



Journal Homepage: - www.journalijar.com
**INTERNATIONAL JOURNAL OF
 ADVANCED RESEARCH (IJAR)**

Article DOI: 10.21474/IJAR01/9275
 DOI URL: <http://dx.doi.org/10.21474/IJAR01/9275>



RESEARCH ARTICLE

THE ROLE OF THE INDONESIAN NAVY TO OVERCOME THE THREATS AND DISTURBANCE AT NORTH NATUNA SEA.

M. Imam Chadhafi¹, Z. Fanani², Setyo Widagdo² and M. Soleh².

1. Postgraduate student of brawijaya university.
2. Postgraduate lecturer of brawijaya university.

Manuscript Info

Manuscript History

Received: 12 April 2019
 Final Accepted: 14 May 2019
 Published: June 2019

Abstract

The purpose of this study are 1) to analyze the threats and disturbances that exist in the North Natuna Sea, 2) to analyze the strategy of the Navy in overcoming threats and disturbances in the North Natuna Sea. This research was conducted at Mako Lanal Ranai, Posal Sabang Mawang Lanal Ranai and in the sea security operation area of the Natuna Sea. While the research was conducted on September 2018 to March 2019. This study used a qualitative descriptive method with observation and deepening of material for quite a long time. The results of this study are found in the threats and disturbances found in the Natuna Sea and how the Navy's role in overcoming this.

Copy Right, IJAR, 2019,. All rights reserved.

Introduction:-

Indonesia is one of the largest archipelagic states in Asia and the second in the world which has 17,504 with 16,056 islands that have been standardized and submitted to the United Nations. Indonesia is a country that has an area of 6.4 million km² of water, with a coastline of 108,000 km, and an exclusive Economic Zone (EEZ) as wide as 200 miles in the United Nations Convention on the Law of the Sea 1982 (UNCLOS '82) with an area of 3 million km² (Pushidrosal, 2018). The conception of the Indonesian archipelago was introduced when the Juanda Declaration was held on December 13, 1957 which stated to the international community that Indonesia consisted of thousands of islands as a unit under Indonesian sovereignty.

Border problems that have been explained, if it is not anticipated it will develop into a threat that endangers Indonesian sovereignty. Besides carrying out maritime defenses, the Navy also seeks to implement selected strategies through pro-active activities to improve national resilience in the border region (Marsetio, 2013).

The Natuna Islands are one of 11 (eleven) islands that must receive special attention because they are located in the border region. The islands located in the middle of the South China Sea are prone to be a source of conflict related to the size of their potential (Butje Tampi, 2017). Based on the current conditions, there are 3 (three) problems that have become a threat and must be resolved immediately by the Indonesian government in the Natuna Islands waters, there are 1) Nine-dash line claims by China resulting in the coverage of the Continental Shelf and the Indonesian Exclusive Economic Zone located in the waters of the Natuna Islands (North Natuna Sea) because it is considered a Traditional Fishing Ground based on Chinese historiography, 2) There is no agreement on the boundaries of the Exclusive Economic Zone between Indonesia and Vietnam so that the "Undelimited Area" is formed, and 3) Activities carried out by Foreign warships as well as foreign government vessels in the Continental Shelf and Exclusive Economic Zones are considered to disturb the comfort of the Indonesian government such as carrying out

Corresponding Author:-M. Imam Chadhafi.

Address:-Postgraduate student of brawijaya university.

military activities by flying helicopters and lowering buoys with the aim of carrying out data search or intelligence information.

In order to deal with these three problems, the Navy has a crucial role as the Main Component of Defense to overcome actual and potential threats and disturbances to improve the defense and security and sovereignty of the Unitary State of the Republic of Indonesia.

Research purposes: -

Based on the above background, the research objectives are as follows;

1. Analyzing the threats and disturbances that exist in the North Natuna Sea?
2. Analyzing the role of the Navy in overcoming threats and disturbances in the North Natuna Sea?

Research Methods:-**Time and Location of Research: -**

This research was carried out at Lanal Ranai Mako, Posal Sabang Mawang Ranai because it was one of the bases handed over by KIA which was captured by KRI and other law enforcement officers for carrying out illegal fishing activities in the Continental Shelf and the Exclusive Economic Zone. Lanal Ranai has a very wide working area map, which based on *SKEP KASAL* NUMBER: KEP / 326 / II / 2016, on February 16, 2016 stipulated the coordinates of the Lanal Ranai working area covering the North Natuna Sea in which the Continental Shelf and Exclusive Economic Zone are included. . Lanal Ranai does not have the task to solve problems that exist in the North Natuna Sea directly because of the limited number of defense equipment owned, but Lanal Ranai has the main duty to carry out logistical support of KRI elements operating in the Lanal Ranai working area. While the research was conducted in September 2018 until March 2019.

Research methods: -

This study uses a qualitative descriptive method by understanding social reality, like seeing the world as it is and not the world it should be. In addition, qualitative research is scientific research that aims to understand a phenomenon in a social context naturally by putting forward the process of in-depth communication between researchers and the phenomenon under study.

Data source:-

Respondents in this study were 6 key informants consisting of 2 officials who had served as Lanal Ranai Commander, 2 Lanal Ranai officials, 1 Koarmada I legal officer and 1 specialist deputy official support for oil and gas SKK business. Then 4 additional informants from Navy officers who had had experience carrying out maritime security operations in the North Natuna Sea.

Data Retrieval Techniques: -

The technique used to collect the data needed is: primary data obtained through in-depth interviews with predetermined respondents and several respondents who were randomly selected. Secondary data is obtained through documentation from relevant agencies and from various other relevant reference materials. The researcher will also make direct observations in the field to obtain secondary data and other facts that can support it.

Data analysis technique: -

Data obtained in this qualitative study was carried out by 1) in-depth interviews to obtain information (data) from respondents by asking face-to-face questions (Mashud and Musta'in, 2005), 2) Observation participates directly and intensively to get accurate information and data in connection with the activities studied. With observation, it can be observed the activities of people, physical characteristics, social situations, and what happens in certain places (Spradley 1980), and 3) Study of documentation.

Research Result And Discussion:-**Data Analysis:-****Threats and Disorders in the North Natuna Sea:-**

In the past few years, the Indonesian government has faced threats and disruptions related to the North Natuna Sea. This has disrupted maritime security and affected the stability of Indonesia's national defense. From a military point of view, traditional maritime security has focused on national security in the sense of protecting a particular

territorial integrity of a country from armed attacks or other forces and building the interests of the state elsewhere. The defense perspective on maritime security is then extended to a greater scope of threats.

In its report on "Ocean and the Law of the Sea", the UN Secretary General identified 7 (seven) specific threats to Maritime Security, namely (Natalie Klein et al., 2010):

1. Piracy and armed piracy on ships;
2. Terrorist acts involving ships, offshore installations and other important things in the sea in view of the broad effects, including significant economic effects as a result of attacks;
3. Smuggling of light weapons and weapons of mass destruction;
4. Smuggling of narcotics and illegal drugs where 70% are captured on their way by sea;
5. Human smuggling by sea;
6. Illegal, Unreported and Unregulated (IUU) Fishing; and
7. Intentional destruction of the marine environment specifically in the form of maritime pollution.

Meanwhile, according to Rahman (2009), the notion of Maritime Security has different meanings for various people with different reasons, for example the equation with the concept of regional security to produce the terms "Comprehensive Maritime Security" and "Cooperative Maritime Security". There are 5 (five) maritime security perspectives delivered (Rahman, 2009), namely:

1. Strong environmental security;
2. Mastery of the sea;
3. Safeguarding maritime boundaries;
4. Military activities at sea; and
5. Security regulation of the maritime transportation system.

The definition of "Comprehensive maritime security" is used by Bateman and Bergin (2009) to describe the conceptual purpose of protecting the state and its interests from military threats "from the sea, over the sea or under the sea" plus "non-traditional threats" to national maritime interests. They have noticed that the concept of maritime security has changed and has become more multi-dimensional with more inclination towards the civilian realm. Bateman and Bergin (2009) explain that "Comprehensive maritime security" requires:

1. Good code and conduct at sea;
2. Reducing illegal activities in the sea;
3. Protection of maritime boundaries;
4. Protection and maintenance of the maritime environment; and
5. Conservation of maritime resources.

The current condition is the fact that there has been a threat and disruption to the Indonesian maritime security against the background of the following problems:

1. China's Nine-dash line claims unilaterally in the South China Sea and covers the territory of the Continental Shelf and the Indonesian Exclusive Economic Zone in the North Natuna Sea; and
2. There is no agreement regarding the limits of the Exclusive Economic Zone between Indonesia and Vietnam which results in the existence of "Undelimited Area".

On the other hand, the existence of illegal military activities is a form of disturbance carried out by foreign parties and if the government does not take decisive action it can turn into a threat to Indonesia's sovereignty in the national jurisdiction. According to UNCLOS 1982 Article 37 has been regulated on Transit Cross for ships and aircraft passing through the straits used for international shipping between the high seas and the Exclusive Economic Zone and parts of the high seas or other Exclusive Economic Zones. It was explained that ships and aircraft that carry out the Transit Cross in the Exclusive Economic Zone must be carried out quickly, avoiding any activities other than continuous transit as soon as possible and avoiding threats or the use of any violence against sovereignty, territorial integrity or independence politics of countries bordering the strait or by any other means that violate the principles of international law. While the activities carried out by American, French and Vietnamese RIG Ships are not in accordance with the rules set out in UNCLOS 1982.

Based on the data obtained in the field as well as information from key and additional informants, it shows that the facts of threats and disturbances that occur in the North Natuna Sea are as follows:

1. Illegal fishing activities carried out by KIA China and Vietnam resulted in large losses to the Indonesian economy and damage to marine ecosystems due to the use of toxic materials and illegal fishing equipment;

2. Interventions carried out by the Chinese and Vietnamese Coast Guards when guarding and protecting their respective KIAs when carrying out illegal fishing activities, such as:
 1. Ordering KRI to release KIA via radio communication;
 2. Promote the KRI movement;
 3. Cutting off the direction of the KRI; and
 4. They hit KIA to sink and were not captured by the KRI.

Illegal military activities carried out by foreign warships in the Continental Shelf and the Indonesian Exclusive Economic Zone, such as flying helicopters, flying drones and lowering the Landing Craft Vehicle Person (LCVP). Violations that occur are not only carried out by foreign warships, but foreign government ships are also brave enough to reduce buoys around the Indonesian continental shelf. This is done when they carry out "Innocent Passage".

The Role of the Navy to Overcome Threats and Disorders in the North Natuna Sea: -

Illegal fishing is a major problem that occurs in Indonesia's current jurisdiction, especially in the North Natuna Sea. Vietnam is a country that is still carrying out these activities. So that law enforcement officers in the sea, especially the Navy that cooperates with side units such as the Ministry of Maritime Affairs and Fisheries, in this case, IUUF 115 Task Force has carried out many KIA Vietnam arrests that carry out illegal fishing in the Continental Shelf and Exclusive Economic Zone. The high number of illegal fishing activities in Indonesia's jurisdiction is a direct impact of the lack of agreement regarding the Exclusive Economic Zone between Indonesia and Vietnam.

The main problem is that Vietnam has the perception that the definition of EEZ regime is the same as the Continental Shelf regime, whereas according to 1982 UNCLOS the understanding of the two regimes is different and until now there are still illegal fishing activities by KIA Vietnam in the Indonesian Continental Shelf, even though the boundary is clear. ratified by Indonesia in the Law of the Republic of Indonesia Number 18 of 2007 concerning Ratification of the Agreement Between the Government of the Republic of Indonesia and the Government of the Vietnam Socialist Republic concerning the Determination of the Limit of the Continental Shelf, 2003.

In order to deal with the three threats and disturbances that exist in the North Natuna Sea, the role of the Navy is needed to overcome this. Universal, the Navy has 3 (three) roles, they are military, police and diplomacy. This was supported by the existence of the Universal Navy's role expressed in Ken Booth's Theory and known as the "Trinity of the Navy's Role".

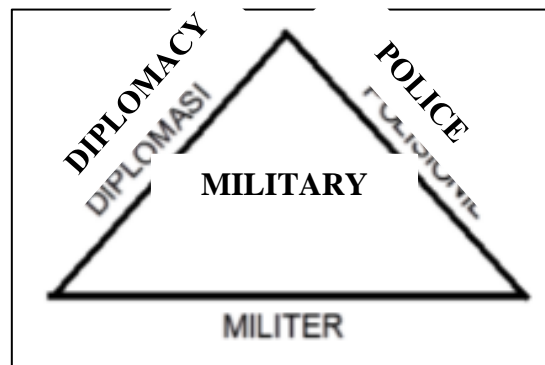


Figure 1 **Trinity of the navy's Role**

Source: Ken Booth's theory in *Navies and Foreign Policy*
London: Groom Helm, 1973

The Military Role is more directed at upholding the sovereignty of the state at sea to ward off any existing Threats, Challenges, Constraints and Disorders (ATHG) in order to maintain the stability of maritime security. The Diplomacy Role leads to the role of the Navy to influence the country's leadership in a state of peace or conflict situation. **Meanwhile, the Constabulary Role is given so that the Navy can enforce the law at sea, protect its national marine resources and wealth and support development to support national stability and development.**

Based on the data obtained, the Indonesian Navy has carried out Sea Security Operations to eradicate illegal fishing activities in the North Natuna Sea. Where in the course of the operation, of course, always cooperate with parties and related stakeholders so that the implementation of the operation can run effectively and get optimal results. Support from the side unit that provides the latest information and tactical description of the operations area has a very positive influence on the continuity of the KRI's duties. In addition, the role of the lower unit in supporting the logistical needs of the KRI is very important to extend the duration of the KRI's presence in the operational area. As law enforcement officers in the sea and NKRI sovereignty enforcers in the territorial waters of national jurisdiction, the Navy was given the right to carry out "Hot Pursuit" or instant pursuit of foreign vessels that violated the provisions in ZEEI. Provisions regarding law enforcement are regulated in Article 13 and Article 15 of Act Number 5 of 1983 concerning the Indonesian Exclusive Economic Zone. The Navy has law enforcement procedures and security measures in the sea area of Indonesia's national jurisdiction in accordance with the Kasal Regulation Number 32 / V / 2009 on May 4, 2009. *Kamap Protap* is part of the Navy's efforts in law enforcement in and or by sea by carrying out professional and proportional investigation activities. Law enforcement efforts in and or through the sea are carried out in the activities of Pursuit, Arrest and Investigation or often referred to as "**JARKAPLID**". The following is an explanation of "**JARKAPLID**" activities (Protap Kamla Navy, 2009):

- 1) Pursuit is a process and effort to stop and arrest perpetrators who are reasonably suspected of committing a crime and escaping.
- 2) Arrest is the act of the investigator in the form of temporarily restraining the freedom of the suspect or vessel if there is sufficient evidence for the interests of the investigation in terms of and according to the manner regulated by the Act.
- 3) Investigation is a series of investigative actions to find and find an event that is suspected of being a criminal offense to determine whether or not an investigation can be carried out according to the method stipulated in the Criminal Procedure Code and certain laws.

After the "**JARKAPLID**" process has been completed, the KIA's guilty or innocent decision is decided by the local district court, where the case is held. As long as the legal process is underway, the KIA captain is a judicial status, to undergo legal proceedings in accordance with the laws of the coastal state in this case is Indonesia. So that in the decision of the district court or fishery court, the judicial judge was found guilty of paying a fine. If you cannot pay a fine, then a sentence of imprisonment will be replaced to account for violations of the law that has been committed. Whereas the KIA crew members who are non-judicial status are not imprisoned but are secured in a special place in the Lantamal or Lanal area where the KIA is submitted for further legal proceedings. The KIA ABK remained in the place until the deportation process was carried out.

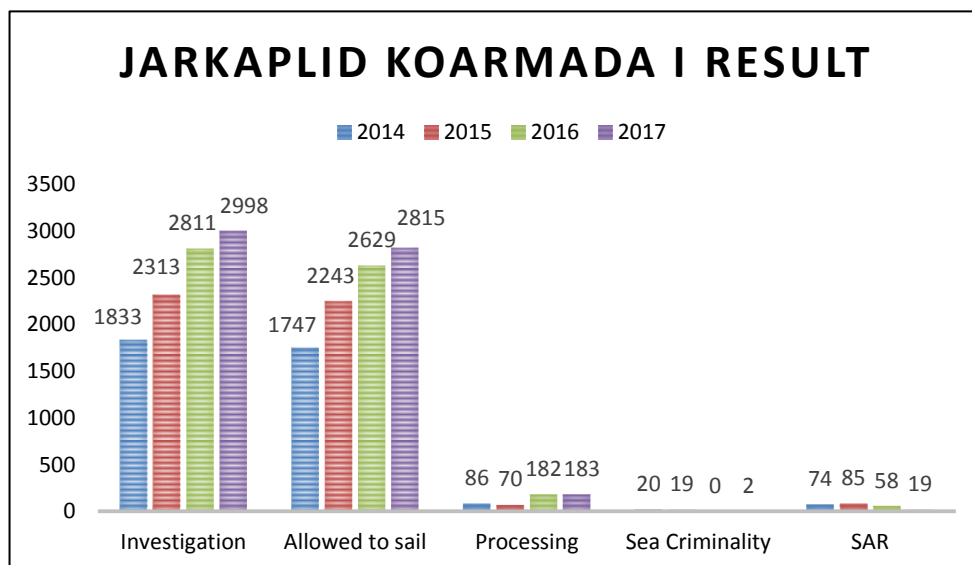


Figure 2 The Jarkaplid Koarmada 1 Result of the Year 2014-2017

Source: Data from Sops Fleet Command I

Conclusions And Suggestions:-**Conclusions:-**

1. The threats and disturbances that exist in the North Natuna Sea at this time are:
2. Illegal fishing activities carried out by KIA China and Vietnam resulted in large losses to the Indonesian economy and damage to marine ecosystems due to the use of toxic materials and illegal fishing equipment;
3. Interventions carried out by the Chinese and Vietnamese Coast Guards when guarding and protecting their respective KIAs when carrying out illegal fishing activities, such as:
4. Ordering KRI to release KIA via radio communication;
5. Promote the KRI movement;
6. Cutting off the direction of the KRI; and
7. They hit KIA to sink and were not captured by the KRI.
8. Illegal military activities carried out by foreign warships in the Continental Shelf and the Indonesian Exclusive Economic Zone, such as flying helicopters, flying drones and lowering the Landing Craft Vehicle Person (LCVP). Violations that occur are not only carried out by foreign warships, but foreign government ships are also brave enough to reduce buoys around the Indonesian continental shelf. This is done when they carry out "Innocent Passage".
9. The Navy has 3 (three) roles universally, they are military, police and diplomacy. Where the Constabulary Role is given so that the Navy can enforce the law at sea, protect its national marine resources and wealth and support development to support national stability and development.
10. JARKAPLID is a form of the Indonesian Navy's police force Role, which uses Protap Kamla as an effort in the context of law enforcement in and or by sea by carrying out professional and proportional investigation activities. Law enforcement efforts in and or by sea are carried out in the activities of Pursuit, Arrest and Investigation.

Suggestion:-

1. The Navy must know and understand the current conditions in the North Natuna Sea. This is faced with the presence of real threats and disturbances faced.
2. The Navy must be able to maximize the role of existing police to be able to overcome the threats and disturbances that exist in the North Natuna Sea.
3. The Navy must integrate and synergize with all relevant stakeholders in order to be able to carry out JARKAPLID properly and optimally to overcome threats and disturbances in the North Natuna Sea.

Bibliography:-

1. Bateman, S. & Bergin, A., 2009. "Sea Change: Advancing Australia's Ocean Interest, Australian Strategic Policy Institute", Canberra.
2. Marsetio, 2013. "Strategi TNI Angkatan Laut Dalam Pengamanan Batas Maritim NKRI: Kajian Historis-Strategis". Jurnal Sejarah CITRA LEKHA, vol. XVII, no. 1.
3. Natalie Klein, Joanna Mossop and Donald R. Rothwell, 2010. "Maritime Security: International Law and Policy Perspectives from Australia and New Zealand". Routledge.
4. Protap Kamla TNI Angkatan Laut, 2009. Jakarta: Mabesal.
5. Rahman, C., 2009 "Concept of Maritime Security: A Strategic Perspective on Alternative Vision for Good and Security at Sea, With Policy Implications for New Zealand". Discussion Paper 07/09, Centre for Strategic Studies: New Zealand, Victoria University of Wellington.
6. Spradley, J.P., 1980. "The participation observation". New York: Reinhart & Winston.
7. Tampi, Butje, 2017. "Konflik Kepulauan Natuna Antara Indonesia Dengan China (Suatu Kajian Yuridis)". Jurnal Hukum Unsrat Vol. 23/No. 10/Juli-Desember/2017.
8. Undang-Undang Republik Indonesia Nomor 18 Tahun 2007 tentang Pengesahan Persetujuan Antara Pemerintah Republik Indonesia dan Pemerintah Republik Sosialis Vietnam tentang Penetapan Batas Landas Kontinen, 2003.