



Resolving the maritime border conflict between Indonesia and Singapore in the Singapore Strait

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Abstract

The maritime boundary conflict between Indonesia and Singapore in the Singapore Strait has persisted as a strategic issue since the 1970s, driven by geographic proximity, Singapore's land reclamation projects, and the incomplete delimitation of the boundary. This study aims to analyze the conflict resolution process using an international legal framework, particularly the United Nations Convention on the Law of the Sea (UNCLOS) 1982, alongside bilateral negotiation strategies adopted by both states. Utilizing a normative legal approach through legal document analysis and treaty review, the study reveals that the dispute was gradually resolved through three main agreements (1973, 2009, 2014), all of which adopted the equidistance principle. This resolution has promoted legal certainty, regional stability, and national sovereignty and serves as a model for peaceful maritime conflict resolution in Southeast Asia.

Keywords: Maritime conflict, boundary delimitation, UNCLOS 1982, equidistance principle, Indonesia–Singapore, bilateral settlement

Introduction

The Singapore Strait is one of the busiest maritime routes in the world, connecting the Indian Ocean with the South China Sea. Its strategic position renders this area highly vital not only for Indonesia and Singapore but also in the context of global trade, regional stability, and international geopolitical interests. As neighboring coastal states, both Indonesia and Singapore hold significant maritime interests in this region, particularly in terms of economics, security, and sovereignty. However, the geographical proximity of the two countries and the absence of a clear natural maritime boundary have triggered disputes over sea boundary delimitation.

The complexity of this issue has increased with Singapore's large-scale land reclamation activities since the late 1990s, which have the potential to shift coastlines and influence maritime jurisdiction claims. Tensions over maritime boundaries began to emerge following the signing of the 1973 agreement, which covered only the central segment of the Singapore Strait, leaving legal gaps in the western and eastern segments that have become persistent sources of dispute.

In addressing these challenges, Indonesia and Singapore opted for peaceful dispute resolution through bilateral diplomatic mechanisms and by referring to international maritime law, particularly the United Nations Convention on the Law of the Sea (UNCLOS) 1982. Article 15 of the Convention provides a legal foundation for states with opposite coasts to determine maritime boundaries based on the equidistance principle, unless special circumstances exist.

This study aims to examine the dynamics of the maritime boundary conflict between Indonesia and Singapore in the Singapore Strait and to analyze the resolution strategies pursued through bilateral agreements. The analysis focuses on legal, historical, and geopolitical aspects of the settlement. This research is significant in demonstrating how principles of international law can be effectively implemented through diplomacy to resolve state boundary disputes peacefully and sustainably.

Methodology

This study adopts a normative legal research approach, which involves the analysis of statutory regulations, principles of international law, and official documents relevant to the resolution of the maritime boundary conflict between Indonesia and Singapore. The data sources include primary legal materials such as the 1982 United Nations Convention on the Law of the Sea (UNCLOS), the bilateral agreements of 1973, 2009, and 2014, as well as the Charter of the United Nations. Additionally, secondary legal materials, including academic literature and scholarly journals, and tertiary legal materials such as legal dictionaries and government technical documents, are utilized. Data collection is conducted through literature review, while data analysis is performed qualitatively to interpret applicable legal provisions and their implementation in bilateral diplomatic practices between states. This approach is employed to gain a comprehensive understanding of how international legal norms are applied in the peaceful and sustainable resolution of maritime disputes^[1].

Results and Discussion

The Singapore Strait is the busiest maritime route in the world, connecting the Indian Ocean with the South China Sea. It plays a vital role in global trade, particularly for littoral states such as Indonesia and Singapore. Due to its strategic position and geographical proximity, issues surrounding maritime boundary delimitation have emerged in this area. These problems date back to the 1970s, with the first agreement signed in 1973 covering only a portion of the sea boundary, thereby leaving a "boundary gap" that became a source of prolonged tension. The situation escalated further due to Singapore's large-scale land reclamation activities beginning in the late 1990s. Nevertheless, both countries opted to resolve the conflict through diplomacy and international law, particularly under the provisions of UNCLOS 1982. This led to subsequent agreements in 2009 and 2014, which further clarified the maritime boundary between Indonesia and Singapore.

Historical Background of the Indonesia–Singapore Maritime Conflict

Maritime relations between Indonesia and Singapore have existed for centuries. However, formal maritime boundary issues only emerged in the modern era, particularly in response to increasing navigational complexity and the exploration of marine resources in the Singapore Strait. This maritime conflict is not an armed confrontation, but rather a legal and diplomatic dispute involving the delimitation of territorial sea boundaries, which gained significance following the adoption of modern international maritime law.

The delimitation issue arises primarily from the geographical proximity of the two nations, which are separated by the Singapore Strait, with a width of less than 24 nautical miles at certain points. According to Article 3 of UNCLOS 1982, each coastal state is entitled to a territorial sea up to 12 nautical miles from its baselines. However, when two directly adjacent states have opposite coasts and the distance between them is less than 24 nautical miles, a bilateral agreement is required to establish the maritime boundary, according to Article 15 of UNCLOS^[2].

The issue became increasingly pressing in the 1970s as international maritime traffic intensified and the need to regulate marine resource exploration became urgent. In response, Indonesia and Singapore signed their first agreement on the delimitation of the territorial sea on 25 May 1973, which established six coordinate points in the central portion of the Singapore Strait. This agreement was based on the median line principle, a widely accepted method in territorial sea delimitation. However, it did not include the western and eastern segments of the Singapore Strait. The 1973 agreement's incompleteness resulted in a "legal vacuum" in two critical segments: the western segment near the Strait of Malacca and the eastern segment near Batam and Changi. These areas have often witnessed overlapping jurisdictional claims between the patrol vessels of both countries, particularly concerning navigation, law enforcement, and the exploration of sub-sea resources^[3].

Singapore's technological advancements in land reclamation since the 1990s further complicated the maritime boundary issue. The country undertook massive reclamation projects in its eastern territories, especially around Pulau Tekong and Changi^[4]. Indonesia has protested these activities because they may artificially alter the coastline and influence maritime claims. Such alterations challenge the application of natural baselines used in delimitation, potentially shifting maritime boundaries in Singapore's favor. This concern aligns with international jurisprudence, which generally does not recognize artificial coastlines from reclamation projects as legitimate baselines in maritime delimitation^[5].

The maritime boundary conflict between Indonesia and Singapore has been addressed through diplomacy and bilateral negotiations. This approach aligns with Article 33 of the UN Charter and Article 279 of UNCLOS 1982, which emphasize peaceful dispute settlement^[6]. As a result, three key agreements have gradually established the territorial sea boundaries in the Singapore Strait:

a. 1973 Agreement: Signed on 25 May 1973, this agreement defined six coordinate points over a 24.55 km stretch in the central part of the Singapore Strait, between Batam Island and Sentosa Island^[7]. It adopted the equidistance principle under Article 15 of

UNCLOS, which states that when two states have opposite coasts, the boundary should be drawn using the median line, unless special circumstances exist. However, this agreement did not address the western and eastern segments^[8].

b. 2009 Agreement: Signed on 10 March 2009, this agreement extended the boundary westward toward the Strait of Malacca^[9]. A significant achievement was the adoption of the WGS 84 geodetic system, consistent with more accurate and modern international mapping standards.

c. 2014 Agreement: Concluded on 3 September 2014, this agreement covered the eastern segment of the Singapore Strait, approximately 9.45 km^[10] between Changi and Batam Island. It reaffirmed the equidistance principle, while excluding reclaimed coastlines as a basis for boundary determination, in line with international jurisprudence.

International Legal Aspects

The maritime conflict between Indonesia and Singapore in the Singapore Strait is governed by international legal frameworks, particularly the 1982 United Nations Convention on the Law of the Sea (UNCLOS), which defines the rights, obligations, and jurisdiction of coastal states over maritime areas. Territorial Sea Limits and the Equidistance Principle:

Under Article 15 of UNCLOS, if two states have opposite coasts within 24 nautical miles of each other, the boundary should be drawn based on the equidistance principle, unless special circumstances justify otherwise. The three Indonesia–Singapore agreements adhere to this principle, demonstrating compliance with international law^[11].

Land Reclamation and Artificial Constructions: Singapore's large-scale land reclamation, particularly around Pulau Tekong and Changi, cannot be used as the basis for drawing baselines, as artificial coastlines are not legally recognized in maritime delimitation^[12]. This is supported by international jurisprudence, such as the ICJ ruling in *Qatar v. Bahrain* (2001). Indonesia's protest against these reclamation activities is thus legally justified. Peaceful Settlement of Disputes:

Articles 279–285 of UNCLOS and Article 33 of the UN Charter affirm that maritime disputes should be resolved peacefully through negotiations, mediation, or international forums such as ITLOS or the ICJ. Indonesia and Singapore chose bilateral negotiations as a demonstration of mutual respect and good faith.

Legal Certainty and Regional Stability: Clearly defined maritime boundaries prevent military conflicts, clarify jurisdiction, and support the freedom of navigation (Article 87 of UNCLOS). Delimitation reinforces regional security and exemplifies the responsible application of international law^[13]. Despite the progress made through bilateral agreements, the resolution process faced several technical, legal, political, and strategic challenges.

Geographical and Technical Challenges: The narrow and congested nature of the Singapore Strait makes accurate maritime delimitation difficult. Boundary determination relies heavily on precise geospatial data and baselines, with technical discrepancies in geodetic systems often leading to conflicting coordinate interpretations^[14].

Land Reclamation by Singapore: Singapore's large-scale reclamation, especially around Pulau Tekong and Changi, has raised concerns in Indonesia. Reclamation may alter natural geography, violating the international legal principle that artificial coastlines cannot form the basis of maritime claims^[15]. There are also concerns about environmental damage and disruption to traditional Indonesian fishing zones. Diverging Political and Strategic Interests: Indonesia prioritizes sovereignty and control over marine resources, while Singapore focuses on navigational safety and trade stability. These differing priorities often hinder compromise, delay negotiations, and obstruct comprehensive resolution^[16].

Post-Agreement Implementation and Supervision: Technical challenges persist after agreements are signed, such as installing maritime markers and coordinating joint patrols. The lack of a shared digital map and cross-border communication systems may lead to misunderstandings and maritime incidents, potentially reigniting tensions^[17]. The resolution of the Indonesia–Singapore maritime conflict integrates legal, diplomatic, technical, and geopolitical strategies to ensure regional stability and boundary certainty. Key strategies include: Incremental Negotiation Approach: The two nations employed a segment-by-segment approach to delimitation. This strategy proved effective by allowing time to align technical data, avoid deadlocks, and address less contentious areas first. Indonesia also reaffirmed its legal foundation by issuing Government Regulation No. 38/2002 to fix baseline points and avoid overlapping claims or gray areas. Utilization of UNCLOS 1982 and Joint Boundary Mapping: Indonesia relied on Articles 15 and 279–285 of UNCLOS^[18]. The equitable equidistance principle was used while excluding artificial coastlines from consideration. Following the 2009 (western) and 2024 (eastern) agreements, both nations compiled joint boundary maps to clarify coordinates and facilitate enforcement^[19].

Strengthening Technical Data, Geospatial Systems, and Joint Maritime Security: Indonesia improved geospatial accuracy through the Geospatial Information Agency (BIG), trained technical personnel, and adopted the WGS 84 geodetic system. After delimitation, coordinated naval patrols between the Indonesian Navy (TNI AL) and the Republic of Singapore Navy (RSN) were established. This strategy also involves collaboration with regional forums like the ASEAN Maritime Forum to promote peaceful resolution, share best practices, and prevent external interference^[20].

The resolution of the maritime conflict, especially after the signing of the Eastern Boundary Agreement on 16 March 2023, has yielded various legal, economic, political, and strategic benefits: Legal Certainty and Sovereignty Enhancement: Established boundaries based on internationally recognized coordinates provide strong legitimacy for Indonesia's maritime claims. This strengthens national sovereignty and supports law enforcement against foreign vessels and resource exploration. Improved Security and Regional Stability: Defined boundaries reduce the risk of conflict and maritime incidents while enabling coordinated patrols. This contributes to the overall maritime stability of Southeast Asia, especially in congested routes like the Singapore Strait. Increased Maritime Investment and Economic Activity: Jurisdictional certainty creates a favorable climate for investment in marine sectors,

including fisheries, ocean energy, ports, and marine tourism. Border areas such as Batam and Bintan have experienced notable maritime economic growth.

Strengthened Indonesia–Singapore Bilateral Relations: This resolution reflects the diplomatic maturity of both states and reinforces cross-sectoral cooperation, including in defense, economy, education, and tourism, fostering increasingly stable and mutually beneficial relations. A Regional Model for Maritime Dispute Settlement: This successful resolution serves as a positive precedent for other ASEAN countries, particularly in disputes over areas like the South China Sea. The use of international law and bilateral negotiation presents a significant diplomatic model for the region. Overall, the resolution not only enhances Indonesia's national and regional standing but also contributes to a peaceful and stable Southeast Asian region.

Conclusion

The resolution of the maritime boundary conflict between Indonesia and Singapore in the Singapore Strait reflects the success of bilateral diplomacy grounded in international law, particularly UNCLOS 1982. The disputes, arising from geographic proximity and Singapore's land reclamation activities, were resolved through stepwise negotiation approaches. The western and eastern boundary agreements in 2009 and 2023, respectively, exemplify how peaceful settlements can be achieved without recourse to international litigation.

The application of the equidistance principle as outlined in Article 15 of UNCLOS underscores both countries' commitment to fair and lawful maritime delimitation. Indonesia's consistent rejection of artificial coastlines created by reclamation as a basis for maritime claims aligns with international jurisprudence. The integration of legal, technical, and political dimensions through accurate geospatial data and formal boundary coordinates has proven crucial to effective resolution. Moreover, this settlement has significantly strengthened Indonesia–Singapore bilateral relations across the economic, defense, and tourism sectors. It also enhances Indonesia's regional leadership as a sovereign archipelagic state committed to peaceful conflict resolution. Thus, the maritime boundary resolution in the Singapore Strait provides a strategic and legal reference model for other nations facing complex maritime disputes.

Reference

1. Sembiring D. Kebijakan Penetapan Garis Pangkal Indonesia dan Implikasinya terhadap Perjanjian Batas Laut. *Jurnal Hukum Laut Nasional*, 2019, 5(1).
2. Putri L. Hubungan Bilateral Indonesia–Singapura dalam Perspektif Penyelesaian Batas Laut. *Jurnal Diplomasi Internasional*, 2019, 5(3).
3. Widyastuti T. Strategi Keamanan Laut Indonesia Pasca-Delimitasi Batas Laut dengan Singapura. *Jurnal Keamanan Maritim*, 2021;3(1):68–75.
4. Kementerian Luar Negeri RI. Dokumen Teknis Penetapan Batas Maritim RI–Singapura 2024. Direktorat Hukum dan Perjanjian Internasional, 2024.
5. United Nations Charter, Article 33(1).
6. Indonesia–Singapore Territorial Sea Boundary Agreement, Series No. 4680, 1973.
7. UNCLOS 1982, Article 15.

8. Indonesia–Singapore Territorial Sea Boundary Agreement, Ministry of Foreign Affairs of the Republic of Indonesia, 2009.
9. Indonesia–Singapore Maritime Boundary Agreement, Ministry of Foreign Affairs of Singapore, 2014.
10. United Nations Convention on the Law of the Sea, 1982, Article 15.
11. ICJ. Case Concerning the Land and Maritime Boundary between Cameroon and Nigeria. ICJ Reports. 20, 2002.
12. UNCLOS 1982, Articles 279–285.
13. Lukman H, Wahyuni D. Tantangan Teknis Penentuan Batas Laut Indonesia dengan Negara Tetangga. *Jurnal Geodesi dan Kelautan*, 2018, 6(2).
14. Nurhidayat FX. Reklamasi Pantai Singapura dan Implikasinya terhadap Batas Maritim Indonesia-Singapura. *Jurnal Hukum Internasional*, 2019, 12(2).
15. Savitri I. Implementasi Perjanjian Batas Laut Indonesia–Singapura dan Tantangannya di Lapangan. *Jurnal Diplomasi dan Maritim*, 2021, 3(1).
16. Hadibrata R. Strategi Diplomasi Indonesia dalam Penyelesaian Batas Maritim dengan Singapura. *Jurnal Ilmu Hubungan Internasional*, 2020, 8(1).
17. Yuliana S, Basuki M. Penguatan Infrastruktur Geospasial Nasional untuk Penyelesaian Sengketa Wilayah Laut. *Jurnal Geospasial Kelautan*, 2018, 5(1).
18. Darmawan M. Kepastian Hukum Wilayah Maritim Pasca-Perjanjian Indonesia–Singapura. *Hukum Internasional Indonesia*, 2021, 7(2).
19. Sari M, Indrawan A. Investasi Maritim dan Kepastian Hukum di Wilayah Perbatasan Indonesia. *Jurnal Ekonomi Kelautan*, 2020, 6(2).
20. Azis F. Bilateral Maritime Dispute Resolution in Southeast Asia: A Case Study of Indonesia-Singapore Agreement. *ASEAN Journal of*