

Indonesia defence diplomacy strategy in resolving china claims to Indonesia exclusive economic zone in north natuna sea

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Abstract: China's unilateral claim through the nine-dash line map covered part of the Indonesian Exclusive Economic Zone in the North Natuna Sea. This research endeavored to explain Indonesian Defense Diplomacy Strategy in resolving the claim peacefully, by avoiding open military confrontation adhering to the principles of international maritime law UNCLOS 1982. The cooperation between the two countries is much broader and takes into account Indonesia's national interests. Therefore, the researchers offered an approach to avoid conflict through a defense diplomacy strategy that chose to cool down the tensions between the two countries. It was called as cool defense diplomacy.

Keywords: defense diplomacy strategy, exclusive economic zone, north natuna sea, china, indonesia

INTRODUCTION

The dispute in the South China Sea (LCS) area is an ongoing problem. Until recently, there is no resolution among the disputing countries: China, Taiwan, Philippine, Vietnam, Brunei Darussalam, and Malaysia. These countries (claimant states) have distinct claim areas. Furthermore, there are overlaps in the respective countries' territorial claims. China claims at least 80% of the total area of the LCS waters (SCMP Reporter, 2019).

China's unilateral claims, marked by a stretch of nine-dash lines, have no legal basis and violate the 1982 UNCLOS international law. This claim has caused disputes with claimant states in the Spratly Islands, namely, Vietnam, Philippine, Malaysia, and Brunei Darussalam. Furthermore, China undergoes a dispute with Taiwan regarding the Paracel Islands.

China's unilateral claims in the LCS date back to the nationalist Kuomintang rule in 1947, depicted in a map of China marked with an eleven-dash line. The map includes the LCS as its territory. The designation of territorial claims in the LCS was changed to a nine-dash line in 1949 when the Chinese Communist Party took control of mainland China and formed the People's Republic of China (PRC) (Fravel, 2011). The Chinese claim is based solely on the historical recognition of ownership of waters in the LCS.

Indonesia is not a claimant state in the LCS conflict. Indonesia took neutral stance but has not recognized the Nine-Dash Line as it is considered a baseless claim and violates international maritime law since 1993 (Kusuma et al., 2019; Saragih, 2018). However, China's unilateral claims cover Indonesia's EEZ in the North Natuna Sea (LNU), which is considered as traditional fishing ground. Therefore, there is an overlapping of claims in Indonesia's EEZ.



Fig.1: Map of Indonesian EEZ Overlapping with China's Nine-Dash Line Claims

Source: (Kastra.id, 2020)

Dispute arises when Chinese fishermen conduct fishing activity in Indonesian EEZ (LNU), often escorted by a Chinese Coast Guard ship. As a response, Indonesia protested. The Chinese government responded to the protest, claiming that based on the history of the imperial era, the LNU waters were a traditional fishing ground for Chinese fishermen. Indonesia refers to UNCLOS 1982 and does not recognize China's claims, and takes a firm stance by increasing LNU surveillance through the Indonesian Navy and the Maritime Security Agency or Bakamla (Prasetya, 2020).

Strengthening Natuna Base and the presence of the Indonesian National Armed Force (TNI), especially the Navy at LNU, is one form of Indonesia's maritime diplomacy. Indonesian Air Force conducted The Yudha Aerospace Exercise in North Natuna which shows off the power of the Air Force. The exercise was one of the instruments of defense diplomacy (W. S. Kusuma et al., 2019; TNI AU, 2016). Indonesia's defense diplomacy exists through various joint exercises with China or the US. In 2016, ASEAN countries, China, the US, and several other countries conducted joint Search and Rescue (SAR) and disaster management exercises in LCS.

Territorial integrity and sovereign rights over LNU are the national interest of Indonesia. However, economic stability and the guarantee of public welfare are also national interests. Indonesia depends on the Chinese market. In 2016, 14.82% of Indonesia's total trade was absorbed by the Chinese market. Furthermore, the trade figure increased by an average of 2.03% in 2017 and 2018 (Trademap.org, 2019).



Fig.2: Realization of Chinese Investment in Indonesia 2014-2019

Source: processed *databoks.katadata.id* from BKPM report (2019)

The value of Chinese investment in Indonesia has increased significantly since 2014. The 2019 investment was six times greater compared to the investment value in 2014. Chinese investment in Indonesia increased by 81% (compared to 2018) with a value reaching IDR 46.39 trillion in 2019 (Kusnandar, 2019). Chinese largest sectors of investment are industry, factories, transportation, electricity, gas, water, and mining (BKPM, 2019).

Looking at the overview, the formulation of the research problem is "How is Indonesia's defense diplomacy strategy in resolving China's unilateral claims regarding Indonesian EEZ in the North Natuna Sea?"

The formulation of the problem is described in the following research question:

- a) What are Indonesia's strategic steps in responding to China's unilateral claims through a defense diplomacy approach?;
- b) How is the implementation of the Indonesian defense diplomacy strategy in resolving China's unilateral claim dispute over parts of Indonesian EEZ in LNU?

LITERATURE REVIEW

Constructivism Theory

The constructivist view looks at dynamic international politics. Every actor has a growing interest and identity, from one actor to another, as time and context changes in existing relationships and interactions. Constructivist thinking has a core ideational element, which focuses on intersubjective beliefs. These ideas form the social structure and identity of the state or its interests.

According to Nina Tannenwald (2006), ideas are identified in four types: ideology, normative belief, causal belief, and policy prescription. Policy prescriptions are ideas on specific programs.

Foreign Policy Making

Foreign policy-making refers to understanding the choices or decisions of individuals, groups, and coalitions that influence state action on the international stage. Foreign policymaking is influenced by several factors, namely the decision-making environment, psychological factors, international factors, and domestic factors.

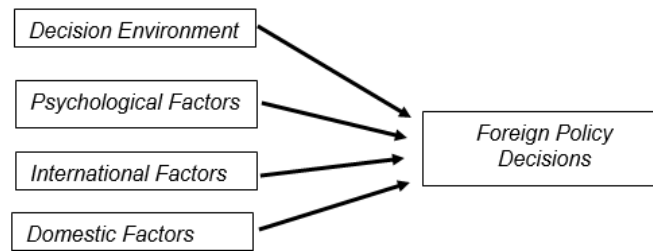


Fig.3: Factors in Foreign Policy Making

Source: Mintz dan DeRouen (2010)

Policy-making consists of a series of policy alternatives, such as steps to impose sanctions, attacks, and other political actions against other countries, as well as a series of dimensions or criteria for the policies taken, including political, economic, military, diplomatic, and other dimensions. (Mintz & DeRouen, 2010).

Concept of Diplomacy and Defense Diplomacy

Diplomacy is the whole process carried out by the state to conduct foreign relations. Furthermore, diplomacy refers to the relationship process in building cooperative alliances and means of resolving conflicts without violence. Through diplomacy, countries communicate, make bargains, influence each other, and adjust differences in foreign relations (Griffiths et al., 2008).

Defense diplomacy is the use of the military and related infrastructure in peacetime, as a foreign and security policy tool. Defense diplomacy is conducted through the development of cooperation and military assistance as a form of diplomacy (Cotter & Forster, 2013). Du Plessis defines defense diplomacy as the use of armed forces in operations other than war, by conducting training, skill-building, and disciplinary relationships, to achieve broader national and foreign objectives. (Du Plessis, 2008).

National Power

Diplomacy as a state instrument in achieving national interests and relations with other countries is related to Power Concept. National power can be divided into "hard" and "soft" power. Hard power is a form of power distribution asymmetrical between countries, which can be seen from the comparison of strength in material resources. Soft power is the state's ability to persuade other countries to be able to share one goal and view based on the same interest and ideas.(Kohara, 2005).

National power is defined in several elements that build strength (Morgenthau, 1948). Those elements are the state's geographical condition, natural resources, national industrial capacity, military readiness, population, national character, national morals, and the quality of diplomacy. Each element has an interconnected role.

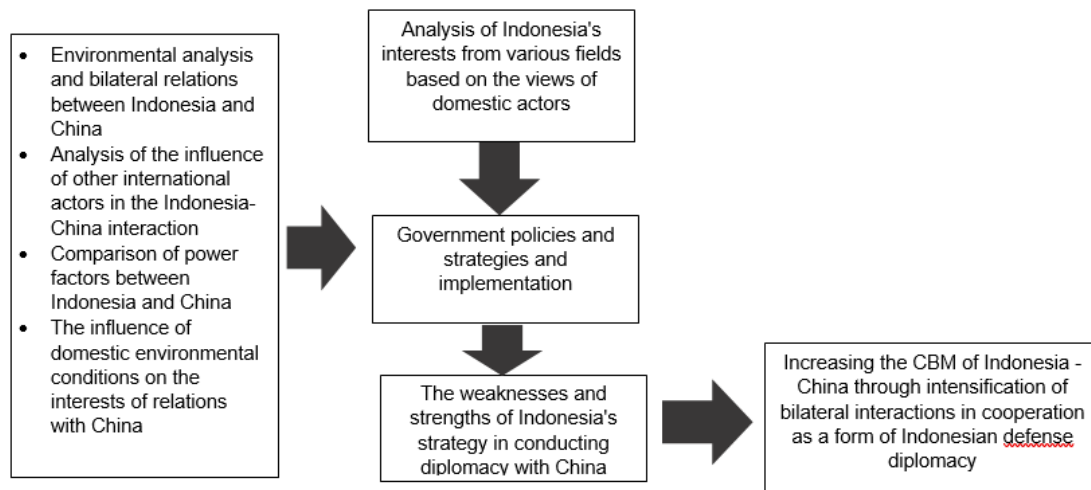


Fig.4: Conceptual Framework

Indonesia's Foreign Strategy through Defense Diplomacy in Conflict Management

Mincai Yu (2016) in *The South China Sea Dispute and the Philippines Arbitration Tribunal* states, stated that the settlement of territorial disputes through international arbitration is one of the universalization steps taken by the Philippines. The international arbitration decision won the Philippines. However, an arbitration settlement could not be a solution because China rejected the decision as they consider it illegal and illegitimate.

Sui Sheng Zhao (2018), in *China and the South China Sea Arbitration*, analyzed China's geopolitical maneuvers after the International Arbitration Court made a decision regarding the LCS dispute. The Philippines won the case under international law, but China won the geopolitical battle because the courts lacked effective law enforcement mechanisms.

RESEARCH METHOD

Research Design

Creswell defines research design as a plan or procedure in a study structured in a detailed and systematic manner to generate conclusions from broad assumptions using data collection and analysis techniques. The type of research is divided into three: qualitative, quantitative, and mixed methods research. This research is a qualitative descriptive-analytical study.

Data and Analysis Technique

Qualitative research relies on non-numerical data, which comes from a variety of sources. Researchers obtained primary data source from ministries/organizations related to the research focus and sub-focus. Secondary data was the addition of scientific insight and information. Researchers obtained secondary data from books, articles, the internet, and other open sources. Data collection techniques in this study focused on open and in-depth interviews with research subjects (Sugiyono, 2010).

FINDINGS AND DISCUSSION

China's claims to the South China Sea

The determination of territorial boundaries in the LCS was mapped by the Kuomintang government for internal consolidation in 1930 and 1940. This action encouraged the establishment of an eleven-dash Line map as the basis for territorial claims in the LCS (Malek, 2013). The Kuomintang government officially made the claim on December 1st 1947 (Shicun, 2013, p. 72).

China's claim to the land, namely the islands of Nansha (Spratly) and Xinsha (Paracel) has undergone several changes based on occupation and occupation by other countries, in this case, Japan and France during the colonial period. Several Post World War II literature explains the recognition of the Nansha and Xinsha islands as part of China's territorial sovereignty. (Shicun, 2013, p. 56).

The historical claims that China has made over the entire LCS area within the nine-dash line are considered ambiguous. First, verbally, China has provided a map of the area claimed in the nine-dash line, but it has no clarity regarding the assessment of historical facts in the determined area. (Boothroyd, 1998; Korkut & Kang, 2017). Second, the dotted line does not provide clarity over the use of the map of claims and exact territories claimed by China (Korkut & Kang, 2017; Malek, 2013). The dotted lines may allow China government to change the form of the claim by connecting each line. Third, changes to China's claim on the eleven-dash line map to a nine-dash line, which eliminates the two dash lines that cut through the Gulf of Tonkin, which intersects Hainan with mainland Vietnam. The change of map shape invited criticisms over the inconsistent historical facts and claim changes especially the determination of claim lines (Korkut & Kang, 2017).

China's strategy on the LCS

One of China's policies in responding to the LCS condition is military modernization. The military modernization was catalyzed by several situations, namely the 1991 Gulf War and the 1996 Taiwan Strait crisis (Garcia, 2014, p. 46-47). In 2014, China reclaimed Johnson South Reef, Fiery Cross Reef, Mischief Reef, and several other areas. Furthermore, China constructed military facilities equipped with an arsenal of weapons, sensors, radar, missile storage, airstrips, ships, and submarines. (Dancel, 2018; Kyodo, 2018).

China viewed the LCS as a strategic location through China's Sea Lines of Communication (SLOC) and a potential defense buffer zone. (Garcia, 2014, p. 56) which is a strategic step for China's defense. One of the defense strategic steps was to monitor the movements of other countries' navies. For instance, the US and Japan in the LCS area. The strategic plan involved building bases on reclaimed islands as the front line of China's defense to protect the mainland from attack (Garcia, 2014; Kyodo, 2018; Werner, 2020).

North Natuna Sea Issue

North Natuna waters (LNU) are part of Indonesian legal EEZ according to UNCLOS. These waters are part of the LCS area which naming and coverage areas are regulated in the S-23 document of the International Hydrographic Organization (IHO) concerning the naming of marine areas and their boundaries. In 2017,

Indonesia proposed a change of the name of the Indonesian EEZ region to the North Natuna Sea (LNU), which is one of the legal rights of coastal countries.

The problem faced by Indonesia in the LNU EEZ is the violation of Chinese foreign fishing vessels (KIA). The fishing vessels conduct fishing activity in Indonesian EEZ escorted by the Chinese Coast Guard. The violation has become a recurring issue and a diplomatic issue between China and Indonesia, especially in 2019 and 2020. The fishing activity can be assessed as China's political stance on its claims in the LCS, which includes several parts of Indonesian EEZ. Indonesia does not consider this condition a form of dispute. The Republic of Indonesia's (RI) view is rational politics as Indonesia does not have a direct border with China.

However, in a political view, there is a biased judgment. First, the LNU issue cannot be legally assessed, due to differences in the basis of claims. Second, Indonesia does not recognize the basis of China's claim on the nine-dash line. It indicates that China does not have rights in LNU as the claim is not legally regulated in international law. Third, if Indonesia acknowledges a territorial dispute with China over LNU, it would indicate that Indonesia recognizes the nine-dash line.

In different conditions, disputes over EEZ exists as the overlapping of the EEZ claimed by Indonesia and Vietnam in North Natuna waters. Considering that Vietnam borders Indonesia, the dispute is recognized by Indonesia as a claim dispute over the EEZ area. Both countries ratify UNCLOS and place these claims based on applicable international law.

Policy on the North Natuna Sea Issue

President Joko Widodo has been firm in upholding Indonesia's sovereignty and sovereign rights. There are four attitudes of the Indonesian government in responding to this problem, namely (Azanella, 2020): a) Political stance that states China has violated Indonesia's EEZ. This attitude reaffirms Indonesia's position in rejecting China's claims regarding traditional fishing ground without legal basis; b) Rejection of the nine-dash line claim covering several parts of the LNU territory; c) Increase the presence of the TNI in LNU through intensive maritime patrols; d) Increasing the presence of fishermen, to strengthen and increase economic activities in the LNU EEZ area.

One of the popular policies of the Indonesian government on illegal fishing is apprehending and sinking illegal foreign fishing vessels. KKP data shows that there were 556 ships sunk in 2014 - 2019.

Supervision and security of the RI waters are the duties and functions of the Maritime Security Agency (Bakamla) as the Indonesian Coast Guard. The Head of Bakamla, Vice Admiral Aan Kurnia, said that currently Bakamla possess very minimal fleet strength. Safeguarding Indonesia's territorial waters requires at least 60 patrol ships. However, Bakamla only has 10 ships operating in three maritime zones. For LNU area security itself, there are four patrol ships stationed in Batam Island maritime base (Gunawan, 2020).

Increasing state presence in LNU is considered ineffective for several reasons. First, the capacity of related institutions such as the KKP or Bakamla does not meet the needs to secure Indonesian waters, especially in LNU. Second, based on the applicable law, the Coast Guard has the authority for prosecution and arrest in the sea. Military elements, in this case the combat group, have restrictions on movement at sea regarding the presence of Chinese fishing boats or Coast Guard in Indonesian EEZ.

Another less effective policy is increasing economic activity in the LNU EEZ. The government encourages fishermen to fish in LNU. As of January 2020, there are more than 470 fishing boats ready. However, there are obstacles. First, Indonesian fishing boats are less able to exploit LNU waters, both in terms of ships and crews. In addition, Indonesian fishermen do not have self-defense capabilities, especially in dealing with crimes at sea. Second, LNU is far from the economic center of the Indonesian major islands. Indonesian fishermen generally do not have fish storage equipment to keep the fish fresh. There is lack of a more integrated system for fishermen to manage or market their catch in endeavor to increase economic activity.

The deployment of TNI forces in securing and supervising the LNU area is carried out through sea and air operations. Koarmada 1 (1st Fleet Command) carries out sea operations in Marine Combat Alert Operations and Maritime Security Operations. KoopsAU 1 (1st Air Force Operational Command) carries out air operations through aerial patrol, surveillance, and reconnaissance operations. The Kogabwilhan 1 (1st Joint Regional Defense Command) operation at LNU is carried out by Kotamaops (Main Operations Command) according to their respective dimensions.

Diplomacy in Regional Development

Indonesian free-and-active politics provides flexibility in maneuvering relations between countries, without giving a signal of partiality to certain parties. Indonesia strengthened its defense base in the LNU area, updated the air bases in Ranai and Natuna, and implemented Yudha Angkasa Operation (Scott, 2019). However, relations with China remain open, especially in terms of economic cooperation and investment from the Belt Road Initiative (Scott, 2019). Indonesia maintains good relations with China and avoids confrontational political tensions.

In the trade sector, China is one of the Indonesian markets with an export value of around 18.95% of Indonesian total exports in 2018 (Ma'ruf *et al.*, 2020). In 2016-2018, Indonesia's exports to China grew by an average of 2% annually. Therefore, China has become one of Indonesia's largest export markets, especially in the goods sector. In the investment sector, China was the 3rd largest investor for Indonesia after Japan and Singapore in 2014-2019 period. Chinese invested in Indonesian industrial, transportation, and tourism sectors. In the first quarter of 2020, China became the second-largest investor after Singapore. The amount of Chinese investment affects Indonesia's domestic development.

The Covid-19 pandemic made Indonesia one of the countries experiencing recession, due to -3.49% YoY growth in the third quarter (H. Kusuma, 2020). Unlike other countries that experienced a recession in 2020, China's economy in the third quarter grew 4.9% compared to the previous quarter, and it is estimated that China will be the only country with positive economic growth in 2020. (Cheng Evelyn, 2020). Therefore, maintaining good relations with China is in Indonesia's interests.

Indonesia's defense diplomacy in developing a strategic environment in the region is in the form of trilateral cooperation with India and Australia. The trilateral cooperation is one of the political steps in building soft balancing of China's domination in the region. The existence of the Quad in regional politics aimed to rebalance China's hegemony in Asia. In a bilateral view, the cooperative relations in the security sector with India, China, Japan, and the US depicts the flexibility of Indonesia's foreign policy (Ma'ruf *et al.*, 2020; Scott, 2019).

Indonesia is one of the regional powers in neutral position recognized by China or the US. Chinese Defense Minister Wei Fenghe visited Indonesia on September 8, 2020, in response to Minister of Defense Prabowo Subianto's visit to China in 2019 (CNN Indonesia, 2020b). On the other hand, the US is trying to approach Indonesia. Defense Minister Prabowo Subianto's visit to the US in October 2020, shows a change in US political attitudes. The US hopes for Indonesia's support regarding its conflict with China.

Indonesian Cool Defense Diplomacy as a Solution Effort

Indonesia established an attitude in seeking a resolution to territorial disputes, in the form of overlapping claims in the LCS, and particularly friction with China regarding the nine-dash line which covers part of Indonesian EEZ in LNU. Foreign Minister Retno Marsudi expressed this attitude at the ASEAN Foreign Ministers' Meeting (ASEAN Ministerial Meeting).

The Foreign Minister stated that stability in the region will be achieved if all countries comply with the United Nations Convention on the Law of the Sea or UNCLOS 1982. Indonesia hopes that the LCS will become a peaceful and stable sea, and this will only happen if all countries respect international law, including UNCLOS1982 (*detik.com*, 2020). Indonesia views that any open conflict that occurs in the LCS will not benefit any party.

On the other hand, Indonesia refused to negotiate with China regarding the claims against the LCS. Indonesia's position in these waters is consistent with the international norms set out in UNCLOS. Indonesia does not have overlapping claims with China, therefore it is irrelevant to have a dialogue about maritime boundaries. Regarding LCS, Indonesia has overlapping claims (related to) maritime borders with Malaysia and Vietnam (CNN Indonesia, 2020c).

The Director-General of Defense Strategy of the Ministry of Defense (Dirjen Strahan) Major General Dr. rer. Rodon Pedrason, MA stated that Indonesia wishes for the LCS area to be peaceful. If there are problems related to territorial disputes and others, it will be resolved through dialogue between China and ASEAN. Regarding Indonesia's position, it was emphasized that Indonesia did not want to resolve the problem by force.

The way Indonesia "dampens" China's aggressive steps in the LCS continues to use an approach that pays attention to good relations. That is, this problem is "cooled down" or named "Cool Defense Diplomacy." "Cool Defense Diplomacy" is an approach that is carried out calmly instead of being forceful or fighting. "Cool Defense Diplomacy" prioritize and maintain a good relationship.

By maintaining good relations, Indonesia has built constructive steps. For instance, increasing the number of Indonesian fishermen in LNU to maintain a presence in the waters. Bakamla (Indonesian Maritime Security Agency) is holding a gray zone operation at LNU by promoting non-combat ships (not warships). This step is a symbol that Indonesia protects territorial sovereignty. Furthermore, the operations must be followed by optimal exploration and exploitation of natural resource potentials national interest (*detik.com*, 2020a).

CONCLUSION

First, Indonesia's strategic steps in responding to China's unilateral claims through defense diplomacy were carried out by affirming its stance and principle approach. In principle, Indonesia only recognizes territorial claims based on the provisions and rules of international law. In the context of territorial disputes in the LCS and LNU, the valid international law is the United Nations Convention on the Law of the Sea or UNCLOS 1982.

Therefore, Indonesia does not serve negotiations of any kind with China regarding Indonesian EEZ at LNU, because China does not base its claims based on valid international legal rules. China's claims are based on

history or practices during China's imperial dynasty in the past and are not recognized in the 1982 UNCLOS legal framework, and therefore not acceptable to the Indonesian.

Furthermore, Indonesia is not a claimant state in the LCS. The contact between Indonesia and China in the LCS concerns a part of Indonesian EEZ in LNU. Should Indonesia is willing to negotiate with China regarding the "overlapping territorial claims", it would indicate that Indonesia accepts China's nine-dash line claim which is invalid as it is not based on UNCLOS 1982.

Second, the Indonesian defense diplomacy strategy must be implemented in a concrete manner. Therefore, Indonesia uses a peaceful approach. Settlement efforts must explore all options. For instance, dialogue, negotiations, and confidence-building measures from both parties. Open conflict in the LCS will result in instability and will not benefit either party. Therefore, open conflicts must be avoided and stability must be maintained.

Third, in responding to China's unilateral claim to Indonesian EEZ at LNU, Indonesia has adopted a defense diplomacy approach called "Cool Defense Diplomacy." The approach elevates the importance of the long-standing Indonesia-China friendly relations and underlines other, larger interests. The relationship between Indonesia and China is mutually beneficial and respectful. Furthermore, the relationship covers many sectors such as politics, economy, socio-culture, etc.

The friction or dispute between China and Indonesia in parts of the Indonesian EEZ in LNU is only one facet of the many aspects of the relationship between the two countries. By utilizing a rational approach, the two countries should consider other facets of the relationship. In principle, it is more beneficial not to let one facet disturb or destroy all aspects of the mutually beneficial relationship and mutual respect between Indonesia and China.

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