



# IMPLICATIONS OF THREATS IN THE NORTH NATUNA SEA FOLLOWING THE JOINT STATEMENT BETWEEN THE REPUBLIC OF INDONESIA AND THE PEOPLE'S REPUBLIC OF CHINA

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**Abstract:** *North Natuna Sea is part of South China Sea which is included in the territory of the Republic of Indonesia. The highlight of the region is People Republic of China's claim known as Nine Dash Line and also The U-shaped Line. Based on their claim, Chinese government sent the China Coast Guard Patrol Vessel to patrol along The Nine Dash Line. Consequently, the patrol vessel one appeared inside the Exclusive Economic Zone of Indonesia in North Natuna Sea. The latest development is the signing of the Joint Statement between both countries at 9<sup>th</sup> November, 2024 include joint development in areas of overlapping claims, which triggered pros and cons reactions among the experts. Based on those, this literature research aims to analyze implication to the threat in North Natuna Sea post the signing of Joint Statement. This research results is statement that Joint Statement between both countries can defuse the threat in North Natuna Sea, so that it should be followed by the other countries in South China Sea area.*

**Keywords:** *North Natuna Sea, Joint Statement, Nine Dash Line.*

**Abstrak:** *Laut Natuna Utara merupakan bagian dari wilayah Laut China Selatan yang termasuk ke dalam wilayah kedaulatan Negara Kesatuan Republik Indonesia. Hal yang menonjol dari wilayah ini adalah adanya klaim Republik Rakyat China (RRC) yang dikenal dengan Nine Dash Line dan juga The U-shaped Line. Berdasarkan klaimnya, pemerintah RRC mengirimkan Kapal Patroli China Coast Guard untuk berpatroli di sepanjang Nine Dash Line yang mengakibatkan kehadiran mereka dalam wilayah ZEE NKRI di Laut Natuna Utara. Perkembangan terkini adalah ditandatanganinya Joint Statement antara kedua negara pada 9 November 2024 termasuk 'joint development in areas of overlapping claims' yang telah memicu reaksi pro dan kontra di kalangan para ahli. Berdasarkan hal itu, studi literatur ini bertujuan menganalisis implikasi terhadap ancaman di Laut Natuna Utara pasca-Joint Statement. Hasil penelitian ini adalah statement bahwa Joint Statement antara kedua negara dapat meredakan ancaman di Laut*

*Natuna Utara, yang seharusnya diikuti oleh negara-negara di kawasan Laut China Selatan lainnya.*

**Kata Kunci:** *Laut Natuna Utara, Joint Statement, Nine Dash Line.*

## INTRODUCTION

South China Sea is part of the North Pacific Ocean that stretches from the southern coast of the People's Republic of China (PRC) to the North Natuna Sea, which falls within the sovereign territory of the Republic of Indonesia / Negara Kesatuan Republik Indonesia (NKRI). What stands out about this area is the unilateral claim by the People's Republic of China (PRC) over 90% of the South China Sea, known as the Nine Dash Line. This claim is also referred to as the U-shaped Line because if the nine dashed lines are connected, they form the letter 'U.'. However, from when this claim was first submitted in 1947 until now, the PRC has not provided any clear coordinate boundaries for its claim (Wang 2024).

Nevertheless, China has acted as if the area has become its own, among other things by conducting patrols of the China Coast Guard (CCG) vessels along the Nine Dash Line. These patrols even extend into the Exclusive Economic Zone (EEZ) of the Republic of Indonesia in the North Natuna Sea. This is because the Nine Dash Line indeed cuts through the EEZ of the Republic of Indonesia in the northeastern part of the North Natuna Sea. The impact is the presence of the CCG patrol vessel there. The latest incident occurred in October 2024 when the CCG Patrol Vessel with hull number 5402 was reported to have entered the northeastern waters of the North Natuna Sea three times, even disrupting a survey being conducted by PT Pertamina, arguing that the area is part of China's jurisdiction (Akbar 2024).

The latest development is the signing of the Joint Statement between the Republic of Indonesia and the People's Republic of China on November 9, 2024, by the leaders of both countries, President Prabowo and President Xi Jinping. One of the points included in the Joint Statement is 'joint development in areas of overlapping claims' (Kemlu 2024). Experts responded to this phrase with both positive and negative reactions. Some state that Indonesia may face accusations

from the international community for alleged violations of international law, particularly the United Nations Convention on the Law of the Sea (UNCLOS), as it is considered legitimizing China's claims, which are considered a violation of UNCLOS (Afriansyah 2024). Others argue that this cooperation will gradually lead to the loss of the status of the North Natuna Sea as Indonesia's Exclusive Economic Zone (EEZ) (Naqiyyah 2024). There are also those who assert that the MoU signed by President Prabowo Subianto with President Xi Jinping is not an acknowledgment of China's claims but rather part of a diplomatic strategy to manage the existing tensions. (Ponto 2024). Based on the above background, this literature study aims to analyze the implications of threats in the North Natuna Sea following the Joint Statement between the Republic of Indonesia and the People's Republic of China.

## ***METHODS***

This research conducts a literature study on written sources concerning threats in the North Natuna Sea and the Joint Statement between the Republic of Indonesia and the People's Republic of China. To provide background, electronic media news sources were utilized, while journal articles served as the basis for analysis. The gathered sources were subsequently analyzed using qualitative methods to reach a conclusion that addresses the research objectives.

## ***RESULTS AND DISCUSSION***

### **The Essence of Indonesia**

To initiate this discussion, we present the Essence of Indonesia as outlined in the 1945 Constitution, Article 1, paragraph 1, which states, "The State of Indonesia is a Unitary State (*Negara Kesatuan*).". The term 'Unitary State' signifies that Indonesia was not established through a 'mandate from heaven' or the dictate of a powerful leader. Instead, it was founded on the collective awareness of each ethnic group inhabiting the archipelago, who share a common fate of suffering from imperialism and colonialism, which then gave rise to a desire for unity to expel colonial influence from the land of the archipelago. This goal is reflected in the Youth Pledge document formulated on October 28, 1928, specifically in the first

point, which states, "We, the sons and daughters of Indonesia, acknowledge that we are of one blood, the homeland of Indonesia." The Youth Pledge manuscript is a 'soft infrastructure' that serves as a means of connectivity for every region across the entire archipelago to become Indonesia/Negara Kesatuan Republik Indonesia (Latif 2020). This unity means that all the regions stretching from Sabang to Merauke and from Miangas to Rote, including the North Natuna Sea, constitute an inseparable territorial unity.

### **The Essence of Sovereignty**

In UNCLOS Articles 1 and 2, it is stated that "the sovereignty of a coastal State extends, beyond its land territory and internal waters and, in the case of an archipelagic State, its archipelagic waters, to the adjacent belt of sea, referred to as the territorial sea; this sovereignty extends to the air space over the territorial sea as well as to the seabed and subsoil beneath it." Meanwhile, Article 55 states that "The Exclusive Economic Zone (EEZ) is an area beyond and adjacent to the territorial sea." Furthermore, Article 58 states that "In the Exclusive Economic Zone, all States, whether coastal or landlocked, enjoy, subject to the relevant provisions of this Convention, the freedom of navigation and overflight and the laying of submarine cables and pipelines and other lawful uses of the sea in accordance with international law." Therefore, based on UNCLOS, it can be stated that:

1. The full sovereignty of a country extends only to its territorial waters, which for an Archipelagic State also includes the archipelagic waters and the adjacent sea belt;
2. The EEZ is located beyond the territorial sea; and
3. In the EEZ, every country is entitled to freedom of navigation and overflight, the laying of submarine cables and pipelines, and other lawful uses of the sea in accordance with international law;

Thus, a coastal state does not have the right to prohibit foreign vessels from passing through/being in its EEZ, except when the vessel has been proven to have violated the law, either international law (UNCLOS) or the law applicable in that coastal state. In Indonesia, there were three cases of violations involving Chinese-flagged fishing vessels in 2016. The Visit Board Search and Seizure (VBSS) team

found that the captured fishing vessels in all three cases lacked the required permits. Additionally, the crew members were identified as Chinese nationals, which violated the regulation requiring 70% of the crew to be Indonesian citizens when fishing in the Indonesian Exclusive Economic Zone. Furthermore, these fishing vessels used trawl nets and caught fish exceeding the allowed quota (Indriani et al., 2021). All these provisions are stipulated both in Law Number 45 of 2009 and in the government regulations under it.

### **The Nature of Threats**

Law Number 34 of 2004 (updated by Law Number 3 of 2025), Article 1, Point 22, defines a threat as "any effort and activity, whether from within the country or abroad, that is deemed to threaten or endanger the sovereignty of the state, the integrity of the state territory, and the safety of the entire nation." According to this article, an incident is categorized as a threat if it impacts:

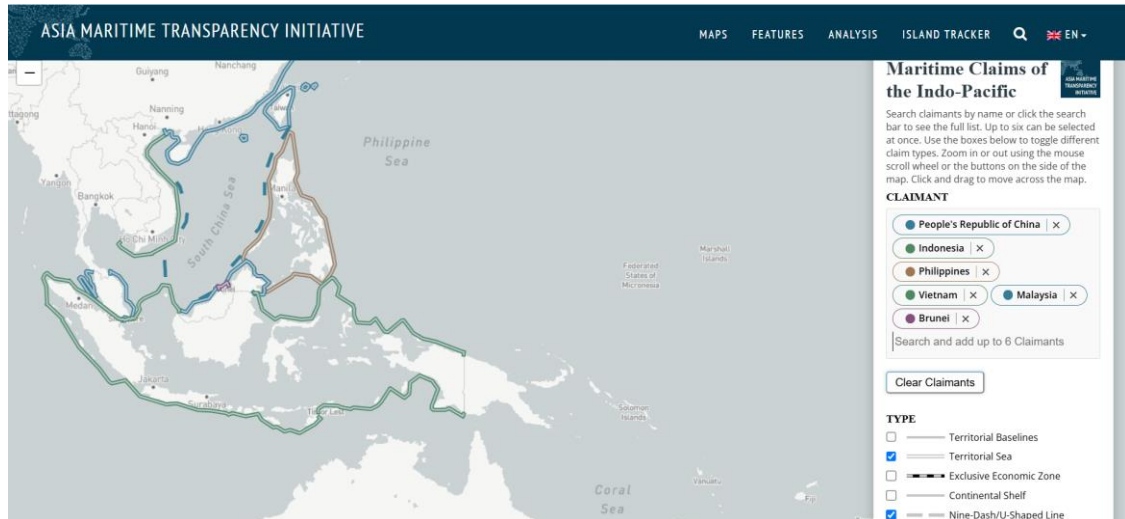
1. the sovereignty of the state;
2. the integrity of the state territory; and
3. the safety of the entire nation;

Consequently, when evaluating the possible hazard of an incident, its influence might be examined concerning one of the three aforementioned criteria. The agenda of the Republic of Indonesia in addressing the escalation of risks in the South China Sea comprises these three elements, along with an additional point: 'Economic Resource Security' (Tatara, et al. 2022). These points can provide a foundation for assessing whether the incidents in the North Natuna Sea directly affect state sovereignty, territorial integrity, national safety, and the security of economic resources.

### **Analysis Results**

Based on UNCLOS, it is known that the EEZ area is not part of a country's sovereign territory because it is located outside the territorial sea. When looking at the stretch of the Nine Dash Line claimed by China, it is evident that the Nine Dash Line does not intersect any of the territorial sea boundaries of the surrounding

countries, including Indonesia. This means that the Nine Dash Line is not a threat to sovereignty, and the perceived threat by surrounding countries is no more than their concern over the expansion of China's claims to their sovereign territories, as China has not yet established the coordinate boundaries of the claimed areas.



**Figure 1. The Position of the Nine Dash Line Regarding the Sovereignty Boundaries of Surrounding Countries**

Source: (AMTI n.d.)

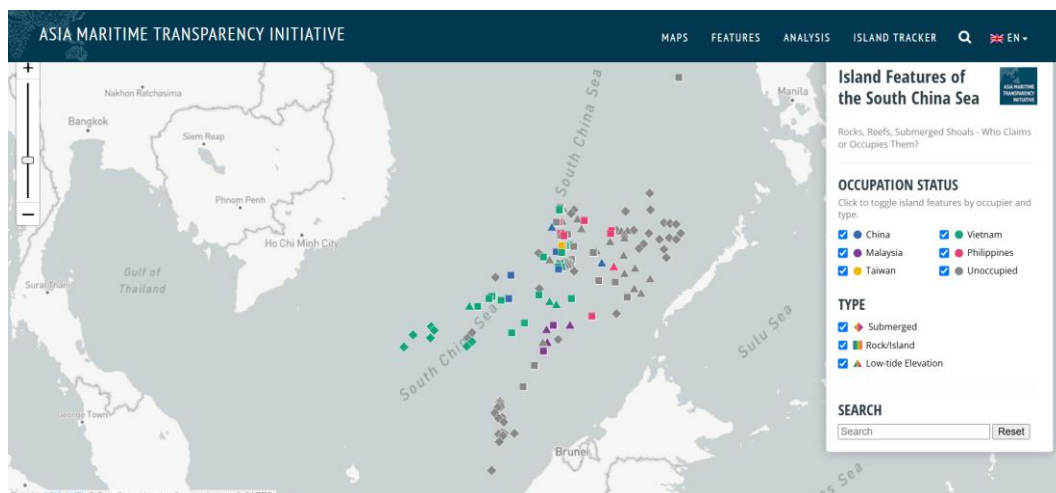
Therefore, what is happening in the South China Sea currently, including in the North Natuna Sea, can be stated as a dispute purely regarding ownership rights, so the Joint Development between Indonesia and China is actually the right step and should even be followed by countries that feel threatened by the Nine Dash Line claim. Some key points of maritime cooperation in the Joint Development are (Kemlu 2024):

1. Joint development in overlapping claim areas based on the principles of mutual respect, equality, mutual benefit, flexibility, pragmatism, and consensus-building in accordance with the applicable laws of each country;
2. Comprehensive cooperation throughout the entire fisheries industry chain, including fishing, aquaculture, processing, investment, and technology, as well as jointly promoting the conservation and sustainable utilization of fishery resources;



3. Cooperation in marine scientific research and environmental protection, navigation safety, deep-sea exploration, disaster prevention and mitigation, as well as maritime capacity building;
4. Institutional cooperation among maritime security institutions; and
5. Commitment to the full and effective implementation of the Declaration of Conduct (DOC) and the Code of Conduct (COC) based on consensus-building so that we can together maintain peace and stability in the South China Sea.

If examined closely, these points can actually ease the tensions that have been occurring in the North Natuna Sea region, because with the Joint Development of the two countries, clear rules, clear boundaries, and clear consequences will be established, thereby eliminating the Grey Zone status that has been associated with the area. In addition, this step should be followed by other countries, especially those classified as Claimant States regarding the atolls in the middle of the South China Sea because this Joint Development will clarify the ownership rights of these reefs, including what is agreed upon/not agreed upon regarding the treatment of each country.



**Figure 2. Distribution of Atolls in the South China Sea along with Claimant State**

Source: (AMTI n.d.)

Meanwhile, the movement of the China Coast Guard (CGG) Patrol Vessel in the North Natuna Sea does not need to be categorized as a threat as long as the vessel does not directly engage in actions that could pose a threat, such as intimidating local sea users or dumping waste. In fact, this Joint Development will establish/clarify the patrol boundaries for both countries. So far, nothing has happened that could detach the Natuna region from the NKRI (Negara Kesatuan Republik Indonesia). In the Montevideo Convention on the Rights and Duties of States 1933, Article 1 states that "a state as a subject of international law must possess the following qualifications:

1. Permanent population;
2. Territory;
3. Government; dan
4. Ability to engage in diplomatic ties with other nations

If the Natuna region is now populated by Indonesian national/ warga negara Indonesia (WNI), possesses defined borders, a sovereign government, and is recognized by other nations as part of the Republic of Indonesia (NKRI), then the Nine Dash Line claim poses no threat. In fact, the Nine Dash Line claim does not meet any of the four qualifications required by the Montevideo Convention on the Rights and Duties of States 1933.

Regarding the safety of the entire nation, there have indeed been several cases of Indonesian fishermen being expelled from the North Natuna Sea. But the fishermen admitted that what they experienced was only expulsion, not intimidation or even threats to their lives (CNN Indonesia, 2024). In addition, this is more due to the minimal utilization of the North Natuna Sea by Indonesian fishermen themselves, so the emptiness of the area is actually exploited by foreign fishermen. Therefore, the Ministry of Marine Affairs and Fisheries/Kementerian Kelautan dan Perikanan (KKP) plans to relocate some fishing vessels that operate in the Java Sea to North Natuna Sea to utilize the marine resources in that area while ensuring they are not used by other countries (Fauzan 2025). The presence of these fishermen is also being escorted by the Marine and Fisheries Resource Supervisory Agency/ Pengawas Sumber Daya Kelautan dan Perikanan (PSDKP), which is a maritime security institution under the Ministry of Maritime Affairs and Fisheries (KKP).



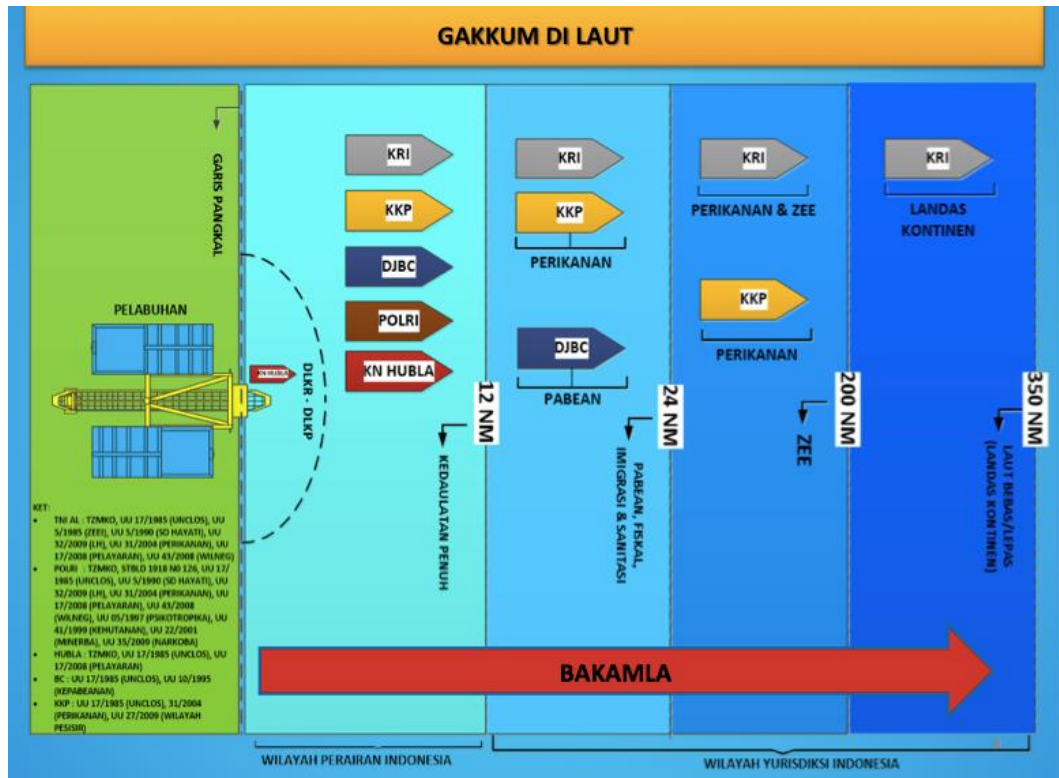
Through a Joint Statement, the PSDKP will collaborate with the China Coast Guard (CCG) to secure fishing activities by fishermen from both countries.

Regarding Economic Resource Security, there is currently no evidence that the PRC has directly exploited Natural Resources in the waters of Indonesia's Exclusive Economic Zone (ZEE), including the North Natuna Sea, apart from the case of fishing vessels known as Illegal Fishing. There are also cases of disturbances by the CCG Patrol Vessel against the PT Pertamina Survey Vessel (Akbar 2024) and the presence of the RRC Survey Vessel itself (Damarjati 2024). However, the disturbances by the CCG Patrol Vessel cannot yet be declared a threat, and the presence of the PRC Survey Vessel has not yet violated UNCLOS provisions, particularly the point on 'freedom of navigation'. Several reports related to state losses due to Illegal Fishing cases also become biased because they are only based on the position of those ships in the Indonesian Exclusive Economic Zone (ZEE) without being supported by concrete evidence that they actually violated the law, such as satellite recordings, documentation of illegal activities, or verified investigative reports (Ponto 2025). With the existence of Joint Development, all activities of both countries in the area will become clear, distinguishing between what is legal and what is illegal. In the Joint Development, the consequences for law violators will also be regulated by each country.

### **Inter-Agency Friction: A Critical Note**

It cannot be denied that the friction among the authorities also 'colors' the spectrum of threats in the North Natuna Sea (Duta 2022). The friction referred to is the conflict between existing maritime security institutions, including KPLP (Kesatuan Pengawasan Laut dan Pelayaran/ Sea and Coast Guard Unit), PSDKP (Pengawas Sumber Daya Kelautan dan Perikanan/ Marine and Fisheries Resources Surveillance), Polair (Polisi Perairan/ Marine Police) and the newly formed institution Bakamla (Badan Keamanan Laut/ Indonesian Maritime Security Agency). This friction is built on issues of sectoral ego and overlapping authorities that have been blown up, becoming the basis for the plan to establish a single maritime security institution known as the Single Agency Multi Tasks. However, in reality, this Single Agency Multi Tasks policy has caused each existing

institution to clash in a competition to become the single existing institution, which, instead of creating security conditions at sea, has actually increased the perception of insecurity in the waters of the Republic of Indonesia, even among international sea users.



**Figure 3. Map of maritime law enforcement jurisdiction**

Source: (Kurnia 2022)

The map in Figure 3 above is an example of a misunderstanding in interpreting the existence of law enforcement institutions at sea, which gives the impression that each institution faces problems of overlapping patrol areas resulting in overlapping authorities. In fact, each of these institutions already has its own legal basis that specifically regulates the objects of its law enforcement. This legal basis has existed since these institutions were established and cannot be removed or merged. The list of laws that serve as the foundation for these institutions is shown in the following table:

**Tabel 1. Maritime Threats and Their Law Enforcement Units**

<b>Threat at Sea</b>	<b>Law Enforcement Unit</b>	<b>Ministry</b>	<b>Legal Basis</b>
Smuggling goods	Customs (Directorate General)	Ministry of Finance	Law No. 17 of 2006 on Customs (Undang-Undang No. 17 Tahun 2006 tentang Kepabeanan)
Human trafficking crime/ Tindak Pidana Perdagangan Orang (TPPO)	Directorate General of Immigration	Ministry of Law and Human Right	Law No. 6 of 2011 on Immigration (Undang-Undang No. 6 Tahun 2011 tentang Keimigrasian)
Transnational Crimes in Maritime Areas	Marine Police	The Indonesian National Police (Polri), a Non-Ministerial Government Institution	Law No. 2 of 2002 on the National Police (Undang-Undang No. 2 Tahun 2002 tentang Kepolisian)
Illegal Fishing and Coastal Area Damage	PSDKP (Direktorat Jenderal)	Ministry of Marine Affairs and Fisheries	Law No. 45 of 2009 on Fisheries (Undang-Undang No. 45 Tahun 2009 tentang Perikanan)
Maritime Safety and Marine Pollution	KPLP (Direktorat)	Ministry of Transportation	Law No. 17 of 2008 on Shipping (as amended by Law No. 66 of 2024) (Undang-Undang No. 17 Tahun 2008 tentang Pelayaran (jo. Undang-Undang No. 66 Tahun 2024))

Source: (Sudiro and Ponto 2025)

It has now been proven that the effort to unify all maritime security institutions into a Single Agency is unconstitutional or 'materially flawed', both normatively and empirically (Sudiro and Ponto 2025). Indonesia, as a sovereign state, has a Single Legal Umbrella, namely the 1945 Constitution, which then serves as the legal basis for the formation of laws beneath it and mandates law enforcement institutions by ministries/agencies that oversee them, each with its own laws as their legal basis. Each of these law enforcement institutions has specific legal objects, so all these institutions essentially carry out the duties and functions of the Indonesia Coast Guard without overlapping authorities among them (Sudiro and Ponto 2025).

### ***CONCLUSION***

Based on the literature review conducted throughout this research, it is concluded that the Joint Statement between the Republic of Indonesia and the People's Republic of China has the potential to create mutual understanding between the two countries, thereby reducing tensions in the South China Sea, particularly in the North Natuna Sea. Therefore, this Joint Statement should be followed by other countries in the South China Sea region, especially those classified as Claimant States.

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