



# Indonesia and the Law of the Sea: Beyond the archipelagic outlook

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## INTRODUCTION

As the pivotal state<sup>1</sup> in Southeast Asia, Indonesia uses maritime diplomacy as a means of establishing cooperative regional relationships, thereby achieving two objectives: first, ensuring its security; and second—by actively resolving its border disputes—demonstrating its leadership credentials to mediate interstate boundary disputes in the region. Lacking sea power capable of projecting its maritime interests and securing its borders, the alternative of using maritime diplomacy reduces the causes of insecurity, thus augmenting Indonesia's national security. Indonesia's management of its border disputes is a classic example of implementing preventive diplomacy in the management of regional issues that involve or threaten military conflict; such an approach significantly bolsters its claim to regional leadership.

This paper analyses how a rising Indonesia may redefine the security of its maritime domain in light of the increasingly assertive presence of major powers in the sea-lanes of East and Southeast Asia. While much analysis of Indonesia's maritime security is viewed through the lens of the Archipelago Outlook (*Wawasan Nusantara*), which emphasises the importance of national unity and territorial integrity, the current geopolitical situation in the region, characterised by the rise of maritime powers in Asia and beyond, has increasingly made Indonesia's archipelagic sea-lanes (ASLs) and its associated maritime choke-points (Malacca, Sunda, Lombok, and Makassar Straits) critical, and therefore consequential to its foreign policy strategic planners. Not only are ASLs a crucial factor in global trade, but even more so than in previous decades they are becoming the flashpoints for the projection of maritime power. The consequences and therefore the contention of this paper is that Indonesia will take incremental steps to re-orient its diplomatic, legal, and security focus towards meeting potential external maritime challenges. This is a fundamental issue to address as it will shape and influence the evolution of Indonesia's ascending power.

The research we embark upon is important for several reasons. First, while much of the literature has explained Indonesia's inward-looking strategic psyche in descriptive terms, little attention has been given to the country's outward-looking orientation. With the rise of China and India, compounded by the United States' pivot to Asia with the aim of reinforcing its status as the region's principal strategic actor, Indonesia's geopolitical calculus has become more convoluted, especially in the maritime domain. Our research will be the first attempt to chart out Indonesia's strategic maritime environment in the post-Suharto era.

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1 The qualities of the Republic of Indonesia, the world's fourth most populous country, the largest democracy in the Muslim world, and geo-strategically, Southeast Asia's most significant state give it the attributes of a 'pivotal state'. According to the authors of an influential study, a pivotal state is 'geo-strategically important state to the United States and its allies', and its importance is attributed to its ability not only to 'determine the success or failure of its region but also significantly affect international stability'. See Robert Chase, Emily Hill and Paul Kennedy eds., *The Pivotal States: A New Framework for U.S. policy in the Developing World* (New York: W.W. Norton & Company, Inc 1999), pp: 6 and 9.

Second, this paper will critically examine the Archipelago Outlook concept, especially with the intention of ascertaining the extent to which it applies to Indonesia's external maritime settings. It will argue that while the Archipelago Outlook remains an identity for Indonesia as a unitary state, it provides little if any guidance for Indonesia to manoeuvre through the current geopolitical landscape characterised by competition between the major maritime powers.

Third, in light of an increasingly challenging maritime strategic environment, we then speculate how Indonesia may designate its east/west archipelagic sea lanes, particularly in terms of the opportunities and vulnerabilities they pose.

Fourth, the paper describes Indonesia's strategic maritime environment beyond the scope of the Archipelago Outlook with reference to the presence and role of major powers in the region and the implications of their maritime projections for the security of Indonesia's ASLs and choke-points.

Fifth, in the conclusion we explain how Indonesia attempts to shape, influence, and adapt to the prevailing strategic environment: specifically, how Indonesia will deal with the increasingly intertwined interests of major powers and the implications of that complexity for the security of Indonesia's maritime domain.

## ARCHIPELAGO OUTLOOK: THE EVOLUTION OF A CONCEPT

Indonesians often refer to their archipelago as the 'cross-road location' (*posisi silang*) between the Indian and Pacific Oceans and between the Asian and Australian continents,<sup>2</sup> emphasising that geographical position should be viewed not only in terms of physical location, but also in terms of perceptions of status, power and national aspirations. The geopolitics of Indonesia is informed by its national identity and its aspirations. For example, considering its archipelagic nature, Indonesia is a 'maritime nation', although much less a seafaring one. The Archipelagic Outlook constitutes the self-identity of Indonesia as based on territorial integrity stretching 'from Sabang to Merauke' (*dari Sabang sampai Merauke*).<sup>3</sup>

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2 Evan Laksmana, 'The Enduring Strategic Trinity: Explaining Indonesia's Geopolitical Architecture', *Journal of the Indian Ocean Region* Vol.1, No.1, (2011), p. 96.

3 Sabang and Merauke are respectively Indonesia's westernmost and easternmost cities located in the Provinces of Aceh and Papua.

The Archipelagic Outlook is also constitutive of an obsession with national security, which is driven by the common perception that Indonesia is always vulnerable to stronger foreign powers using strategies that divide and rule. This is evident in its articulation of the *Wawasan Nusantara* concept, which comprises a number of elements: the prevailing concern over national disintegration; the resulting emphasis on unity; the need for economic development, particularly in the less-developed provinces; economic nationalism; an emphasis on political stability; the sanctity of national borders; and, lastly, the importance Indonesia attaches to the Law of the Sea as the means by which to ensure the *Wawasan Nusantara*.

In giving recognition to Indonesia's concept of the archipelagic state, the Law of the Sea recognizes the key element of Indonesia's national outlook. The concept of territorial and national unity which regards Indonesia as an inseparable union of land and water (*tanah-air* or homeland) was first mooted in 1957. More importantly, the extension of territorial seas to 12 nautical miles and the concept of archipelagic sea lanes that preserve international sea routes have given Indonesia greater control over the exploitation, use and security of its archipelagic waters.<sup>4</sup>

In the late 1950s there was general consensus among all domestic Indonesian political parties and groups that the seas of the Indonesian archipelago required increased control. For Hasyim Djalal, the pockets of high seas between Indonesian islands enabled foreign warships and submarines to traverse the archipelago unregulated; they often conducted manoeuvres visible from the coast, thereby provoking 'domestic consternation and political upheaval'.<sup>5</sup> The solution was to draw baselines along Indonesia's outermost islands, from which the 12-mile territorial sea limit was drawn. On 13 December 1957 Indonesia declared that all the waters within these baselines became 'internal or national waters' and were considered 'integral parts' of the Indonesian state. In these waters, foreign vessels, civilian or military, were only entitled 'innocent passage'.

Part of the declaration was the creation of the Archipelago Outlook. As a *political* concept it bound a geographically dispersed and socio-culturally diverse chain of islands together as a single unified archipelago. On the one hand, the concept reflects a deep-seated concern bordering on paranoia towards any party—domestic or external—that could provoke, incite, assist, or endorse secessionist elements within Indonesia. On the other hand, it is indicative of Indonesia's acute sense of vulnerability towards its maritime domain.<sup>6</sup> The Archipelago Outlook, therefore, has re-defined the way Indonesia views its maritime domain. It has created a sense of entitlement<sup>7</sup> and ownership in the control of internal waters—territorial seas and archipelagic waters—while providing the political legitimacy necessary for Jakarta to unite the diverse archipelago.

The reaction of maritime powers such as the United States and the United Kingdom to the declaration was expeditious and resolute: Indonesia was accused of violating the sacrosanct principle of freedom of navigation and free transit, whereby no single entity could possess the sea, which—reflecting Grotian tradition—was regarded as a global commons. Regardless of this, Jakarta persisted in charting a lonely course, beginning a 25-year struggle for recognition as an archipelagic state. During these years Indonesian diplomats lobbied the international community, at times engaging the great powers in negotiations, arguing that Indonesia as an archipelago should deserve special rights in International Law. Indonesia's lobbying efforts finally bore fruit in December 1982, when the special provisions in Part IV dealing specifically with the unique requirements of archipelagic states in the United Nations Convention on the Law of the Sea (UNCLOS) came into force.<sup>8</sup> According to Part IV, Indonesia is entitled to draw baselines around its archipelago, but in the process should consult with neighbouring states affected by those baselines and designate sea lanes for ships that normally transit Indonesian waters. The waters enclosed by the baselines would become archipelagic waters where Indonesia holds full sovereignty, but 'archipelagic sea lanes' may be designated for foreign vessels for normal transit.

4 Leonard C. Sebastian, 'Domestic Security Priorities, 'Balance of Interests' and Indonesia's Management of Regional Order', in Joseph Chinyong Liow and Ralf Emmers, eds., *Order and Security in Southeast Asia: Essays in Memory of Michael Leifer*, (London/New York: Routledge, 2006), p. 178.

5 Hasyim Djalal, 'Indonesia and the Law of the Sea', (Jakarta: Center for Strategic and International Studies, 1995).

6 See Michael Leifer, 'Indonesia's Foreign Policy', cited in Leonard C. Sebastian, *Domestic Security Priorities, 'Balance of Interests' and Indonesia's Management of Regional Order* op.cit, p. 54.

7 *Ibid.*

8 'United Nations Convention on the Law of the Sea', Dec. 10, 1982, 1833 U.N.T.S. 397 [hereinafter UNCLOS].

## ARCHIPELAGIC SEA LANES, MARITIME BOUNDARIES, AND CHOKE-POINTS

Archipelagic waters fall within the sovereignty of a state regardless of the breadth of distance between its islands.<sup>9</sup> In Indonesia's case, for example, there are no longer high seas between Java and Kalimantan; maritime areas previously regarded as part of the high seas and which were used for international navigation now belong exclusively to Indonesia. To avoid situations in which such an interpretation would hinder previous freedom of navigation in archipelagic waters, it was necessary for Indonesia to designate archipelagic sea lanes. ASLs are the trade-off recognised by a state in return for being granted archipelagic state status and for being able to exercise sovereignty over archipelagic waters. Such an arrangement allows for compromise between coastal states with growing jurisdiction over maritime areas adjacent to them and other maritime states insisting on retaining their historical right to freedom of the seas.<sup>10</sup>

Indonesia determined that the concept of archipelagic sea lanes would be appropriate to its maritime domain because the archipelago is located on the major shipping routes between the Indian and Pacific Oceans. However, although designating archipelagic sea lanes in Indonesian waters would permit the government to concentrate its efforts on providing navigational safety and security in relation to foreign vessels, the promulgation of UNCLOS would not permit the government to prevent foreign vessels transiting through the routes they used to navigate. From Indonesia's perspective, the fact that vessels could continue arbitrary transit meant that the security benefits of archipelagic status were not sufficient. Foreign vessels, civilian or military, remained able to sail through Indonesia waters regarded sensitive to national security and safety, such as the Java Sea, located in close proximity to the vast majority of Indonesia's population and key economic centres.

Indonesia's effort to implement Archipelagic Sea-lane Passage (ASLP) in its archipelagic waters commenced immediately subsequent to its ratification of UNCLOS, which culminated in a National Working Group meeting in Cisarua in early 1995. The meeting managed to establish consensus on a proposal of three north-south ASLs that had been proposed during the Indonesian Navy Strategic Forum in 1991.<sup>11</sup> Puspitawati (2005) has noted that the proposal was submitted to the International Maritime

Organization (IMO)<sup>12</sup> in 1996 during the 67th meeting of the Maritime Safety Commission (MSC-67). Three related institutions and 22 states provided their responses, with a majority of states commenting on the lack of east-west ASLs. The proposal was reconsidered in order to address these concerns, but Indonesia subsequently failed to implement a plan that included east-west ASLs. In its London proposal to MSC-69 Indonesia maintained its original position, designating only three north-south ASLs, which were approved by the IMO on 19 May 1998. However, even though Indonesia's original ASL submission did not opt for a partial designation, its proposition was deemed only 'partially designated' since it did not include all normal passage routes used for international navigation, and in particular because it excluded east-west ASLs.<sup>13</sup> During consultations with other user States – namely, the Maritime states – prior to the submission, Australia and the United States specifically proposed possible east-west ASLs that Indonesia should include in its submission to the IMO, but which it omitted. In making their own proposals concerning east-west ASLs, Australia and the United States were motivated by their concern regarding the application of innocent passage rules to east-west routes.<sup>14</sup>

## HOW TO DESIGNATE EAST-WEST SEA-LANES

In order for detailed rules to be applied regarding the ASLs, Indonesia, Australia and the United States first informally agreed on several points called the '19 rules'. The 19 rules specifically govern the rights and obligations of transiting vessels in Indonesia's designated ASLs.<sup>15</sup> An important point to deduce from the '19 rules' is that in areas where ASLs have yet to be designated, the right of ASLP 'may be exercised in the relevant archipelagic waters in accordance with the Law of the Sea Convention, 1982.' This stipulates that where ASLs have yet to be designated Indonesia agrees to permit transiting vessels to navigate through its archipelagic waters along any routes normally used for navigation, as specified by Article 53 (12) of UNCLOS.

9 UNCLOS, Article 49 (1).

10 Penny Campbell, 'Indonesian Archipelagic Sea Lanes', in *Papers in Australian Maritime Affairs* No.5.

11 NP Elio, 'Hasil Sidang IMO dan Konsultasi IHO tentang ALKI dalam rangka implementasi UNCLOS 1982' [Results of IMO Assembly and IHO Consultation on Indonesia's Archipelagic Sea Lanes in relation to the Implementation of UNCLOS 1982], cited in D. Puspitawati, 'The East/West Archipelagic Sea Lanes Passage Through the Indonesian Archipelago', *Maritime Studies*, Vol. 140, January-February (2005), p. 3.

12 IMO is considered as the 'competent international organization' as governed by UNCLOS, Article 53 (9) for the purpose of the designation of ASLs. There are views that question the legitimacy of IMO to be considered as 'competent international organization' on this matter. For an argument on this, see for example, Chris Forward, 'Archipelagic Sea-Lanes in Indonesia – Their Legality in International Law', *Australian & New Zealand Maritime Law Journal*, Vol.23, No.2, November 2009, pp. 143–156. Puspitawati, on the other hand views that 'the competence of the IMO as the organisation is appropriate'. See, Puspitawati, 2005, *op. cit.*, p. 4.

13 Puspitawati, 2005, *op. cit.*, p. 4.

14 Puspitawati, 2005, *op. cit.*, p. 6.

15 For a complete documentation of the '19 rules', see: Puspitawati, 2005, *op cit*, p. 9-10.

To illustrate Indonesia's detractor from international laws in relation to sea lane transit, Indonesian Government Regulation 37/2002 regarding the implementation of the ASL and ASLP does not accord with UNCLOS and the '19 rules'. The interests of Indonesia as a coastal state differ from maritime user states such as Australia and the United States, as is made clear in Indonesian government regulation. Government Regulation 37/2002 does not specifically state whether Indonesia has opted for partial ASL designation. An important point to note from the regulation is that ASLP can be exercised in any part of Indonesia's archipelagic waters 'as soon as archipelagic sea lanes have been designated in those waters.'<sup>16</sup> This is clearly inconsistent with UNCLOS, which allows transiting vessels to navigate through normal routes used for navigation within archipelagic waters. In other words, UNCLOS prescribes that all foreign vessels can navigate through archipelagic waters with or without ASLs being designated, and that a coastal state has neither the right to prevent foreign vessels from conducting transit, nor the authority to suspend the right of transit.

By not specifying its east-west ASLs, Indonesia has only partially designated the required complement of ASLs necessary to qualify under UNCLOS. Any complete designation of ASL requires careful study and consideration so that Indonesia can balance its national interests and international obligations. Elements within the security agencies have argued that the designation of east-west ASLs will place Indonesia in a vulnerable position, with foreign vessels enjoying freedom of transit in Indonesia's archipelagic waters; others have similarly contended that Indonesia's national security may be compromised.<sup>17</sup> Besides these issues, there are those who would point to Indonesia's role as the host state, raising concerns over its practical capacity to monitor busy navigation activity and ensure the safety and security for vessels in the ASL.<sup>18</sup> Such reservations are valid considering Indonesia's lack of adequate equipment and facilities to conduct comprehensive surveillance.

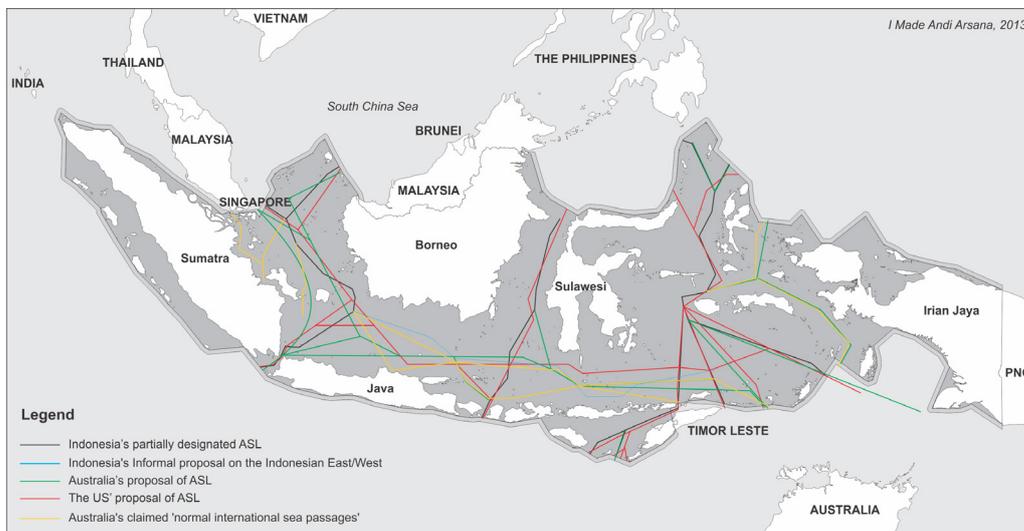
Yet, our contention is that as Indonesia grows in confidence the issue of ASLP will be viewed prevalently from a perspective of benefit and obligation. As previously highlighted, designation of ASLs is commonly regarded as compensation for Indonesia's recognition as an archipelagic state with sovereignty over archipelagic waters. Even though coastal states do not have to designate ASLs, strategic planners of national and foreign policy in Indonesia may conclude that such action is beneficial for the following reasons. First, coastal states can focus only on particular routes when it comes to ensuring the safety and security of foreign vessel transit routes. Should ASLs not be designated, foreign vessels would then use a variety of possible routes normally used for international navigation. Such haphazard usage adds further complexity and the possibility of incidents at sea, thereby adding to the already complicated situation of navigation in archipelagic waters. Second, the designation of east-west ASLs could enhance Indonesia's diplomatic position since maritime user states will view this as a collaborative and cooperative approach on the part of Indonesia, for example, in proposing to maritime user states potential collaborative initiatives that would benefit Indonesia. Third, although there will be consequences for Indonesia when developing a strategy on how to ensure that the designation of east-west ASLs does not compromise Indonesia's national interest, future strategic planners may see such a situation not as a challenge, but as a motivation for Indonesia to enhance its ability to ensure navigational safety in its archipelagic waters—a maritime zone considered to be one of the most important waterways not only for states in the region, but also for the world.

Options for east-west ASL that Indonesia might consider could be derived from a combination of: first, the proposals of Australia and the United States, subject to modifications and enhancements; and second, the informal proposal of an east-west ASL option produced by an Indonesian Navy working group. By combining these proposals—namely, Australia's claim to 'normal international sea passages' and Indonesia's omission of east-west ASLs—it is possible to produce a relatively comprehensive proposal incorporating east-west ASLs. Figure 1(a) illustrates a combination of all proposals, views and suggestions, while Figure 1(b) depicts one possible option regarding ASLs for Indonesia, with an emphasis on the east-west routes. It has to be noted that this is not the only possibility and this option is a consequence of using an approach that prioritises the need to minimise the number of routes. Such an approach might be viewed as an appropriate option for Indonesia to strike a balance between the convenience of navigation by foreign vessels and Indonesia's obligations as a consequence of ASL designation.

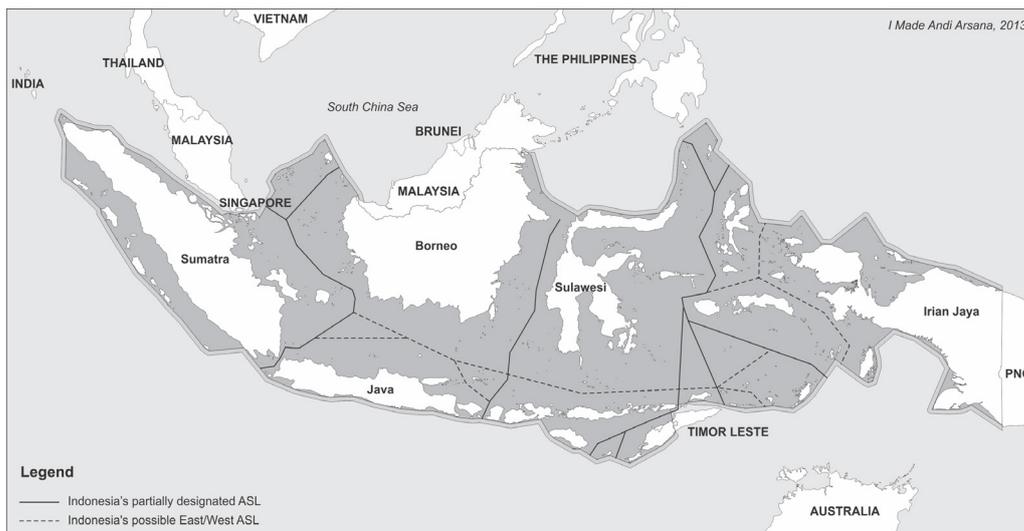
16 *Government Regulation Number 37 of 2002, on The Rights and Obligations of Foreign Ships and Aircraft when Exercising the Right of Archipelagic Sea Lanes Passage through Established Archipelagic Sea Lanes*, [hereinafter *Government Regulation Number 37 of 2002*], Article 3 (1). An English translation is available at: <http://www.law.unimelb.edu.au/files/dmfile/GovernmentRegulationNo2.pdf>.

17 In an informal discussion on 15 May 2013 in Sydney, Australia, Indonesian Air Marshal (Rtd), Eris Herryanto, former Secretary General of Ministry of Defence indicated that the designation of east-west ASLs may compromise Indonesia's national security. The discussion was in conjunction with the Australian-Indonesian Next Generation Defence and Security Forum, organised by the Australian Strategic Policy Institute (ASPI).

18 Head of Commission I of the Indonesian House of Representative (DPR), Mahfuz Sidiq, stated that the primary defence weapon system (Alutsista) of the Indonesian Navy is inadequate to guard and protect Indonesia's ASLs. See, *Sindonews*, 27 December 2012, 'Alutsista TNI AL minim, negara rugi Rp40 T', [Navy's Alutsista inadequate, Indonesia suffers IDR 40 trillion of loss], available at: <http://nasional.sindonews.com/read/2012/12/27/14/701229/alutsista-tni-al-minim-negara-rugi-rp40-t>.



**Figure 1(a) Combination of all proposals, views and suggestions**



**Figure 1(b) Possible option of ASLs for Indonesia, with emphasis on east–west routes**

## OPERATIONALISING ASL DESIGNATION

To better manage its maritime zones, Indonesia's boundary administration has to contend with three main issues:

1. illegal activities occurring at boundary areas;
2. geospatial/technical issues; and
3. information dissemination.

The challenge regarding illegal activities revolves around the need to provide an adequate number of maritime patrol vessels and sufficient staff resources. Established maritime boundaries have to be monitored by both military and civilian officials possessing adequate knowledge and the necessary equipment. To

safeguard such a large maritime boundary area, Indonesia would require substantial resources, but present levels of inventory and skilled staff remain woefully inadequate to this task.<sup>19</sup> In addition to this, coordination is also an essential challenge.

<sup>19</sup> Defence Minister, Purnomo Yusgiantoro, admitted the need to improve facilities for the Indonesian Armed Forces (TNI). See: *Jurnal Nasional*, 22 August 2011, 'Menhan akan Modernisasi Alutsista', [Defence Minister will modernise main weaponry system (Alutsista), available at: [http://www.jurnas.com/news/37982/Menhan\\_akan\\_Modernisasi\\_Alutsista/1/Nasional/Keamanan](http://www.jurnas.com/news/37982/Menhan_akan_Modernisasi_Alutsista/1/Nasional/Keamanan). See also 'Buku Putih Pertahanan Indonesia 2008', [Indonesia's Defence White Paper 2008] (Jakarta: Indonesia's Ministry of Defence, 2008).

There are a variety of institutions that play an important role in safeguarding Indonesia's maritime boundaries; without proper coordination among those institutions, functional conflict occurs. Therefore, the role of the Maritime Security Coordinating Board (BIG, Bakorkamla, *Badan Koordinasi Keamanan Laut*)<sup>20</sup> is vital in facilitating coordination among existing institutions. Should Bakorkamla fail in performing its coordinating tasks, it will become yet another institution hinders an already complex matrix of competing Indonesian actors.

For geospatial/technical issues, the primary challenge lies in providing adequate geospatial information for the purposes of boundary administration. A challenge for the Geospatial Information Agency (*Badan Informasi Geospasial*, BIG)<sup>21</sup> and the Indonesian Navy's Hydro-Oceanographic Office (Dishidros, *Dinas Hidro-Oseanografi TNI-AL*)<sup>22</sup> is to provide charts with adequate technical specifications. While there is no legal requirement regarding the frequency with which charts depicting baselines and maritime boundaries should be updated, such charts need to be updated regularly to account for environmental changes so that reliable maps are available for safe navigation.<sup>23</sup> This necessitates expensive field surveys and cartographic processes, which of themselves are a challenge. Another challenge is how to define the right geodetic data for maritime boundary treaties already concluded between Indonesia and its neighbours.<sup>24</sup> This will require intensive geospatial research involving various parameters and assumptions. Furthermore, the fixing of data may in turn result in changes being made to existing treaties, thereby complicating the treaty making process.

Part of the challenge of information dissemination derives from the need to balance confidentiality in information use with the urgency to educate relevant parties by providing as much accurate information as possible. Added to this is the challenge to express legal and technical matters concerning maritime boundaries in accessible language in order reach as broad an audience as possible. In this case, relevant parties in the government need to be aware that the means of conveying information is as important as its content.

Apart from the aforementioned challenges, opportunities also exist in the context of boundary administration. Disputes and incidents in relation to boundary issues may be viewed as opportunities to build awareness among relevant parties in the government and the public realm. By recognising the consequences of how improper boundary administration can compromise safety and security, relevant parties involved should realise that managing boundaries is as important as establishing them. This can, to an extent, accelerate and improve Indonesia's maritime boundary management programme. Similarly, greater awareness among the public on the importance of boundary management can also generate pressure for the relevant government parties to take their job more seriously.

The establishment of the National Agency for Border Management (BNPP, *Badan Nasional Pengelolaan Perbatasan*) is the ideal recourse for the government of Indonesia to deal with boundary administration issues. However, apart from its idealistic objectives, there is considerable room for improvement of the agency's roles, particularly its coordination responsibilities for border management in Indonesia. Capacity building remains one of the most important issues for the agency to address in order to perform its coordination function effectively.<sup>25</sup>

## CONCLUSION: GOING BEYOND THE ARCHIPELAGO OUTLOOK

Although the Archipelago Outlook provides Jakarta with the political legitimacy to exert a level of control over Indonesia's internal waters and unite the archipelago, how is it relevant to the maritime environment beyond its shores? Despite all of its acclaims and accolades, the Archipelago Outlook is an inherently inward-looking concept. Its principal aim is to emphasise national unity out of diversity as a consequence of being an archipelagic nation; this reflects a sense of fragility and vulnerability towards centrifugal forces capable of drawing the outlying islands away from Jakarta's political control. However, this concept also ignores the fact that as Jakarta's interests expand overseas, more than unity is required to safeguard the archipelago. It also supersedes the dynamic nature of a maritime strategic environment. The rise of maritime powers, operating within and outside the region, has placed increasing stress on Indonesia's critical location at the maritime cross-roads of Asia, particularly in regard to the choke-points and archipelagic sea lanes. In this context, the Archipelago Outlook in its current state has little to offer for Indonesia in enabling it to keep pace with the regional maritime strategic environment, let alone to shape and influence it.

20 See, 'Vision, Mission, Tasks and Functions' of Bakorkamla, available at: <http://www.bakorkamla.go.id>

21 See official website of BIG: <http://www.big.go.id>

22 See official website of Dishidros: <http://www.dishidros.go.id>

23 C. Schofield and I.M.A. Arsana., 'Imaginary Islands? Options to Preserve Maritime Jurisdictional Entitlements and Provide Stable Maritime Limits in the Face of Coastal Instability'. ABLOS Conference, Monaco, (2010), available at: <http://www.gmat.unsw.edu.au/ablos/ABLOS10Folder/S2P1-P.pdf>.

24 For an example of technical analysis relating to maritime boundary geodetic datum, see S. Lokita and A. Rimayanti., 'The Solution Method for the Problem of the Geodetic Datum of the Territorial Sea Boundary between the Republic of Indonesia and the Republic of Singapore'.

25 I.M.A. Arsana and S. Lokita, 'Indonesia's New Approach to Border Management', in M.S. Zein, and IMA Arsana, *Contribution Matters! 2.0: Insights of Indonesian Students in Australia*, PPIA, Canberra, Australia, 2011, p. 168.

We contend that in the coming decades Indonesia's strategic planners of national and foreign policy will seek to address this anomaly by proactively managing their maritime environment. This is primarily because the future of Indonesia's maritime environment will be characterised by several trends. First, the rise of Asian maritime powers will affect regional stability. The rapid economic growth of Asia has meant that the region has increased its political and military might. For the first time in history, Asia has surpassed Europe in terms of defence expenditure.<sup>26</sup> In Southeast Asia, the majority of defence expenditure will be incurred building a more capable and farther reaching maritime force.<sup>27</sup> This will create new opportunities and challenges for regional security and stability.

Second, simmering regional tensions emerging out of historical grievances and territorial disputes are increasingly compounded by rising nationalism and regional interstate trust deficits. While the region has undergone rapid economic growth and interdependence, these trends have not reshaped the way regional states view sovereignty. On the contrary, regional states possess increasing military capability to entrench their hold on sovereignty, which make sensitive issues such as historical grievances and maritime disputes extremely complicated and difficult to resolve and to manage.

Third, the rise of China and the role of the United States have added to the complexity of factors affecting regional stability. The rise of China has been welcomed in the region, as it has brought with it new diplomatic and economic alternatives, providing options for regional states previously dependent on the West. This is particularly so in the case of Indonesia, whose 'free and active' foreign policy discourages tendentious alignments with any major powers. However, regional states are equally wary about growing Chinese power and intentions, as China also displays ambitions for leadership and hegemony, while being perceived as aggressive whenever it comes to protecting its interests. Meanwhile, the United States, which has officially declared China a 'peer competitor', gives the impression of exploiting the situation as an opportunity to renew its strategic military presence in Asia after a decade of being distracted and absorbed in conflicts in the Middle East. The rise of Asian maritime powers and simmering regional tensions will decide the future role of the United States in the region.

Fifth, the evolving nature of non-traditional security challenges will also affect the future of Indonesia's maritime environment. While major power competition is certainly a defining feature in the current strategic landscape, new security challenges warrant attention. The threats of piracy and sea robbery, terrorism, smuggling, and pollution remain increasingly problematic throughout the region. Multinational and cooperative efforts have sought to address such challenges, but due to their dynamic and evolving nature, new measures and initiatives must constantly be developed and implemented. For Indonesia, efforts to address non-traditional maritime security threats have often led to previously unforeseen types of regional engagement. 'Coordinated patrols' organised with neighbouring countries have multiplied regional naval diplomatic initiatives and serve as another avenue in confidence-building measures as regional navies increase in size and strength. As a consequence, the Indonesian Navy has participated in out-of-area deployments to counter piracy and illegal activities at sea in the Gulf of Aden and the Mediterranean Sea.<sup>28</sup>

The last concern is that of Indonesia's growing overseas interests. According to a recent McKinsey report, Indonesia is projected to be the seventh largest economy in the world in 2030.<sup>29</sup> It is currently the sixteenth largest economy in the world, and a member of the G20. Indonesia is also one of the world's largest exporters of natural resources including coal, palm oil, and natural gas. For example, India and China have now become Indonesia's largest coal and gas export destinations.<sup>30</sup> Indonesia also consumes more energy than in the past. It became a net oil importer in 2004, shipping the bulk of its oil from the Middle East. This is a clear indication that Indonesia's economy is becoming increasingly intertwined with seaborne routes, and that disruptions to seaborne trade would deliver a severe blow to economic growth.

26 See, <http://www.voanews.com/content/asia-defense-spending/1527336.html>.

27 See, <http://www.reuters.com/article/2012/10/07/us-defence-southeastasia-idUSBRE8960JY20121007>

28 The Indonesian Navy sent a naval task force to the Gulf of Aden in April 2011 to rescue 20 Indonesian sailors held hostage by Somali pirates, while a permanent naval contingent is deployed in the Mediterranean Sea to support the UNIFIL-Maritime Task Force (UNIFIL-MTF) along the Lebanese maritime border. Available at: <http://www.voanews.com/content/somali-pirates-release-indonesian-ship----121086654/158016.html> and <http://www.antaraneews.com/en/news/82154/kri-hasanuddin-366-on-peace-mission-to-lebanon>

29 [http://www.mckinsey.com/insights/mgi/research/asia/the\\_archipelago\\_economy](http://www.mckinsey.com/insights/mgi/research/asia/the_archipelago_economy)

30 <http://www.thejakartaglobe.com/bisindonesia/indonesia-to-lead-coal-export-growth-through-2020/444341>

These trends point to the outward-looking nature of Indonesia's maritime strategic environment: such a perspective exceeds the scope of the Archipelago Outlook. Although these trends persist, Indonesia is presently bereft of an equivalent concept capable of combining them in an outward-looking projection of its regional and international influence. One official has suggested the need for the adoption of an 'archipelagic foreign policy' that is reflective of Indonesian geography as well as a desire to move beyond the inward-looking Archipelago Outlook, while remaining faithful to its 'free and active' foreign policy principle.<sup>31</sup> The efficacy of archipelagic foreign policy can be seen in three ways. First, it is able to define the priorities that meet archipelagic needs relating to issues of development, climate change, and food and energy security. Second, it can define the choice of foreign policy instruments by using a maritime perspective, improving maritime connectivity in support of the development of Southeast Asian regional markets, and actively contributing to UN-sanctioned naval peace support operations. Third, by locating the meeting points between national security policy and foreign policy, it is capable of recognising that Indonesia warrants defence and security arrangements peculiar to its archipelagic geography.

## BIBLIOGRAPHY

Arsana, I.M.A. and Lokita, S., (2011), 'Indonesia's New Approach to Border Management', in M.S. Zein, and I.M.A. Arsana, *Contribution Matters! 2.0: Insights of Indonesian Students in Australia*, PPIA, Canberra, Australia.

'Australian-Indonesian Next Generation Defence and Security Forum', organised by the Australian Strategic Policy Institute (ASPI).

BIG: Official website, <http://www.big.go.id>.

Campbell, Penny, 'Indonesian Archipelagic Sea Lanes', *Papers in Australian Maritime Affairs* No. 5.

Chase, R., Hill, E., and Kennedy, P., eds., (1999) *The Pivotal States: A New Framework for U.S. policy in the Developing World*, New York: W.W. Norton & Company, Inc.

Dishidros, Official website, <http://www.dishidros.go.id>

Djalal, H., (1995) 'Indonesia and the Law of the Sea', Jakarta: Center for Strategic and International Studies.

Elo, N.P., (1982) 'Hasil Sidang IMO dan Konsultasi IHO tentang ALKI dalam rangka implementasi UNCLOS 1982', [Results of IMO Assembly and IHO Consultation on Indonesia's Archipelagic Sea Lanes in relation to the Implementation of UNCLOS 1982].

Forward, Chris, (2009) 'Archipelagic Sea-Lanes in Indonesia – Their Legality in International Law', *Australian & New Zealand Maritime Law Journal*.

Government Regulation Number 37 (2002) 'The Rights and Obligations of Foreign Ships and Aircraft when Exercising the Right of Archipelagic Sea Lanes Passage through Established Archipelagic Sea Lanes', available at: <http://www.law.unimelb.edu.au/files/dmfile/GovernmentRegulationNo2.pdf>.

Informal discussion on 15 May 2013 in Sydney, Australia. Indonesian Air Marshal (Rtd) Eris Herryanto, former Secretary General of Ministry of Defence.

Jurnal Nasional, (2011) 'Menhan akan Modernisasi Alutsista', Defence Minister will modernise main weaponry system, (Alutsista), available at: [http://www.jurnas.com/news/37982/Menhan\\_akan\\_Modernisasi\\_Alutsista/1/Nasional/Keamanan](http://www.jurnas.com/news/37982/Menhan_akan_Modernisasi_Alutsista/1/Nasional/Keamanan).

Laksmana, Evan, (2011) 'The enduring strategic trinity: explaining Indonesia's geopolitical architecture', *Journal of the Indian Ocean Region* Vol. 1, No.1.

Lokita, S. and Rimayanti, A., (2010) 'The Solution Method for the Problem of the Geodetic Datum of the Territorial Sea Boundary between the Republic of Indonesia and the Republic of Singapore', FIG Congress, Sydney, available at: [http://www.fig.net/pub/fig2010/papers/ts01i/ts01i\\_rimayanti\\_lokita\\_4544.pdf](http://www.fig.net/pub/fig2010/papers/ts01i/ts01i_rimayanti_lokita_4544.pdf).

Pertahanan, Buku Putih, (2008) 'Indonesia's Defence White Paper 2008', Jakarta: Indonesia's Ministry of Defence.

Puspitawati, D., (2005) 'The East/West Archipelagic Sea Lanes Passage Through the Indonesian Archipelago', *Maritime Studies*, Vol.140, January-February (2005).

Schofield, C., and Arsana, I.M.A., (2010) 'Imaginary Islands? Options to Preserve Maritime Jurisdictional Entitlements and Provide Stable Maritime Limits in the Face of Coastal Instability', ABLOS Conference, Monaco, available at: <http://www.gmat.unsw.edu.au/ablos/ABLOS10Folder/S2P1-P.pdf>.

Sebastian, Leonard C., (2006) 'Domestic Security Priorities, 'Balance of Interests' and Indonesia's Management of Regional Order' in Joseph Chinyong Liow and Ralf Emmers, eds., *Order and Security in Southeast Asia: Essays in Memory of Michael Leifer*, London/New York: Routledge, p. 178.

Sindonews, (2012) 'Alutsista TNI AL minim, negara rugi Rp40 T', 'Navy's Alutsista inadequate, Indonesia suffers IDR 40 trillion of loss', available at: <http://nasional.sindonews.com/read/2012/12/27/14/701229/alutsista-tni-al-minim-negara-rugi-rp40-t>.

United Nations Convention on the Law of the Sea, 10 December 1982, 1833 U.N.T.S. 397.

*Vision, Mission, Tasks and Functions of Bakorkamla*, available at: <http://www.bakorkamla.go.id>.

Yayan Mulyana, (2012) 'Developing an archipelagic foreign policy', *The Jakarta Post*, 9 January.

<sup>31</sup> Yayan Mulyana, 'Developing an archipelagic foreign policy', *The Jakarta Post*, 9 January 2012.