



Maritime Cooperation Between Indonesia And China In South China Sea

Ainun Djaria¹, Seniwati²

^{1,2} Hasanuddin University, Indonesia

Alamat: Jl. Perintis Kemerdekaan No.KM.10, Tamalanrea Indah, Kec. Tamalanrea, Kota Makassar, Sulawesi Selatan 90245

Korespondensi penulis: djariaainun@gmail.com

Abstract. *The maritime conflict between Indonesia and China in the South China Sea arises from overlapping claims, particularly concerning Indonesia's Exclusive Economic Zone (EEZ) near the Natuna Islands. China's assertion of sovereignty through its Nine-Dash Line, which Indonesia does not recognize under the 1982 United Nations Convention on the Law of the Sea (UNCLOS), has fueled tensions. These have been exacerbated by aggressive actions, including Chinese vessels' incursions and illegal fishing within Indonesia's EEZ. Despite these conflicts, both nations emphasize maritime cooperation to enhance bilateral ties. This study examines the dynamics of Indonesia-China maritime cooperation and conflicts in the South China Sea and their implications for regional stability. Employing a literature-based methodology, it investigates challenges and potential resolutions, including diplomacy and third-party mediation through bodies like the International Court of Justice. The findings highlight that resolving disputes effectively requires a legal framework and multilateral collaboration through ASEAN. The study concludes with recommendations for bolstering diplomatic engagement and sustainably managing maritime resources to ensure stability across the Indo-Pacific region..*

Keywords: *Suez Canal, International Trade, Palestinian-Israeli Conflict, Economic Crisis, Maritime Security.*

1. INTRODUCTION

The South China Sea conflict is one of the most critical and intricate disputes concerning maritime claims in the region. Tensions heightened in 2019 when a Vietnamese fishing vessel was sunk by Chinese gunfire near Reed Bank, leading the Philippine government to express support for Vietnam. The global community has also voiced significant concerns, urging China to halt actions that exploit other nations and extend its disputed claims in the South China Sea. Different perspectives have emerged among the nations involved, both claimants and non-claimants, such as Indonesia and the United States. The South China Sea is of great importance as it serves as a key route for transportation, communication, and trade. It is not only essential for fostering international cooperation but also a frequent source of disputes. Nearly three-quarters of the world's population lives in coastal areas that are rich in natural resources, including oil, gas, fish, and minerals. As China's demand for energy resources grows, so does its effort to control strategic routes like the South China Sea, a vital part of its ambitions along the modern Silk Road (Dipua et al., 2020, p. 977). China's increasing energy needs are driving the country to control this strategic area.

Following World War II, a power vacuum emerged, leaving the South China Sea without a definitive international document addressing sovereignty. This situation limits the chances for other nations involved in the dispute to secure a dominant role in this strategically significant region. China's assertions have sparked persistent tensions, particularly as the country resists participating in regional negotiations. To reinforce its claims, China promptly deployed two aircraft carriers to the South China Sea (Dipua, et al., 2020, p. 978). China's aggressive actions, including the deployment of aircraft carriers and unwillingness to engage in dialogue, have increased tensions and hampered a peace settlement. Legal ambiguity has further exacerbated the situation, making it difficult for other countries to gain an advantageous position in this strategic region.

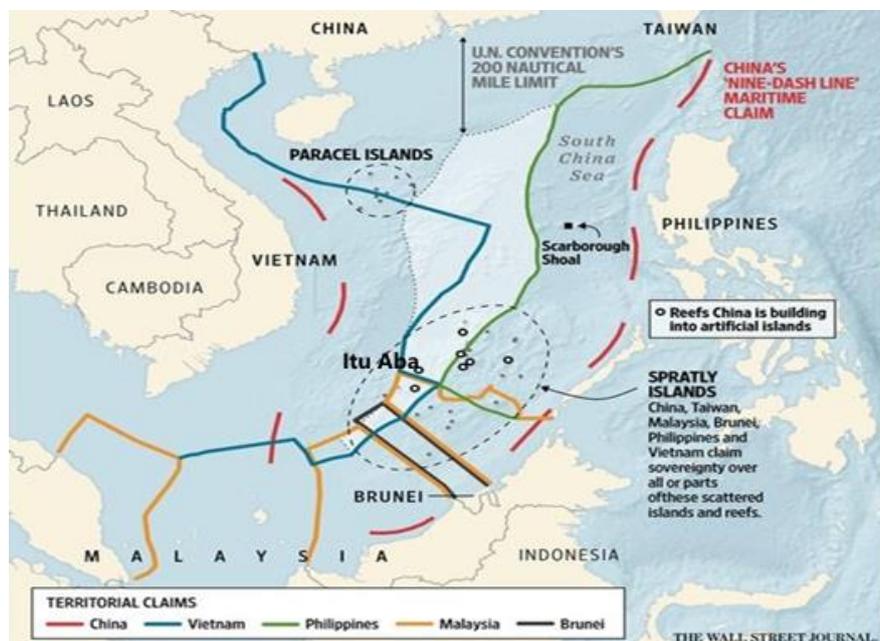


Figure 1. Map of conflict in the South China Sea

Source:(Dipua, et al., 2020)

The map above highlights the overlapping areas and intersections among six countries in the South China Sea. In 1947, China released the Nine-Dash Line map to assert its historical claims. Taiwan took control of Aha Island in 1956. As Qi mentions, Vietnam established its Exclusive Economic Zone (EEZ) in the South China Sea in 1977. The Philippines followed with a Presidential Decree concerning the Spratlys in 1978, while Malaysia expanded its Continental Shelf to the South China Sea in 1979. Brunei Darussalam declared its EEZ in the region in 1988. (Dipua, et al., 2020, p. 979) Since China issued the Decree stating its historical claims, Taiwan has followed suit to take control of Aha Island. Several countries have set their own boundaries, but the areas have become overlapping due to the many claims from several countries in the South China Sea region.

Since 1992, military ties between the Philippines and the United States have grown increasingly robust, particularly in the areas of counterterrorism and maritime security. As tensions in the South China Sea escalate, US-Philippine collaboration has intensified, marked by frequent joint military exercises. These activities have drawn reactions and concerns from China, further fueling regional disputes. The primary conflicts in the South China Sea stem from overlapping territorial claims, which remain a significant source of instability in the region. Apart from Singapore, many nations have disputes involving the US, adding complexity to the situation (Lunn, 2016). The US plays a critical role in this context. As a key rival to China in the South China Sea, it has demonstrated substantial interest in the area. However, the US's refusal to ratify the United Nations Convention on the Law of the Sea (UNCLOS) highlights an inconsistency in its position (Yujuico, 2015). This stance has led to friction with several countries and poses a potential threat to security and stability across Southeast Asia and beyond. (Dipua, et al., 2020, pp. 980-981). The conflict in the South China Sea was triggered by conflicting territorial claims, with the US acting as China's main competitor. US interest in the region, despite not ratifying international maritime law, adds tensions and threatens security stability in Southeast Asia. This diplomatic challenge creates countries involved in managing complex relationships.

China's historical claims have turned the South China Sea issue into a contentious matter with global implications. This situation not only affects non-claimant countries but also those with strategic interests in the region. For Indonesia, the resolution of this dispute with China is indirectly significant, as China's nine-dash line map overlaps with Indonesian territory, leading to conflicts between the two nations. At the international level, China's claim to the South China Sea as a traditional fishing area has been widely rejected, particularly because UNCLOS 1982 establishes clear maritime boundaries, including a 12-mile territorial sea, a 200-mile continental shelf, and a 200-mile Exclusive Economic Zone (EEZ) measured from the baseline. Indonesia firmly opposes China's claims. Although China does not claim Indonesian territory, it asserts maritime rights that infringe upon Indonesia's EEZ. A significant challenge lies in differentiating between sovereignty, sovereign rights, and the freedoms of the high seas, as many mistakenly believe that Indonesia must fully control and protect its entire EEZ. Indonesia's stance on China's claims in the South China Sea can be summarized in four key points: (1) Chinese vessels have violated Indonesia's EEZ; (2) the boundaries of Indonesia's EEZ are established under international law through UNCLOS 1982; (3) as a party to UNCLOS 1982, China is obligated to adhere to its provisions; and (4) Indonesia will never acknowledge

China's unilateral claims under the Nine Dash Line, as they lack a legal basis under international law, specifically UNCLOS 1982. (Dipua, et al., 2020, pp. 981-982). The issue in the South China Sea is important for Indonesia because China's maritime claims border its territory. Indonesia rejects China's nine-dash line claim based on international law, especially UNCLOS 1982. Indonesia's four main positions emphasize violations by China, the importance of international law, and the rejection of unilateral claims that are not legitimate. This situation shows the challenges for Indonesia in maintaining its sovereignty and maritime rights in a region full of tension.

The South China Sea holds significant strategic importance, and the Indonesian government has various perspectives on this issue. Politically, the region is marked by a paradox of power struggles and influence. Additionally, the South China Sea is critical due to its trade routes and abundant natural resources. On a global scale, major powers like the US and China are competing to expand their influence, as seen in the Pacific and South China Sea. While Indonesia shifts its focus toward the Indo-Pacific, China continues to assert its dominance in the region. There is speculation that China may assume a global leadership role similar to what the US once held, especially as the US shows signs of decline (Dipua, et al., 2020, pp. 983-984). Indonesia's complex interests in the South China Sea are shaped by this rivalry between the US and China.

This situation drives Indonesia and other Southeast Asian nations to prioritize the ASEAN Outlook on Indo-Pacific, which emphasizes cooperation over competition. This outlook highlights ASEAN's commitment to maintaining peace, security, stability, and prosperity across the Indo-Pacific, encompassing the Asia-Pacific and Indian Ocean regions. Nationally, the threat of communism remains a concern. China's growing influence in military, economic, and industrial sectors is reinforced by its soft diplomacy. The 1965 communist rebellion still resonates as a traumatic event for many Indonesians, raising fears that China's activities in the South China Sea, potentially tied to communist ideology, could threaten Indonesia's national sovereignty.

To counter potential threats, Indonesia has made progress in developing its outer islands, such as Natuna Island, which serves as a maritime boundary. This strategy includes utilizing the Indonesian Armed Forces (TNI) and National Police (Polri) to accelerate development on Natuna Island (Dipua, et al., 2020, p. 985). Indonesia's efforts, alongside ASEAN countries, reflect a strong commitment to fostering cooperation through the ASEAN Outlook on Indo-Pacific as a response to regional threats, including China's hegemony and the perceived ideological threat to national sovereignty.

The South China Sea is a pivotal region for Asia-Pacific countries due to its strategic value and shared interests. The disputes in the area involve overlapping claims between China and several Southeast Asian nations, including Indonesia. According to Hayton, these disputes arise from overlapping territorial claims between China and its Southeast Asian neighbors (Samy, 2023, p. 120). Countries involved must balance their diplomatic credibility with the challenges of managing complex relationships with China, a formidable military power and a vital economic partner. As a key ASEAN member, Indonesia plays a crucial role in resolving these disputes to ensure regional stability (Samy, 2023, p. 120).

One potential solution for the Natuna Islands dispute between Indonesia and China is mediation by a neutral third party, such as the International Court of Justice (ICJ). A mediator can facilitate dialogue and propose resolutions grounded in international law to achieve a mutually beneficial agreement. If diplomatic negotiations fail, Indonesia can pursue legal action by filing a lawsuit with the ICJ to address China's illegal fishing practices. In this process, Indonesia would present legal arguments to support its claims over the Natuna Islands and hold China accountable for violations. While the ICJ's decisions are binding, their implementation often depends on the cooperation of the involved nations.

Filing a lawsuit with the ICJ over China's illegal fishing in the Natuna Islands is one way for Indonesia to assert its sovereignty. This legal approach complements diplomatic efforts and ensures Indonesia fulfills its responsibility to safeguard its territorial integrity and natural resources. If illegal fishing continues to harm Indonesia's national interests, litigation serves as a legitimate and decisive measure to protect its rights (Nazhimah, Maharani, Chandra, Sudiro, & Lewiandy, 2023, pp. 1118-1119). Mediation and litigation, including through the ICJ, provide viable paths for Indonesia to address disputes with China and reinforce its sovereignty and resource protection efforts.

2. THEORITICAL STUDY

Maritime Conflict

The South China Sea is an area abundant in natural resources, particularly in offshore mining and fisheries. Research conducted by China has highlighted significant optimism regarding the potential oil reserves in the region, estimated to exceed 213 billion barrels, which is approximately ten times the oil reserves in the United States. Additionally, the United States Energy Information Administration (EIA) reports that the most substantial energy resources in the South China Sea are its natural gas reserves, estimated at around 900 trillion cubic feet,

comparable to those of Qatar (Farida et al., 2022, p. 3670). These vast resources have made the South China Sea a highly strategic and contested area, perceived as crucial for the future of global energy.

China's sweeping claims over the South China Sea have sparked significant concerns among neighboring nations, both those directly involved in territorial disputes and those not directly claiming areas. Even nations outside the region, with interests in international maritime security, have expressed alarm. These concerns have been intensified by military activities, acts of intimidation, and provocations in disputed waters, including both physical confrontations and diplomatic pressures. This situation has worsened regional instability, and while the conflict has remained relatively low-intensity, the risk of escalation into a larger-scale conflict looms without a timely resolution.

Three primary factors contribute to the South China Sea's vulnerability to conflict. First, the area's rich natural resources, including oil and gas reserves, and its contested islands draw competing claims from countries such as China, Vietnam, Brunei, the Philippines, Malaysia, and Taiwan. Second, the South China Sea serves as a critical international trade route via the Strait of Malacca, one of the busiest corridors globally, linking Europe, Asia, and the Americas. This makes the security and stability of the region essential not only to claimant states but also to other stakeholders like Indonesia, Singapore, and the United States (Farida et al., 2022, p. 3671). The tensions surrounding the South China Sea intensified after China asserted absolute claims over the area, disrupting what is known as the regional security order—a system designed to maintain stability in international interactions.

Disputes over the South China Sea, which have persisted since the 1970s, remain unresolved. These conflicts stem from differing views on territorial claims. The parties involved include China, the Philippines, Malaysia, Vietnam, Brunei, and Taiwan, each asserting that parts of the South China Sea fall within their sovereignty. The basis of these claims varies: China relies on historical assertions, particularly the "nine-dash line," while other nations reference geographic proximity and legal frameworks under the United Nations Convention on the Law of the Sea (UNCLOS) (Darmayadi & Purnamasari, 2022, p. 43). These differing legal and historical justifications complicate negotiations and resolution efforts, perpetuating tensions and hindering regional stability.

The "nine-dash line" is a boundary China uses to assert its sovereignty over the South China Sea (see Figure 1). However, this claim is contested by several nations, including Taiwan, Malaysia, the Philippines, Brunei, Vietnam, and Indonesia, whose territorial waters are affected. These countries reject the claim on the grounds that it contravenes international

law and infringes on their sovereignty. Moreover, the “nine-dash line” is deemed inconsistent with the provisions of UNCLOS, which governs maritime territorial rights. This rejection has heightened geopolitical tensions, resulting in periodic military and diplomatic incidents. Resolving this contentious issue remains critical for ensuring peace and stability in Southeast Asia and beyond.

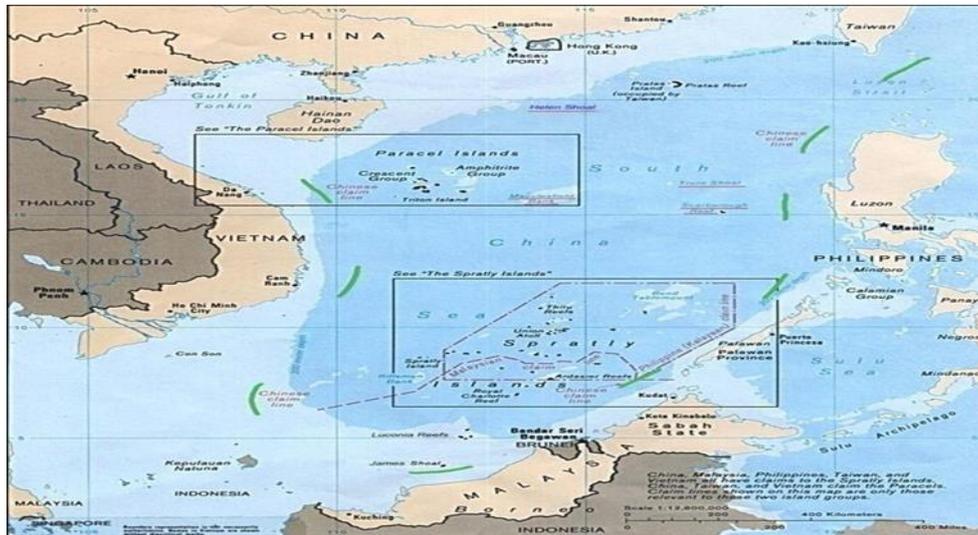


Figure 2: The Nine-Dash Line Map

Source:(Darmayadi & Purnamasari, 2022, p. 44)

In the dispute over the Natuna Sea, Indonesia has firmly rejected China's nine-dash line claim, asserting that it violates Indonesia's Exclusive Economic Zone (EEZ). According to Nuechterlein's (1976) concept of national interest, Indonesia's priorities in the North Natuna Sea encompass three key aspects: defense, economics, and global order. From a defense standpoint, Indonesia prioritizes safeguarding its territorial sovereignty. Economically, Indonesia's focus lies on its sovereign rights and jurisdiction to exploit and manage natural resources within the EEZ. Additionally, in terms of global order, Indonesia aims to ensure stability and security in this critical region, which serves as a major international trade and shipping route (Darmayadi & Purnamasari, 2022, p. 45). These national interests significantly influence both Indonesia's policy and the broader geopolitical dynamics in Southeast Asia, underscoring the need for regional cooperation and diplomatic dialogue to mitigate tensions and maintain security in the Natuna Sea.

Since 2015, China has intensified its sovereignty claims over the South China Sea, supported by concrete actions such as deploying warships to the area. These claims extend to features like the Spratly Islands, provoking strong opposition from neighboring nations like Vietnam and the Philippines. In 2019, China sent military vessels near the Natuna Islands, prompting a decisive response from Indonesia. A contentious debate revolves around whether

China's claims should be judged under the United Nations Convention on the Law of the Sea (UNCLOS) or through the lens of historical rights, which fall outside UNCLOS's scope. Some argue that pressuring China to adhere solely to UNCLOS is both incorrect and inappropriate (Darusman et al., 2020, pp. 387–388). These factors have exacerbated regional tensions, complicating diplomatic efforts toward a peaceful resolution. Collaborative efforts among countries bordering the South China Sea are essential to promoting stability and security in the region.

China asserts its claims to the South China Sea based on historical rights derived from a legal framework separate from established international norms. As a permanent member of the United Nations, China has been actively involved in formulating and ratifying international maritime laws, including UNCLOS 1982 (Darusman et al., 2020, p. 390). However, these historical claims often conflict with UNCLOS principles, creating friction with neighboring nations and posing significant diplomatic challenges in enforcing maritime law norms in the region.

China's maritime claims remain ambiguous in terms of their legal and jurisdictional scope. Firstly, many of the land features China claims, such as those in the Spratly Islands, do not qualify as islands under Article 121(3) of UNCLOS and thus cannot establish EEZs. China may attempt to justify its claims using the EEZs of the five largest Spratly Islands, as well as the Woody and Pratas Islands. However, UNCLOS mandates that overlapping EEZ claims must be resolved through negotiation. Secondly, China's historical rights claim further complicates matters. Article 14 of the 1998 EEZ law asserts that China's historical rights "shall not be prejudiced," yet the law does not clearly define the scope or details of these rights. This legal ambiguity has perpetuated tensions, creating barriers to diplomatic solutions and regional stability (Darusman et al., 2020, p. 392).

The ongoing dispute between Indonesia and China in the South China Sea involves overlapping maritime, geopolitical, and legal issues that directly shape Indonesia's foreign policy. This policy is influenced by both domestic and international factors, reflecting a dynamic and multifaceted approach. Indonesia's foreign policy strategy incorporates diplomatic, legal, economic, and social efforts to safeguard sovereignty over the Natuna Waters. Given that China's claim poses a moderate threat, Indonesia aims to manage the situation through peaceful means while avoiding further escalation. As a signatory to UNCLOS 1982, China is expected to respect Indonesia's sovereignty and rights in the region (Darmayadi & Purnamasari, 2022, p. 46). By implementing a consistent and effective foreign policy,

Indonesia seeks to maintain regional stability and strengthen its influence in Southeast Asia's geopolitical landscape.

China's unilateral claims have negatively impacted ASEAN countries, including Indonesia, creating strained relations. Indonesia continues to reject China's assertions, emphasizing that the Natuna Sea is sovereign Indonesian territory and not merely a traditional fishing ground for China. Despite the heightened tensions, Indonesia maintains diplomatic relations with China and has lodged formal protests against the claims (Darmayadi & Purnamasari, 2022, p. 47). This approach reflects Indonesia's commitment to upholding international law while pursuing regional stability. Through diplomatic efforts, Indonesia hopes to achieve a peaceful resolution to the conflict, avoiding further escalation in the area.

Maritime Cooperation

The history of maritime cooperation between Indonesia and China reflects long-standing interactions between the two nations, with a dynamic yet interrupted relationship, particularly after the severance of diplomatic ties due to the 30S/PKI Movement. Following this period, diplomatic relations were restored, and cooperation across various sectors, including maritime affairs, was reinforced. With Indonesia's vision of becoming the world's maritime axis and China's promotion of the Silk Road initiative under President Xi Jinping, the two countries have increasingly focused on developing the maritime sector. One notable achievement in this partnership is the signing of a memorandum of understanding on maritime defense and security. However, despite the creation of the Maritime Cooperation Committee, security cooperation remains relatively shallow, as China and Indonesia have yet to establish a permanent framework for bilateral cooperation (Lestari et al., 2022, p. 536). Although collaboration in maritime security and military trade is still in its early stages, both nations are keen to strengthen their ties, driven not only by their rapid growth but also by the strong integration of their development strategies, opening up possibilities for closer cooperation in the future.

Maritime cooperation between China and Indonesia is essential given that both countries are large Asian nations with vast maritime areas and abundant marine resources. China's coastline stretches 32,000 kilometers, while Indonesia, as the world's largest archipelagic nation, controls vital waterways such as the Strait of Malacca, a key global trade route. Ensuring maritime security in Indonesia's waters is crucial for maintaining international trade stability, making this collaboration beneficial for both countries' economies while promoting

regional security (Yani, Machmudi, & Rofii, 2023, p. 375). In addition to supporting economic growth, this cooperation plays a critical role in maintaining maritime security and ensuring the stability of global trade.

Indonesia and China also face disputes in the South China Sea's exclusive economic zone and challenges related to maritime insecurity. Both nations are exposed to various threats to maritime security, creating mutual interests in securing these waters. Strengthening cooperation in maritime security is essential to mitigate risks and foster a secure environment that supports the strategic development of both nations. This collaborative effort will help both countries achieve their development goals and contribute to the broader progress and stability of Asia and the world as a whole (Lestari et al., 2022, pp. 536-537). Enhancing maritime security cooperation not only benefits Indonesia and China but also contributes to regional stability in Asia, enabling both nations to focus on economic development and mutually advantageous collaboration.

The shared vision of Indonesia as the world's maritime axis and China's One Belt One Road initiative strengthens the support between the two governments. The OBOR project aims to enhance China's trade relations with various countries, including Indonesia. By developing an interconnected maritime transportation network, China can optimize this route to distribute goods throughout Indonesia, boosting state revenue through maritime trade (Lude & Kresnawati, 2022, pp. 897-898). This initiative not only improves the efficiency of goods distribution but also creates job opportunities and stimulates industrial growth in Indonesia, thus having the potential to strengthen economic ties between the two nations and enhance the welfare of their people.

China's economic strategy is reflected in its efforts to expand trade, increase investments, and build stronger ties with developing nations. This approach includes providing aid and loans to countries in Southeast Asia, fostering closer diplomatic relations with nations such as Indonesia. The longstanding history of interaction between China and Indonesia has enabled both countries to develop a mutual understanding of each other's character, forming the basis for their growing partnership. Their collaboration spans various domains, from formal political diplomacy to more informal engagements, including Official Diplomacy, Cultural Diplomacy, Economic Diplomacy, and Investment Diplomacy (Lestari et al., 2022, p. 536). This multifaceted cooperation has not only strengthened bilateral ties but also contributed to stability and economic progress throughout Southeast Asia. By acknowledging their shared interests and complementary characteristics, China and Indonesia have laid the groundwork for mutually beneficial synergies.

The decision to pursue bilateral cooperation stems from the shared belief that China can support Indonesia's vision of becoming a global maritime axis. This partnership requires both nations to harmonize their perspectives and strategies with Indonesia's maritime axis concept, which aims to bolster its status as a leading maritime nation, solidify its national identity, and improve connectivity among archipelagic states on an international scale. This collaboration also serves as a critical link connecting multiple regions, including the east, west, north, and south (Lude & Kresnawati, 2022, pp. 897–898). Through this alignment, the partnership is anticipated to enhance Indonesia's maritime standing and expand its influence on the global stage. By working together strategically, China and Indonesia can foster regional economic development and reinforce their shared goals.

Both countries need to implement bilateral maritime cooperation mechanisms between Indonesia and China, as explained in the Memorandum of Understanding (MSP). The mechanisms include:

1. The two countries agreed to hold high-level dialogue and cooperation through mechanisms led by officials and coordinating ministers from each party.
2. Both parties agreed that the Maritime Cooperation Committee (MCC) established in 2012 based on the Memorandum of Understanding (MoU) will be replaced by the DTTMKS. The DTTMKS is the body that oversees maritime cooperation under the updated MOU, with the following duties: (a) designing long-term maritime cooperation, (b) setting policies for the direction of cooperation, (c) reviewing and approving cooperation projects, (d) supervising the use of maritime cooperation funds, and (e) making decisions on important maritime issues.
3. Both parties also agreed to establish a technical committee for maritime cooperation. This mechanism is designed to ensure that cooperation can be implemented effectively and according to objectives (Lude & Kresnawati, 2022, pp.897-898). In addition to economic cooperation, maritime security is also one of the focuses of bilateral cooperation. Both countries have common challenges related to maritime threats such as piracy, maritime terrorism, illegal fishing, and cross-border crimes. These threats encourage the importance of increasing maritime security cooperation between Indonesia and China.

China and Indonesia formulated the Future Plan for Comprehensive Strategic Partnership, in which the two leaders praised the progress of maritime cooperation and recognized the important role of the Maritime Cooperation Committee. They agreed to

accelerate the implementation of projects supported by the Maritime Cooperation Fund and enhance cooperation in maritime safety, marine research, environmental protection, and the development of the blue economy and the China-Indonesia Ocean and Climate Center (Yani, Machmudi, & Rofii, 2023, p. 379). These measures are expected to strengthen maritime relations between the two countries and support sustainable economic growth. In addition, the cooperation will also contribute to regional stability and marine environmental protection in Asia.

Port cooperation between China and Indonesia has become a strategic step in strengthening economic ties in the maritime sector. One example is the construction of an international port in Jambi which began in July 2016, supported by investment from Hebei Port Group, with Fuhai Group responsible for management and additional funding (Yani, Machmudi, & Rofii, 2023, p. 381). This cooperation not only increases the capacity of port infrastructure in Indonesia, but also strengthens trade flows between the two countries. In addition, this investment is expected to drive local economic growth and strengthen maritime connectivity in the Southeast Asian region .

Despite positive developments, several challenges still hamper maritime cooperation between Indonesia and China. One of the main issues is the dispute in the South China Sea. Indonesia insists that it has no claims in the area, but its involvement in maintaining regional stability often causes tensions with China. In addition, illegal fishing activities by foreign vessels, including from China, continue, which in turn triggers friction in relations between the two countries (Yani, Machmudi, & Rofii, 2023, p. 375). Maritime relations between Indonesia and China are still marked by challenges, especially related to the South China Sea dispute and illegal fishing. Although Indonesia does not claim territory in the South China Sea, its role in maintaining security and the activities of foreign vessels, including from China, often cause tensions.

For example, in June, an Indonesian warship fired warning shots at several Chinese fishing vessels that were fishing illegally, and detained one of them and its crew. The Chinese Ministry of Foreign Affairs confirmed the incident on the 19th, stating that a fishing vessel was damaged, one crew member was injured, and the vessel and seven crew members were detained by Indonesia. China condemned the Indonesian warship's actions, calling it an "abuse of force." President Jokowi used the frigate KRI Imam Bonjol to visit Natuna and assert Indonesia's sovereignty. In addition, Indonesia's oil and gas exploration in disputed waters has been opposed by China, further escalating tensions. When Indonesia began drilling, Chinese and Indonesian coast guard vessels engaged in confrontations, with China sending a letter to the

Indonesian Ministry of Foreign Affairs to request a halt to drilling. All of these incidents have the potential to undermine maritime cooperation between the two countries (Yani, Machmudi, & Rofii, 2023, p. 388). The tensions that have arisen show how complex and sensitive maritime relations between China and Indonesia are. If not handled properly, this situation could negatively impact the collaboration that has been built in the maritime and economic sectors between the two countries.

The solution to deepen maritime cooperation between the two countries and reduce tensions is firstly, building mutual trust in politics is very important for China and Indonesia in strengthening maritime cooperation. To achieve this, frequent exchanges and dialogues between the two countries at all levels, especially at the high level, are needed. Leaders' visits not only strengthen the relationship between leaders, but also provide certainty for the stability of bilateral relations in critical situations. In addition, through political dialogue, the two countries can share deeper views on key issues, enhance understanding, and overcome misunderstandings and doubts that may arise (Yani, Machmudi, & Rofii, 2023, p. 390). This effort to build mutual trust is very important to create an environment conducive to collaboration in the maritime sector. By strengthening communication and understanding each other's positions, China and Indonesia can work together more effectively in facing the challenges in the region.

Humanitarian exchanges are another important aspect of bilateral relations between China and Indonesia. Enhancing cultural exchanges can deepen the friendship and understanding between the two peoples, creating a social environment conducive to the development of relations. For example, the two countries can hold cultural festivals, academic seminars, and youth exchange activities, thus providing more opportunities to understand each other's culture and society. This will not only enhance the identity and support of the two peoples for maritime cooperation, but also create a stronger social foundation for economic cooperation between the two countries (Yani, Machmudi, & Rofii, 2023, p. 391). These activities will promote mutual understanding and tolerance, which in turn will strengthen cooperation in various fields, including maritime and economic.

China and Indonesia can also provide more platforms and channels for maritime security cooperation by establishing cooperation mechanisms, such as maritime security dialogue and joint exercises. First, the two countries can work together to combat piracy and illegal fishing by sharing intelligence information and conducting joint patrols. This not only protects marine resources and shipping safety, but also supports peace and stability in the region. In addition,

it is important to expand and strengthen cooperation in non-traditional security areas. Issues such as piracy, illegal fishing and marine pollution affect economic interests and threaten the security of the maritime ecosystem and regional stability. Therefore, cooperation on these issues is essential to addressing common challenges. Through the existing mechanisms, the two countries can regularly exchange and consult on various maritime security issues, and promptly resolve potential problems and conflicts, which in turn will maintain the stability and development of maritime cooperation (Yani, Machmudi, & Rofii, 2023, p. 392). Overall, jointly addressing maritime security challenges is an important step for China and Indonesia to strengthen maritime cooperation and is also a strategic way to share maritime interests and maintain peace and stability in the waters.

3. RESEARCH METHOD

This research adopts a literature review method to gather relevant information. The data sources comprise books, national and international journals, documents, reports, articles, and news from newspapers. Additionally, information is obtained from online platforms, particularly official websites, which provide materials that align with the research objectives (Yani et al., 2023, p.377). The study employs a methodological framework to conduct an in-depth analysis of the factors influencing maritime cooperation between Indonesia and China. Furthermore, it examines the challenges encountered by both nations and evaluates their effects on regional stability and the dynamics of international relations.

4. DISCUSSION

Indonesia is an archipelago consisting of approximately 17,000 islands, of which only about 7,000 are inhabited. The main islands in Indonesia include Kalimantan, Java, Sulawesi, Sumatra, and Papua. The country's sovereignty is implemented in its territorial areas, which include:

1. Land and Subsoil: Land areas are where people permanently live and are the location of government activities. Land boundaries between countries must be clear, often determined by rivers that flow across the border. These boundaries are usually in the middle of the river or at its deepest part, known as Thalweg. Land boundaries are determined through agreements between countries, which also include maritime boundaries to the outermost areas. Some territorial sea boundary agreements that have been made between neighboring countries include:

- Indonesia-Singapore, 25 May 1973
- Indonesia-Malaysia, March 17, 1970
- France-Spain, 29 January 1974
- Denmark-Sweden, January 30, 1932

2. Water Area: In addition to land, water areas include inland waters, archipelagic waters, territorial seas, and the seabed beneath them. Provisions regarding territorial seas are regulated in Article 3 and Article 33 of UNCLOS 1982, which states that the territorial sea limit may not be more than 12 nautical miles from the normal baseline.

3. Airspace: Based on practices that have developed since World War I, a state has full and exclusive sovereignty over the airspace above its land area and territorial sea. Air law does not regulate the right of innocent passage in national airspace, which is usually regulated through bilateral agreements or multilateral conventions for foreign civil aircraft, provided that permission is granted for the use of such airspace (Nazhimah, Maharani, Chandra, Sudiro, & Lewiandy, 2023, pp. 1112-1113). Indonesia, as an archipelagic country with around 17,000 islands (only 7,000 of which are inhabited), has sovereignty over its land area, waters and airspace. Land area includes the place where the population lives and government activities, with boundaries determined through agreements between countries, such as the Indonesia-Malaysia maritime agreement in 1970. Water area includes inland waters, territorial seas, and the seabed beneath them, with a maximum limit of 12 nautical miles from the baseline according to the provisions of UNCLOS 1982. In addition, airspace sovereignty includes the area above land and territorial sea, the use of which for foreign aircraft is regulated through international agreements. These three areas are important foundations in the implementation of Indonesia's sovereignty according to international law.

The Natuna Islands dispute has been going on since 2016 and is still a relevant issue today. One of the causes of this dispute is the presence of foreign ships, especially from China, entering Natuna waters without permission from the Indonesian government. In addition, China's action in changing the name of the South China Sea to the North Sea also adds to the tension and conflict in this region. Several factors that influence China's interests and claims over the Natuna Sea include:

1. The North Natuna Sea is strategically located and is key to China's security. The area serves as the gateway to the western Pacific Ocean, which is vital to China's security interests and could affect the US military presence in the area. Controlling the area allows China to monitor and control vital shipping lanes.

2. This region also serves as an important transportation route for East and Southeast Asia, towards the Middle East and Africa. Control of this region provides efficient access for China to connect its region with other economic and resource areas. Problems in the South China Sea between neighboring countries, including Indonesia, arise due to differences in the application of principles and claims regarding continental shelf boundaries. The South China Sea is a strategic region with great global influence and has significant economic value as an important shipping lane. One issue that raises concerns is China's unilateral claim known as the Nine Dash Line which covers most of the South China Sea. This claim conflicts with the claims of neighboring countries, such as Indonesia, the Philippines, Vietnam, Malaysia, and Singapore, which also have interests in the region. Indonesia has a strong legal basis based on international law, including the United Nations Convention on the Law of the Sea (UNCLOS) which recognizes the sovereign rights of countries over the Exclusive Economic Zone (EEZ) and continental shelf. Indonesia has asserted its claim to the Natuna Islands according to UNCLOS and considers China's claims involving the region to be invalid. Indonesia has also taken steps to strengthen its military presence and patrols in Natuna to maintain its sovereignty and territorial security (Nazhimah, Maharani, Chandra, Sudiro, & Lewiandy, 2023, p. 1115). The issue of Indonesia's sovereignty over the Natuna Islands in the context of the maritime dispute with China highlights that the presence of foreign vessels, especially from China, in Natuna waters without permission causes tension. China claims most of the South China Sea through the Nine Dash Line, which is contrary to Indonesia's claim.

Since 1990, Indonesia has consistently positioned itself as a non-claimant country in the South China Sea dispute. However, various incidents have occurred, including cases where fishing vessels from the People's Republic of China (PRC) fished without permission in Indonesia's Exclusive Economic Zone (ZEEI). The Chinese government even supported the fishermen's actions by claiming that they were operating in "traditional fishing grounds." This claim is one of the bases for the PRC in maintaining the nine-dash line in the South China Sea. The PRC's statement regarding the nine-dash line is one of the main factors triggering the dispute in the region. In addition, there are two important islands that are at the center of the claim, namely the Paracel and Spratly Islands, where the PRC claims that the islands, rocks, and reefs in the region are strategic locations for landing their fighter jets. On the other hand, several non-regional countries such as Japan, Australia, and the United States have also expressed their concerns about the security and freedom of international navigation in the region, considering that the South China Sea is increasingly dominated by Chinese influence. The PRC's military presence and control in these waters have become a threat to regional

stability and global trade (Farida et al, 2022, p. 3672-3673). As tensions in the region increase, concerns of non-regional countries regarding freedom of navigation in the South China Sea are deepening. This situation forces the international community to pay more attention to the potential for escalation of conflict in the region, which could disrupt global trade routes. In this regard, Indonesia and other countries in the region need to continue to strengthen diplomatic cooperation to ensure stability, security, and compliance with international maritime law, as stipulated in UNCLOS 1982.

ASEAN has dialogue and cooperation mechanisms, such as the ASEAN Regional Forum (ARF) and the Code of Conduct (COC) in the South China Sea, to maintain stability and resolve territorial disputes. By using diplomacy and dialogue, it is hoped that ASEAN countries can reach a common agreement and resolve conflicts peacefully. UNCLOS 1982 ended the principle of "Freedom of the Seas" which had been in effect since the 17th century, which stated that the sea is an open space that is not owned by anyone, so that all countries have the same rights to access and utilize the sea. However, this principle also limits national rights over the sea and can trigger tensions and conflicts between countries in managing resources and determining maritime boundaries. The principle of "Freedom of the Seas" has been criticized in various forums since 1956, which has encouraged efforts to create a clearer international agreement on the use and protection of the sea. These efforts resulted in the United Nations Convention on the Law of the Sea (UNCLOS 1982), which was signed by 117 countries, including Indonesia and China. The Nine-Dash Line or “ Nine Dash Line” is a boundary line set by China to claim most of the South China Sea, consisting of nine imaginary points connecting the waters in the region. This claim is unilateral and not based on the principles of international maritime law in UNCLOS 1982. China's claim to the Nine-Dash Line has no legal basis recognized by UNCLOS 1982 and is not accompanied by a clear explanation of the claimed territorial boundaries. Therefore, this claim has been questioned by several countries, including Indonesia. The Indonesian government, together with other countries with interests in the South China Sea, is trying to negotiate a dispute resolution based on international law, including UNCLOS 1982. (Nazhimah, Maharani, Chandra, Sudiro, & Lewiandy, 2023, p. 1117) ASEAN 's efforts to maintain stability and resolve disputes in the South China Sea through dialogue and cooperation. In addition, the transition from the principle of "Freedom of the Seas" to UNCLOS 1982, which provides a clearer legal framework on the rights and limitations of countries over the sea. China's claim through the Nine-Dash Line is considered unilateral and not in accordance with international law, so it is questioned by Indonesia and

other countries. Indonesia seeks to negotiate a dispute resolution based on international law, including UNCLOS 1982.

From a liberal perspective, which emphasizes a universal and rational approach, when a national entity forms a state and nation, its rationality is always based on steps to pursue common interests. This is done to achieve a balance between the various interests that exist. As a result, cooperation is the main key in building relations between nations and individuals at the international level. The role of government in this case is very important, but concentrating too much power can also have a negative impact, because individual freedom remains an important element in a supremacy political order (Farida et al, 2022, p. 3672). To provide space for political freedom allows every individual in the country to participate in making more appropriate and wise decisions or policies. Within this framework, the balance between state power and individual freedom must continue to be maintained in order to create harmonious relations within and between nations.

Mediation is a method for resolving international disputes involving a neutral third party. The mediator's job is to facilitate communication between the disputing parties and help them reach an agreement. The mediator can come from another country, an international organization, or an individual who has expertise and is accepted by both parties. In this process, the mediator functions as a director of communication between the disputing parties. They can also provide information and suggestions for resolution based on neutral knowledge. If the initial suggestion is rejected, the mediator can offer a new proposal or continue negotiations to find a solution that is acceptable to both parties. At the end of the process, the mediator provides a recommendation for a resolution that is non-binding. The purpose of mediation is to help reach a mutually beneficial agreement and obtain the consent of all parties involved. Therefore, mediation is an effective tool for achieving a peaceful resolution of international disputes, involving the active participation of a neutral third party (Nazimah et al , 2023, pp. 1118). Mediation not only helps resolve conflicts but also builds trust and better relationships between the disputing parties. With the involvement of a neutral third party, the mediation process can create a more open and constructive atmosphere, so that each party feels heard. In addition, mediation is often faster and more cost-effective than formal litigation, making it an attractive option for resolving international disputes .

A mediation approach involving a third party, such as the International Court of Justice, can be considered as a solution to resolve the dispute between Indonesia and China over the Natuna Islands. With a neutral and independent mediator, it is hoped that a mutually beneficial agreement can be reached for both countries. The International Court of Justice is an

international legal institution that has the authority to resolve disputes between its member states. In its role as a mediator for the Natuna Islands dispute, the International Court of Justice must remain neutral and not support one party. One of the main functions of the International Court of Justice is to facilitate dialogue between Indonesia and China and provide advice and recommendations based on relevant international law (Nazimah, et al 2023, pp. 1118). The involvement of the International Court of Justice as a mediator can not only help ease tensions, but also create a basis for more constructive dialogue in the future. This is very important to ensure that both countries can manage their common interests in this strategic region in a peaceful and sustainable manner. In addition, a successful resolution can serve as an example for other countries in dealing with maritime disputes in the region.

In the context of the dispute between Indonesia and China over the Natuna Islands, involving the International Court of Justice as a litigation channel could be the right choice if diplomacy fails to reach an agreement. The Indonesian government can file a lawsuit with the International Court of Justice to address the issue of illegal fishing by China. Suing China's illegal fishing in the Natuna Islands through the International Court of Justice is a strategic step that the government might take. The International Court of Justice functions as an international legal forum that has the authority to resolve disputes between countries. In filing this lawsuit, the Indonesian government can prepare legal arguments that support its claim to the Natuna Islands, referring to the principles of international maritime law stipulated in UNCLOS 1982, which recognizes the rights of coastal states to resources in their Exclusive Economic Zones (EEZ). This litigation process will involve an international court that will decide the dispute based on applicable international law. In this situation, the Indonesian government will submit legal arguments to support its claim and hold China accountable for the violations committed. The decision of the International Court of Justice is binding on both parties, but the implementation and enforcement of the decision can be a challenge, depending on the willingness and cooperation between the disputing countries. The settlement of the dispute through litigation reflects that the Indonesian government considers this issue as an important legal issue, with attention to international legal aspects. Therefore, in maintaining national interests, international legal aspects and legal ethics must be the main considerations in resolving this dispute (Nazimah, et al 2023, pp 1118-1119). To support this statement, it is important to remember that dispute resolution based on law can create clarity and certainty for all parties involved, and help prevent future conflicts. With the right approach, this process can

not only protect Indonesia's national interests but also strengthen the country's position in the international community.

Various efforts have been made to resolve the dispute between Indonesia and China regarding the Natuna Islands. First, improving border management, including increasing the intensity of surveillance and patrols, can help maintain Indonesia's sovereignty in the Natuna Islands area. Second, maximizing the use of natural resources, including oil and gas, in the Natuna Islands can strengthen Indonesia's position and increase economic interests in the region. Third, strengthening capabilities in the Natuna Islands in terms of defense, security, and infrastructure can increase Indonesia's presence in the region. If previous diplomatic efforts do not produce the expected results, filing a lawsuit for the violation with the International Court of Justice through litigation can be a viable option (Nazimah, et al 2023, p. 1119). With these steps, Indonesia can strengthen its sovereignty claim and increase its bargaining power in facing existing challenges. In addition, this approach also shows Indonesia's commitment to maintaining its territorial integrity while seeking a peaceful resolution to existing disputes.

5. CONCLUSION

The maritime conflict in the South China Sea, especially between Indonesia and China, is a complex and protracted issue, triggered by overlapping claims involving Indonesia's Exclusive Economic Zone (EEZ) around the Natuna Islands. China has issued a Nine-Dash Line map that covers most of the South China Sea, and although Indonesia does not recognize the claim, tensions have continued to rise due to China's aggressive actions, such as the deployment of an aircraft carrier and illegal fishing in Indonesian waters. In this context, Indonesia adheres to the principles of international law, especially UNCLOS 1982, to assert its sovereignty and reject China's unilateral claims that have no legitimate legal basis.

Amidst these tensions, maritime cooperation between Indonesia and China is important to maintain regional stability. Despite the disputes, both countries have an interest in strengthening relations through collaboration in the maritime sector. Indonesia seeks to utilize the potential of its waters and improve the quality of human resources in the maritime sector as part of its vision to become the world's maritime axis. This cooperation could include more intensive diplomatic dialogue and efforts to resolve disputes through third-party mediation such as the International Court of Justice, especially related to illegal fishing carried out by Chinese vessels.

Thus, the challenge for Indonesia is to balance between maintaining sovereignty and establishing good relations with China as an economic partner. An inclusive and law-based diplomatic approach will be key in dealing with this conflict. Through the ASEAN Outlook on Indo-Pacific, Indonesia and other Southeast Asian countries can strengthen cooperation rather than competition, and maintain peace and stability in this strategic region. This shows that although maritime conflicts can threaten national security, there is potential to create a safer environment through constructive dialogue and cooperation.

BIBLIOGRAPHY

- Darmayadi, A., & Purnamasari, E. N. (2022). The Indonesia–China relations in the Natuna Sea dispute resolution: Struggle for sovereignty. *Journal of Eastern European and Central Asian Research (JEECAR)*, 9(1), 41-48.
- Darusman, Y. M., Fauziah, A., & Sumarna, B. D. (2020, December). The study of Natuna Island dispute between Indonesia and China, based on UNCLOS 1982. In *The 2nd International Conference of Law, Government and Social Justice (ICOLGAS 2020)* (pp. 386-394). Atlantis Press.
- Dipua, A., Hermawa, R., Puspitawati, D., Harahap, N., Nurdiansyah, D. R., & Prakoso, L. Y. (2020). An analysis of the South China Sea conflict: Indonesia's perspectives, contexts and recommendations. *PalArch's Journal of Archaeology of Egypt/Egyptology*, 17(4), 976-990.
- Farida, Q. A. S., & Setiyono, J. (2022). The conflict of South China Sea and impact on Indonesia's national interest. *International Journal of Social Science and Human Research*, 5(8), 3670-3674.
- Lestari, Y., Lohalo, G. O., Diur, N. K., Mushinda, B. N., Mbumba, V. M., Kianga, S. M., & Minga, P. N. (2022). Security cooperation between China and Indonesia to address maritime security threats. *Open Journal of Political Science*, 12(4), 534-555.
- Nazhimah, S., Maharani, S. A., Chandra, C. M., Sudiro, A., & Lewiandy, L. (2023). Analysis of the Natuna Islands conflict between Indonesia and China in the perspective of international law. *JETISH: Journal of Educational Technology Information Social Sciences and Health*, 2(2), 1112-1120.
- Samy, M. (2023). Soldiers and diplomats: Indonesian naval diplomacy in the South China Sea. *Indonesian Journal of International Relations*, 7(1), 119-139.
- Yani, Y., Machmudi, Y., & Rofii, M. S. R. (2023). China-Indonesia maritime cooperation from the perspective of constructivism. *National Security Journal*, 9(2), 373-398.