowi underscored the importance of promptly concluding negotiations on the EEZ boundary between the two nations.

Conclusion

In conclusion, the Natuna Islands, a part of Indonesia, occupy a pivotal position in the southern South China Sea, boasting abundant natural resources and serving as a vital international sea passage. The conflict between Indonesia and Vietnam in the Natuna Waters epitomizes the challenges faced by nations in navigating maritime disputes within the realm of International Law, particularly the Law of the Sea. As Indonesia grapples with the broader South China Sea conflict, its Exclusive Economic Zone (EEZ) in the Natuna territorial waters is at the forefront of contention due to Vietnam's unilateral claim. Consequently, Indonesia

is compelled to take proactive measures to safeguard its national interests and sovereignty, including cracking down on illegal fishing activities and bolstering maritime patrols.

Recognizing the imperative of resolving these disputes diplomatically, President Joko Widodo and Vietnamese Prime Minister Nguyen Xuan Phuc recently agreed to conclude negotiations on the boundaries of their respective EEZs. This bilateral initiative, undertaken on the sidelines of the 34th United Southeast Asian Nations (ASEAN) Summit in Bangkok, Thailand, signifies a commitment to peaceful dialogue and cooperative resolution of maritime conflicts. Through sustained negotiations and diplomacy, Indonesia strives to address the challenges posed by the South China Sea conflict, ensuring the security and stability of its maritime domain while upholding the principles of international law and regional cooperation.

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