

# The Implication of Indonesia's IUU Fishing Policy in Natuna Territorial Waters towards South China Sea Geopolitics

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Submitted: 24 May 2018; accepted: 21 November 2018

## Abstrak

*Agenda era kepemimpinan Presiden Joko Widodo menasar langkah-langkah tegas dalam melindungi keamanan dan kedaulatan maritim Indonesia; terutama kedaulatan dan keamanan maritim di sekitar teritorial laut. Namun, implementasi ini menghadapi tantangan terkait pelanggaran kedaulatan. Salah satunya adalah pencurian ikan oleh kapal-kapal nelayan asing yang mengancam jumlah cadangan ikan di perairan Indonesia. Berhadapan dengan ancaman tersebut, komitmen Indonesia untuk menjaga kedaulatan dan keamanan maritim nampak dari pengambilan kebijakan 'tenggelamkan kapal' oleh Kementerian Kelautan dan Perikanan (KKP), yang dipimpin oleh Susi Pudjiastuti sejak tahun 2014. Dalam konteks polemik Laut China Selatan yang berhubungan dengan perairan wilayah Indonesia, terutama di seputar perairan Natuna, kebijakan tersebut memiliki implikasi signifikan terhadap geopolitik Laut China Selatan. Pertanyaan yang muncul adalah apa implikasi kebijakan 'Sink the Vessels' terhadap geopolitik maritim di Laut China Selatan? Dengan menggunakan pendekatan strukturasi dan geopolitik, artikel ini menyatakan bahwa kebijakan 'IUU Fishing' Indonesia meningkatkan kompleksitas keamanan maritim di Laut China Selatan. Dalam konteks kebijakan ini, interaksi di Laut China Selatan pada akhirnya mengarah pada penguatan perilaku realisme politik di antara negara-negara yang berpotensi konflik dengan Indonesia di perairan Natuna.*

*Kata kunci: Indonesia, IUU Fishing, tenggelamkan kapal, Laut China Selatan, geopolitik, strukturasi.*

## Abstract

The agenda of Jokowi's administration demands a strong measure to protect maritime security and sovereignty of Indonesia; especially its national sovereignty and maritime security in the vast boundary of Indonesian territorial waters. However, the implementation faces challenges related to violations of sovereignty in the territorial waters. One of them was due to the rampant illegal fishing activities that threaten the sufficiency of the fish stock. Exposed to such threat, Indonesia's commitment to secure its maritime sovereignty was strongly projected by the emergence of a 'Sink the Vessels' policy by the Ministry of Marine Affairs and Fisheries (KKP), chaired by Susi Pudjiastuti since 2014. In the context of the South China Sea polemics which shows the relationship with the territorial waters of Indonesia in Natuna, the policy has significant implication to the South China Sea maritime geopolitics. The question is what the implications of the 'Sink the Vessels' policy toward maritime geopolitics in the South China Sea. Using structuration and geopolitics approaches, this article argues that Indonesia's IUU Fishing policy enhances the complexity of maritime security in the South China Sea which ultimately leads to the strengthening of political realism behaviour among countries whom potential to conflict with Indonesia in the context of IUU Fishing in Natuna waters.

Keywords: Indonesia, IUU Fishing, sink the vessels, South China Sea, geopolitics, structuration.

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## INTRODUCTION

At the beginning of Joko Widodo's administration in 2014, the world was startled by Indonesian firm policy to sink domestic and foreign fishing vessels caught stealing

fish in Indonesian waters. The policy is known as 'Sink the Vessels,' led by Susi Pudjiastuti as the Minister of Marine Affairs and Fisheries. The minister has been known

as an assertive person in completing her duties. The 'Sink the Vessels' policy is considered as Indonesia's strong commitment to implement 'Global Maritime Axis' agenda by President Joko Widodo that demands the ability of Indonesia to secure its maritime security and national sovereignty. The perspective used was originated from 'reasserting the long-standing archipelagic outlook.' President Widodo values the waters surrounding the Indonesian archipelago for its economic potential and national strength, rather than deems it as a natural disadvantage (Gindarsah & Priamarizki, 2015). The policy is considered highly important by the Indonesian government due to Indonesia's geographical terrain. As an archipelagic state, Indonesia is exposed to rampant illegal fishing activities which lead to the decline of fish stocks in the territorial waters of Indonesia (Chapsos & Malcolm, 2017; Connelly, 2015; Febrica, 2017; Gindarsah & Priamarizki, 2015; Hongzhou, 2015; Nainggolan, 2015; Negara & Das, 2017). Locations with the highest level of illegal fishing activity are identified in Anambas and Natuna waters. In the span of 2014, 78 foreign fishing vessels detained for illegal fishing activity in the area. According to Anambas Vice Regent, Abdul Haris, the number of fish theft activities threatened the occupation of 90% of Anambas people who work as fishermen (Rohingati, 2014).

The illegal fishing activities of foreign fishermen in Indonesian waters raise polemics. The policy of detouring foreign fishing vessels caught stealing fish in Indonesian waters, especially in Natuna, triggered responses from the origin countries of the vessels. Meanwhile, the current maritime security of Southeast Asia is facing a potential threat from maritime delimitation boundary disputes in the South China Sea. Researchers argue that a unique contestation revealed after Indonesia implemented the 'Sink the Vessels' policy, especially in Natuna. From the geopolitical approach, it is apparent that the involvement of countries related to the South China Sea conflict is inevitable (for instance China and Vietnam as two disputed states over territorial claims in the South China Sea whose fishermen have been heavily highlighted in fish theft activities). Given the background, this article aims to analyse the implication of IUU Fishing Policy in Indonesia toward maritime geopolitics of the South China Sea.

This article argues that the policy created a stronger political realism of states whose fishermen involved in illegal fishing in Natuna waters. This situation leads to the creation of anarchy system in the South China Sea that was covered by conflictual and rational dimension. Not all states whose vessels had sunk behave reactively like China. Several states' behaviour, such as Vietnam and Malaysia, were based on the consideration of the existing threat in the South China Sea.

## **THEORETICAL FRAMEWORK**

### **ANALYSING THE IMPLICATION OF IUU FISHING POLICY THROUGH TWO THEORETICAL APPROACHES**

This paper analyses Indonesia's IUU Fishing Policy by combining two theoretical frameworks to approach the implication of the policy within Natuna territorial waters towards the geopolitics of the South China Sea. Firstly, this paper utilizes structuration theory by Anthony Giddens as a fundamental framework to understand the international system revealed around Natuna waters. Thereafter, this paper chooses to exert Geopolitics approach by Ralf Emmer to explain the geopolitics of Natuna position related to the South China Sea disputes. The preference was based on two approaches that accommodate the research urgency to capture the dynamic of the issue comprehensively; particularly regarding states response to maintain their existence under the threat of interstate relations in the international system which heavily influenced by geopolitical paradigm. In other words, Indonesian response to formulate a firm policy to tackle illegal fishing, whether inside or outside Indonesian territorial waters, is a behaviour taken based on the perception of threat. However, the involvement of foreign fishers triggered the need to look at the external interaction between states whose fishermen captured, and their vessels sunk for illegal fishing. Thus, the policy could not be overlooked because of its tangible implication to the international system in the South China Sea which geographically closes to Natuna waters.

Starting the discussion from Giddens' theoretical framework, analysing phenomena which closely related to security studies is an uncommon preference, particularly because of his background as a sociologist from London

School of Economics which represents British School in understanding globalisation and modernity. This article, however, regards Giddens' structuralism approach is influential in dismantling the relation between Natuna and the South China Sea which located in the same international system. If an international system is perceived as a media for states to articulate their existence, thus, the international system is equal to the social system. According to Giddens, intensified social relations signified by shaping each other (instead of merely influencing the other) has connected human (as an agent)—with short coverage yet high persistence—to the society (as structure) which constitutively influence each other. Regarded as Giddens' masterpiece, this theory is frequently discussed in his book titled *The Constitutions of Society: Outline of the Theory of Structuration* (1986). This approach is significant in revealing how repetition and interaction from agent and structure will eventually create a structure. According to Barker (2011), structuration encompasses three dimensions. The first dimension is an interpretation which pronounces a manner of understanding. The second dimension is morality or a precise direction to express how things should be done. The third is power in acting by stating agent's way to achieve a wish. Duality in a structure (not dualism) constructed in a social system becomes an important factor of Giddens' approach to understand the phenomena in this research. States involved in the maritime constellation of South China Sea are agents who produce a structure in the region. On the other hand, Natuna has gained importance in the conflict of the South China Sea due to its geographical status as an outer island in Indonesia. This is also because international system is a social system which can be measured by the interaction within it.

The significant aspects of a sovereign nation concept are understanding, comprehension, and awareness of each individual state about a nation's sovereignty. The comprehension and awareness related to space and borders are a manifestation of the sovereignty of a nation. The strategic value of space and borders is essential for the unity of a nation. As expressed by Ratzel (1940), a reputable geographer, emphasized that the apprehension of a nation toward the conception of territory will determine the size of the state. The value of space in this context will only ap-

pear if there is any interaction or social process that formed a consensus about the space utility. Mentioned by Agnew and Crobridge (2002), geography may 'matter,' but only as a moment in which abstract universal social processes—such as social stratification, state-building, and ideological hegemony—are revealed in space. Given the importance of space and the social interaction that formed it, it is essential to maintain the unity of a territory. Stated by Malmberg (1992: 117–23), "Even for some who claim that 'space matters,' therefore, it matters only contingently rather than necessarily."

Departed from those understandings, this article highlights Natuna's geographical proximity to the South China Sea and the geopolitical dynamic in the region. Therefore, the second theoretical framework in this article uses maritime and geopolitics approaches as a tool to measure the implication of Indonesian policy in the Natuna waters in tackling the fish theft and its relation to the South China Sea geopolitical circumstances. As stated by Ralf Emmers (2009: 9), there are three primary attributes in geopolitical approach, namely "The interpretation of territory, natural resources, and the distribution of power is based on a material and an ideational reading of their role in international security relations." The first attribute, according to Emmer, is the territory: "Territory is associated with statehood, national boundaries, territorial claims, and nationalism. Territory provides economic and strategic advantages to a state by increasing its political leverage in the international system" (Emmers, 2009: 10).

State as a historical unit emerged in human civilization, interlinked with the sovereignty concept of a nation, demands a clear and rigid territorial border to secure the state's legitimation in international politics. Furthermore, the clarity of territorial border is a strategic sector in providing benefit and increasing Indonesian bargaining position in global political affairs. On the other hand, natural resources according to Emmers, interpreted as "Natural resources and energy needs have traditionally influenced the foreign policy objectives of states. The question of natural resources has shifted from the low politics of domestic production and consumption to the high politics of national security" (Emmers, 2009: 11). In this manner, Emmers attempted to highlight that natural resources (in this

context is fishes) should be a priority for national security.

In accordance with Emmers' view, Amitav Acharya (2002: 324) argues that "The tendency of security studies to focus on a particular segment of the international system to the exclusion of another is ironic given the fact that it is in the neglected arena that the vast majority of conflicts have taken place." Security issues faced by the third world countries are entirely different with predominant paradigm about security in regional studies. Subsequently, in the third world countries, the nature of national security appeared merely as a dubious symbol, compare to the value of national security in the developed country with more advanced governance (Christopher & Meng, 2011). Acharya explained further about resource scarcity, overpopulation, underdevelopment, and environmental degradation was at the heart of insecurity in the third world. Given the significance of economic development and wellbeing, economic development is eventually perceived as an influential factor in national security.

Given the fact that natural resources are fundamental for third world countries, Emmers proposed the third dimension, distribution of power which explained as follows, *"In order to offer a unified concept, this discussion briefly describes this third geopolitical variable by referring to both a classical realist interpretation of the power phenomenon and more recent interpretations of its current role in international security relations. Yet, it should be noted that this volume primarily adopts a realist view of the concept, understood through its military aspect. This discussion also concludes with a review of another concept central to realism: the balance of power"* (Emmers, 2009: 12).

Emmers' approach emphasized the geopolitical context which highly influenced by Hobbesian realism which describes the power relation for actors in international affairs. At this point, the geographical proximity between Natuna waters and the South China Sea increases the plausibility of Indonesia to get involved in regional disputes. This view is supported by Asia-Pacific Regional Security Assessment 2016 report. It revealed that "Maritime security in the Indo-Pacific region is a complex subject, spanning a range of challenges from the tensions in the South China Sea through other territorial disputes to diverse"

(IISS, 2016, para. 1). Therefore, comprehension regarding the unstable security condition due to border disputes in the region is essential to understand the dynamic of relations between Indonesia, China, and Vietnam in the South China Sea disputes. Natuna as a northern gate in the Indonesian border appears to drag Indonesia into a prolonged conflict in the South China Sea dispute.

## RESULT AND ANALYSES

### NATUNA POSITION IN THE SOUTH CHINA SEA: A GEOPOLITICAL CONTESTATION

This section provides an insight into geopolitical architecture of Indonesia within the South China Sea disputes. Analysing this geopolitical architecture of the South China Sea disputes becomes important due to the strategic position of Natuna as an integral part of Indonesia—the largest archipelagic country—and one of the biggest economic powers in the South East Asia. This brings certain consequences, particularly due to its proximity to the conflicting area of the South China Sea.

The structure of this section will be divided as follows; firstly, it describes the conceptual understanding related to geopolitics discourse as a theoretical formulation codified into an intellectual discussion. Secondly, the chapter will discuss the geopolitical architecture of the South China Sea. Finally, the conclusion will be delivered by linking Natuna as archipelago clusters in northern Indonesia and the South China Sea disputes.

Geopolitical architecture in this context is understood as how state accesses, manages, and regulates the dynamic of territory within their sovereignty border and its interaction in cross-border dimension. Stated by Doods (2007: 55), "Geopolitical architecture is generally seen as the ways in which states access, manage and regulate the intersection of territories and flows, and, in so doing establish borders between inside/outside and domestic/international." However, established geopolitics-related studies only highlighted the importance of geographical context as a security tool of the foreign policy of a state (Kasperson & Minghi, 2011). Geopolitics paradigm should also embrace the perception of politic and security elites regarding the nature of their territory, known as 'political-geographical mental maps' (Muir & Paddison, 1981). There-

fore, there is an urge to portray geopolitical architecture in a flexible way instead of scrutinizing spatial and political dimension. This also should be regarded from the perspective of geographical dimension from the context of social, economic, culture, politics, and security.

Geographically, the South China Sea encompasses waters and land from two main archipelagos, Spratly and Paracels Islands, and Macclesfield River and Scarborough coral, ranging from Malacca Strait to Taiwan Strait. Given the wide landscape and the history of territory acquisition of nearby states such as China, Taiwan, Vietnam, the Philippines, and Brunei Darussalam are tangled in claims and acquisition for partial or entire waters area. Indonesia was not originally one of claimant state but turned the intention to claim the area since China declared an absolute claim for the waters in 2012. The South China Sea is strategic with abundant natural resources. Interstate conflict in the region occurred since the 1970s, recurring in the 1980s, 1990s, 2010s, until present. However, it could not be denied that in the past, the claimant parties from China and Vietnam, and other claimant states have recorded as a claimant who seeks control in the area.

The fact that the South China Sea has tremendous potential in natural resources, including mineral, gas, and oil, have been revealed to the world. China is strongly optimistic about these potencies of natural resources and has conducted intensive research in the area. Based on the Energy Information Administration (EIA) Report, China estimated that the South China Sea possesses 213 billion barrels of oil reserve, which is equal to ten times of the United States (US) national oil reserve. The US scientists estimate that there is an oil reserve equivalent to 28 billion barrels of oil in the waters. Report from EIA revealed that the biggest reserves originated from natural gas, reaching 900 trillion cubic, or equal to Qatar's national oil reserves. Besides, the South China Sea waters are also the main navigation route for various states in the surrounding area in the hunt for fish (EIA, 2013).

The claim disputes over territorial sovereignty in the South China Sea converged waters and land into two areas, Paracel and Spratly Islands. In the area, lays uninhabited islands, atoll, and coral. The disputed areas range a hundred miles from southern to the eastern side of Hainan

Province. China's claim on the area is based on their occupation from 2000 years ago when Paracel and Spratly Islands were part of the Chinese. According to the Chinese Government, they published a map with detailed information about China's claim to the South China Sea in 1947.<sup>1</sup>

There are six parties directly involved in the disputes: China, Taiwan, the Philippines, Brunei Darussalam, Vietnam, and Malaysia. These parties have overlapped data to prove their claims. Vietnam built their claims based on historical record, continental shelf, and economic exclusive zone regulated in UNCLOS. In their perspective, Paracel and Spratly Islands were under the rule of Nguyen Dynasty lead by Gia Long Emperor from 1801-1802, just until before the French colonization took place (Anh, 2014). The Philippines also used historic, proximity, invention, relational approach, and UNCLOS data to support their claim. Several islands in Spratly were once utilized as Japanese Navy base for military operation in South East Asia in the World War II. After Japan had been defeated, the newly independent Philippines declared their intention to utilize the island. Thus, the Philippines first made their claim in the United Nations General Assembly.<sup>2</sup>

However, the agreement did not explain details regarding the disputes in Spratly Islands, and only displayed the willingness to resolve the problem in a peaceful manner, yet leaving the discussion about the core problems in nation's sovereignty. Given the border uncertainty between claimant states, the conflicting parties still actually had the opportunity to maximize their territorial claims. This makes the possibility of open conflict in the area is prone to increase (Usman & Sukma, 1997). For example, the Philippine government had issued a presidential decree Number 1956, demanding the right of Spratly Islands.

Malaysia also listed three islands from southern Spratly to their maritime map. Meanwhile, China included two clusters of U-shaped islands to their territory in Maritime Constitution dated 25 February 1992. The situation prolonged until July 2011 where China protested to the Philippines' plan to explore oil and gas in the waters. The Philippines had invited foreign investors to explore 15 potential points. China questioned the area number 3 and

number 4 (see Figure 1) in the northern Palawan Province the Philippines, 820 kilometres in the southwest of Manila. One area located only 79 kilometres from the western side of Palawan Islands. The Philippine Government had stressed that the area is under the Philippines territory (Kemenhan, 2011). Other than six claimants, states outside the region also have enormous attention to the South China Sea territory.

The interests of states outside the area of the South China Sea increase the complexity of the conflict. The Association of Southeast Asian Nations (ASEAN) decided to get involved in the disputes by responding to the occurring conflict in the area. In 22<sup>nd</sup> July 1992, Foreign Ministers of ASEAN countries adopted the ASEAN Declaration of Conduct on the South China Sea which suggests all the involved parties to resolve the conflict in a peaceful manner based on the principal of Treaty of Amity and Cooperation (TAC). Furthermore, ASEAN attempted to resolve the South China Sea conflict with various strategies such as discussing the South China Sea issues in ASEAN Regional Forum (ARF), ASEAN Summit, or bringing the issue to the international legal framework. In 1994, 2001, and 2011, ARF conducted a series of discussion about the South China Sea disputes. The issues are taken into ASEAN Summit four times: in Summit V, XI, XVII, and XIX. ASEAN also demonstrated various conflict resolution strategies such as conferences, seminars, and joint working groups (Thayer, 2012).

Until the date, ASEAN and China had achieved formal agreement called Declaration of Conduct (DoC) signed in 2002. The signatory countries should comply with the rules to control the activities that could complicate or increase the tension in the region, such as sending people to inhabit the area. Claimant states also agreed to promote natural sources in the conflicted states through the possibility of cooperation in exploring the gas and oil in Spratly Island as the initial step to resolve the problem (Claudia, 2012; Kemenhan, 2011). However, the efforts taken have not succeeded in preventing the provocative activities of claimant states.

Indonesia as one of the ASEAN members has attempted to resolve the problem of the South China Sea since the 1980s. Indonesia has actively participated in solving the

dispute through the governmental or non-governmental way. The Indonesian government also proposed DoC and encouraged Code of Conduct (CoC) managed by ASEAN and China in 2002. However, DoC was not yet able to supervise claimant states to stop doing provocative action. Thus, in 2012 Indonesia proposed Zero Clean Draft, regarded as an initial step for ASEAN states and China to sit in one table to solve the problem after a deadlock in the 45th ASEAN Ministerial Meeting (AMM) in Cambodia, 2012. Zero clean draft incorporates the Indonesian proposal about how conflicting states should behave in the proper manner. This draft encompassed proposal to ASEAN members and China. The draft was not intended to strengthen the claims of any party, but wish to provide details on how all parties should behave to achieve the conflict resolution (Kompas, 2012).

The Indonesian government also responds to many incidents which triggered tension in the South China Sea area. In an annual speech in 2013, Indonesian Foreign Minister, Marty Natalegawa highlighted various actions undertook by Indonesia in 2012 in preventing armed conflict in the South China Sea territory and attempted to converge ASEAN members' outlook about the South China Sea. Should any difference occurred in the common perspective of ASEAN members, Indonesia responded it by demonstrating shuttle diplomacy to consolidate ASEAN position according to six-point principles. Indonesian diplomacy encouraged a comprehensive implementation of DoC including the regional CoC through the basic agreement of CoC and its initial proposal (Natalegawa, 2013).

Indonesia's intention to be a mediator in the South China Sea conflict is a manifestation of the country's foreign policy under the administration of Susilo Bambang Yudhoyono. The foreign policy in Yudhoyono administration emphasized the significance of multilateral diplomatic to create the image of middle power in the international system in the 21<sup>st</sup> century.<sup>3</sup> The interpretation of free and active policy was adjusted to the international circumstances where the shift of global power to Asia as an interpretation of the 'active' principle. There were at least three metaphors reflected on the foreign policy alteration at that time. The first was 'navigating a turbulent ocean,' the se-

cond was ‘all directions foreign policy’ and the last was ‘a thousand friends and zero enemies.’<sup>14</sup> It was apparent that in Yudhoyono administration, there were few or nearly no diplomatic activities in the maritime sector. It was argued that this was because Indonesia preferred to avoid direct involvement in the South China Sea conflict. In the period, Indonesia did not want to be considered as part of the dispute (Rosyidin, 2017).

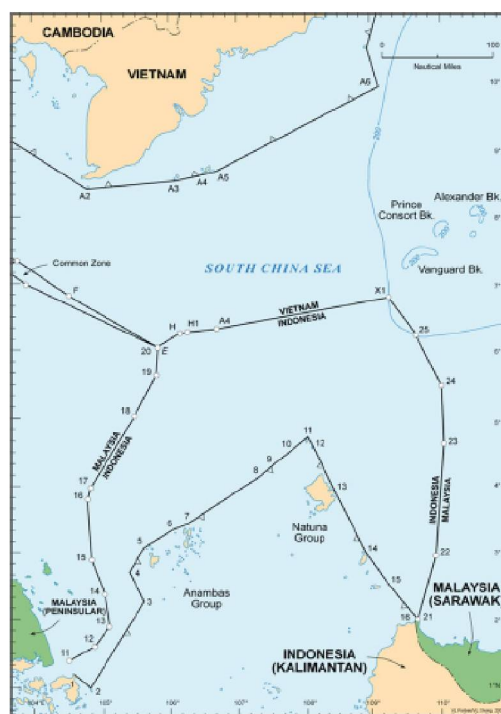
Under the Jokowi administration, Indonesian approach to the South China Sea conflict had shifted. Original intention to seek peaceful resolution for the disputes in the region has altered to be a policy that serves Indonesian national interest in Natuna waters, evoking disapproval from China (Chen *et al.*, 2014; Connelly, 2015; Hamzah, 2015; Pattiradjawane, 2015; Ristian & Supriyanto, 2015; Rosyidin, 2017; Sambhi, 2015; Weatherbee, 2016). The approach exemplifying the reality of South China Sea disputes has become closer with Indonesian waters territory. The realism of Indonesian politic in securing the natural resources had set Natuna to be the flashpoint of various interests between claimant states. Given the anarchical situation of international system, Indonesia decided to be assertive in responding to the conflict.

Indonesia as a long-established agent who preserved the image of ‘an honest broker’ in the South China Sea maritime structure experienced many challenges regarding the territory claim (Connelly, 2016). The behaviour shift shown by Indonesia in responding various maritime issues had alarmed many countries whose fishermen were caught in Natuna waters. This article captures that the shift has two important consequences for Indonesia. Firstly, Indonesia intended to walk solely to realize its aims as the world maritime axis by emphasizing nation’s maritime sovereignty. At the same time, there is a growing consideration if Indonesia had decided to overlook regional solidarity, particularly for states who objected China’s unilateral claim of the South China Sea territory.

The argument is inherent with Aaron L. Connelly’s statement (2016: 1) in his work titled *Indonesia in the South China Sea: Going it Alone*, expressed that “Under President Jokowi, Indonesia’s approach to the South China Sea disputes has moved from that of an active diplomatic actor seeking a peaceful resolution to the broader disputes, to

one primarily focused on protecting its own interests around the Natuna Islands while not antagonising China.” For instance, on 17 June 2016, a small Indonesian Navy corvette, the KRI Imam Bonjol, encountered at least seven Chinese fishing boats and two much larger Chinese Coast Guard vessels in Indonesia’s Exclusive Economic Zone (EEZ) near the remote Natuna Islands (Associated Press, 2016). The Natunas are the northernmost point of the Indonesian archipelago, between Borneo and the Malaysian Peninsula, stretching into the far southern end of the South China Sea. Neighbours have long acknowledged the waters north of the Natunas as part of Indonesia’s EEZ, but the Chinese Foreign Ministry has since the 1990s implied—and in 2016 for the first time openly declared—that they are ‘traditional Chinese fishing grounds.’<sup>15</sup>

**Figure 1. Map of Border Delimitation in Natuna with the South China Sea**



Source: Forbes (2014)

Friction in Natuna with China is an intriguing variable which exposed the geopolitical context of this article. In the Jokowi administration, the relations between Indonesia and China has improved significantly, indicated by

trade aggregate amounted to USD 44 billion. In 2016, China investments reached up to 400%, a significant amount compared to the investment in the previous year.<sup>6</sup> The conflict escalation in Natuna requires Indonesia to strategically calculate its *vis-a-vis* position with China. However, in many incidents in Natuna, Jokowi had indicated the strong intention not to compromise about national sovereignty, especially regarding the issue of territorial boundaries as a problem that should be resolved in a diplomatic manner.

Constitutively, the growing importance of realism will trigger the claimant states in the South China Sea to interpret the conflict in the same realistic way. In this case of fish theft in Natuna waters, China often behaves reactively. If all agents respond the conflict in the region through realism paradigm, the international structure in the surrounding region will be formed under the realism paradigm as well. This is because of the disbelief between agents under the same interest. Related to the contestation in the South China Sea, this article requires thorough and careful analysis because countries in the region will also conduct a comprehensive analysis of Indonesian policy in Natuna water. Every single interaction in the waters will determine the position of claimant states in the South China Sea in the wider context; the conflict resolution for the long-established conflict in the territory.

#### THE IMPLICATION OF INDONESIAN POLICY UNDER THE COMPLEXITY OF REGION MARITIME CONFLICT

Indonesian assertive behaviour toward illegal fishing in Natuna waters evoked criticism from experts. "One perennial complaint about Yudhoyono when he was in power was his indecisiveness. President Jokowi wants to be perceived as a decisive person, who does not always dance to the tune of big power politics. He will soon find out whether, in an interdependent world, a reclusive nationalist is able to navigate through the rough seas all alone" (Hamzah, 2015: 16). Indonesian effort to accomplish the agenda of World Maritime Axis appear as a strong and firm policy after the implementation of 'Sink the Vessels' policy for all fish theft activities in Indonesian waters.

Since December 2014, foreign vessels caught to collect fish illegally were seized. Many of them were being sunk or

being dramatically exposed to be captured by the media. Voting revealed that the act is one of the most popular Jokowi's policies. Indonesian decision to firmly execute the policy was aimed to secure the maritime resources, as stated by Susi Pudjiastuti as the Minister of Marine Affairs and Fisheries, "I am not talking about the territorial authority, but about maritime resources and fish. Fish in our EEZ is our fish" (Tempo, 2016, para. 2). The policy, indeed, ignited a strong reaction from the states who own the vessels. The cases are mainly found in Natuna waters. Pudjiastuti also stated that the biggest illegal fishing happened in Natuna.

Natuna Islands are located in Karimata Strait, the northern part of Indonesia. The islands consist of small islands which share borders with Malaysia, Singapore, and Vietnam (Tim Pusat Studi Pancasila UGM, 2015). The initial observation of the research captured that Natuna experienced the most frequent border violation, for instance, IUU Fishing by foreign vessels. Several states recorded as the most frequent offender are China, the Philippines, Malaysia, and Thailand. This can be seen from the record of sinking vessels during 2015, especially because of Natuna has abundant marine resources.

The estimation of marine resources in Indonesia reaches 6.6 million tons per year, consisting of 4.5 million tons in Indonesian waters and 2.1 million tons in EEZ waters. The number includes various types of fish, including pelagic fish (3.5 billion tons), coral fish is 0.048 million ton per year. Indonesian waters are also estimated as a home for 3,000 types of fish (Statistic Data Center and Information from Ministry of Marine Affairs and Fisheries, 2015). The various types of fish do not always refer to the abundant amount of each type of fish. Several types of fish such as sardinella lemuru fish, decapтерus fish, and skipjack tuna fish were identified as a type of fish with a big population (Statistic Data Center and Information from Ministry of Marine Affairs and Fisheries, 2015).

Administratively, Natuna shares its northern and eastern borders with the South China Sea; southern border with Bintan District; western border with Malaysian peninsula. Fishing is the main activity recorded in Natuna. In 2015, fisheries production amounted to 48,698.84 tons while fish from cultivation amounted to 754.84 ton. The



growth of fish capture increased 2.87% in 2015 compared to the previous year. At the same time, the number of fish farming production declined to 69.55% (Statistic Data Center and Information from Ministry of Marine Affairs and Fisheries, 2015).

The number, however, was small compared to the data of saltwater fish in Natuna. Data from Riau Province revealed that in 2011, the fisheries production amounted to 504,212.85 ton per year with the amount of allowed capture (80% of the natural resources potential) was 403,370 ton (Bappeda Kepri, 2018). Marine capture fishery commodity in Natuna is classified into two categories, pelagic fish and sardinella lemuru fish as it also contributes to the highest of fish population in Indonesia (Statistic Data Center and Information from Ministry of Marine Affairs and Fisheries, 2016). Susi Pudjiastuti also stated that the potential of fish capture in Natuna could reach 400,000 ton per year or equal to USD 400 million (Kompas, 2016). The potential offered by Natuna has triggered attention from surrounding states to exploit the marine resources in Natuna waters, making Natuna as one of the biggest targets of illegal fishing.

As explained by Febrica (2017), according to various Indonesian government documents emphasise four pivotal maritime issues in Indonesian waters (cf. Dewan Maritim Indonesia, 2007; Indonesian Coordinating Ministry for Political, Legal and Security Affairs, 2008; Indonesian MFA, 2004; Indonesian Ministry of State Secretariat, 2008; Sudrajat, 2005; Suristyono, 2005), namely illegal fishing, illegal migrants travelling through its waters, maritime border issues, and smuggling. Therefore, Indonesia is exposed to three types of transnational crime. The first threat is smuggling including illegal logging, fuel and sand smuggling, and illegal fishing. The second identified threat is airplane hijacking, sabotage, and espionage of Indonesian territory. The third possible threat is a disruption in Indonesian borders such as arms smuggling, drug smuggling, and human trafficking. In the case of illegal fishing, the maritime security approach used is categorised into non-traditional security. In the contemporary geopolitical environment, maritime security has emerged as one of the most significant elements of global and human security (Reveron & Mahoney-Norris, 2011).

The Marine insecurity that emerges into a tangible threat, in this context, could be analysed through two models: traditional security and non-traditional security. Traditional security threat which previously embroiled state actors has eventually shifted as non-traditional issues which have gained more attention. However, observance of traditional security threat could not be simply set aside. Indonesia should be more considerate to the traditional security threat that could appear anytime. Furthermore, Indonesia still has unfinished tasks related to water and land border within the territory. The Indonesian Navy recorded 94 border violences by Malaysian warfare ships (Usman & Din, 2009).

Based on the conceptual review, illegal fishing in Indonesian waters appears as a non-traditional security threat and leads to maritime-insecurity. However, in Natuna contestation, Indonesia shows assertive behaviour by stressing the need to protect Natuna—with military force if necessary—instead of responding it as a common maritime sources theft by non-state actors. Indonesia considers that its sovereignty has been violated and prone to crime and hijack in the sea, as stated by one of Indonesian Navy officials.

Ministry of Foreign Affairs of Indonesia had issued a caveat to protest about the issue (BBC Indonesia, 2016). Moreover, President Widodo demonstrated a symbolic warning by conducting a meeting in a warfare ship. This action was interpreted by International Relations experts and the media as a firm resistance toward Beijing (Kusumadewi, 2016). The issue also received a strong reaction from the Coordinating Ministry for Political, Law, and Security Sector who served at the period, Luhut Binsar Panjaitan.<sup>7</sup> He stressed the importance to strengthen Indonesian naval base in Natuna waters (Tweed, David, & Brummitt, 2015). Moreover, the Ministry of Defence, Ryamizard Ryacudu promised improvement of Indonesian military power in Natuna for a specific reason: 'to keep the thieves away' (The Straits Times, 2016). The response was perceived as Indonesian assurance to improve its political realism to address the uncertainty of Natuna waters security due to border violation by China. By taking a deeper look on political contestation between states regarding illegal fishing in Natuna waters, it is apparent that

friction between Indonesia and China had occurred frequently due to intensive exposure from national and international mass media. In fact, China is not the only state who violate Indonesian territorial border. Neighbouring states such as Malaysia and Vietnam also heavily involved in the polemic.

Another aspect that needs to be considered is that 317 vessels had been sunk due to illegal fishing since October 2014 until April 2017. 142 Vessels originated from Vietnam, 76 vessels from the Philippines, 21 vessels from Thailand, 49 vessels from Malaysia, 21 vessels from Indonesia, two vessels from Papua New Guinea, one vessel from China, one vessel from Belize, and four vessels have no origin state (Kuwado, 2017). Only one vessel was originated from China and exploded in October 2014. This number was much lower than Vietnam vessels that violated Indonesian border and sunk. Another instance of fish theft in Natuna happened in 2016 when Chinese vessel Kway Fey 11078 was clearly appeared entering Indonesian EEZ and exploited fish in Indonesian waters. When the ship of Ministry of Marine Affairs and Fisheries were patrolling, the Chinese vessel chased and crashed the fish vessels, so the ship could not be retrieved. This incident was strongly protested by Indonesian Ministry of Foreign Affairs (BBC Indonesia, 2016). The conflict, however, was not only occurred between Indonesia and China but also between neighbouring countries in EEZ near Natuna waters. The mass media keep broadcasting the amount of Vietnam vessels seized by Indonesian patrol ship in Natuna waters (al-Birra, 2017).

The circumstances in Natuna have logical consequences toward Natuna security as the closest area to the South China Sea. Therefore, there is an urgency to draw a clear line about Indonesian sovereignty and to solve the delimitation agreement of EEZ with neighbouring countries to maintain Indonesian sovereignty and its maritime security. In order to obtain sovereignty, a state should possess unlimited supreme authority. Jean Bodin stated that sovereignty is "*la puissance absolue et perpetuelle d'une republique*" (the absolute and perpetual power of a commonwealth). In other words, the absolute power occurs continuously as a manifestation of a state sovereignty. In the authors' point of view, the failure to preserve author-

ity, supremacy, and unlimitedness of power will threaten the state's good image whether in international or national perspective.

Observing the problem in Natuna waters will not be sufficient without domestic framework analysis due to IUU Fishing policy that had been implemented in Indonesian sovereignty border. There is a need for a broader perspective to analyse Indonesian behaviour in the South China Sea conflict. Thus, the initial point is to explain the polemic and put it in the regional security structure context.

From the regional stability perspective, South East Asia region has been known as an unstable region due to the South China Sea conflict between China, Vietnam, the Philippines, Malaysia, and Brunei Darussalam. The conflict occurred as a consequence of overlapping claims of the sovereignty of claimant states. Even though ASEAN has attempted many efforts to decrease the probability of conflict through the implementation of DoC, the conflict still could not be resolved peacefully. In contrary, the conflict escalated, and China aggressively builds infrastructure in the South China Sea.

China eagerness to expand its geopolitical realism increased the hostility in the South China Sea and created a security dilemma. The tendency was apparent from the rise of state's military spending in ASEAN and Asian states. ASEAN member states showed the tendency to increase its vigilance as a response to threats posed by China. For instance, Vietnam has emerged as the most vocal opponent of China's claims in the waterway, where more than USD 3 trillion in cargo pass every year (Reuters, 2017). Reality speaking, ASEAN countries within regional organisation framework still struggle to firmly grasp a common ground towards South China Sea dispute (Reuters, 2016). Even though, the newest development shows that ASEAN countries already adopted a negotiating framework for a CoC in the South China Sea, but this move seen by critics as tactic to buy China time to consolidate its maritime power (Reuters, 2017). Departing from those dynamic political conditions, we could perceive that the realist paradigm still become a major approach towards South China Sea dispute and securing national interest became inevitable.

Finally, 'Sink the Vessels' policy towards geopolitics of

the South China Sea creates a stronger relationship between Indonesia and the conflict of South China Sea. Indonesian assertive manner in Natuna will strengthen realism structure in the geopolitics of South China Sea conflict. The structure will eventually create agent behaviour in the regional complexity to increase their vigilance. The latest development fits into this broader pattern. In mid of 2017, Indonesia proclaimed that it had renamed a resource-rich northern portion around its Natuna Islands, which lie in the southern end of the South China Sea, as the North Natuna Sea. The move, which was part of the unveiling of an updated national map that was months in the making, reflects the Southeast Asian state's determination to safeguard its claims even amid the lingering challenges inherent in doing so (Parameswaran, 2017). With this manoeuvre, Jakarta is beckoning that it is eager to take new measures to even more clearly emphasise its firm position that it does not recognise China's unilateral nine-dash line claim. Thereafter, Beijing responded this manoeuvre by issued a demand for Indonesia to reverse its decision to rename the South China Sea (SCS) waters that lie within Indonesia's EEZ (Jakarta Post, 2017).

According to Channel News Asia reports, the Chinese Foreign Ministry sent an official note to the Indonesian Embassy in Beijing dated August 25, expressing its opposition to the move. In the letter, China said Indonesia's move to change an "internationally accepted name" resulted in the "complication and expansion of the dispute and affects peace and stability." Furthermore, Beijing stated Indonesia's unilateral proclamation could endanger the stable relationship between Indonesia-China and halt the progress of South China Sea dispute in a broader context. Nonetheless, Indonesian high rank government official did not falter. Shortly after renaming of the area, Maritime Affairs and Fisheries Minister, Susi Pudjiastuti said Indonesia had every right to make the decision. "The North Natuna Sea falls within our territory, not within the South China Sea [...] We have the right [to rename the waters], the North Natuna Sea is ours" (Sapiie, 2017, para.3). Buzan (1998: 4) stated that "The internal structure of the Southeast Asian security complex is rather complicated." South East Asia consists of political units which categorized as middle power (in Buzan words: medium-sized powers).

Since there is no hegemonic state in the region, the distribution of power in South East Asia was projected to achieve domestic security instead of formulating agreement at the international level. Nevertheless, the rising of China has undoubtedly improved its role in South East Asia. ASEAN member states are in dilemmatic position whether to maintain good relations with China or to enforce regional solidarity under the stream of South China Sea conflict. Indonesia, however, shows trajectory shift in performing its role to develop a firmer region fragmentation. Therefore, Indonesian IUU Fishing policy becomes essential. This article concludes that the decision is precise, considering the nature of Indonesian foreign policy under President Joko Widodo who stressed the importance of domestic interest instead of international orientation in implementing their policy.

## CONCLUSION

This article explained that claim of IUU Fishing Policy has created a security dilemma and restored the anarchy nature in Natuna waters, though which the nature of anarchy itself can contain conflictual and rational perspectives. Not every country showed reactive response like China did when their vessels were sunk. For instances, Vietnam and Malaysia chose to react based on the threat of the South China Sea conflict which appears to be far from the conflict resolution. The geopolitics of the South China Sea after IUU Fishing was implemented could not be separated from states interpretation of territory, natural resources, and distribution of power. Many conflicts had occurred from the intersection of the three aspects, thus it is important to put them into consideration in the future.

As a conclusion, security in the South China Sea needs to be taken into account by the Indonesian government to enforce Indonesian defence in Natuna waters. It is important to include Natuna local officials to participate in guarding the border area, so Natuna could be maintained as one of security axes in Indonesian border. The recommendation is based on our analysis of IUU Fishing Policy in Natuna waters. The policy created a bolder realism structure of the international system in the South China Sea. Finally, Indonesia needs to enhance the local capacity to

support Indonesian foreign policy in the utmost synergic and strategic way.

## ENDNOTES

- <sup>1</sup> See Hayton (2014: 58) for a comprehensive historical explanation about Chinese government claimed this semi-enclosed water. Whereas, in May 1947 the Chinese parliament approved a motion calling on the government to recover all the Paracels from France, by force if necessary, and to clearly 'delimit our territory.' Thereafter, the Chinese Geography Department of the Ministry of Internal Affairs drafted a list of new names for all the islands in the South China Sea.
- <sup>2</sup> See Beckman (2014: 58) for further explanation about the Philippines' statement of claim regarding South China, that is, Scarborough Shoal and three islands that are within the Kalayaan Island Group (KIG) claimed by the Philippines (these being Johnson Reef, Cuarteron Reef, and Fiery Cross Reef).
- <sup>3</sup> In International Politics, there are three types of state status: major, middle, and small power. The traditional preference in determine the status was based on material aspect such as geography, demography, natural resources, economy, military, and many more. The aggregation of all factors created national power in international stage. The related reference to support the explanation is available on Holbraad (1984: 74), *Middle Powers in International Politics*.
- <sup>4</sup> See related discussion about foreign politic inheritance in SBY on Emirza Adi Syailendra, *Indonesia's Post-Election Foreign Policy: New Directions?* RSIS Commentaries No. 113/2014. It was portrayed that the step taken was SBY personal endeavour who wish to be recognised among the world leaders.
- <sup>5</sup> See Foreign Ministry Spokesperson Hua Chunying's Remarks on Indonesian Navy Vessels Harassing and Shooting Chinese Fishing Boats and Fishermen, 19 June 2016.
- <sup>6</sup> The improvement of Indonesia and China bilateral relations in economic field is a determinant factor which increases the complexity in Natuna. The consideration to behave firmly on border violation still need to regard China as the second biggest economic power in the world who has substantial contribution to achieve Indonesian goal to be the world maritime axis.
- <sup>7</sup> Panjaitan currently serves as Coordinating Ministry of Maritime Affairs.

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