

ABSTRAK

Penelitian ini mengkaji tentang penyelesaian sengketa perbatasan di wilayah laut china selatan menurut *United Nations Convention On The Law Of The Sea* Tahun 1982 dan putusan Mahkamah Arbitrase Internasional. Putusan yang dikeluarkan Mahkamah Arbitrase berdasarkan proses penyelesaian sengketa antara China dan Filipina di laut china selatan tentang klaim yang diajukan China di wilayah kedaulatan Filipina.

Metode pendekatan yang digunakan dalam penelitian ini adalah metode pendekatan yuridis normatif, spesifikasi penelitian adalah deskriptif dengan data sekunder dan data primer. Penyajian data dengan uraian secara sistematis dan logis, kemudian dianalisis secara kualitatif.

Hasil penelitian ini menunjukkan bahwa penyelesaian sengketa menurut *UNCLOS* 1982 diklasifikasi kan menjadi 4, yaitu: Mahkamah Internasional Hukum Laut, Mahkamah Internasional, Arbitrase dan Arbitrase Khusus, serta Konsiliasi. Keputusan Mahkamah Arbitrase Internasional mengenai gugatan Filipina terhadap China tentang sengketa di Laut China Selatan merupakan interpretasi terhadap pasal-pasal yang terdapat dalam *UNCLOS* 1982.

Kata kunci: Penyelesaian Sengketa, *UNCLOS*, Mahkamah Arbitrase Internasional

ABSTRACT

The research was purposed to find out the settlement of border disputes in the South China Sea region by the United Nations Convention On The Law Of The Sea of 1982 and the decision of the Permanent Court Of Arbitration. Decision by Permanent Court Of Arbitration based on a dispute settlement process between China and Philippines in the South China Sea on claims by China in the Philippine's sovereign territory.

Approaching method which is used in this research was juridical-normative and the specification of this research was descriptive analytical with secondary data and primary data. In this research, presentation of data with description systematically and logically, then analyzed qualitatively.

Based on result of research indicate that the dispute settlement according to UNCLOS 1982 is classified into 4: International Court On The Law of the Sea, International Court, Arbitration and Special Arbitration, and Conciliation. The International Arbitration Court's decision on the Philippine lawsuit against China on disputes in the South China Sea is an interpretation of the articles contained in UNCLOS 1982.

Key words : Dispute Settlement, UNCLOS, Permanent Court Of Arbitration.