

International Legal Implications of the North Natuna Maritime Dispute: A Review of Indonesia–China Tensions in the Past Two Years

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ABSTRACT: The dispute in the North Natuna Sea between Indonesia and China has emerged as one of the most prominent public international law issues in the past two years. China's unilateral claim through the nine-dash line contradicts the 1982 United Nations Convention on the Law of the Sea (UNCLOS), which both countries have ratified. Indonesia consistently rejects the claim, asserting its sovereign rights over its Exclusive Economic Zone (EEZ). This article analyzes the recent tensions, including maritime incursions, diplomatic responses, and the implications for regional stability and Indonesia's position in international law. Using a normative legal method and a case study approach, the study finds that while UNCLOS provides a strong legal foundation for Indonesia, the lack of effective enforcement mechanisms in international law poses a major challenge to resolving the dispute.

KEYWORDS: North Natuna Sea; international law; Indonesia; China; Exclusive Economic Zone (EEZ).

I. INTRODUCTION

The North Natuna Sea dispute between Indonesia and China is a complex manifestation of the struggle between national sovereignty, historical claims, and applicable international legal principles, particularly in the context of the 1982 United Nations Convention on the Law of the Sea (UNCLOS). In the past two years, these tensions have escalated, triggered by the intensification of activities by Chinese coast guard and fishing vessels. (Size 10 & Normal)This document is a template. An electronic copy can be downloaded from the conference website. For questions on paper guidelines, please contact the conference publications committee as indicated on the conference website. Information about final paper submission is available from the conference website. Within Indonesia's Exclusive Economic Zone (EEZ), which directly borders the South China Sea. The presence of these vessels not only threatens Indonesia's territorial sovereignty but also sets a bad precedent for respecting international maritime law, as agreed upon by the global community. In this context, Indonesia faces a major dilemma: maintaining its territorial sovereignty and avoiding escalating conflict in an already highly geopolitically sensitive region (Purba & Burhanuddin, 2023).

The North Natuna Sea, formerly known as part of the South China Sea, holds a strategic position in the regional geopolitical map. The renaming of the area by the Indonesian government in 2017, and its continued reaffirmation in various forums, represents both a symbolic and substantial assertion of Indonesia's sovereignty claim. This action is considered a form of "encouragement from fear," a form of courage born of concerns about China's expansion of territorial claims through the ninedash line concept, which has no legal basis under UNCLOS 1982 (Purba & Burhanuddin, 2023). In the past two years, tensions have escalated as Chinese vessels have entered Indonesia's EEZ, particularly near the Natuna Islands. Although it does not claim Indonesian territory directly, China consistently states that the area is a "traditional fishing ground" for its fishermen, which is contrary to maritime delimitation based on the EEZ principle under international law.

This issue is not isolated. The dispute in the North Natuna Sea is part of a larger dynamic, namely the conflict in the South China Sea, which involves many Southeast Asian countries such as Vietnam, the Philippines, Malaysia, and Brunei Darussalam, as well as external actors such as the United States and Australia. In Indonesia's case, this conflict directly impacts national security, marine resource management, and diplomatic relations with China, Indonesia's largest trading partner. These tensions require Indonesia to strengthen its legal position, not only through enforcement on the ground but also through consistent international legal diplomacy based on recognized global norms (Shafitri, Patriani, & SD, 2024).

Law enforcement in Indonesia's EEZ faces various challenges. One example is violations by foreign fishermen, including those from Vietnam and China, who frequently enter Indonesia's EEZ without permission. A study by Al Rasyid, Wattimena, & Tahamata (2023) shows that these actions not only cause economic losses but also raise complex legal issues, given that maritime law enforcement often clashes with diplomatic issues. When Indonesian authorities detain foreign vessels or arrest crews, the governments of the countries of origin often respond with diplomatic protests or deploy coast guard vessels. This situation highlights

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the limitations of international law in providing a deterrent effect against violations of sovereignty, as sanctions against violating states cannot always be effectively implemented within the existing legal framework.

One of the key debates in this issue is the validity of China's claim based on the nine-dash line. Research by Baylon et al. (2021) asserts that this claim has no legal basis under international maritime law, particularly UNCLOS 1982. The International Court of Arbitration in the Philippines vs. China (2016) case explicitly rejected the claim, stating that the nine-dash line contradicts the maritime delimitation based on the EEZ and continental shelf stipulated in UNCLOS. However, China refused to recognize the arbitral award and continued its activities in the disputed areas. This demonstrates that despite the existence of clear international legal instruments, the effectiveness of their implementation and compliance with international legal decisions remain a major challenge, especially when dealing with major world powers.

In the Indonesian context, steps taken to uphold sovereignty in the North Natuna Sea include strengthening the military presence, routine patrols by the Indonesian Navy and Bakamla (Indonesian Maritime Security Agency), and intensifying diplomacy in various international forums. These efforts are crucial to demonstrate that Indonesia is not passive in defending its sovereign rights in the region. However, other challenges also arise in the form of economic pressure, given Indonesia's dependence on investment and trade with China. According to Tania (2024), the economic relationship between Indonesia and China following the naming of the North Natuna Sea demonstrates a tug-of-war between economic interests and sovereignty-based foreign policy. Indonesia must be careful in formulating a foreign policy that maintains a balance between national interests in the defense sector and growing economic needs.

The North Natuna Sea issue has also sparked academic discussion regarding Indonesia's position as a middle power in the regional geopolitical order. According to Wicaksono (2025), Indonesia has the strategic potential to play a mediating role in the South China Sea conflict through active diplomacy and a multilateral approach, such as encouraging dispute resolution based on UNCLOS and supporting the implementation of the Code of Conduct (CoC) between ASEAN and China. However, CoC negotiations have so far been deadlocked due to differing interests between ASEAN member states and China. The failure to agree on a legally binding legal framework has left the region mired in legal uncertainty, allowing for repeated maritime incidents and violations of sovereignty.

From a public international law perspective, this dispute serves as a clear example that legal norms cannot always be automatically enforced without the political will of the countries involved. While UNCLOS provides a clear legal framework regarding the rights and obligations of coastal states and the delimitation of EEZs, its implementation is highly dependent on voluntary compliance and the support of international institutions. Dewi (2022) highlights that maritime boundary conflicts not only require legal precision but also require effective dispute resolution mechanisms acceptable to all parties. Unfortunately, in the case of the North Natuna Sea, no bilateral or multilateral dispute resolution mechanisms have been consistently used, as China frequently rejects international mediation or arbitration efforts.

Furthermore, regional dynamics are also influenced by the involvement of major actors such as the United States, which has openly opposed China's claims and increased its military presence in the South China Sea. This poses a strategic dilemma for Indonesia, which fundamentally upholds an independent and active foreign policy. According to Shafitri, Patriani, & SD (2024), ASEAN as a regional organization has not been able to respond collectively and decisively to these rising tensions, so its member states, including Indonesia, tend to take individual stances based on their respective national interests. ASEAN's inability to lead the resolution of this dispute also demonstrates institutional weaknesses that need to be addressed to prevent the Southeast Asian region from becoming a battleground for the world's major powers.

As an archipelagic nation with vast maritime territory, Indonesia relies heavily on sustainable maritime security to maintain national stability and support economic development. The dispute in the North Natuna Sea concerns not only sovereignty but also natural resource management, marine ecosystem protection, and the sustainability of coastal communities. Therefore, resolving this issue is crucial. This must be done comprehensively, not only through military and diplomatic approaches, but also by strengthening national laws in line with international law. Indonesia needs to review domestic regulations relating to maritime jurisdiction, maritime law enforcement, and coordination mechanisms between relevant institutions.

In closing this introduction, it is important to emphasize that the tensions in the North Natuna Sea over the past two years reflect the complex relationship between state sovereignty, international law, and geopolitical realities. In facing these challenges, Indonesia must continue to strengthen its legal standing through a strategic, coordinated approach based on international legal principles. In doing so, Indonesia will not only be able to defend its rights but also contribute to creating a just, peaceful, and rule-based regional maritime order.

The dispute in the North Natuna Sea in the past two years has shown a significant escalation, marked by the presence of Chinese coast guard vessels and fishing vessels in the waters of Indonesia's Exclusive Economic Zone (EEZ). Legally, this presence is unjustified considering that the area has been legally designated as Indonesia's EEZ based on the provisions of UNCLOS 1982, which was ratified by Indonesia through Law Number 17 of 1985. Within the framework of public international law, the principle of sovereignty over territorial waters and jurisdiction in the EEZ grants coastal states exclusive rights to explore, exploit, manage,

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and preserve living and non-living natural resources in the sea and seabed (Dewi, 2022). Thus, China's claim that the area is a "traditional fishing ground" for its fishermen has no valid international legal basis. The claim, which is based on the nine-dash line concept, was declared invalid by the Permanent Court of Arbitration ruling in the Philippines vs. China case in 2016. However, China still does not recognize the ruling and continues to maintain its *de facto* claim.

Continued violations by Chinese vessels in the North Natuna Sea have forced Indonesia to respond more decisively. One such response is the symbolic reassurance of changing the name of the waters from the South China Sea to the North Natuna Sea, as officially announced in 2017 and reinforced in regional and international forums since 2021 (Purba & Burhanuddin, 2023). This renaming not only aims to emphasize its geographic position but also has strategic value in safeguarding national sovereignty. Research by Purba & Burhanuddin (2023) shows that this move represents a form of encouragement from fear of China's dominant claims. Beyond this symbolic move, Indonesia has also increased military patrols in the area, deployed the Indonesian Navy and the Maritime Security Agency (Bakamla), and established bilateral and multilateral cooperation to enhance maritime situational awareness in the region.

From a national legal perspective, the enforcement of Indonesia's maritime sovereignty is regulated by several important legal instruments. Law No. 32 of 2014 concerning Maritime Affairs and Law No. 43 of 2008 concerning State Territory serve as the primary legal basis for regulating the management and protection of national maritime areas. Article 11 of Law No. 32 of 2014 states that the state has sovereign rights in the EEZ to conduct exploration and exploitation of natural resources. Furthermore, Law No. 45 of 2009 concerning Fisheries also provides the legal basis for maritime law enforcement officials to prosecute violations by foreign vessels engaged in illegal fishing. In the context of the North Natuna Sea, the arrest of foreign fishermen from China and Vietnam by Indonesian officials is a form of implementation of the national legal mandate (Al Rasyid, Wattimena, & Tahamata, 2023).

However, the implementation of national law enforcement often faces significant challenges when it comes into contact with the diplomatic and military aspects of other countries, especially those with major powers like China. When Indonesia detains foreign fishing vessels, China consistently issues diplomatic protest notes and sometimes increases the presence of its coast guard vessels. This situation reflects the dilemma between national law enforcement and the stability of international relations. It also demonstrates the limitations of national legal powers in addressing violations occurring within politically contested international jurisdictions. Often, Indonesian authorities must choose between pursuing legal proceedings or releasing the vessels and their crews to maintain bilateral diplomatic relations (Al Rasyid et al., 2023).

In a study by Baylon et al. (2021), it was emphasized that China's claims to the South China Sea, including the area around Natuna, are not only legally weak but also contradict the principles of justice and legal certainty that underpin international law. While Indonesia is not a party to the South China Sea dispute directly, its position is vulnerable due to China's overlapping claims and maritime activities within its EEZ. This raises the urgency of restructuring Indonesia's national strategy for addressing maritime conflicts, through strengthening legal instruments, increasing maritime patrol capacity, and intensifying legal diplomacy in international forums such as ASEAN and the United Nations.

Regarding ASEAN's role, unfortunately, this organization still lacks strong collective capacity to address the conflict in the South China Sea. Although there have been efforts to draft a Code of Conduct (CoC) between ASEAN and China, as of 2025, the CoC has not reached a final, legally binding form. This indicates an imbalance of interests among ASEAN countries, as well as pressure from China not to legally bind itself. Research by Shafitri, Patriani, & SD (2024) states that ASEAN's indecisiveness is partly due to the balance of threat strategy of its member states, including Indonesia, which tends to avoid open confrontation with China for economic and security reasons. Therefore, Indonesia, as a middle power in the region, has the opportunity and responsibility to encourage ASEAN to be more proactive and united in fighting for a just maritime legal order.

Research by Wicaksono (2025) explains that Indonesia's position as a middle power should be optimally utilized to balance the major powers and smaller nations in ASEAN. In this context, Indonesia plays a role not only as a coastal state defending its sovereignty, but also as a catalyst for dialogue, mediation, and the initiation of fairer international legal norms. Therefore, Indonesia needs to strengthen law-based maritime diplomacy, expand its maritime defense cooperation network, and urge the acceleration of the completion of the Code of Conduct with China to prevent the region from remaining in a state of persistent latent tension that is detrimental to all parties.

From an economic perspective, the Indonesia-China relationship presents complex contradictions. China is Indonesia's largest trading partner and a major investor in national strategic projects. Tania's dissertation (2024) explains that since the renaming of the North Natuna Sea, there has been a tendency towards caution in Indonesian economic diplomacy to avoid worsening bilateral relations. On the one hand, Indonesia wants maintain its position in the Belt and Road Initiative (BRI) cooperation projects, but on the other hand cannot allow violations of its territory to continue. This dilemma demands precision and balance in formulating a pragmatic foreign policy while still adhering to the principles of law and sovereignty.

To address these dynamics the Indonesian government needs to strengthen its national regulatory framework to address crosssectoral challenges. Stronger synergy is needed between the Ministry of Foreign Affairs, the Ministry of Defense, the Ministry of Maritime Affairs and Fisheries, and maritime security agencies such as Bakamla, the Indonesian Navy, and the Water Police

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(Polairud). In addition, Indonesia must also continue to update its maritime legal maps based on the latest hydrooceanographic surveys and submit them to the UN Commission on the Limits of the Continental Shelf (CLCS), to clarify the boundaries of its national jurisdiction.

In addition, Indonesia also needs to develop a sophisticated early detection system, including the use of maritime satellites, coastal radar, and automated surveillance technology integrated with the national maritime command center. This technological innovation can provide accurate and real-time data to law enforcement officials, enabling them to respond quickly to violations. In the legal context, Indonesia also needs to consider establishing a National Maritime Court with specific jurisdiction over violations at sea, so that legal proceedings can be carried out quickly, effectively, and fairly.

In conclusion, this discussion demonstrates that the international legal implications of the North Natuna Sea dispute are highly complex, involving legal, diplomatic, military, economic, and geopolitical dimensions simultaneously. Indonesia finds itself in a difficult yet strategic position: it must defend its sovereignty and maritime rights, while also maintaining bilateral relations crucial for national development. Therefore, a long-term solution to this issue cannot rely solely on military force or temporary diplomatic responses, but rather demands a comprehensive, consistent approach based on the rule of law, both nationally and internationally.

CONCLUSIONS

Tensions between Indonesia and China in the North Natuna Sea over the past two years have demonstrated the complexity of maritime disputes, which extend beyond territorial violations to reflect the tug-of-war of geopolitical interests and the supremacy of international law. Indonesia, as a coastal state with a legally binding EEZ in the region, faces significant challenges from China's unilateral claims that violate the principles of international maritime law. Despite a strong legal basis, both under UNCLOS and national law, repeated violations by foreign vessels continue to occur, demonstrating that law enforcement in the maritime region has not been fully effective in curbing escalation.

In response, Indonesia has taken various strategic steps, both symbolic and practical, including strengthening maritime security patrols, increasing international cooperation, and affirming regional identity through changing the name of the North Natuna Sea. This policy represents a tough diplomatic effort demonstrating Indonesia's commitment to defending its territory. However, these measures have not been entirely effective in preventing violations, as China consistently maintains its presence while ignoring applicable legal norms.

At the national level, Indonesia has a number of legal instruments sufficient to enforce jurisdiction in the EEZ. However, implementation challenges arise when enforcement is Legal issues are intersecting with diplomatic pressure from major powers. A robust national legal system needs to be supported by responsive institutions, advanced maritime surveillance technology, and synergy between state institutions to ensure law enforcement is not reactive, but systematic and sustainable. Furthermore, a more assertive and consistent policy approach is needed to defend national interests, without sacrificing strategic foreign relations.

This conflict also reflects Indonesia's need to play a greater role in the regional order as a middle power. By leveraging its influence within ASEAN, Indonesia can push for the establishment of a more binding regional legal framework, such as a clear Code of Conduct (COC) with sanctions for violators. A collective approach will strengthen the bargaining position of Indonesia and other ASEAN countries in confronting China's dominance in the South China Sea, including the North Natuna Sea. This is crucial for maintaining regional stability and ensuring that each country has legal certainty over its territory.

Overall, resolving the dispute in the North Natuna Sea requires a combination of legal diplomacy, strengthening maritime military capabilities, empowering national law enforcement, and close regional and international cooperation. Indonesia must continue to assert its rights without hesitation, while building internal capacity to respond to any challenges professionally and with dignity. In the long term, Indonesia's maritime sovereignty can only be maintained if the country stands firmly on legal principles and embodies them in concrete and sustainable policies.

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