

Maritime Sovereignty and Maritime Diplomacy of Indonesia as Instruments Toward Becoming a Global Maritime Fulcrum

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ABSTRACT

Maritime sovereignty, maritime diplomacy, and the Global Maritime Fulcrum are interrelated concepts that form the core components of Indonesia's efforts to become a strong and sovereign maritime nation. Maritime sovereignty refers to a state's legitimate, sovereign, and effective right to control and manage its maritime territory. Maritime diplomacy serves as a foreign policy instrument employed to reinforce maritime sovereignty through negotiation, cooperation, and diplomacy with other countries. The Global Maritime Fulcrum is Indonesia's strategic vision to become a sovereign, advanced, independent, and strong maritime center that contributes positively to regional and global peace and security—supported by robust maritime sovereignty and diplomacy.

Keywords: Maritime Sovereignty, Maritime Diplomacy, Global Maritime Fulcrum, Indonesia.

INTRODUCTION

Maritime life is a highly complex phenomenon. It can be shown by the extensive maritime activities within society, the interconnectedness of various sectors and subsectors of the ocean-based economy, the hierarchical structures and levels of involvement in maritime affairs, and the deep integration of maritime cultural elements in community life—characterized by both diversity and shared values. Therefore, collaboration and active roles are essential among government institutions, academics, non-governmental organizations (NGOs), community leaders, and donor agencies in seeking sustainable and environmentally conscious solutions for the management of marine resources and ecosystems, ultimately aiming to achieve shared prosperity (Abiddin, *et.al.*, 2022). The government must be capable of identifying, recognizing, and managing the potential of marine, fisheries, and maritime resources. Hence, they can contribute to and align with the national maritime development vision set by the central government. Strategic approaches and policy frameworks are necessary for optimizing and advancing the maritime sector—across economic, tourism, employment, and maritime cultural dimensions (Khanisa & Farhana, 2022).

Geographically, Indonesia is located along the equator, between two continents—Asia and Australia—and flanked by two oceans—the Pacific and the Indian. Since ancient times, the strategic position of the Indonesian archipelago has made it a vital maritime route connecting the Eastern and Western hemispheres (Jannah, 2020). As an archipelagic state, Indonesia holds a strong position both factually and legally in the eyes of the international community. The status of Indonesia as an archipelagic state has been recognized under the United Nations Convention on the Law of the Sea (UNCLOS) of 1982. The Convention stipulates that coastal states have sovereign rights over their maritime areas. These include a territorial sea extending 12 nautical miles from the baseline, a contiguous zone up to 24 nautical miles, an exclusive economic zone (EEZ) extending 200 nautical miles, and a continental shelf up to a depth of 350 meters. The Convention also provides a framework for maritime boundary delimitation in cases of disputes between neighboring states.

According to Part IV, Article 46 of the UNCLOS, the concept or doctrine of archipelagos refers to “a group of islands, including parts of islands, interconnecting waters, and other natural features which are so closely interrelated that such islands, waters, and other natural features form an intrinsic geographical, economic and political entity, or which historically have been regarded as such.” Simply put, an archipelago constitutes a singular geographical unit comprising a cluster of major islands and surrounding waters under the exclusive sovereignty of an archipelagic state.

This concept was affirmed for Indonesia—alongside four other countries—at the international UNCLOS forum held in Jamaica in December 1982 (Suryadinata & Izzuddin, 2017).

As the world's largest archipelagic state, with more than 17,500 islands, Indonesia holds sovereign rights to manage and utilize its maritime resources. However, Indonesia's geostrategic location along key global trade routes, coupled with its vast marine wealth, often renders it vulnerable to external threats and exploitation by other states.

A notable example is the loss of sovereignty over Sipadan and Ligitan islands to Malaysia in 2002, as ruled by the International Court of Justice—an outcome stemming from ineffective monitoring and administration of Indonesia's small islands. Issues related to maritime boundary disputes, state sovereignty, and nationalism continue to challenge Indonesia's border regions. Therefore, Indonesia must undertake concrete measures in managing its small and outermost islands, using the Law of the Sea Convention as the legal basis for determining maritime boundaries (Fadhiil & Afriansyah, 2022)].

In addition, the Natuna Islands represent one of Indonesia's maritime border regions with neighboring countries in the South China Sea. The status of the Natuna Islands and the surrounding waters is internationally recognized as unproblematic. The Government of Indonesia has issued an official statement asserting that the Natuna Islands and their adjacent waters are part of Indonesian territory and do not fall within the maritime claims made by China (Weatherbee, 2016). The Natuna region, which borders the South China Sea, is not only rich in natural resources but also holds strategic value, attracting the attention of external powers such as the United States. Washington opposes China's control over these waters and supports their status as open international waters. Moreover, the United States advocates for stability in the South China Sea, emphasizing the importance of avoiding violent conflict (Fravel, 2016).

Territorial sovereignty is fundamentally distinct from sovereign rights. Imagine drawing points from Indonesia's outermost regions, such as Natuna Island. A line connecting these points constitutes the baseline. From this baseline, a line extending 12 nautical miles outward marks the territorial sea, and everything within this line—including the Indonesian mainland—constitutes sovereign territory. In contrast, a line extending 200 nautical miles from the baseline defines the Exclusive Economic Zone (EEZ). The natural resources within the EEZ are reserved exclusively for exploitation by the coastal state. This exploitation, however, may involve cooperation with other parties, including foreign states or private entities. This is referred to as the exercise of sovereign rights (Nugraha & Yuniarto, 2022). This research aims to identify and analyze Indonesia's efforts to realize its vision of becoming the global maritime fulcrum.

METHODS

This qualitative descriptive study employs a normative (doctrinal) approach, specifically through library-based research with a conceptual framework. The conceptual approach is grounded in prevailing legal doctrines and scholarly perspectives in the field of law (Marzuki, 2013). It is used to analyze legal materials to determine the meaning embedded in legal terminology. The legal materials examined include primary legal sources, secondary sources, and tertiary references. The research stages involve the identification of primary legal materials (such as legislation), secondary materials (including expert analysis and academic commentary), and theoretical exploration related to administrative legal sanctions. Data analysis is carried out through qualitative descriptive methods and presented using non-statistical linguistic argumentation.

RESULTS AND DISCUSSION

1. MARITIME SOVEREIGNTY OF INDONESIA

The terms sovereignty, sovereign rights, and jurisdiction refer to a state's authority to conduct certain activities while excluding interference by other parties. This is in contrast to the concept of freedom recognized under international law for activities on the high seas, which includes the right to operate free from the intervention of other states (Treves, 2015). Sovereignty is a fundamental principle in the organization of state systems. It is also one of the least understood concepts in international relations. This confusion stems from at least two sources. First, as will be discussed, sovereignty is a relatively recent innovation, emerging alongside the rise of the nation-state as the primary unit of political organization. Second, several contemporary issues have increasingly limited the exercise of sovereign authority (Parmar, 2017).

The terms maritime and nautical (or *maritim* and *bahari* in Indonesian) are often assumed to be synonymous, but they denote different meanings. *Maritim* refers to activities related to the sea—especially commercial activities such as shipping and trade—where the sea serves as the medium, object, or setting of activity. Meanwhile, *Bahari* typically refers to people who engage in maritime activities, particularly in or around the sea. The term *bahari* is also frequently associated with historical and cultural contexts, evoking maritime traditions of the past (Purnomo, 2020).

Maritime sovereignty refers to a state's right to control and manage its maritime territory following international maritime law, such as the 1982 United Nations Convention on the Law of the Sea (UNCLOS 1982). With maritime sovereignty, Indonesia possesses full jurisdiction over its territorial sea, Exclusive Economic Zone (EEZ), and continental shelf. This includes the right to exploit natural resources, conduct scientific research, and regulate maritime activities within these zones. Maritime sovereignty also entails the authority to enforce laws and maintain security within its waters—this consists of criminal law enforcement, customs control, and measures to combat illegal fishing activities.

Therefore, maritime sovereignty is a strategic priority for an archipelagic state like Indonesia, where much of the national territory consists of sea and marine resources. However, maintaining maritime sovereignty is not without challenges. These include border disputes, contested maritime areas, maritime security threats, and other related issues. In response to these challenges, efforts must be made to strengthen the capacity of archipelagic states to defend and uphold their maritime sovereignty. In this context, Rosyid (2010) proposes a paradigm shift in maritime development. He outlines four proposed paradigms to guide Indonesia's maritime development: the continental (large island) paradigm, the marine paradigm, the “small island” paradigm, and the archipelagic paradigm. He argues that these paradigms should form the foundation of a national agenda aimed at achieving Indonesia's maritime sovereignty.

a. Historical Aspects

Indonesia's first strategic effort to articulate its maritime geographic policy was through the Djuanda Declaration of 1957. This declaration marked the birth of the Wawasan Nusantara (Archipelagic Outlook), or the Indonesian archipelagic doctrine, which serves as the foundational geopolitical concept of the state (Keller, 2014). The Djuanda Declaration represented the Indonesian nation's struggle to establish its maritime boundaries, thereby affirming the country's territorial unity from political, legal, socio-cultural, and defense-security perspectives.

The Djuanda Declaration was a historic statement issued by the Indonesian government on 13 December 1957. It asserted the conception of Indonesia as an archipelagic state, declaring that the waters between and surrounding the Indonesian islands constitute an integral part of the national sovereign territory. This declaration signified a paradigm shift in how Indonesia viewed its maritime territory—transforming it from a fragmented structure into a unified whole (Liputan6, 2024). The declaration was a response to the prevailing geopolitical conditions and maritime legal frameworks at the time. Previously, Indonesia's maritime boundaries were still defined by the Dutch colonial ordinance known as the Territoriale Zee en Maritieme Kringen Ordonantie (TZMKO) of 1939, which stipulated that territorial waters extended only 3 nautical miles from the coastline of each island.

The formulation of the Djuanda Declaration was driven by several critical factors rooted in Indonesia's national interests and historical realities. First and foremost was the awareness of the urgent need to unify Indonesia's vast archipelagic territory, which comprises thousands of islands scattered across a wide expanse of ocean. This geographic reality necessitated the protection of marine natural resources within Indonesian waters and efforts to assert the country's sovereignty in the post-independence era. Moreover, there was a strong desire to eliminate colonial legal legacies, particularly those that undermined Indonesia's territorial integrity and national interests. At the same time, advancements in maritime navigation and marine resource exploitation technologies underscored the strategic importance of asserting control over maritime zones.

The Djuanda Declaration, announced on 13 December 1957, articulated a bold vision for Indonesia as an archipelagic state. It affirmed Indonesia's unique status and declared that the archipelago had always been a single, unified entity since ancient times. It explicitly rejected the 1939 Ordinance, which had fragmented Indonesia's territorial waters, and established that all waters surrounding, between, and connecting the islands of the archipelago were integral parts of the national territory. It also extended Indonesia's territorial sea from 3 to 12 nautical miles, measured from

straight baselines linking the outermost islands, while still guaranteeing the right of innocent passage for foreign vessels, provided national sovereignty and security were not threatened.

According to legal scholar Mochtar Kusumaatmadja (1978), the Declaration was based on the realization that the colonial-era method of defining territorial seas no longer served Indonesia's national interests. As a sovereign nation, Indonesia had the right to determine its maritime boundaries in a way that reflected its geographic and political realities. Kusumaatmadja emphasized that Indonesia's thousands of islands and the waters that bound them formed a cohesive whole, and that the 12-nautical-mile territorial sea should be drawn from straight baselines encompassing the outermost points of the archipelago. In his biography, he stressed that every sovereign state is obliged to take concrete actions to preserve national integrity and security.

The essence of the Djuanda Declaration lies in the assertion that all waters surrounding and between Indonesia's islands are inseparable from its land territory and fall under its full sovereignty. The implications of this declaration were profound, both domestically and internationally. One of the most significant impacts was the dramatic expansion of Indonesia's territory from around 2 million square kilometers to over 5 million, positioning it as one of the world's largest archipelagic nations. This expansion reinforced Indonesia's maritime sovereignty, previously challenged by outdated legal interpretations that viewed these waters as international seas.

Economically, the newly recognized maritime territory opened vast potential for the exploitation of marine resources, such as fisheries, oil, gas, and tourism. However, it also brought new challenges in maritime security, including the need to combat piracy, smuggling, and unauthorized incursions. On the diplomatic front, Indonesia was compelled to intensify its engagement in international forums to advocate for recognition of the archipelagic state concept, a campaign that eventually influenced the development of international maritime law.

The declaration also had significant implications for national infrastructure and governance. It necessitated the development of ports, navigation systems, and naval capabilities to support the archipelagic framework. Legally, Indonesia had to revise its national regulations to align with the new territorial concept. Furthermore, the declaration strengthened Indonesia's identity as a maritime nation, fostering a greater public consciousness of the sea's importance to national development. At the same time, managing such an extensive maritime domain posed ongoing governance challenges in terms of law enforcement, resource management, and environmental protection.

Although the Djuanda Declaration initially met resistance from major maritime powers, Indonesia's steadfast commitment to the archipelagic principle ultimately contributed to the reshaping of international maritime norms, culminating in broader acceptance through instruments such as the United Nations Convention on the Law of the Sea (UNCLOS). Thus, the Djuanda Declaration stands as a cornerstone of Indonesia's maritime sovereignty and legal-political strategy in asserting its place in the global order.

b. Juridical Aspect

The international recognition of the Djuanda Declaration through the United Nations Convention on the Law of the Sea (UNCLOS) in 1982 marked a major diplomatic milestone for Indonesia. This achievement not only validated Indonesia's maritime sovereignty but also solidified its status as a pioneering contributor to the evolution of international maritime law, especially in advocating the rights and recognition of archipelagic states. Indonesia's leadership in this area set a global precedent, paving the way for similar recognition of other archipelagic nations. However, with this global acknowledgment came the responsibility to establish a robust national legal framework that could support and implement the principles enshrined in the Djuanda Declaration and UNCLOS.

To strengthen the juridical basis of its maritime sovereignty, Indonesia undertook comprehensive legislative reforms. A pivotal regulation was Law Number 6 of 1996 on Indonesian Waters, which replaced Law Number 4 of 1960. This law expanded the legal scope of Indonesia's maritime zones, covering the territorial sea, archipelagic waters, and the Exclusive Economic Zone (EEZ). It also provided a nuanced definition of maritime economy, encompassing all economic activities linked to marine environments, whether directly or indirectly. Complementing this, Law Number 17 of 1985 officially ratified UNCLOS, incorporating the archipelagic state provisions into Indonesia's national legal system. To regulate water-based transportation, Law Number 17 of 2008 on Shipping introduced the cabotage

principle, empowering the domestic maritime industry and offering incentives such as tax facilities, vessel procurement support, and long-term transport contracts.

In the realm of fisheries, Law Number 45 of 2009, which amended Law Number 31 of 2004, aimed at sustainable and equitable fishery resource management to enhance national welfare. Similarly, Law Number 1 of 2014, amending Law Number 27 of 2007, focused on the management of coastal areas and small islands. This law provided mechanisms for community participation in planning and management and recognized the rights of indigenous and local communities in resource utilization. To ensure a coherent marine governance strategy, Law Number 32 of 2014 on Marine Affairs was enacted, establishing a comprehensive legal framework for the sustainable use of marine resources. Supporting regulations such as Government Regulation (PP) No. 37 of 2002 regulated foreign ships' rights to passage through designated sea lanes, while PP No. 38 of 2002, later amended by PP No. 37 of 2008, provided detailed geographical coordinates for Indonesia's archipelagic baselines.

Further administrative and regulatory oversight was introduced through Government Regulation No. 27 of 2021 on the administration of marine and fisheries affairs. This regulation addressed a range of issues, including conservation zoning, marine installations, fishery resource management, and quality standards for fishery products. It also set rules for non-commercial fishing and regulated imports of fishery and salt commodities, particularly within strictly protected core conservation zones. In terms of maritime law enforcement and security, Government Regulation No. 13 of 2022 laid out national policies related to patrols, search and rescue operations, legal enforcement, and information systems. Its goals included ensuring legal certainty, protecting maritime security, and enhancing the efficiency of security operations across Indonesia's waters. Finally, Presidential Regulation No. 16 of 2017 on Indonesia's Maritime Policy articulated a strategic vision for Indonesia's maritime future, positioning the nation as a Global Maritime Fulcrum. It emphasized sustainable and optimal marine resource management to advance national prosperity and international standing.

2. MARITIME DIPLOMACY

Diplomacy is generally employed as an instrument to achieve specific objectives. It is also identified as a tool of foreign policy, encompassing the art and practice of negotiation. Diplomacy has become an integral aspect of state affairs and serves as a principal means to achieve goals across various domains. The term is most commonly associated with international interaction within the context of international relations (Cassidy, 2016).

Concerning maritime diplomacy, Mière (2014) defines diplomacy as the management of international relations, and consequently, maritime diplomacy refers to the management of international relations within the maritime domain. Maritime diplomacy is also understood as the utilization of maritime assets to manage international relations, extending beyond the resolution of maritime tensions typically governed by international maritime law (Setiawan & Zaman, 2020). Thus, maritime diplomacy entails the peaceful management of maritime relations, the prevention of conflict, and the promotion of cooperation.

From the perspective of state sovereignty and international law, maritime diplomacy involves the deployment of maritime resources and capabilities to advance diplomatic objectives, while upholding the framework of international law and respecting the sovereignty of other states. It encompasses a wide range of activities, including bilateral and multilateral negotiations, resource management, and maritime law enforcement. These activities are crucial for safeguarding national interests, resolving disputes, and maintaining a stable international maritime order.

Maritime diplomacy represents a form of diplomacy focused on inter-state relations within the maritime sector, covering areas such as marine resource management, maritime security, maritime trade, and cooperation in marine zones (Hanggarini et al., 2022). Indonesia's maritime diplomacy constitutes an aspect of its foreign policy that not only addresses various maritime issues at bilateral, regional, and global levels but also leverages both civilian and military maritime assets to fulfill national interests following national and international legal frameworks (Shobirin, et.al., 2023).

There are three categories of maritime diplomacy: cooperative maritime diplomacy, persuasive maritime diplomacy, and coercive maritime diplomacy (Mière, 2014). Cooperative maritime diplomacy entails voluntary collaboration among all parties. For example, a navy may provide humanitarian assistance to a country affected by a natural

disaster. In this context, warships are not used solely for combat but also for other missions, such as disaster relief or delivering aid to starving refugees. Other cooperative maritime diplomatic activities include personnel exchanges, educational programs, and collaborative meetings aimed at building mutual trust. Additional forms of cooperative maritime diplomacy include joint exercises and joint maritime security operations, which, according to Mièrè, can foster trust and help form coalitions. Persuasive maritime diplomacy aims to reinforce other states' recognition of a country's national power, primarily through demonstrations of naval strength (i.e., shows of military force). It also seeks to enhance a state's international prestige. In contrast, coercive maritime diplomacy involves the use of military power to secure a country's national interests at sea. Often referred to as gunboat diplomacy, this form of maritime diplomacy includes tactics such as deploying warships to threaten or enforce maritime blockades. Its objectives include building military strength, securing global maritime access, achieving military goals, intimidating adversaries, and prevailing in disputes.

Indonesia has undertaken maritime diplomacy efforts under former President Joko Widodo in three international forums: the APEC Summit, the ASEAN Summit, and the G-20 Summit. In these forums, the concept of the Global Maritime Fulcrum was introduced as a foundation for Indonesia's infrastructure and development policy. This form of maritime diplomacy was intended to realize maritime interconnectivity, a vision requiring substantial investment (Darmastuti & Subekti, 2015).

From the perspective of international law, the 1982 United Nations Convention on the Law of the Sea (UNCLOS) provides the legal framework for maritime activities, including the delineation of maritime zones, freedom of navigation, and the management of marine resources. Maritime diplomacy plays a significant role in interpreting and implementing UNCLOS provisions, resolving disputes, and promoting international cooperation on maritime issues.

Indonesia's foreign policy in pursuing maritime diplomacy is founded upon three core pillars. The first is Sovereignty which is aimed at securing recognition and the preservation of Indonesia's sovereignty over its maritime territories. This includes efforts to resolve maritime boundary disputes and strengthen maritime legal frameworks. The second is Security which seeks to enhance stability and safety within Indonesian waters through international cooperation, the reinforcement of maritime defense and resilience, and the prevention of maritime crimes. The third is Prosperity, which is intended to promote sustainable development in maritime regions through the responsible management of marine resources and the development of maritime infrastructure to improve the welfare of coastal communities. These three foundational principles of maritime diplomacy are crucial to realizing Indonesia's vision of becoming the Global Maritime Fulcrum.

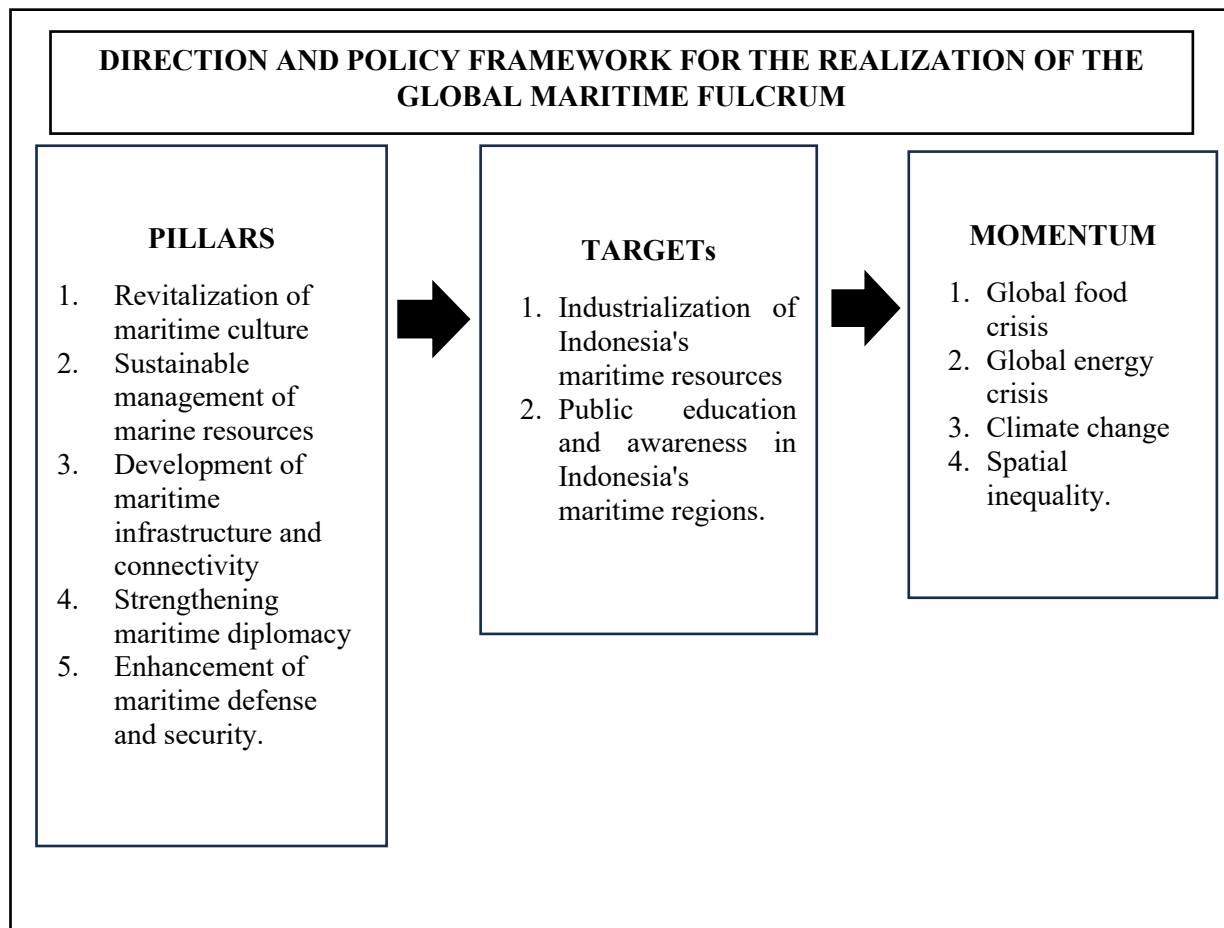
3. THE GLOBAL MARITIME FULCRUM

The Global Maritime Fulcrum (GMF) is a strategic vision aimed at ensuring inter-island connectivity, developing the shipping and fisheries industries, improving maritime transportation, and strengthening maritime security. This vision reflects the government's initiative to leverage Indonesia's vast maritime potential. The focus on maritime development is particularly relevant given Indonesia's strategic geographic position between the Indian and Pacific Oceans (Hastuti, 2022). The GMF vision was first articulated by former President Joko Widodo at the 2014 East Asia Summit (EAS) in Naypyidaw, Myanmar. It later became the foundation of a collective commitment among ASEAN member states, expressed through the ASEAN Outlook on the Indo-Pacific (AOIP), during the 2019 ASEAN Summit in Bangkok, Thailand (Anwar, 2020).

The Global Maritime Fulcrum envisions Indonesia as: a maritime nexus, or hub of global maritime activity; a regional maritime power that collaborates with other nations; and a guardian of global sea lanes. This strategic vision is structured around five key pillars: the revitalization of maritime culture; the sustainable management of marine resources; the enhancement of maritime connectivity and infrastructure; maritime diplomacy; and the strengthening of maritime defense and security.

The GMF vision also represents a new foreign policy doctrine for Indonesia, signifying a substantial expansion of Indonesia's maritime defense ambitions beyond the ASEAN region, encompassing the Indian Ocean and the Asia-Pacific at large (Agastia et al., 2015: 36). The doctrine aims to promote the maritime economy and integrate maritime development into national economic strategies, most notably through the implementation of the Sea Toll Program. The Sea Toll initiative seeks to establish efficient maritime connectivity by deploying regularly scheduled shipping

routes that span from western to eastern Indonesia. Thus, the direction and policies for realizing Indonesia's role as the Global Maritime Fulcrum are implemented by defining strategic pillars, clear targets, and appropriate timing—summarized in the following diagram.



CONCLUSION

Maritime sovereignty refers to a state's capacity to exercise legitimate, sovereign, and effective control over its maritime territories. It serves as a fundamental pillar in realizing the vision of Indonesia as the Global Maritime Fulcrum. Strong maritime sovereignty ensures Indonesia's full authority over its maritime zones, including its Exclusive Economic Zone (EEZ) and adjacent coastal areas. With robust maritime sovereignty, Indonesia can secure its maritime interests—such as fisheries, maritime transportation, and marine natural resources—strengthen maritime security (including law enforcement and border management), and enhance the investment appeal of its maritime sector. The concept of maritime sovereignty is grounded in international law, particularly the United Nations Convention on the Law of the Sea (UNCLOS). UNCLOS provides the legal framework governing oceans and seas, and it establishes the basis for understanding the rights and responsibilities of coastal states in their maritime zones.

Maritime diplomacy, within the dimension of sovereignty, refers to the use of diplomatic instruments to uphold and safeguard a state's sovereignty in its maritime areas—including the territorial sea, EEZ, and continental shelf. Diplomasi ini bertujuan untuk menegakkan hak berdaulat Indonesia atas sumber daya alam di wilayah tersebut, serta untuk melindungi wilayah laut dari pelanggaran, sengketa, dan ancaman lain. The concept of maritime diplomacy within the dimension of sovereignty refers to the use of diplomacy to assert and safeguard a nation's sovereignty over its maritime domains, including the territorial sea, Exclusive Economic Zone (EEZ), and continental

shelf. This form of diplomacy aims to uphold Indonesia's sovereign rights over natural resources within these areas and to protect its maritime territory from violations, disputes, and other potential threats.

The Global Maritime Fulcrum envisions Indonesia as the axis of global maritime activity—a regional maritime power collaborating with other nations, and a key guardian of international sea lanes. This concept is built upon five foundational pillars: The revitalization of maritime culture; Sustainable management of marine resources; Improvement of maritime connectivity and infrastructure; Maritime diplomacy; and Strengthening maritime defense and security. The primary goals include the industrialization of Indonesia's maritime resources and the education of coastal communities, with strategic attention to global challenges such as food crises, energy crises, climate change, and spatial inequality.

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