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Juridical Analysis of China's Nine-Dash Line Claim to Indonesia's Sovereign Rights in the North Natuna Sea Based on International Law of the Sea

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Abstract: This research is motivated by China's "Nine-Dash Line" claim, which raises legal issues regarding Indonesia's sovereign rights in the North Natuna Sea and tests the effectiveness of international law of the sea. The study aims to analyze the legal basis and legitimacy of the Nine-Dash Line claim under the 1982 UNCLOS, as well as Indonesia's legal position in upholding its sovereign rights. A normative-juridical research method is employed, utilizing statutory, conceptual, and case-based approaches through the study of primary, secondary, and tertiary legal materials. The findings indicate that the Nine-Dash Line claim lacks a legal basis capable of overriding the 1982 UNCLOS regime, particularly the provisions concerning the Exclusive Economic Zone. The 2016 South China Sea arbitration ruling reinforces the rejection of claims to historic rights that exceed maritime entitlements under UNCLOS. Indonesia holds a strong legal position to defend its sovereign rights through law enforcement, diplomacy, and regional international cooperation.

Keywords: Nine-Dash Line, UNCLOS 1982, Sovereign Rights, Exclusive Economic Zone, North Natuna Sea.

INTRODUCTION

The sea plays a highly strategic role in the life of the international community, not only as a global transportation route, but also as a vital economic resource and a geopolitical space that influences the dynamics of inter-state relations. Since ancient times, the sea has served as the primary medium for international trade connecting various regions of the world, while also acting as a source of natural wealth such as fisheries, petroleum, and natural gas. Furthermore, the development of globalization has progressively strengthened the position of the sea as the lifeline of the world economy, where the vast majority of international trade is conducted via maritime routes. In a contemporary context, the sea also possesses strategic value in terms of national defense and security; thus, the mastery, management, and security of maritime territories have become an integral part of a nation's national interests. (Boer Mauna, 2015).

From the perspective of international law, the regulation of the sea has undergone a long and dynamic evolution. The early development of the law of the sea was inextricably linked to the classic debate between the concept of *mare liberum* (free seas) proposed by Hugo Grotius and the concept of *mare clausum* (closed seas) which emphasized state control over specific maritime zones. This debate reflected the tug-of-war between freedom of navigation and state sovereignty. As the need for legal certainty in the maritime sector grew, the international community subsequently sought to codify the law of the sea through various international conferences, ultimately culminating in the adoption of UNCLOS 1982. (Miltree Law, 2026). UNCLOS 1982 represents an important milestone in the development of international law of the sea as it provides a comprehensive and systematic legal framework regarding the regulation of maritime zones. This convention not only regulates the division of maritime zones such as the territorial sea, contiguous zone, Exclusive Economic Zone (EEZ), and continental shelf, but also establishes the rights and obligations of coastal states as well as other states in utilizing the sea. (Muhammad Farhan, 2025). Accordingly, UNCLOS 1982 is often referred to as the “constitution for the oceans” because of its comprehensive nature and its binding force on States Parties.

The development of the international law of the sea leading up to the adoption of UNCLOS 1982 cannot be separated from various rulings of international courts that shaped customary international law norms. One of the most influential decisions was *The Fisheries Case* (United Kingdom v. Norway), decided by the International Court of Justice (ICJ) in 1951. In that case, the ICJ recognized that coastal states have the authority to establish specific baselines as long as they conform to geographical conditions and internationally recognized practices. This ruling became an important foundation for the development of the modern maritime delimitation regime, which was subsequently codified in the 1982 Law of the Sea Convention. The relevance of this decision to the North Natuna Sea dispute lies in the imperative of legal certainty regarding maritime jurisdictional boundaries, which must be based on objective international law norms rather than unilateral claims lacking international recognition.

One of the fundamental contributions of UNCLOS 1982 is the recognition of the concept of sovereign rights of coastal states within the Exclusive Economic Zone (EEZ) extending up to 200 nautical miles from the baselines. These sovereign rights grant exclusive authority to coastal states to conduct exploration, exploitation, conservation, and management of natural resources, both living and non-living. (Muhammad Nur Karim Al Ismariy dkk, 2026) In this context, it is necessary to emphasize the fundamental difference between the concept of 'sovereignty' and 'sovereign rights'. Sovereignty is full and absolute, as applies in the territorial sea, whereas sovereign rights are limited and only cover the aspects of resource utilization within the ZEE. This distinction carries significant legal implications, particularly in determining the limits of a state's authority as well as the rights of other states, such as the freedom of navigation and overflight within the ZEE."

In international law of the sea, the sovereign rights of a coastal state in the Exclusive Economic Zone derive a clear normative basis from Article 56 of UNCLOS 1982, which grants exclusive authority to the coastal state to conduct exploration, exploitation, conservation, and management of natural resources within the ZEE. Conversely, other states only possess the freedoms of navigation and overflight as regulated in Article 58 of UNCLOS 1982, while remaining bound to respect the sovereign rights of the coastal state. Therefore, any fishing activity, natural resource exploitation, or escorting by foreign government vessels that impedes the exercise of the coastal state's sovereign rights can be viewed as an act contrary to the provisions of UNCLOS 1982.

Although UNCLOS 1982 has provided a relatively clear legal framework, overlapping maritime claims that trigger conflicts or tensions between states still frequently occur in the practice of international relations. This is driven by significant economic interests in marine

resources, as well as strategic interests in controlling international shipping lanes. One of the most prominent cases is the unilateral claim by the People's Republic of China through the Nine-Dash Line concept in the South China Sea region. This claim encompasses the majority of the South China Sea area and is founded on historical arguments referencing traditional activities of the Chinese people in the region.

Historically, the Nine-Dash Line concept was first introduced by the Government of the Republic of China in 1947 through a map known as the Eleven-Dash Line. Following the establishment of the People's Republic of China in 1949, this map was re-adopted, and in 1953, two dashes in the Gulf of Tonkin were removed, resulting in the Nine-Dash Line as it is known today. The claim encompasses approximately 80–90 percent of the South China Sea territory and is grounded in the argument that the area constitutes part of China's historic rights, which have been utilized for centuries by Chinese fishermen and mariners. Nevertheless, to date, the Chinese government has never provided clear geographical coordinates regarding the boundaries of the Nine-Dash Line, thereby creating legal uncertainty and various differing interpretations in international practice.

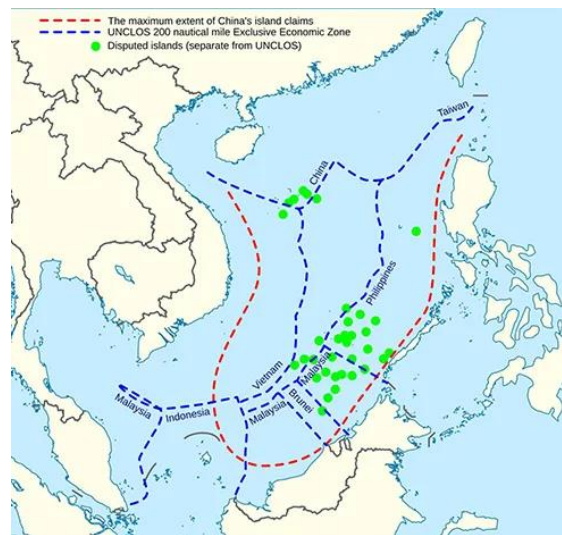


Figure 1.

Based on Figure 1, it can be seen that a portion of the Nine-Dash Line claim asserted by China overlaps Indonesia's Exclusive Economic Zone in the North Natuna Sea region. This condition creates an overlap in maritime jurisdictional claims, which serves as a source of tension between Indonesia and China, even though Indonesia does not recognize the existence of a territorial sovereignty dispute with China.

However, the Nine-Dash Line claim gives rise to serious legal issues as it lacks clear geographical boundaries and fails to align with the principles governed under UNCLOS 1982. Within the modern international law of the sea regime, maritime claims must be grounded in conventional provisions and generally recognized principles of international law, rather than relying solely on unilateral historic claims. Consequently, numerous states and international legal scholars view the Nine-Dash Line claim as a form of assertion lacking international legal legitimacy.

The issue surrounding the legality of the Nine-Dash Line gained further clarity through the 2016 South China Sea Arbitration ruling. In that decision, the arbitral tribunal held that China's "historic rights" claim has no legal basis under UNCLOS 1982. The tribunal also emphasized that UNCLOS comprehensively regulates the rights and obligations of states at sea, thereby leaving no scope for historic claims that conflict with the convention's provisions. This ruling serves as a vital precedent in international law of the sea, despite facing implementation challenges due to China's rejection.

In addition to being contrary to the provisions of Article 56 of UNCLOS 1982, China's actions in basing its maritime claims on the concept of historic rights are also considered inconsistent with the development of modern international law of the sea. The Arbitral Tribunal in the 2016 South China Sea Arbitration (*Philippines v. China*) emphasized that UNCLOS superseded any claims of historic rights that do not conform to the system of maritime zones established under the convention. Consequently, there is no basis in international law that allows a state to claim maritime space situated within the Exclusive Economic Zone of another state solely on historical grounds.

The implications of the Nine-Dash Line claim are felt not only by states with direct sovereignty disputes with China, such as the Philippines and Vietnam, but also impact Indonesia, particularly in the North Natuna Sea region. Indonesia has consistently declared that it has no territorial sovereignty disputes with China, yet recognizes the existence of overlapping maritime claims within Indonesia's ZEE. (Rene Johannes, 2023) The North Natuna Sea region forms part of Indonesia's ZEE, possessing immense natural resource potential; thus, protecting sovereign rights in the area is vital to safeguarding national interests.

In recent years, various incidents have occurred in the North Natuna Sea involving Chinese fishing vessels and coast guard ships entering Indonesia's ZEE region. The presence of these vessels is frequently accompanied by escorts from Chinese authorities, demonstrating an effort to assert *de facto* claims on the ground. (Portal Berita InfoPublik, 2026) Here "The Indonesian Government explicitly rejects the claim and asserts that the region forms part of Indonesia's ZEE based on UNCLOS 1982." (Anadolu Ajansı, 2026) This rejection was also articulated in Indonesia's official diplomatic note to the United Nations, stating that the Nine-Dash Line claim lacks any foundation in international law. Beyond diplomatic channels, Indonesia has demonstrated state practice in asserting its sovereign rights through law enforcement against illegal foreign vessels, an increased military presence in the Natuna region, and the official naming policy of the area as the 'North Natuna Sea' as an expression of national jurisdiction. (Nuans Asa Septari B dkk, 2022)

These measures demonstrate that Indonesia consistently strives to maintain its sovereign rights based on international law without recognizing any territorial sovereignty dispute with China.

The dynamics of the dispute in the South China Sea cannot be separated from the escalating geopolitical rivalry in the Asia-Pacific region. This region serves as a highly strategic international shipping route connecting various global economic hubs. In this context, maritime claims do not merely relate to legal aspects, but also reflect a nation's political and military interests. China's Nine-Dash Line claim can be understood as part of a broader geopolitical strategy to assert its influence in the region.

On the other hand, the presence of international law is expected to establish order and legal certainty in inter-state relations. Nevertheless, the effectiveness of international law is frequently tested when confronted with the interests of major powers. China's rejection of the 2016 South China Sea Arbitration ruling demonstrates that the enforcement of international law continues to face severe challenges, particularly in maritime disputes.

For Indonesia, this situation demands a comprehensive strategy to maintain its sovereign rights in the North Natuna Sea through both legal and diplomatic approaches. Indonesia must utilize international legal instruments such as UNCLOS 1982 as a legitimate foundation to reject the Nine-Dash Line claim, while reinforcing its position through international cooperation and enhanced maritime law enforcement capabilities.

The study of the Nine-Dash Line claim and Indonesia's position holds academic significance in the development of the international law of the sea. Analyzing this case contributes to understanding how international legal norms are applied in practice and how states respond to claims that do not conform to international law.

Based on the foregoing explanation, it is evident that complex and compelling legal issues warrant further study, namely regarding the validity of China's Nine-Dash Line claim from the perspective of the international law of the sea, as well as Indonesia's legal standing in maintaining its sovereign rights in the North Natuna Sea. This issue involves not only Indonesia's national interests, but also the credibility and effectiveness of the international law of the sea regime in governing inter-state relations and maintaining regional stability.

Therefore, this research is crucial in providing a comprehensive juridical analysis of China's Nine-Dash Line claim and conducting an in-depth examination of Indonesia's legal position in maintaining its sovereign rights in the North Natuna Sea based on international law of the sea. Based on the background above, the research problems can be formulated as follows, How are the legal basis and legitimacy of China's Nine-Dash Line claim evaluated under international law of the sea, pursuant to UNCLOS 1982 and How is Indonesia's legal position established in maintaining its sovereign rights in the North Natuna Sea based on international law.

METHODS

This study is normative legal research (juridical-normative) that focuses on examining legal norms within legislation, court decisions, and legal doctrines without utilizing empirical data. (Jonaedi Efendi dan Jhonny Ibrahim, 2018) The object of this study encompasses a juridical analysis of the legal basis and legitimacy of China's Nine-Dash Line claim under UNCLOS 1982, as well as Indonesia's legal position in maintaining its sovereign rights in the North Natuna Sea. Because it relies on literature review (library research), this study does not utilize a population and sample. (Johnny Ibrahim, 2022) The data used consists of secondary data categorized into three types of legal materials: Primary Legal Materials: UUD 1945, UNCLOS 1982, 2016 South China Sea Arbitration Ruling, Law No. 5/1983 (ZEEI), Law No. 37/1999 (Foreign Relations), Law No. 24/2000 (International Treaties), Law No. 43/2008 (State Territory), Law No. 17/2008 (Shipping), Law No. 31/2004 in conjunction with Law No. 45/2009 (Fisheries), Law No. 32/2014 (Maritime Affairs), and Law No. 3/2025 (Indonesian National Armed Forces). Secondary Legal Materials: Research findings, scientific journals, and international law expert literature. Tertiary Legal Materials: Legal dictionaries, encyclopedias, and cumulative indexes. (Muhaimin, 2020) The research instrument used is document study (documentary study) by inventorying, recording, and classifying written legal materials. (Abdul Rahman Sholeh, 2005) The research procedure was carried out through three main approaches: Statute Approach, examining the provisions of UNCLOS 1982 and related national regulations; Conceptual Approach, studying the concepts of sovereignty, sovereign rights, EEZ, and jurisdiction; and Case Approach, analyzing the 2016 South China Sea Arbitration Ruling as an international legal precedent. The data analysis technique was conducted qualitatively, where legal materials were systematically arranged, cross-referenced between regulations considering the hierarchy of legislation, and then conclusions were drawn deductively.¹⁵ The analytical framework of the study was analyzed using three levels of theories: State Sovereignty Theory (Grand Theory), (Victor M. Muñiz Fraticelli, 2010) Legal Certainty Theory (Middle Theory), (A'an Efendi, 2019) and State Jurisdiction Theory (Applied Theory). (Rudy C. Tarumingkeng, 2024).

RESULTS AND DISCUSSION

The Legal Foundation and Legitimacy of China's Nine-Dash Line Claim in International Law of the Sea Perspective, Particularly Under UNCLOS 1982

The North Natuna Sea region, located in the northern part of the Natuna Islands, Riau Islands Province, has a water area of approximately 262,167.07 km² with abundant biological natural resource potential and natural gas reserves reaching 222 trillion cubic feet. (Boer Mauna, 2015) Juridically, these waters lie entirely within the Exclusive Economic Zone (EEZ)

and Continental Shelf of the Republic of Indonesia based on the United Nations Convention on the Law of the Sea (UNCLOS) 1982. (UNCLOS 1982) However, this maritime region continues to face threats of unilateral claims from the Government of the People's Republic of China through the Nine-Dash Line concept, which overlaps with $\pm 50,000$ km² of Indonesia's jurisdictional area in the North Natuna Sea.

China bases its Nine-Dash Line claim on the narrative of historic rights and traditional fishing grounds utilized by its fishermen for centuries. From the perspective of modern international law of the sea, this claim is legally flawed for several fundamental reasons:

1. **Violation of the Maximum EEZ Limit (Article 57 UNCLOS 1982):** China's claim line was unilaterally drawn beyond the maximum 200 nautical miles EEZ limit measured from lawful coastal baselines. UNCLOS 1982 adheres to the principle of *la terre domine la mer* (the land dominates the sea), which establishes that rights over maritime space stem from sovereignty over land territory, not from unilateral past navigational activities. (I Wayan Parthiana, 2022)
2. **Uncertainty of Geographic Coordinates:** China has never established precise geographic coordinates or measured official maps, nor has it registered them with the United Nations Secretariat as required under international law of the sea procedures. (Eddy Pratomo, 2022)
3. **Fallacy of the Traditional Rights Concept (Article 51 UNCLOS 1982):** UNCLOS 1982 only recognizes traditional fishing rights, not traditional fishing grounds. (UNCLOS 1982) The execution of traditional fishing rights must be formalized in a mutually agreed bilateral agreement with the relevant coastal state and cannot be used to claim sovereign rights over a maritime area. (Muhammad Farhan, 2019) Indonesia has never signed any bilateral fisheries agreement with China.
4. **Invalidity of Maritime Features (Article 121 Paragraph 3 UNCLOS 1982):** Most of the maritime features claimed by China in the South China Sea consist merely of reefs or low-tide elevations that cannot sustain human habitation or an economic life of their own, thereby lacking entitlement to an EEZ or Continental Shelf.

The enforcement of the legal legitimacy of UNCLOS 1982 was further strengthened through the Permanent Court of Arbitration Award dated July 12, 2016, in the case *Philippines v. China*. (South China Sea Arbitration, 2016) The Arbitral Tribunal explicitly ruled that there is no legal basis for China to claim historic rights to maritime resources exceeding the maritime rights established under UNCLOS 1982. UNCLOS 1982 constitutes a comprehensive regime and supersedes all historic rights claims that are inconsistent with the provisions of the convention. For Indonesia, this ruling serves as a legal precedent and a vital source of legal argument to assert that China's Nine-Dash Line claim in the North Natuna Sea is void *ab initio* and possesses no international binding force.

Analysis Based on Three Levels of Legal Theory:

Grand Theory (State Sovereignty Theory): Sovereignty in the territorial sea differs fundamentally from sovereign rights in the EEZ. (Victor M. Muñiz Fraticelli, 2010) Within the EEZ, Indonesia does not possess full sovereignty over airspace and high seas, but rather holds exclusive sovereign rights to explore, exploit, conserve, and manage natural resources pursuant to Article 56 of UNCLOS 1982. State sovereignty must be exercised within the parameters of international law, meaning China's unilateral claims cannot override Indonesia's sovereign rights.

Middle Theory (Legal Certainty Theory): Legal certainty requires clear, consistent, and measurable rules. (A'an Efendi, 2019) UNCLOS 1982 provides certainty through the 200-nautical-mile limit for the EEZ under Article 57. China's claim—lacking geographical coordinates and subject to constant flux—undermines international legal certainty and sets a dangerous precedent that threatens regional stability. (Rudy C. Tarumingkeng, 2024)

Applied Theory (State Jurisdiction Theory): The enforcement jurisdiction of a coastal state in the EEZ is constrained by the nature of the activity and the status of the vessel. (Huala Adolf, 2015) Indonesia holds full authority to exercise jurisdiction over economic and conservation activities in the North Natuna Sea EEZ against foreign entities violating national and international laws and regulations.

The Legal Standing of Indonesia in Safeguarding Its Sovereign Rights in the North Natuna Sea Pursuant to International Law

Indonesia holds a complete, legitimate, and unshakeable legal standing over the North Natuna Sea. This position is built upon a consistent integration of international law and national legislation. Indonesia ratified UNCLOS 1982 through Law Number 17 of 1985. (Undang-Undang Nomor 17 Tahun 1985 tentang Pengesahan UNCLOS 1982) The regulation of Indonesia's EEZ is specifically governed by Law Number 5 of 1983 concerning the Indonesian Exclusive Economic Zone. (Undang-Undang Nomor 5 Tahun 1983 tentang Zona Ekonomi Eksklusif Indonesia) Furthermore, Indonesia's position is reinforced by sectoral legislation such as Law No. 37/1999 on Foreign Relations, Law No. 24/2000 on International Treaties, Law No. 43/2008 on State Territory, Law No. 31/2004 in conjunction with Law No. 45/2009 on Fisheries, Law No. 32/2014 on Ocean Affairs, and Law No. 3/2025 on the Indonesian National Armed Forces. The 2017 update to the official map of the Unitary State of the Republic of Indonesia which explicitly named the waters north of the Natuna Islands as the "North Natuna Sea" and registered its coordinates with the United Nations represents an assertion of legitimate jurisdiction.

In international law, a state that consistently and continuously rejects a claim or an emerging rule of customary law is considered a persistent objector. Indonesia actively applies this doctrine to prevent silence from being interpreted as acquiescence: Diplomatic Note of Protest dated December 30, 2019: The Government of Indonesia issued an official note of protest to China regarding the entry of China Coast Guard (CCG) vessels and foreign fishing boats into Indonesia's EEZ, emphasizing that Indonesia has no overlapping claims with China because the Nine-Dash Line is not recognized under UNCLOS 1982.

Diplomatic Note to the UN (May 26, 2020): The Permanent Mission of the Republic of Indonesia to the UN submitted a circular note reaffirming that China's historic claims in the North Natuna Sea violate UNCLOS 1982 and referring to the 2016 Arbitral Award. (Perwakilan Tetap RI untuk PBB, 2020)

Protecting sovereign rights in the North Natuna Sea requires a differentiation of actions based on the legal status of foreign vessels and the nature of their violations:

1. Handling of Foreign Fishing Vessels (Illegal Fishing): Against private/foreign fishing vessels engaging in Illegal, Unreported, and Unregulated (IUU) Fishing, Indonesia applies a full criminal law enforcement mechanism based on the Fisheries Law. (Purnandya Arya Aji Scoornova dkk., 2024) Operational steps include stopping, inspecting, arresting, seizing fishing gear, and proceeding to national judicial processes.
2. Handling of Foreign State Vessels (China Coast Guard): Foreign government vessels enjoy sovereign immunity under international law. Therefore, their handling does not utilize standard criminal justice instruments, but rather a measured maritime law enforcement approach through monitoring, shadowing, expulsion from the EEZ, and the delivery of diplomatic notes of protest to prevent military escalation. (Portal Berita Info Publik, 2026).

Law enforcement in the North Natuna Sea involves multiple dimensions encompassing defense, maritime security, fisheries, navigation, and diplomacy. (Undang-Undang Nomor 32 Tahun 2014 tentang Kelautan) Currently, several primary agencies hold authority at sea: the Indonesian Navy (TNI AL), which performs state

defense functions; the Maritime Security Agency (Bakamla), which conducts security patrol functions; the Ministry of Marine Affairs and Fisheries (KKP), authorized in fisheries surveillance; and the Water and Air Police (Polairud). (Undang-Undang Nomor 3 Tahun 2025 tentang Perubahan atas Undang-Undang Nomor 34 Tahun 2004 tentang TNI) To optimize the protection of sovereign rights, harmonization and a clear division of authority within a single policy framework are necessary. This integration ensures procedural clarity regarding which agency conducts initial detection, interdiction, investigation, and diplomatic follow-up, thereby preventing both overlaps and operational gaps in the field.

CONCLUSIONS AND RECOMMENDATIONS

Conclusion

1. China's Nine-Dash Line claim lacks a valid legal basis and legitimacy under the 1982 United Nations Convention on the Law of the Sea (UNCLOS) regime. This unilateral claim violates Article 57 of UNCLOS 1982, as it exceeds the maximum 200-nautical-mile limit of the Exclusive Economic Zone (EEZ), lacks definite geographical coordinates, and relies on "historic rights" and "traditional fishing grounds" arguments that were legally invalidated by the 2016 South China Sea Arbitration Award. From a theoretical perspective, China's claim fails to fulfill the principle of legal certainty (Middle Theory) as well as state jurisdiction (Applied Theory)
2. Indonesia holds a remarkably strong and valid legal standing over the North Natuna Sea based on UNCLOS 1982 and national regulations (Law No. 5/1983 and Law No. 17/1985). The defense of Indonesia's sovereign rights is realized through an integrated strategy combining a consistent diplomatic stance (persistent objector) with measured maritime law enforcement. Field handling is applied proportionally: surveillance, expulsion, and diplomatic measures are carried out against foreign government vessels (China Coast Guard) to prevent escalation of conflict, whereas strict law enforcement leading to national judicial proceedings is enforced against foreign fishing vessels engaging in illegal fishing. The effectiveness of protecting these sovereign rights requires harmonized authority among the Indonesian Navy (TNI AL), Maritime Security Agency (Bakamla), Ministry of Marine Affairs and Fisheries (KKP), Water and Air Police (Polairud), and related agencies within a unified policy framework.

Recommendations

1. Going forward, the Indonesian Government needs to continuously reinforce its legal position that all maritime claims must be grounded in the provisions of the 1982 United Nations Convention on the Law of the Sea (UNCLOS). This reinforcement should be achieved through a consistent diplomatic stance, the issuance of diplomatic notes (*notes verbales*) against any action potentially infringing upon Indonesia's sovereign rights, and the consistent assertion of Indonesia's legal standing in international forums.
2. Going forward, the Indonesian Government needs to build a more integrated protection system for sovereign rights, encompassing legal, diplomatic, surveillance, and law enforcement aspects. This enhancement should be carried out by strengthening coordination and the division of authority among the Indonesian Navy (TNI AL), Maritime Security Agency (Bakamla), Ministry of Marine Affairs and Fisheries (KKP), Water and Air Police (Polairud), and other relevant agencies, ensuring that any violation or activity by foreign vessels can be addressed based on the vessel's status, the type of activity, and the applicable law of the sea regime.

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