

**TINJAUAN YURIDIS PERNYATAAN BERSAMA TAHUN 2024 ANTARA
INDONESIA DAN TIONGKOK DALAM KERJA SAMA MARITIM
BERDASARKAN UNITED NATIONS CONVENTION
ON THE LAW OF THE SEA 1982**

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ABSTRAK

Kerja sama maritim antara Indonesia dan Tiongkok mengalami dinamika baru melalui penerbitan Pernyataan Bersama pada 2024. Pernyataan bersama, yang bersifat tidak mengikat, memuat frasa “...*in areas of overlapping claims..*” yang memunculkan pertanyaan mengenai potensi dampak hukumnya terhadap posisi Indonesia dalam sengketa Laut China Selatan.

Penelitian ini bertujuan untuk menganalisis klaim *ten-dash line* oleh Pemerintah Tiongkok terhadap Laut China Selatan menurut United Nations Convention on the Law of the Sea (UNCLOS) 1982 dan akibat hukum pernyataan bersama 2024 yang dilakukan oleh Pemerintah Indonesia dengan Pemerintah Tiongkok di bidang maritim. Tipe penelitian yang digunakan adalah yuridis normatif dengan pendekatan perundang-undangan dan konseptual.

Hasil penelitian menunjukkan bahwa klaim *ten-dash line* bertentangan dengan UNCLOS 1982 pasal 56, 57, 74, 76, dan 83 yaitu mengenai zona ekonomi eksklusif dan landas kontinen. Hal tersebut juga sudah tertuang dalam Putusan Mahkamah Arbitrase Permanen (PCA) 2016 yang secara tegas menolak klaim *nine-dash line* Tiongkok. Akibat hukum dari frasa ...*in areas of overlapping claims..* yang digunakan dalam *joint statement* berpotensi dimaknai sebagai pengakuan tersirat atas klaim Tiongkok, terutama terhadap wilayah Zona Ekonomi Eksklusif (ZEE) Indonesia di Laut Natuna Utara.

Kata Kunci : *Indonesia, joint statement, laut china selatan, Tiongkok, UNCLOS 1982.*

**LEGAL REVIEW OF THE 2024 JOINT STATEMENT BETWEEN
INDONESIA AND CHINA ON MARITIME COOPERATION BASED ON
1982 UNITED NATIONS CONVENTION ON THE LAW OF THE SEA**

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ABSTRACT

Maritime cooperation between Indonesia and China has entered a new phase with the issuance of a Joint Statement in 2024. Although non-binding, the statement contains the phrase “..in areas of overlapping claims..”, which raises concerns about its potential legal implications for Indonesia’s position in the South China Sea dispute.

This study aims to analyze China’s ten-dash line claim over the South China Sea under the framework of the United Nations Convention on the Law of the Sea (UNCLOS) 1982, and to examine the legal consequences of the maritime joint statement signed between the Governments of Indonesia and China. The research employs a normative juridical method using statutory and conceptual approaches.

The findings of this study indicate that the ten-dash line claim is inconsistent with the United Nations Convention on the Law of the Sea (UNCLOS) 1982, specifically Articles 56, 57, 74, 76, and 83, which pertain to the exclusive economic zone and the continental shelf. This contradiction has been affirmed by the ruling of the Permanent Court of Arbitration (PCA) 2016, which explicitly rejected China’s nine-dash line claim. The legal implication of the phrase “..in areas of overlapping claims..” used in the joint statement may be interpreted as an implicit recognition of China’s claim, particularly with respect to Indonesia’s Exclusive Economic Zone (EEZ) in the North Natuna Sea.

Keywords: *China, Indonesia, joint statement, south china sea, UNCLOS 1982.*