State Borders

There are several national borders in Indonesia: land, sea, seabed and airspace. It is the Government’s responsibility to maintain and defend those borders as stipulated in Paragraph 4 of the Preamble to the Indonesian 1945 Constitution.

When Indonesian Independence was proclaimed on August 17, 1945, the Indonesian land territory covered all the former Dutch East Indies territory, whereas the territorial sea was only three miles from the coastline of each island, thus coming to less than 100,000 km² in total. When Wawasan Nusantara (archipelagic State principles) was declared on December 13, 1957 (also known as the Juanda Declaration), the territorial sea limit became 12 miles measured from straight baselines that connect the outermost points of the outermost islands of the Indonesian Archipelago. The Juanda Declaration enlarged Indonesia’s maritime territory to about 3,000,000 km². Hence, besides the recognition of Wawasan Nusantara in the UN Convention on the Law of the Sea in 1982 (UNCLOS 1982), Indonesia is also entitled to a 12-mile territorial sea from the straight archipelagic baselines, to another 12 miles of contiguous zone, to sovereign rights over the natural resources and other jurisdictions in the EEZ (200 miles from the Archipelagic straight baselines) and to a Continental Shelf (seabed area) to the outer limit of the EEZ, or to the limit of “the continental margin”, if there is still the natural prolongation of Indonesia’s land territory to the seabed of the oceans.

---

1 Professor Dr. Hasjim Djalal, MA. His extensive accomplishments include the Presidency of the International Seabed Authority (1995, 1996). He currently serves as Chairman of the Finance Committee of the ISA. Since 1989 he has been the initiator and convener of the Workshop Process on Managing Potential Conflicts in the South China Sea, and has been involved in development of maritime cooperation in the Indian and Pacific Oceans. Currently, he is a member of the Indonesian Maritime Council, Senior Advisor to the Indonesian Minister for Maritime Affairs and Fisheries, and to the Indonesian Naval Chief of Staff, and lectures at universities and other institutions of higher learning in Indonesia. He has received various awards, commendations and decorations for various services to his country, including Bintang Mahaputera Utama (the Greatest Son of the Country, First Class), the highest honor that can be bestowed by the Republic of Indonesia to its greatest sons and daughters.
It is fair to say that Indonesia now needs to enforce its laws and maintain its sovereignty over about 6,000,000 km$^2$ of sea, and therefore needs to increase the capability of its defense and law enforcement to defend those various borders.

In defending its State borders, Indonesia has to observe three main pillars of Indonesian existence: They are the principle of One Nation, as stipulated in the Youth Pledge Declaration of October 28, 1928, the principle of One Unitary State of the Republic of Indonesia as declared in the Proclamation of Independence on August 17, 1945, and the principle of One Territorial Unity of Land, Sea, Airspace, Seabed and All the Resources Contained Therein as stated in Juanda Declaration on December 13, 1957.

**Airspace**

According to International Law, Indonesia has sovereignty over the airspace above its land and territorial sea up to a certain height. There is still no international agreement regarding the height of the airspace, even though there is an agreement that the airspace does not include outer space. Some states think that their airspace could extend to some 100 km. Some also said that the air space extends to where “fixed wing aircraft” can still fly. Indonesia once argued that its sovereignty covered the geo-stationary orbit (GSO) above its territories – which could be some 36,000 km above the earth – but this was not recognized by international law, mainly because Indonesia did not exercise an “effective occupation or control” over it. International law, however, recognized the air space over its land, archipelagic waters, and territorial sea, in all, about five million km$^2$ wide.

**Land Border**

The Indonesian land borders are basically those that were agreed to by the Dutch, British and Portuguese colonial powers, especially in Borneo (Sarawak and Sabah), Papua, and Timor Island. Those borders were determined by:

a. The deepest parts of the border rivers, as in the Fly River between Papua and Papua New Guinea (PNG);
b. The watershed (peaks of mountains/heights that separate water flows), as in the mountains of Borneo; and
c. The straight lines which were drawn between certain points, as in the major parts of the border between Papua and PNG and some parts of East Borneo (Sebatik Island).