

PRC AND USA IN INDONESIA'S EXCLUSIVE ECONOMIC ZONE (EEZ)

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ABSTRACT

The 1982 United Nations Convention on the Law of the Sea (UNCLOS) entitles coastal States to sovereign rights in their exclusive economic zones (EEZ). An EEZ is a maritime zone in a coastal state where a state can exclusively manage its economic activities. As the largest archipelagic country in the world, Indonesia has a strategic interest in maritime security in its EEZ, which will significantly influence national security; for example, Indonesia's EEZ in the north is the South China Sea. There are no clear rules about military and paramilitary activities in the EEZ, leading countries such as the People's Republic of China (PRC) and the United States of America (USA) to frequently conduct such activities without notifying Coastal States like Indonesia. This practice violates Indonesia's Sovereign Rights in EEZ and poses a risk of infringing upon Indonesia's Sovereignty in Territorial and Archipelagic Waters. This paper will examine whether and how Indonesia should negotiate a new international agreement that specifically regulates military and paramilitary activities by a foreign navy in the EEZ to fill the gap identified. It will assess the factors, potential terms, and viability of such a new agreement, including comparing military and paramilitary activities conducted by the PRC and the USA. One of the advantages of this contrastive approach is the comparison of the use of instrumental powers by the PRC and the USA. This paper is essential because Indonesia has a common interest with most countries: a desire for peaceful and secure sea lanes and sovereign territorial waters in a reliably well-ordered maritime environment. Indonesia opposes any country exploiting Indonesia's waters solely for their national interest; as a non-aligned nation, Indonesia has a vested interest in maintaining positive bilateral relations with both the PRC and the USA. Therefore, only peaceful negotiations conducted through diplomatic means can result in new, enforceable terms for traversing a State's EEZ, protecting the sovereignty of a State's territorial waters. This paper also will impact the relationship between Indonesia, the PRC, and the USA getting better. Public policymakers from the government, the military, and economists can use it to design related national strategic policy.

1. INTRODUCTION

Problem Statement

How should Indonesia negotiate a new international agreement that specifically regulates military and paramilitary activities by a foreign navy in the Exclusive Economic Zone (EEZ) to fill the gap identified? Both the PRC and the USA violate the EEZ of Indonesia, arguably in violation of the Law of the Sea. In the absence of a more specific, international agreement amongst all parties, governing great power transversing of the Indonesian EEZ, such violations will continue.

Thesis Statement

A new, clear international agreement on military and paramilitary activities in the EEZ ensures that leading countries such as the People's Republic of China (PRC) and the United States of America (USA) will conduct such activities by notifying Coastal States like Indonesia and respecting Indonesia's Sovereign Rights in its EEZ.

Methodology Statement

This qualitative paper will use a case study approach by comparing the PRC and USA military and paramilitary

activities in Indonesia's EEZ through library and literature research. In this paper, military means navy and/or air force, whereas paramilitary means coast guard and maritime militia.

2. LITERATURE REVIEW

Overview of Existing Research

Afriansyah, Arie, Leonardo Bernard, and Christou Imanuel. "Should Indonesia Regulate Foreign Military Activities in Its EEZ?" *Marine Policy* 159 (January 1, 2024): 105931. In their paper, Arie Afriansyah, Leonardo Bernard, and Christou Imanuel explore whether Indonesia should regulate the military activities of foreign countries in Indonesia's EEZ. The author analyzes all aspects of the country's law and political interests. This is considered very important in international relations, both bilateral and multilateral. The author recommends that the government maintain the status quo while monitoring regional and global strategic environmental development dynamics.¹ They said that several countries, including

¹ Arie Afriansyah, Leonardo Bernard, and Christou Imanuel, "Should Indonesia Regulate Foreign Military Activities in Its EEZ?," *Marine Policy* 159, no. 105931 (January 2024), <https://doi.org/10.1016/j.marpol.2023.105931>.

Germany, Italy, the Netherlands, Sweden, and the UK, do not agree with the ban on military activities, especially naval warships in the EEZ.² However, several countries, such as Bangladesh, Brazil, Cape Verde, Ecuador, India, Malaysia,

Pakistan, Thailand, and Uruguay, also prohibit activities, including military maneuvers, in the EEZ, especially without providing information or asking for permission in advance. Even in field practice, these countries do not respond thoughtfully.³

Geng, Jin, "The Legality of Foreign Military Activities in the Exclusive Economic Zone Under UNCLOS," SSRN Scholarly Paper (Rochester, NY: Social Science Research Network, February 27, 2012). In this paper, Jin Geng discusses the ambiguity of the United Nations Convention on the Law of the Sea (UNCLOS), the interests of coastal and maritime states, and the state practice regarding military activities in the EEZ. This paper recommended that states have a dialogue and form agreements to clarify the regulation of military activities

in EEZ.⁴ He also emphasized that by UNCLOS, each maritime zone has a different treatment, as, in the Territorial Sea, where the coastal state has full sovereignty up to 12 Nm from the baseline, foreign ships must follow Article 19 innocent passage.⁵ Coastal States, by Article 25, have the right to respond and take measurable action if there is a violation of the passage. As for the EEZ maritime zone, where coastal states have sovereign rights, not full sovereignty, ships are allowed to sail based on freedom of navigation but on the condition of peaceful purposes.⁶ This rule refers to UNCLOS, where the shipping provisions in the EEZ adjust to those that apply to the High Sea, which ultimately causes indecisiveness, especially related to military activities. Jin Geng also emphasized in his conclusion that until now, it has been controversial in the daily practice at sea applied by coastal countries, so coastal countries and sea-user countries must respect each other equally.⁷

² Afriansyah, Bernard, and Imanuel.

³ Afriansyah, Bernard, and Imanuel.

⁴ Jing Geng, "The Legality of Foreign Military Activities in the Exclusive Economic Zone Under UNCLOS," SSRN Scholarly Paper (Rochester, NY: Social Science Research Network, February 27, 2012), <https://papers.ssrn.com/abstract=2017705>.

⁵ Geng.

⁶ Geng.

⁷ Geng.

Gaps in the Literature

Arie Afriansyah, Leonardo Bernard, and Christou Imanuel did not recommend the new agreement, even though the paper discussed whether regulating military activities in Indonesia's EEZ was necessary.

Jin Geng focused on a Case Study between the PRC and the USA in the South China Sea, even though the paper recommended forming an agreement to clarify the regulation of military activities in the EEZ.

Relevant Theories

Principled Negotiation - The Harvard Approach. In their book, Roger Fisher and William Ury illustrate that good negotiators are wise and efficient and can improve the relationship between the parties involved, not just get a yes at the end of the negotiation.⁸ They also stated that the agreement, as a result of the negotiation, is expected to meet the wishes of both parties or related parties, be fair, and be able to last for a long time.⁹ The four prescriptions of principled

negotiation are: separate the people from the problem, focus on interests, not positions, invent options for mutual gain, and insist on using objective criteria.¹⁰ This paper will consider these four things later, especially when analyzing and determining recommendations.

The Law in Diplomacy and War. Goldenziel, Jill I. "Law as a Battlefield: The U.S., China, and the Global Escalation of Lawfare." *Cornell Law Review* 106, no. 5 (2021 2020): 1085–1172.¹¹ In this paper, Jill I. Goldenziel explores how law is used as a weapon in war and seeks to define the strategic use of law in a conflict or war.¹² The author also displays the actions and reactions of the PRC and the USA in this context, especially how to use the law in diplomacy and even war with war adversaries.¹³ The author will use the legal context in this diplomacy to support a comparative analysis of case studies of what the PRC and the USA did in Indonesia's EEZ in peacetime.

⁸ Apt Pasquier, "Principled Negotiation -The Harvard Approach -Fisher & Ury," accessed February 11, 2025, https://www.academia.edu/40096618/Principled_Negotiation_The_Harvard_Approach_Fisher_and_Ury.

⁹ Pasquier.

¹⁰ Pasquier.

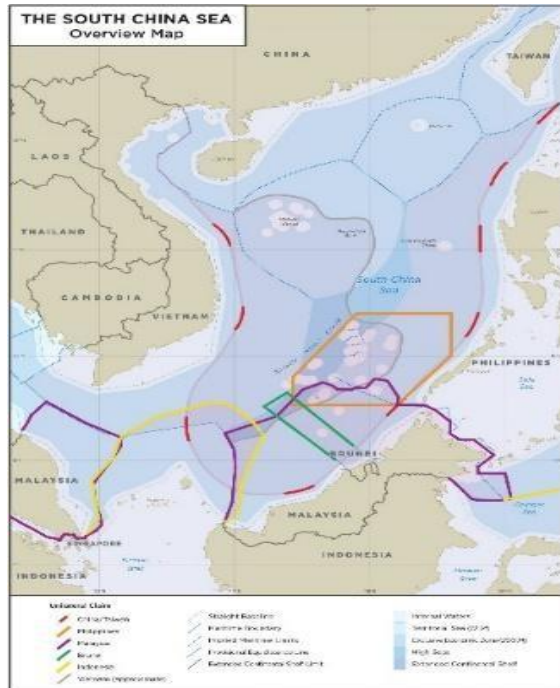
¹¹ Jill I. Goldenziel, "Law as a Battlefield: The U.S., China, and Global Escalation of Lawfare," SSRN Scholarly Paper (Rochester, NY: Social Science Research Network, January 25, 2020), <https://doi.org/10.2139/ssrn.3525442>.

¹² Goldenziel.

¹³ Goldenziel.

3. CURRENT SITUATION AND CASE DESCRIPTION

Current situation in the South China Sea and North Natuna Sea The South China Sea



Picture 1. The South China Sea.¹⁴

The current situation in the South China Sea, known as troubled waters, remains tense and complex, involving multiple countries with competing territorial claims and strategic interests.¹⁵ This competition is evident in the volume of diverse military and paramilitary ships

in the region, flying a great diversity of sovereign flags. For example, at the beginning of 2023, the Chinese

Coast Guard Vessel – CCG5901, PRC, and USS Nimitz (CVN 68), USA, sailed in the southern South China Sea close to the North Natuna Sea. To respond to these two ships, KRI Bontang-907, Indonesia, shadowed the Chinese Vessel and monitored the position of the U.S. Warship.¹⁶

Since mid-2017, the Indonesian government has introduced the idea that the sea north of Sekatung Island, Natuna, is called the North Natuna Sea. This sea naming is an effort by the Indonesian government to affirm Indonesia's EEZ north of Natuna, which intersects with the South China Sea.¹⁷ According to Andi Arsana, an Indonesian Maritime Delimitation Expert, it will send a clear message politically and diplomatically.¹⁸ In addition, the name North Natuna Sea has long been used in Indonesian oil and gas drilling maps. It is based on the International Hydrographic Organization's (IHO) provisions.¹⁹

¹⁴ "Imgurl:Https://Sovereignlimits.Com/Wp-Content/Uploads/Sites/2/2021/01/OverviewMap-Scaled.Jpg," Bing, accessed February 15, 2025, <https://www.bing.com/images/search?view=detailv2&form=SBHVR&lightschemeovr=1&iss=sbi&q=imgurl:https%3A%2F%2Fsovereignlimits.com>

¹⁵ "Troubled Waters: Tension Rises between US, Indonesia and China over South China Sea," India Today, February 3, 2023, <https://www.indiatoday.in/world/story/troubled-waters-tension-rises-between-usindonesia-and-china-over-south-china-sea-2330049-2023-02-03>.

¹⁶ "Troubled Waters."

¹⁷ Tom Allard and Bernadette Christina Munthe, "Asserting Sovereignty, Indonesia Renames Part of South China Sea," *Reuters*, July 14, 2017, sec. World, <https://www.reuters.com/article/world/assertingsovereignty-indonesia-renames-part-of-south-china-sea-idUSKBN19Z0YO/>.

¹⁸ Allard and Munthe.

¹⁹ Allard and Munthe.



Picture 2. The North Natuna Sea.

(<https://Sovereignlimits.Com/Wp-Content/Uploads/Sites/2/2021/01/OverviewMap-Scaled.Jpg>,"
Bing, accessed February 15, 2025)

The North Natuna Sea

Since mid-2017, the Indonesian government has introduced the idea that the sea north of Sekatung Island, Natuna, is called the North Natuna Sea. This sea naming is an effort by the Indonesian government to affirm Indonesia's EEZ north of Natuna, which intersects with the South China Sea.²⁰ According to Andi Arsana, an Indonesian Maritime Delimitation Expert, it will send a clear message politically and diplomatically.²¹ In addition, the name North Natuna Sea has long been used in Indonesian oil and gas drilling maps. It is based on the

International Hydrographic Organization's (IHO) provisions.²²

Indonesia's EEZ and its Interests

Indonesia is the largest archipelagic country in the world, with the fourth largest number of islands globally.²³ With the tenacity and intelligence of Indonesian diplomats, based on Part IV of UNCLOS on the Archipelagic State, Indonesia managed to expand its territory, including the maritime area of its jurisdiction, without war or bloodshed. Generally, Indonesia has five main interests in the EEZ: sovereign rights, specific jurisdiction, maritime security, shipping routes control, and diplomacy.

²⁰ Tom Allard and Bernadette Christina Munthe, "Asserting Sovereignty, Indonesia Renames Part of South China Sea," *Reuters*, July 14, 2017, sec. World, <https://www.reuters.com/article/world/assertingsovereignty-indonesia-renames-part-of-south-china-sea-idUSKBN19Z0YO/>.

²¹ Allard and Munthe.

²² Allard and Munthe.

²³ Kevin Baumert and Brian Melchior, "The Practice of Archipelagic States: A Study of Studies," *Ocean Development & International Law* 46, no. 1 (January 2, 2015): 60–80, <https://doi.org/10.1080/00908320.2015.995970>.

The foundational interests are the first two main interests: sovereign rights and specific jurisdiction. As a follow-up to the 1982 UNCLOS, in 1983, Indonesia issued Law No. 5 on Indonesia's EEZ as a legal basis for implementing sovereign rights, jurisdiction, other rights, and other obligations in Indonesia's EEZ.²⁴ According to UNCLOS, the coastal State has:

*sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the seabed and of the seabed and its subsoil, and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds; jurisdiction as provided for in the relevant provisions of this Convention with regard to: (i) the establishment and use of artificial islands, installations and structures; 44 (ii) marine scientific research; (iii) the protection and preservation of the marine environment.*²⁵

The third interest is maritime security. Not only in Indonesia's EEZ in the North Natuna Sea, as well as throughout Indonesia, Indonesia has maritime security interests. Maritime security is related to the marine environment, shipping industry, and military activities. The subsequent interest is shipping route control. Indonesia must be able to control the sea, which has become

Indonesia's jurisdiction through shipping route control. All ships passing through the Singapore Strait towards the South China Sea will pass through the North Natuna Sea. More than 500 ships pass through the Singapore Strait in one day, which means it will also pass through the North Natuna Sea.²⁶ The last interest is diplomacy. The existence of the EEZ for Indonesia is part of maritime diplomacy because it can be used for strategic interests in diplomacy, both in negotiating economic interests and in seizing influence in the region.

²⁴ Hukum Online, "Undang-Undang Nomor 5 Tahun 1983 - Pusat Data Hukumonline," hukumonline.com, accessed February 15, 2025, <https://www.hukumonline.com/pusatdata/detail/2622/undangundang-nomor5-tahun-1983/document/?fromV2=false>.

²⁵ United Nations, "The United Nations Convention on the Law of the Sea: Multilateral Diplomacy at Work," United Nations (United Nations), accessed July 28, 2024,

<https://www.un.org/en/chronicle/article/unitednations-convention-law-sea-multilateral-diplomacy-work>.

²⁶ "StrasseLink Marine Consultancy | Straits," accessed February 16, 2025, <https://strasselink.com/straits.php?form=MG0AV3>.

***PRC Military and Paramilitary Activities
in Indonesia's EEZ***

This subsection will provide data on several PRC military and paramilitary activities in Indonesia's EEZ of the North Natuna Sea based on the time sequence. In June 2016, KRI Imam Bonjol-383 (Indonesian Navy), based on a report by Indonesian maritime aerial reconnaissance aircraft, moved to the sea north of Natuna to expel 12 Chinese fishing vessels engaged in illegal fishing. All the fishing vessels fled when approached, but one (Han Tan Cau 19038) was successfully stopped and arrested.²⁷ The fishing vessel was crewed by six men and one woman suspected to be members of China's Maritime Militia (CMM). Using these paramilitary assets is an effort by the PRC to maintain its maritime claims through fisheries or economic activities.²⁸ In December 2019, KN Tanjung Datu-301 (Indonesian Coast Guard) expelled dozens of PRC fishing vessels believed to be part of the CMM and escorted by two Coast Guard

vessels and 1 PRC warship.²⁹ At first, the ships did not want to leave Indonesia's EEZ, but in the end, they moved northward and stayed away from the North Natuna Sea.³⁰

In September 2020, KN Nipah (Indonesian Coast Guard) found that the PRC coast guard ship, CCG 5204, entered Indonesia's EEZ area in the North Natuna Sea.³¹ KN Nipah communicated with CCG 5204 with the information that CCG was in the PRC's territorial territory based on the nine-dash line claim.³²

In September 2021, KRI Diponegoro-365, KRI Teuku Umar-385, KRI Silas Papare-386 and KRI Bontang-907 (Indonesian Navy) conducted intensive patrol to respond to a video report from fishermen that were about six PRC warships in the North Natuna Sea, one of which is the Kunming-172, Destroyer Type 052D-Luyang III, which

²⁷ Anggi Kusumadewi, "TNI Navy Reveals Chronology of Shelling Chinese Ships in Natuna," *national*, accessed February 16, 2025, <https://www.cnnindonesia.com/nasional/20160620133053-20-139466/tni-al-beberkronologi-tembaki-kapal-china-di-natuna>.

²⁸ Ronald O'Rourke, "U.S.-China Strategic Competition in South and East China Seas: Background and Issues for Congress," n.d.

²⁹ "Chronology of Chinese Fishing Boats Breaking Through Waters Near Natuna," *international*, accessed February 16, 2025, <https://www.cnnindonesia.com/internasional/20200103124754-106-462119/kronologikapal-nelayan-china-terobos-perairan-dekat-natuna>.

³⁰ "Kronologi Kapal Nelayan China Terobos Perairan Dekat Natuna."

³¹ "6 Fakta Kapal Coast Guard Cina yang Masuk ke Natuna Lagi | tempo.co," *Tempo*, September 22, 2020, <https://www.tempo.co/ekonomi/6-fakta-kapal-coast-guard-cina-yang-masuk-ke-natuna-lagi-580126>.

³² "6 Fakta Kapal Coast Guard Cina yang Masuk ke Natuna Lagi | tempo.co."

raises concerns from Indonesian fishermen in fishing.³³

In January 2023, KRI Bontang-907 (Indonesian Navy) was sent to monitor the PRC Coast Guard vessel CCG 5901, which sailed around the Tuna Bloc gas field in the North Natuna Sea. Although it does not carry out dangerous actions, its existence in the North Natuna Sea is still monitored to prevent actions that can unsettle Indonesia's economic activities at sea.³⁴

In November 2024, KRI Sutedi Senaputra-378 (Indonesian Navy), KN Pulau Dana-323, and KN Tanjung Datu-301 (Indonesian Coast Guard) escorted the PRC Coast Guard vessel CCG 5402 to exit the North Natuna Sea.³⁵ The PRC ship interfered with the sea survey carried out by Pertamina, an Indonesian state-owned oil company and considered that the sea area was within the PRC's

jurisdiction.³⁶ One month earlier, KN Pulau Dana was involved in a one-on-one light confrontation with CCG 5402, the two ships warned each other not to approach.³⁵

USA Military and Paramilitary Activities in Indonesia's EEZ

This section will provide data on several USA military and paramilitary activities in Indonesia's EEZ of the North Natuna Sea based on the time sequence. In April 2017, USS Carl Vinson (CVN-70), a Nimitz-class, nuclear-powered supercarrier, was reported to have sailed in the North Natuna Sea and passed Indonesian Archipelagic Sea-Lane I (ASL I); she was escorted by guided-missile destroyers USS Wayne E. Meyer and USS Michael Murphy and the guided-missile cruiser USS Lake Champlain.³⁷ KRI Silas Papare-386 (Indonesian Navy) was ordered to monitor this Strike Group when passing ASL I.

³³ "Kapal Perang Cina Masuk Perairan Laut Natuna Utara, Bukan Laut Cina Selatan Lagi | tempo.co," Tempo, September 21, 2021, <https://www.tempo.co/politik/kapal-perang-cina-masuk-perairan-laut-natuna-utarabukan-laut-cina-selatan-lagi-472063>.

³⁴ "Indonesia Sends Warship to Monitor Chinese Coast Guard Vessel," Reuters, January 14, 2023, sec. Asia Pacific, <https://www.reuters.com/world/asia-pacific/indonesia-sends-warship-monitor-chinese-coastguard-vessel-2023-01-14/>.

³⁵ antaranews.com, "China Coast Guard Ship Again Expelled from North Natuna Sea," Antara News, October 24, 2024, <https://en.antaranews.com/news/331069/china-coast-guard-ship-again-expelled-from-northnatuna-sea>.

³⁶ "Indonesia Drives Chinese Ship from Disputed Waters Again," *The Straits Times*, October 27, 2024, <https://www.straitstimes.com/asia/se-asia/indonesia-drives-chinese-ship-from-disputed-waters-again>.³⁵

"Indonesia Coast Guard and China Coast Guard Involved in Confrontation in Natuna Sea | AsiaToday.Id," October 27, 2024, <https://asiatoday.id/read/indonesia-coast-guard-and-china-coast-guard-involved-inconfrontation-in-natuna-sea>.

³⁷ Tim Schwarz Cohen Barbara Starr, Zachary, "North Korea Issues Warning as US Strike Group Heads to Korean Peninsula | CNN Politics," CNN, April 11, 2017, <https://www.cnn.com/2017/04/10/politics/usaircraft-carrier-carl-vinson-north-korea-strike-capabilities/index.html>.

In June 2017, USS Ronald Reagan (CVN-76), a Nimitz-class, nuclear-powered supercarrier, entered the North Natuna Sea and flew an F22 Raptor and chopper.³⁸ The Indonesian Navy then voided the operation.³⁹ KRI Sultan Hasanuddin-366 (Indonesian Navy) was ordered to shadow this strike group until leaving Indonesia's EEZ.

In September 2021, USS Ronald Reagan (CVN-76), a Nimitz-class, nuclear-powered supercarrier, was seen near the Tuna Oil Rig in the North Natuna Sea.⁴⁰ USS –The Ronald Reagan Strike Group includes the Arleigh Burke-class guided-missile destroyer USS Halsey (DDG 97) and the Ticonderoga-class guided-missile cruiser USS Shiloh (CG 67).⁴¹

In February 2023, USS Charleston (LCS-18), an Independence-class littoral combat ship (LCS), entered the waters of

the North Natuna Sea.⁴² KRI Bontang-907 (Indonesian Navy), which is operating around Natuna, carried out contact and communicated, asking what the USS Charleston was doing.⁴³ The answer received was in the context of sailing using the right of peaceful passage in the waters of the archipelago and Indonesia's EEZ.⁴⁴

In February 2025, the Carl Vinson Carrier Strike Group carried out the week-long Frenchhosted exercise Pacific Steller with the French CSG and Japan Maritime Self-Defense Force destroyer carrier JS *Kaga* (DDH-184) in the South China Sea, passing the North Natuna Sea.⁴⁵

Joint Statement between PRC and Indonesia

The recent joint statement between China and Indonesia, issued during Indonesian President Prabowo Subianto's visit to China in November 2024,

³⁸ The Jakarta Post, "US Military Vessels Entered RI Waters: Indonesian Navy - National," The Jakarta Post, accessed February 16, 2025,

<https://www.thejakartapost.com/news/2017/06/27/us-military-vesselsentered-ri-waters-indonesian-navy.html>.

³⁹ Post.

⁴⁰ Reuters, "China Protes Aktivitas Pengeboran dan Latihan Militer Indonesia di Natuna," VOA Indonesia, December 1, 2021, <https://www.voaindonesia.com/a/china-protes-aktivitas-engebora-dan-latihanmiliter-indonesia-di-natuna/6334740.html>.

⁴¹ office_zzam, "US Navy Sends USS Ronald Reagan CSG to Indo-Pacific," May 20, 2021, <https://www.armyrecognition.com/news/navy-news/2021/us-navy-sends-uss-ronald-reagan-csg-to-indopacific?highlight=WYJqliwzNSwiYWlyY3JhZnQiXQ==>.

⁴² Bayu Adi Wicaksono, "Suddenly Appearing in Indonesian Waters, TNI Tanker Chases and Overshadows American Warship | Page 2," February 6, 2023, <https://www.viva.co.id/militer/militer-indonesia/1572263mendadak-muncul-di-perairan-ri-kapal-tanker-tni-kejar-dan-bayangi-kapal-perang-amerika>.

⁴³ "Photos Suddenly Appear in Indonesian Waters, TNI Tanker Chases and Overshadows American Warships," February 6, 2023, <https://www.viva.co.id/foto/1572263-mendadak-muncul-di-perairan-ri-kapal-tanker-tnikejar-dan-bayangi-kapal-perang-amerika>.

⁴⁴ Wicaksono, "Mendadak Muncul di Perairan RI, Kapal Tanker TNI Kejar dan Bayangi Kapal Perang Amerika | Halaman 2."

⁴⁵ Dzirhan Mahadzir, "USS Carl Vinson To Drill with French Carrier, Japanese Destroyer Carrier," *USNI News* (blog), February 7, 2025, <https://news.usni.org/2025/02/07/uss-carl-vinson-to-drill-with-french-carrierjapanese-destroyer-carrier>.

highlights several key points related to maritime cooperation and the South China Sea:⁴⁶

Joint Development. The statement suggests "joint development in areas of overlapping claims."⁴⁷ This statement has many meanings from different perspectives. From the perspective of cooperation in using natural resources, it provides opportunities for the PRC and Indonesia to help each other with mutually beneficial agreements; for example, Indonesia provides its natural resources, and the PRC provides exploration and exploitation technology without discussing each unilateral claim.

Economic Cooperation. PRC pledged substantial economic support, including \$10 billion investments in fisheries, oil and gas exploration, and maritime safety. In line with joint development, this economic cooperation reflects that the two countries focus on the welfare of their people, especially food and energy needs.

Maritime Security. Both countries are committed to enhancing maritime security and cooperation in administering ocean resources and sustainable mineral mining practices. Security stability is also needed in the cooperation area to support economic cooperation. Thus, by presenting their respective maritime assets, maritime security cooperation will realize security and economic stability, especially in the North Natuna Sea.

Diplomatic Relations: The statement emphasized the importance of long-standing bilateral relations and mutual benefits for the region's prosperity, peace, and stability. Good diplomatic relations between the two countries will contribute to prosperity, peace, economic stability, and security.

This Joint Statement is a good start and will be useful in overcoming the problems that have existed so far, including practices related to PRC military and paramilitary activities in Indonesia's EEZ that require concrete steps as a solution.

In addition, to further emphasize the joint statement, Indonesia and PRC have just agreed to promote maritime cooperation, promoting safety and security in the South China Sea, amid longstanding Indonesian suspicions about

⁴⁶ "Full Text: Joint Statement Between the People's Republic of China and the Republic of Indonesia on Advancing the Comprehensive Strategic Partnership and the China-Indonesia Community with a Shared Future," accessed December 8, 2024, https://english.www.gov.cn/news/202411/10/content_WS67301550c6d0868f4e8ecca9.html.

⁴⁷ "Full Text: Joint Statement Between the People's Republic of China and the Republic of Indonesia on Advancing the Comprehensive Strategic Partnership and the China-Indonesia Community with a Shared Future."

China's actions in waters controlled by Jakarta.⁴⁸ The sides agreed to cooperate in joint security, which is Indonesia's concern over Chinese development near the Natuna island group in the South China Sea, which Beijing claims with a nine-dash line.⁴⁹

Joint Statement between USA and Indonesia

The joint statement between the United States and Indonesia, issued during President Prabowo Subianto's visit to Washington, D.C. in November 2024, highlights several key points related to maritime cooperation and the South China Sea:⁵⁰

Freedom of Navigation. Both countries reaffirmed their unwavering support for upholding freedom of navigation and overflight in the South China Sea. They emphasized respecting sovereign rights and jurisdiction per

international law, particularly the UNCLOS. Maritime Security. The statement underscored the commitment to enhancing maritime security cooperation. This includes joint exercises, capacity-building initiatives, and intelligence sharing to address common maritime challenges.

Economic and Environmental Cooperation. The leaders discussed the importance of sustainable development and the protection of marine environments. They agreed to collaborate on initiatives that promote sustainable fisheries, marine conservation, and the blue economy.

Regional Stability: Both nations intended to cooperate to ensure peace and stability in the Indo-Pacific region. They highlighted the importance of ASEAN Centrality and the need for a rulebased order to manage disputes peacefully.

This joint statement reflects a strong commitment to maintaining a stable and secure South China Sea maritime environment while promoting economic and environmental cooperation. It can be used as a guideline for the Indonesian and US governments in solving problems that occur at sea, for example, what actions can be taken to prevent negative

⁴⁸ "China and Indonesia Agree to Boost Maritime Security Cooperation in South China Sea despite Tensions | AP News," accessed May 7, 2025, <https://apnews.com/article/china-indonesia-south-china-sea-securitybuilding-29c2e091e53703b68c471e0ba9829d2b>.

⁴⁹ "China and Indonesia Agree to Boost Maritime Security Cooperation in South China Sea despite Tensions | AP News."

⁵⁰ The White House, "Joint Statement from the Leaders of the United States and the Republic of Indonesia: Commemorating 75 Years of Diplomatic Relations," The White House, November 13, 2024, <https://www.whitehouse.gov/briefing-room/statements-releases/2024/11/12/joint-statement-from-theleaders-of-the-united-states-and-the-republic-of-indonesia-commemorating-75-years-of-diplomaticrelations/>.

perceptions of the presence of US warships that often pass through the North Natuna Sea when sailing from the Philippines to Singapore or vice versa.

In addition, to follow up on this joint statement, the U.S. Secretary of State and the Indonesian Foreign Minister will deepen defense and security cooperation, including efforts to uphold freedom of navigation and overflight in the South China Sea in accordance with international law.⁵¹

Comparative Analysis of PRC and USA Military and Paramilitary Activities

This section will analyse the military and Paramilitary Activities of the PRC and the USA using five factors: Strategic Objectives, Frequency and Scale of Operations, Rules of Engagement, Regional Influence and Economic Impact, International Law Compliance, and closed-by findings.

Strategic Objectives

PRC

Military and paramilitary activities carried out by the PRC in Indonesia's EEZ have 5 strategic goals, namely the

⁵¹ "Secretary Rubio's Meeting with Indonesian Foreign Minister Sugiono," *United States Department of State* (blog), accessed May 7, 2025, <https://www.state.gov/secretary-rubios-meeting-with-indonesian-foreignminister-sugiono/>.

achievement of China's Maritime Silk Road Initiative (MSRI), the realization of the addition of territorial land and territorial sea including claims to artificial islands, the achievement of EEZ claims from artificial islands, the availability of natural resource reserves and the achievement of leadership in the region. The MSRI carried out by the PRC will start from China and move south through the South China Sea along with the Indian Ocean, Africa, and Europe.⁵² Koh's (2015) "21st Century Maritime Silk Road" suggests that one important aspect of the ancient maritime Silk Road was freedom and autonomy of navigation, which remains the prime reason for the exploration of the seas and close contact of civilizations leading to cooperation and trade.⁵³ To ensure security in the South China Sea, the PRC continues its existence through the presence of its ships and the development of infrastructure on artificial islands.⁵⁴ From the PRC perspective, the activities of its

⁵² "A Comparative View of the Ancient and 21st Century Maritime Silk Roads | Center for International Maritime Security," March 3, 2016, <https://cimsec.org/ancient-land-and-the-maritime-silk-road/>.

⁵³ Samuel Chan, "Professor Tommy Koh's Keynote Address at the Singapore Regional Business Forum 2015," Tembusu College, July 27, 2015, <http://tembusu.nus.edu.sg/news/2015/professor-tommy-kohs-keynoteaddress-at-the-singapore-regional-business-forum-2015/>.

⁵⁴ "Navigating the South China Sea: Key Developments in 2024 and What to Expect in 2025," ICAS, accessed February 16, 2025, <https://chinaus-icas.org/research/navigating-the-south-china-sea-key-developments-in2024-and-what-to-expect-in-2025/>.

ships, both paramilitary and military, are defensive measures to maintain territorial claims and the security of important shipping routes.⁵⁵ As provided in the previous section, this can be proven by PRC consistent commitment to presenting fishing vessels manned by maritime militias, coast guard ships, and warships in the North Natuna Sea.

The second strategic objective is that the PRC must be able to secure the process of developing artificial islands and their infrastructure from interference from those who wish to thwart them. This is important because Beijing will later use these artificial islands to claim additional land and sea territory by its “Four Sha” Claim in the South China Sea (Dongsha, Xisha, Nansha, and Zhongsha or referred to as the Pratas Islands, Paracel Islands, Spratly Islands, and the Macclesfield Bank area).⁵⁶ Following the current UNCLOS, a country can claim its territorial sea from an island.⁵⁶ The obstacle for the PRC is that artificial islands do not have rights to the surrounding sea, so it is possible that the

PRC, in the future, will propose changes to articles in UNCLOS related to the definition of islands.⁵⁷

The next strategic objective is the extended one from “Four Sha”; the PRC will empower its nine-dash-line zone claim to become its EEZ. Hannah Beech (2016) said, “The dashed lines mean the ocean, islands, and reefs all belong to China and that China has sovereign rights.”⁵⁸ Why are EEZs so promising? Because the EEZ holds abundant natural wealth potential, coastal countries will have sovereign rights to manage the economy in the EEZ. However, this strategic goal must be legalized through the borders of countries at sea with neighboring countries in the South China Sea, such as the Philippines and Vietnam.

The fourth strategic objective is the availability of natural resource reserves. Nabel Akram (2022) describes the South China Sea as full of natural resources like gas, oil, coral lime, high silicate, sand, quality gems, natural pearls, fish, birds, and sea slugs.⁵⁹ As stated in the previous

⁵⁵ “Navigating the South China Sea.”

⁵⁶ Julian Ku and Chris Mirasola, “The South China Sea and China’s ‘Four Sha’ Claim: New Legal Theory, Same Bad Argument,” *Lawfare*, January 18, 2023, <https://www.lawfaremedia.org/article/south-china-sea-and-chinas-four-sha-claim-new-legal-theory-same-bad-argument>.⁵⁶ “UNCLOS - Parts VIII-X,” accessed February 16, 2025, <http://www.admiraltylawguide.com/conven/unclosparts-8-10.html>.

⁵⁷ “UNCLOS - Parts VIII-X.”

⁵⁸ Hannah Beech / Shanghai, “Just Where Exactly Did China Get Its Nine-Dash Line From?,” *TIME*, July 19, 2016, <https://time.com/4412191/nine-dash-line-9-south-china-sea/>.

⁵⁹ Nabel Akram, “Geographical Significance and Natural Reserves in the South China Sea,” *Modern Diplomacy*, January 6, 2022, <https://moderndiplomacy.eu/2022/01/06/geographical->

paragraph regarding sovereign rights in the EEZ, the PRC will have the right to manage natural resources exclusively. The availability of these natural resources will greatly benefit the PRC in obtaining food and energy reserves for its citizens, which amount to more than 1.4 billion people.⁶⁰

The last strategic objective is the achievement of leadership in the region. The PRC's military and paramilitary maritime power, which is always present at sea, sends a message that the PRC controls the South China Sea 24/7. By controlling the sea, a country can easily control the region, both its security and economy interests, which indirectly shows its leadership.⁶¹

All strategic objectives above will strengthen the PRC's three warfare strategies, which include, the first, media or public opinion warfare, attempts to shape public opinion both domestically and internationally, and the second,

influence warfare, to make foreign decisionmakers adopt a pro-China policy. The last is lawfare or legal warfare, to shape the legal context for PRC actions, including building the legal justification for Beijing's actions and using domestic laws to signal PRC intentions.⁶²

USA

The USA's military and paramilitary activities in Indonesia's EEZ have five strategic goals: achieving the U.S. Freedom of Navigation (FON) program, supporting an ally's maritime security, protecting an ally's sovereign rights, achieving future joint development in natural resources reserves, and achieving regional security stability.

The FON program, which began in 1979, is the USA's first strategic objective. It is an effort to maintain its national interest in preserving freedom of navigation and overflight on, over, and under the oceans.⁶² In practice, the USA has always used this FON program to legalize its military activities in other countries' EEZs, such as the USS Ronald Reagan in 2021 near Natuna.⁶³

The USA's second strategic objective is to support the maritime

significance-and-natural-reserves-in-the-south-china-sea/.

⁶⁰ "China Population (2025) - Worldometer," accessed February 17, 2025, <https://www.worldometers.info/world-population/china-population/>.

⁶¹ Chien-Peng Chung and Thomas J. Voon, "China's Maritime Silk Road Initiative: Political-Economic Calculations of Southeast Asian States," *Asian Survey* 57, no. 3 (2017): 416–49. ⁶² "China's 'Three Warfares' in Perspective," War on the Rocks, January 30, 2018,

<https://warontherocks.com/2018/01/chinas-three-warfares-perspective/>.

⁶² Dennis Mandsager, "The U.S. Freedom of Navigation Program: Policy, Procedure, and Future," n.d.

⁶³ office_zzam, "US Navy Sends USS Ronald Reagan CSG to Indo-Pacific."

security capability of its ally, the Philippines. Last year, the USA announced \$500 million in new military funding to boost the Philippines' external defense and progress on a proposed military intelligence-sharing pact as both allies renewed their concerns over China's continuing aggressive actions in the region.⁶⁴ The U.S. also sent Coast Guard ships to the Philippines to train Philippine Coast Guard vessels and conduct Joint Exercises with Japan.⁶⁵

The following strategic objective is to support the Philippines in securing its EEZ. The world has recognized the Philippines' EEZ through the Permanent Court of Arbitration (PCA) Decision on July 12, 2016.⁶⁶ Thus, legally, the Philippines can enforce its sovereign rights in the EEZ and allow the United States to assist and support its security.

The world's need for energy is absolute, especially for a country with a

large area and a large population like the USA. This is what the author analyzes as the next strategic goal. This is supported by the U.S. action that fully supports the Philippines, Japan, and Taiwan in securing the South China Sea. In addition, the United States has also carried out a Geological Survey, which estimates that there are 160 trillion cubic feet of natural gas and 12 billion barrels of oil undiscovered in the South China Sea.⁶⁷

The last strategic objective is maintaining regional stability in the South China Sea. Regional security stability in the South China Sea is essential for the United States because it is a bustling and vital world trade route. If this is disrupted, the world economy will also be disrupted.

Frequency and Scale of Operations

PRC

From the data presented at the beginning, it can be identified that the PRC's military and paramilitary activities in the North Natuna Sea are carried out in an operational mode, which involves continuous use of military and paramilitary assets throughout the year

⁶⁴ "US Boosts Alliance with the Philippines with \$500 Million Funding and Pact amid Concern over China," AP News, July 30, 2024, <https://apnews.com/article/united-states-philippines-antony-blinken-lloyd-austine8bc7af9b5a60f51cf60ffcf22748836>.

⁶⁵ "Coast Guards from US, Japan, Philippines to Train Together in Contested South China Sea," Stars and Stripes, accessed February 17, 2025, https://www.stripes.com/branches/coast_guard/2023-05-30/coastguard-training-south-china-sea-10286716.html.

⁶⁶ "FULL TEXT: Permanent Court of Arbitration Ruling on Philippines Case vs China," Philstar.com, accessed February 17, 2025, <https://www.philstar.com/headlines/2016/07/12/1602128/full-text-permanent-court-arbitration-ruling-philippines-case-vs-china>.

⁶⁷ "South China Sea Energy Exploration and Development," Asia Maritime Transparency Initiative, accessed February 17, 2025, <https://amti.csis.org/south-china-sea-energy-exploration-and-development/>.

with random frequencies. Different types of elements with their respective functions are not integrated as combat units. In its military and paramilitary activities, the PRC uses military ships, namely navy combatants such as frigates and destroyers, as examples of the Destroyer Type 052D-IUYANG III.⁶⁸ The warships used were of different types but were not integrated into a combat group.⁶⁹ In addition, the PRC also uses paramilitary vessels such as those from the Coast Guard and Maritime

Militia, namely CCG 5204,⁷⁰ CCG 5901,⁷¹ CCG 5402,⁷² and Fishing Vessels operated by Maritime Militia.⁷³ Operations like this are held yearly, as presented by the author above.

USA

In the North Natuna Sea, the USA is more likely to use its military ships from the Navy than the paramilitary ships of the Coast Guard. The United States deploys its ships in a strike group, where

an aircraft carrier is escorted by frigates and destroyers such as the Carl Vinson Carrier Strike Group⁷⁴ And the Ronald Reagan Carrier Strike Group.⁷⁵ The presence of the Carrier Strike Group in the North Natuna Sea is on call if there is an escalation of threats.⁷⁶ And when there is a Joint Exercise with its allied countries. However, the U.S. only uses its coast guard vessels for exercises with its allies near the North Natuna Sea.⁷⁷

Rules of Engagement (ROE)

In this paper, ROE means how to manage reaction actions between ships and ships and between ships and airplanes from different countries at sea and in the air above the sea.

PRC

PRC's ROE tends to be more aggressive, with maritime militia vessels often intimidating fishing vessels and vessels of other nations.⁷⁸ The presence of the PRC Coast Guard ship with its maneuvers endangers the safety of fishing boats and even Indonesian coast

⁶⁸ "Chinese warships enter the waters of the North Natuna Sea, not the South China Sea anymore | tempo.co."

⁶⁹ "Chronology of Chinese Fishing Boats Breaking Through the Waters Near Natuna."

⁷⁰ "6 Fakta Kapal Coast Guard Cina yang Masuk ke Natuna Lagi | tempo.co."

⁷¹ "Kapal Perang Cina Masuk Perairan Laut Natuna Utara, Bukan Laut Cina Selatan Lagi | tempo.co."

⁷² antaranews.com, "China Coast Guard Ship Again Expelled from North Natuna Sea."

⁷³ Kusumadewi, "TNI Navy Reveals Chronology of Shelling Chinese Ships in Natuna."

⁷⁴ Cohen, "North Korea Issues Warning as US Strike Group Heads to Korean Peninsula | CNN Politics."

⁷⁵ Post, "US Military Vessels Entered RI Waters."

⁷⁶ office_zzam, "US Navy Sends USS Ronald Reagan CSG to Indo-Pacific."

⁷⁷ "Coast Guards from US, Japan, Philippines to Train Together in Contested South China Sea."

⁷⁸ Kusumadewi, "TNI AL Beber Kronologi Tembaki Kapal China di Natuna."

guard ships.⁷⁹ For example, CCG 5403 performed a circular maneuver around a fishing boat on September 8, 2022.⁸⁰ In addition, on October 21, 2024, CCG 5402 maneuvered to disrupt the survey activities of the MV Geo Coral and 3 Chase Vesel, UB Anugerah Bersama 17, AHT PSB Roller, and TB Teluk Bajau Victory in the North Natuna Sea.⁸¹ Another example is CCG 5402 maneuvers very close to KN Tanjung Datu 301 in the North Natuna Sea while 301 Shadowing 5402.⁸²

USA

The USA's ROE tends to be more friendly. The US ships that contact Indonesian ships communicate well, even though their navigation, according to Indonesia, is not following international law. USA ships are more communicative in following instructions or directions from Indonesian ships.

⁷⁹ Gatra Media Group, "China's Coast Guard Maneuvers in the North Natuna Sea Endanger Fishermen | National," accessed February 17, 2025, <https://www.gatra.com/news-556724-nasional-manuver-coastguard-china-di-laut-natuna-utara-membahayakan-nelayan.html>.

⁸⁰ Group.

⁸¹ YOLA SASTRA, "Bakamla Usir Kapal China Coast Guard di Laut Natuna Utara," *kompas.id*, October 22, 2024, <https://www.kompas.id/baca/nusantara/2024/10/22/bakamla-usir-kapal-china-coast-guard-di-lautnatuna-utara>.

⁸² "Indonesian Coast Guard 'Drives Out' Chinese Vessel Shadowing Seismic Ship," *The Maritime Executive*, accessed February 17, 2025, <https://maritime-executive.com/article/indonesian-coast-guard-drives-outchinese-cutter-shadowing-seismic-ship>.

Regional Influence and Economic Impact.

PRC

The PRC's military and paramilitary activities in Indonesia's EEZ significantly affect regional security and economic stability because Indonesia's EEZ is also adjacent to the EEZ of Malaysia and Vietnam and is very close to the Philippines' EEZ. The activity of Chinese militia maritime vessels has greatly disturbed fishing vessels from Vietnam, Indonesia, and Malaysia.⁸³ This will encourage fishing competition, which will make fish prices expensive and affect fisheries import exports in the region.⁸⁴ This impact is more experienced by Indonesian fishermen who still use a lot of traditional fishing boats.⁸⁵ Furthermore, the presence of Chinese Coast Guard ships also disrupts economic activities, such as Indonesia's surveys in the North Natuna Sea.⁸⁶

⁸³ "Crew of Vietnamese Fishing Boat Injured in an Attack in the South China Sea, State Media Say | AP News," accessed February 17, 2025, <https://apnews.com/article/vietnam-south-china-sea-boat-attack-paracel4178b8a4c5f430834b77dbf4ca1ab5dc>.

⁸⁴ Hope Ngo, "South China Sea's Fish Stocks Are Running Low. China's Fishing Ban Isn't Helping," *The ChinaGlobal South Project*, August 17, 2023, <https://chinaglobalsouth.com/analysis/south-china-seas-fishstocks-are-running-low-chinas-fishing-ban-isnt-helping/>.

⁸⁵ "Chronology of Chinese Fishing Boats Breaking Through the Waters Near Natuna."

⁸⁶ "Indonesian Coast Guard 'Drives Out' Chinese Vessel Shadowing Seismic Ship."

USA

The USA's military and paramilitary activities in Indonesia's EEZ do not create fear for fishermen and the maritime community. However, this activity raises the public's perception, especially politicians, who argue that it does not respect Indonesia as a sovereign country in its seas. The Indonesian Navy has answered this opinion, and the presence of American warships has been monitored.⁸⁷

International Law Compliance

The most relevant international law to this examination is UNCLOS, which has provisions that regulate the rights and obligations of coastal states and user countries in the EEZ.

PRC

PRC military and paramilitary activities in Indonesia's EEZ are not governed by the provisions of peaceful purposes, which are the basic guidelines for navigating the EEZ.⁸⁸ This is because the maneuvers of PRC ships do not describe the normal navigation process

but are like pacing back and forth without a clear purpose.⁸⁹ This situation is a question for everyone, including Indonesian coast guard vessels patrolling the EEZ and fishing vessels. There is no legal basis to support PRC vessels in Indonesia's EEZ with questionable maneuvers, including its MSRI.

USA

USA military and paramilitary activities in Indonesia's EEZ are not governed by the provisions of peaceful purposes, which are the basic guidelines for navigating the EEZ.⁹⁰ Although American ships tend to be more friendly, these ships make Indonesia's EEZ a standby area in anticipation of increasing threat escalation in the South China Sea and East China Sea.⁹¹ There is no legal basis to support USA vessels in Indonesia's EEZ with questionable standby positions, including its FON program. Below is a comparison table of PRC and USA military and paramilitary activities in Indonesia's EEZ.

⁸⁷ "Kapal Induk AS Sering ke Laut Natuna Utara, Ini Penjelasan TNI AL | tempo.co," Tempo, September 17, 2021, <https://www.tempo.co/hukum/kapal-induk-as-sering-ke-laut-natuna-utara-ini-penjelasan-tni-al-473091>.

⁸⁸ Nations, "The United Nations Convention on the Law of the Sea."

⁸⁹ "6 Fakta Kapal Coast Guard Cina yang Masuk ke Natuna Lagi | tempo.co."

⁹⁰ Nations, "The United Nations Convention on the Law of the Sea."

⁹¹ Cohen, "North Korea Issues Warning as US Strike Group Heads to Korean Peninsula | CNN Politics."

No	Factors	PRC	USA
1	Strategic Objectives	<ul style="list-style-type: none"> • Maritime Silk Road Initiative (MSRI) • Securing Territorial Land and Sea Extension • Four Sha Claim and its EEZ • Natural Resources Reserves Availability • Leadership in the region 	<ul style="list-style-type: none"> • Freedom of Navigation (FON) program • Supporting Ally Maritime Security Capability • Supporting Ally EEZ • Future Natural Resources Reserves • Regional Stability
2	Frequency and Scale of Operations	<ul style="list-style-type: none"> • Military (Navy) assets, Paramilitary (Coast Guard and Maritime Militia) assets • Medium scale with different types • Throughout the year with random frequencies. 	<ul style="list-style-type: none"> • Military (Navy) assets, Paramilitary (Coast Guard) assets • Medium scale with integrated strike group • Threat & Joint Exercise-based schedule
3	Rules of Engagement	<ul style="list-style-type: none"> • More aggressive, tend to have a hostile intent 	<ul style="list-style-type: none"> • Friendly
4	Regional Influence and Economic Impact	<ul style="list-style-type: none"> • Disrupting the economy • Creating Fear 	<ul style="list-style-type: none"> • Disrespecting Indonesia's Esteem • Not creating fear
5	International Law Compliance	<ul style="list-style-type: none"> • Not comply with 	<ul style="list-style-type: none"> • Not comply with

Table 1. Comparison Table

PRC and USA military and paramilitary activities in Indonesia's EEZ

Findings

The PRC and the USA have differences in conducting military and paramilitary activities in Indonesia's EEZ based on the first four factors, as

discussed earlier. Still, they have similarities:

they do not comply with international laws and regulations.

4. DISCUSSION

This section will interpret the previous section's analysis, the implications of their findings, and the case study's limitations.

Interpretation of the analytical results

From the analysis above, the two countries have almost the same strategic objectives despite having different contexts. There is one similarity between MSRI and FON: both want freedom of navigation, but the PRC uses MSRI for regional control. In contrast, the USA uses FON for regional stability and prevents any other country from being in power other than the USA. Regarding maritime assets, the PRC uses paramilitary forces more than its military; this is because the PRC does not want to be considered as the party that started the military conflict. Meanwhile, the United States focuses on using its military force because the Coast Guard function is inappropriate when deployed in the South China Sea.

The presence of PRC ships has caused more worldwide condemnation because of their aggressive means that they have violated the territory of the PRC. Meanwhile, the USA is more friendly because the character formed is that of a world leader whose maneuvers must not create a bad perception in the eyes of other countries.

The actions carried out by the PRC so far can be categorized as disrupting Indonesia's economic activities; this is the same as the information above because the PRC believes that the nine-dash-line sea area belongs to it. Meanwhile, the activities of the United States are more likely to be observed by the Indonesian public as American ships do not respect Indonesia's sovereign rights.

The most interesting thing is that the PRC and the USA do not care about the provisions regulated by UNCLOS, especially those related to the EEZ. The strength of these two countries is a justification for their actions in Indonesia's EEZ, even though they have different strategic objectives.

Indonesia must engage in diplomacy by using smart negotiations and the four prescriptions of principled negotiation: separate the people from the problem, focus on interests, not positions, invent options for mutual gain, and insist on using objective criteria. The first one is to separate the people from the problem; the current international law and regulations have not provided a clear definition and legal certainty, so each country interprets them according to its national interests. This means that Indonesia needs a new agreement with the PRC and the USA to provide certainty on the code of conduct in Indonesia's EEZ.

The second focuses on Indonesia, the PRC, and the USA's interests; Indonesia wants national and regional security, the PRC wants regional control, and the USA wants regional stability. Basically, the three countries wish the situation in the region to be safe, controllable, and stable. Secure and stable may be achievable, but who controls it is very difficult because it is about sovereignty. This is where negotiations are needed.

The third one is mutual gain. The agreement must meet legal and justice aspects and be applicable. Therefore, Indonesia, the PRC, and the USA must work together to reach a mutually beneficial agreement and a win-win solution.

The last is that negotiations must be objective. The purpose of this objective is that it must be universally accepted and can be an example for all countries with the same or similar cases, so that it can be used as a guideline for the future.

Implications of the findings

The PRC and the USA arbitrarily deploy their military and paramilitary forces in Indonesia's EEZ without giving notice to Indonesia to ensure peaceful purposes. This finding certainly encourages Indonesia to find an objective and actionable solution. A new mutually

beneficial agreement will be the right solution if it is based on the goodwill of all parties.

Therefore, Indonesia must diplomatically strive to produce a new, clear international agreement on military and paramilitary activities in the EEZ, ensuring that leading countries such as the PRC and the USA will conduct such activities by notifying Indonesia and respecting Indonesia's Sovereign Rights in its EEZ. This can be realized through bilateral meetings and agreements between the PRC and Indonesia and between the USA and Indonesia.

Limitations of the case study

There are several limitations in a paper that uses a qualitative method with case study analysis. The first is limited generalization because the findings obtained from case studies with two actors cannot necessarily be a benchmark for other cases. The second is subjectivity, which can arise due to the background of the writer's life, so it can be seen in defending one of the actors. Third is the short writing time, and this is because the data obtained does not reflect the comprehensiveness of the writing material. The fifth is complexity in qualitative data management, which requires sharp analysis based on the author's capacity.

5. AREA FOR FUTURE EXAMINATION

Future Research

How will military and paramilitary activities in the future be related to the development of the digital world, including AI and state policy politics, due to the change of leadership?

Predicted future strategic environment

The use of Unmanned Assets will be more at sea, including misinformation and disinformation about activities at sea that require more effort to prove.

6. CONCLUSION

The PRC and the USA do not comply with international laws and regulations when conducting military and paramilitary activities in Indonesia's EEZ. Based on the Joint Statement between PRC & Indonesia, and USA & Indonesia, one of which will increase maritime cooperation, the author recommends that it is very appropriate to start preparing an agreement related to military and paramilitary activities in the Indonesian EEZ. The agreement can be arranged bilaterally between the PRC and Indonesia and between the USA and Indonesia. A new, clear international agreement on military and paramilitary activities in the EEZ ensures that leading countries such as the PRC and the USA will conduct such activities by notifying

Coastal States like Indonesia and respecting Indonesia's Sovereign Rights in its EEZ.

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<wpcontent%2Fuploads%2Fsites%2F2%2F2021%2F01%2FOverviewMapscaled.jpg&pageurl=https%3A%2F%2Fsovereignlimits.com%2Fboundaries%2Fsouthchina-sea&pagetl=South+China+Sea+|+Sovereign+Limits&imgalt=South+China+Sea+Overview+Map&imgsz=366x584&selectedindex=0&id=https%3A%2F%2Fsovereignlimits.com%2Fwp-content%2Fuploads%2Fsites%2F2%2F2021%2F01%2FOverviewMapscaled.jpg&ccid=DYnf7twz&simid=608038976343985076&ck=A803A3741B4DC07AC48532463335F5B1&thid=OIP.DYnf7twzB-TRmGIFYSkhwHaLz&mediaurl=https%3A%2F%2Fsovereignlimits.com%2Fwpcontent%2Fuploads%2Fsites%2F2%2F2021%2F01%2FOverviewMapscaled.jpg&exph=2560&expw=1607&cdnurl=https%3A%2F%2Fth.bing.com%2Fth%2Fid%2FR.0d89dfeedc3307e4d1986205612fa487%3Frik%3D1M9qPtoPiZLeEg%26pid%3DImgRaw%26r%3D0&vt=4>

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BIOGRAPHY

Rasyid Al Hafiz



Rasyid Al Hafiz is one of the Navy Officers from Betawi and Manado, born in Jakarta on October 1, 1978.

His military education background includes mine warfare in Singapore and America, anti-missile weapons in China, anti-torpedo weapons in Denmark, and peacekeeping training in Mongolia.

Rasyid received the Dharma Wiratama Cendekia title while attending the 53rd batch of the Indonesian Naval Staff and Command School. He did the Joint Operations Course in Indonesian Joint Forces Staff and Command School.

Rasyid also completed a Master of Maritime Policy from the University of Wollongong, Australia, a Master of Applied Defense in Maritime from Seskoal, and a Master of Science in Strategic Information and Cyberspace Studies while finishing Lemhannas Education in NDU, USA.

The Indonesian Navy has entrusted several strategic positions to Captain Rasyid, including XO of KRI PRP-712, XO of KRI GNR-332, CO of KRI PDG-801, CO of KRI SRE-386, CO of KRI SIM-367, CO of KRI YOS-353, CO of KRI REM-331, and Commander of Naval Base Balikpapan.

Currently, Captain Rasyid serves in the Republic of Indonesia Fleet Command.