

Indonesia's Role in the Resolution of the South China Sea Dispute

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Recieved: March 10, 2025

Revised: April 9, 2025

Published: May 6, 2025

Abstract:

Indonesia plays a strategic role in the settlement of international disputes, particularly through peaceful approaches in accordance with the principles of its free and active foreign policy. This article analyzes various cases, including the Vietnam-Cambodia conflict, the Sipadan and Ligitan disputes, and the South China Sea conflict. The dispute resolution methods used include diplomacy, mediation, and international legal channels. The results show that Indonesia's contributions are effective in promoting regional and global stability. This article also provides an analysis based on international relations theory supported by relevant literature.

Keywords: Indonesia, Disputes, Law, Politics, International.

INTRODUCTION

International relations are an inevitability that no country can avoid in fulfilling its role at the global level. According to the 1933 Montevideo Convention, one of the requirements for a state's existence is its ability to establish international relations with other states. These relations primarily aim to meet the needs of nations, as no country can fully meet its own needs without assistance from others. In practice, international relations yield many positive impacts, such as fostering cooperation in economic, social, and political fields. However, these relations are not without their negative aspects, including the potential for conflicts or disputes among the involved nations. Such

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tensions, known as international disputes, constitute a crucial element in the dynamics of inter-state relations.

International disputes are an inseparable part of international relations, as interactions among nations or between nations and individuals or international organizations often lead to conflict. International relations encompass various aspects of life, such as politics, society, and the economy. In the economic sphere, Oscar Schachter highlights that international relations encompass trade, investment, finance, technology transfer, as well as development cooperation and economic aid. Initially, international disputes were more frequently identified as conflicts between states, given that states were considered the sole subjects of international law. However, the passage of time has expanded this definition to include individuals and international organizations as subjects of international law. Consequently, international disputes now involve various forms of conflict, including those between states and individuals, business entities, or other non-state actors. Although the scope is broad, discussions on international disputes generally focus more on interstate conflicts due to the significant role states play in maintaining global peace and stability.

In the 21st century, the shift in global economic and political power is predicted to move from Europe and the Americas to the Asian region. It is estimated that Asia will account for half global economy by 2050. Regional stability is a key element in supporting sustainable economic growth, including in the South China Sea (SCS) region. This region, which directly borders Indonesian waters, particularly Natuna, holds strategic significance for many nations. Although Indonesia is not among the claimant states in the SCS, the dynamics of disputes in the region directly impact ASEAN stability as well as Indonesia's national interests.

As a natural leader in ASEAN, Indonesia plays an active role in facilitating the resolution of the South China Sea disputes by promoting a multilateral approach. This step is taken to counterbalance the dominance of the bilateral approach, which is often favored by the claimant states, including China. These efforts align with Indonesia's track record in resolving various regional conflicts, such as the Cambodian conflict, the Thailand-Cambodia border dispute, and the democratization process in Myanmar. With this experience, Indonesia continues to play a strategic role in promoting effective peaceful resolutions and supporting regional stability.

In August 1951, Chinese Premier Zhou Enlai announced that the Paracel and Spratly Islands were part of Chinese territory. This claim was based on the principle of historical rights previously applied by the Kuomintang government under Chiang Kai-shek. Historical documents and maps indicate that the region has been part of China since the Manchu Dynasty. The South China Sea is highly strategic as it is a major international trade route, including a vital route for China's energy imports and oil supplies to Japan and Korea.

In the context of international maritime law, the South China Sea is a region of great economic, political, and strategic importance. Its abundant natural resources, including petroleum and natural gas, as well as its role as a global trade and oil distribution route, have made this region the center of regional debate for several decades. This poses a challenge for every country involved to effectively resolve these disputes, especially given the United States' involvement in the region. From a geographical and economic perspective, the region has the potential for conflict among the involved nations. This could trigger instability in the region and strain relations among the nations involved in the dispute. Indonesia, which is not a claimant state in these waters, has been increasingly troubled by China's unilateral claims using the "U-shaped" map or the Nine-Dash Line, introduced by the Chinese government in 1993.⁵ Through the "U"-shaped map, China not only claims the Spratly and Paracel Islands but also includes the Natuna waters, which are actually within Indonesia's Exclusive Economic Zone (EEZ) and recognized as part of Indonesia's sovereign territory. This claim has the potential to threaten Indonesia's security and economic stability, given that the EEZ in question contains strategic oil and natural gas resources. As a country directly bordering the South China Sea, Indonesia plays an active role in efforts to resolve disputes in the region. The focus of this paper is on the administration of Susilo Bambang Yudhoyono, during which Indonesia took diplomatic steps particularly preventive diplomacy considered an effective approach to addressing disputes in the South China Sea.

THE ISSUE

1. What is Indonesia's role in the peaceful resolution of international disputes?
2. What methods has Indonesia used in various dispute cases?
3. Are the results of Indonesia's role in fostering global peace effective?

Result and Discussion

1. Legal Basis and Indonesian Policy.

Indonesia's foreign policy, as enshrined in Law No. 37 of 1999, encompasses a series of policies, stances, and actions taken by the government in interacting with international actors. Its aim is to address various global challenges and advance national interests. In practice, foreign policy is closely tied to national interests, serving as the primary tool to advocate for, formulate, and convey national interests on the global stage, thereby ensuring the fulfillment of the nation's strategic aspirations and needs amidst the dynamics of international relations. Every country has a unique formulation of foreign policy, tailored to its respective national interests. Foreign policy can be understood as a series of actions, behaviors, or policies undertaken by a state to achieve its national interests through outward-directed means.

The fundamental principles of Indonesia's foreign policy are guided by the values enshrined in the Preamble to the 1945 Constitution. This document emphasizes that independence is the inherent right of every nation and that colonialism must be abolished as it is incompatible with the principles of humanity and justice. The state's primary objective is to participate in creating a world order based on independence, lasting peace, and social justice. These principles form the foundation of Indonesia's free and active foreign policy. "Free" means Indonesia has the freedom to determine its stance on various global issues without being bound to specific power blocs or military alliances. Meanwhile, "active" reflects Indonesia's commitment to continuously champion the values of independence, lasting peace, and social justice at the international level.

Foreign policy can be understood as policies designed by the government to build relationships with the international community, with the aim of promoting and advancing national interests among other nations, thereby achieving the objectives desired by that state. According to Rosenau, foreign policy is essentially a mechanism that enables nation-states to adapt to changes in their surroundings. Thus, the implementation of foreign policy aims to ensure and strengthen cooperation and support from other nations and international organizations.

Foreign policy can be understood as a series of decisions and actions that reflect a state's national goals and interests in international relations. As explained by Jackson et al. (2022), foreign policy involves various steps taken to establish relations with other states. A similar view is expressed by Frankel (1968), who notes that foreign policy encompasses actions that regulate inter-state relations. Padelford and Lincoln (1977) emphasize that foreign policy is the tangible manifestation of a state's interests and the objectives it seeks to achieve. Therefore, foreign policy can be understood as the process and outcomes of actions designed to determine a state's policies and stances based on its national interests in engaging with the international community.

2. Diplomatic Efforts

Although Indonesia is not a claimant state in the South China Sea dispute, it has played an active role in maintaining regional stability through various diplomatic efforts. Some of the steps taken include:

- **Mediation and Facilitation of Dialogue**

Indonesia has acted as a mediator by organizing workshops and informal meetings involving the countries involved in the dispute. Since 1990, Indonesia has hosted workshops on South China Sea issues, demonstrating its role as an impartial intermediary in resolving this dispute.

- **Promoting the Establishment of a Code of Conduct (CoC)**

Indonesia is actively encouraging ASEAN and China to immediately agree on a Code of Conduct (CoC) in the South China Sea as an effort to reduce tensions and conflict in the region. Through a regional approach, Indonesia seeks to maintain maritime security stability in the region.

- **Defense Diplomacy**

In addition to political diplomacy, Indonesia also employs defense diplomacy by enhancing military and security cooperation in the region. The biennial Multilateral Naval Exercise Komodo, held since 2014, exemplifies Indonesia's efforts to enhance political and security stability in the ASEAN region through defense diplomacy.

- **Increased Military Presence in Natuna**

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In response to China's unilateral claims and activities around the Natuna Islands, Indonesia has increased its military presence in the region. This includes the construction of military bases and the conduct of military exercises to defend territorial sovereignty and sovereign rights within Indonesia's Exclusive Economic Zone (EEZ).

- **Official Statements and Diplomatic Notes**

Indonesia has consistently issued official statements reaffirming its commitment to international law, particularly UNCLOS 1982, and rejecting unilateral claims that do not align with these principles. Additionally, Indonesia has sent diplomatic notes to relevant countries to reaffirm its position and interests in the region.

3. Challenges for Indonesia.

Although Indonesia is not officially a claimant state in the South China Sea, the country still faces various challenges in resolving disputes in the region. One of the main challenges is the existence of overlapping claims, particularly from China, which uses the "nine-dash line." This claim encompasses part of Indonesia's Exclusive Economic Zone (EEZ) around the North Natuna Islands, which is frequently violated by foreign vessels, thereby triggering tensions and threatening Indonesia's maritime sovereignty.

In addition to territorial claims, the South China Sea is a hotspot for transnational crimes, such as illegal fishing, smuggling, and human trafficking. These activities not only cause economic harm but also threaten maritime security stability in the region. These challenges are exacerbated by geopolitical escalation in the South China Sea, where tensions between major powers such as the United States and China place additional pressure on Indonesia to maintain neutrality while still protecting its national interests.

Another challenge is the overexploitation of natural resources in the South China Sea, such as uncontrolled oil and gas exploration and fishing. This contributes to significant marine environmental degradation, affecting ecosystems and the sustainability of marine resources that are vital to Indonesia's coastal communities. In this regard, Indonesia also faces the need to strengthen its maritime capacity, in terms of infrastructure, technology, and human resources. Without this strengthening, efforts to enforce maritime law and manage resources will be less than optimal.

In addressing these challenges, Indonesia needs to develop a comprehensive strategy that includes more effective diplomacy, strengthening cooperation regional cooperation through ASEAN, as well as strengthening national maritime defense. These measures aim not only to safeguard Indonesia's territorial sovereignty but also to ensure that peace and stability in the South China Sea are maintained amid increasingly complex geopolitical dynamics.

4. Indonesia's Contribution.

Indonesia plays a significant role in the South China Sea dispute, even though it is not a claimant state. With its strategic geographical position and its role as an ASEAN leader, Indonesia actively promotes conflict resolution through peaceful approaches. One of Indonesia's key initiatives is hosting a workshop known as the Workshop on Managing Potential Conflicts in the South China Sea, which began in 1990 as a track-two diplomacy effort to build trust and understand key issues. Indonesia also served as an initiator in the formation of the Declaration on the Conduct of Parties in the South China Sea (DOC) in 2002. This declaration serves as an interim guideline to regulate the behavior of claimant states and prevent conflict escalation. Additionally, Indonesia is pushing for negotiations toward the establishment of a Code of Conduct (CoC) as a stronger legal framework for the peaceful resolution of disputes. These efforts involve high-level meetings such as the ASEAN Senior Officials' Meeting and the Expanded ASEAN Maritime Forum (EAMF), which expand multilateral dialogue by involving partner countries outside ASEAN.

At the international level, Indonesia is active in meetings of UNCLOS 1982 contracting states, emphasizing that dispute resolution must follow peaceful channels and comply with international law. As the host of various meetings, such as the 2011 ASEAN Summit, Indonesia successfully facilitated dialogue among claimant states and reduced tensions in the region. These contributions demonstrate Indonesia's role as a neutral mediator, while reaffirming its commitment to the principles of peace, regional stability, and the supremacy of international law. These efforts also strengthen Indonesia's position in regional and global geopolitics, although challenges such as differing approaches to dispute resolution and pressure from major powers remain obstacles.

Although Indonesia is not among the countries claiming territory in the South China Sea, it has a vital interest in maintaining the integrity of its territory, particularly in the waters of the North Natuna Sea, which form part of Indonesia's Exclusive Economic Zone. One of Indonesia's key contributions is its active diplomatic efforts, including lodging protests with China over its unilateral claims regarding the "nine-dash line," which are deemed to violate the 1982 UNCLOS. In this regard, Indonesia has consistently rejected the legitimacy of these claims as they contradict international law and threaten its sovereignty and sovereign rights over the EEZ. Indonesia plays a vital role in multilateral initiatives under ASEAN. The country has championed the establishment of a Code of Conduct (CoC) to maintain security and stability in the region. This initiative aligns with the Declaration on the Conduct of Parties in the South China Sea, initiated by Indonesia in 2002, which aims to enhance cooperation and security in the South China Sea; this has become a key milestone in regulating the behavior of disputing parties. Indonesia continues to promote the resolution of disputes through dialogue and peaceful diplomacy, while also serving as a mediator between the claimant states and China.

On the national level, diplomacy has been strengthened through symbolic actions such as President Joko Widodo's visit to Natuna in 2016, the release of a new map designating the area as the "North Natuna Sea," and the submission of a diplomatic note to the UN to reaffirm Indonesia's position. These steps not only reinforce Indonesia's sovereignty but also emphasize the importance of respecting international law in resolving conflicts. Thus, Indonesia asserts itself as a neutral nation committed to a free and active foreign policy. Indonesia's role in resolving this dispute serves as an important model in maritime diplomacy that prioritizes stability, international law, and regional cooperation.

Conclusion

The South China Sea dispute poses a significant challenge to stability in Southeast Asia, including for Indonesia, which has a strategic interest in maintaining territorial sovereignty and preserving regional stability. As a country not directly involved in territorial claims, Indonesia plays a crucial role as a mediator and facilitator through a peaceful diplomatic approach. Efforts such as multilateral workshops, building consensus

through ASEAN, and a commitment to international law have demonstrated Indonesia's position as a natural leader in the region.

However, challenges continue to accompany this journey, ranging from differences in approaches to dispute resolution among the parties involved to geopolitical pressure from major powers such as China and the United States. To ensure the effectiveness of its role, Indonesia needs to strengthen its bargaining position by enhancing its maritime capabilities and maximizing cooperation with ASEAN countries and other global partners.

Moving forward, success in promoting the establishment of a legally binding Code of Conduct (CoC) will be a crucial milestone for Indonesia in creating a safe and peaceful region. Furthermore, this role will bolster Indonesia's image on the international stage as a nation committed to global peace and stability. By prioritizing dialogue, active diplomacy, and the rule of law, Indonesia can serve as a model for the peaceful resolution of international conflicts.

Acknowledgments

The authors would like to express their sincere gratitude to lecturers, academic supervisors, colleagues, and all parties who contributed to the completion of this study. Appreciation is also extended to family and friends for their continuous support and encouragement throughout the research process. In addition, the authors acknowledge all references and previous studies that have enriched the discussion and analysis in this paper.

Disclosure statement

The authors declare that there are no conflicts of interest related to this research and publication. This paper was prepared independently for academic purposes without any financial support, sponsorship, or influence from external parties. All opinions and analyses presented in this study are solely the responsibility of the authors.

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