

Andalas Journal of International Studies

Verdinand Robertua, Lubendik Sigalingging

Indonesia Environmental Diplomacy Reformed:
Case Studies of Greening ASEAN Way and Peat Restoration Agency

Fariz Ruhiyat , Dudi Heryadi, Akim

Strategi NGO Lingkungan Dalam Menangani Polusi Udara di Jakarta (Greenpeace Indonesia)

Sofia Trisni, Putiviola Elian Nasir, Rika Isnarti, Ferdian

South Korean Government's Role in Public Diplomacy : A case Study of The Korean Wave Boom

Arief Bachtiar Darmawan, Hestutomo Restu Koncoro

Penggunaan ASEAN Way Dalam Upaya Penyelesaian Sengketa
Laut Tiongkok Selatan : Sebuah Catatan Keberhasilan?

Ramla Khan

Resource Amassement as a Tool of Maximizing Sea Power In The Indian Ocean

Glory Yolanda Yahya, Desri Gunawan

Strategy of Indonesia Government To Maintain Palm Oil Market in India

Dwi Wahyu Handayani, I Gede Sideman, Yuni Ratnasari

Penanganan Penyelundupan Manusia di Wilayah Pesisir Provinsi Lampung

Andalas Journal of International Studies	Volume 8	No.1	Halaman 1-103	Padang 2019	ISSN 2301-8208
--	----------	------	------------------	----------------	-------------------



**Andalas Institute of International Studies
International Relations Department
Faculty of Social and Political Science
Andalas University**

PREFACE

Andalas Journal of International Studies (AJIS) has been significantly improving this year. The journal has started to gain global recognition since its collaboration with international academicians as a reviewer and an author. Furthermore, the number of article submitted to AJIS is also increasing. This is a small yet meaningful step to attain a world-class academic journal position in international studies as we project AJIS could be a platform to share alternative ideas and concepts for scholars and researchers all across the globe. It has been seven years since the editorial board issued the first publication of AJIS and we are very delighted to release 8th Volume (Number 1) edition for this year.

This volume sheds light on several aspects related to environmental diplomacy, Greenpeace's role in combating pollution in Jakarta, the Korean Wave, the ASEAN Way, the Indian Ocean, the market share of Indonesian palm oil, and human trafficking. The opening article of this edition studies Indonesian strategies in environmental diplomacy through the lens of English school theory. It applies the theoretical framework on the ASEAN Way and Indonesian peat restoration agency as the case studies. The second paper investigates Greenpeace action plans to tackle air pollution problem in Indonesia's capital, Jakarta. The result of analysis indicates that research and public protest are two primary strategies implemented by Greenpeace. The third article examines the position of South Korean government in regards to the Korean wave movement. It observes the success stories of Korean wave to enter the global market.

The fourth paper analyzes the ASEAN Way as a medium to resolve the South China Sea dispute. This writing views the issue from constructivism perspective. The fifth article studies a competition among actors in the Indian Ocean Region (IOR) to gain control over resources in the area. It proposes a solution to establish cooperation through joint development resources. The sixth paper focuses on analysis of Indonesian palm oil market share in India. The author attempts to find out the causes of decreasing market share. The final article of this edition investigates the case of human trafficking in Lampung coastal area, Indonesia. It aims to understand the model of cooperation in human trafficking case in that region.

Finally, the editorial board of AJIS would like to express our gratitude and appreciation to editors, reviewers and contributors for their valuable time and dedication to this latest publication. Their support and assistance is very vital to maintain the quality of AJIS articles. Hopefully, this publication would bring fresh insights and effective problem-solving ideas in international studies.

Daftar Isi

Indonesia Environmental Diplomacy Reformed: Case Studies of Greening ASEAN Way and Peat Restoration Agency Verdinand Robertua, Lubendik Sigalingging.....	1
Strategi NGO Lingkungan dalam Menangani Polusi Udara di Jakarta (Greenpeace Indonesia) Fariz Ruhayat, Dudi Heryadi, Akim.....	16
South Korean Government's Role in Public Diplomacy: A Case Study of the Korean Wave Boom Sofia Trisni, Putiviola Elia Nasir, Rika Isnarti, Ferdian	31
Penggunaan ASEAN Way dalam Upaya Penyelesaian Sengketa Laut Tiongkok Selatan: Sebuah Catatan Keberhasilan Arief Bachtiar Darmawan, Hestutomo Restu Koncoro.....	43
Resource Amassement as a Tool of Maximizing Sea Power in The Indian Ocean Ramla Khan.....	62
Strategy of Indonesian Government to Maintain Palm Oil Market in India Hardi Alunaza SD, Bastian Andhony Toy.....	75
Penanganan Penyelundupan Manusia di Wilayah Pesisir Provinsi Lampung Hardi Alunaza SD, Bastian Andhony Toy.....	88

Indonesia Environmental Diplomacy Reformed: Case Studies of Greening ASEAN Way and Peat Restoration Agency

Verdinand Robertua¹, Lubendik Sigalingging²

¹International Relations, Universitas Kristen Indonesia, Jakarta, Indonesia

²Peat Restoration Agency, Republic of Indonesia

ARTICLE INFORMATION

SUBMISSION TRACK

Received : 19, January, 2019

Final Revision : 16, May, 2019

Available Online: 30, May, 2019

KEYWORD

Indonesia environmental diplomacy, greening
ASEAN Way, peat restoration agency, English
School

ABSTRACT

There is an increasing pessimism on the role of state as the guardian of environmental livelihood due to the recurring of environmental disasters. Moving to a new global environmental governance seems inevitable due to the importance of economic development and social justice within the classical definition of environmental diplomacy. By using the case of “greening ASEAN Way” and the establishment of Indonesia’s peat restoration agency, this article attempted to reinvigorate environmental diplomacy using English School theoretical framework. This research obtained primary data from semi-structured interview with Indonesian officials in Ministry of Foreign Affairs and Peat Restoration Agency as well as from the observation of the implementation of peatland restoration in Indonesia. This research has three conclusions. Firstly, Indonesia is an important actor in the mitigation of many regional and global environmental issues including forest fires and transboundary haze. Secondly, the ratification of ASEAN Agreement on Transboundary Haze Pollution and the establishment of peat restoration agency are part of the reinvigoration of Indonesia environmental diplomacy. Lastly, Indonesia’s reformed environmental diplomacy still faced problem on the relationship between central government and local government.

KATA KUNCI

Diplomasi lingkungan Indonesia, greening
ASEAN Way, Badan Restorasi Gambut,
English School

CORRESPONDENCE

E-mail: verdinand.robertua@uki.ac.id

ABSTRAK

Banyaknya bencana lingkungan yang terjadi menipiskan harapan terhadap peran negara sebagai pelindung lingkungan hidup. Tata kelola lingkungan global yang baru seperti tidak terelakkan seiring dengan signifikansi pertumbuhan ekonomi dan keadilan sosial dalam definisi klasik diplomasi lingkungan. Dengan menggunakan studi kasus “greening ASEAN Way” dan pembentukan Badan Restorasi Gambut, artikel ini berusaha melakukan reformulasi terhadap konsep diplomasi lingkungan dengan menggunakan kerangka teori English School. Data primer penelitian ini diperoleh dengan wawancara semi-terstruktur dengan pengambil kebijakan di Kementerian Luar Negeri dan Badan Restorasi Gambut serta observasi di wilayah

restorasi gambut di Indonesia. Penelitian ini memiliki tiga kesimpulan. Pertama, Indonesia merupakan aktor penting dalam mitigasi isu-isu lingkungan dalam level regional and global termasuk kebakaran hutan dan pencemaran udara lintas batas. Kedua, ratifikasi ASEAN Agreement on Transboundary Haze Pollution dan pembentukan Badan Restorasi Gambut merupakan bagian dari penyegaran kembali diplomasi lingkungan Indonesia. Terakhir, diplomasi lingkungan Indonesia masih menghadapi masalah terkait relasi antara pemerintah pusat dan pemerintahan lokal.

Introduction

Indonesian environmental diplomacy is complex and dynamic. As the second largest tropical forest and the largest peat forest in the world, Indonesia is in the crossroad formulating its environmental diplomacy. Forest fires, transboundary haze and biodiversity loss have put Indonesian environmental diplomacy in limbo. This research highlighted two primary problems in Indonesian environmental diplomacy namely the lack of coordination among states and the marginalization of local wisdom. Using the case studies of greening ASEAN Way and Peat Restoration Agency, this research aimed to trace and capture the dynamic of Indonesian environmental diplomacy.

In the beginning of this article, the authors will expose the conceptual framework of environmental diplomacy in English School theoretical point of view. There is an urgent need for transforming environmental diplomacy from state-centric activities into a new hybrid global environmental governance due to recurrence of global environmental crisis. This hypothesis will be evaluated based on two cases. Firstly, Indonesia ratification of ASEAN Agreement on Transboundary Haze Pollution is a form of Indonesian environmental diplomacy in facing forest fires and transboundary haze. Secondly, the conflict between global environmental value

and local wisdom can be seen in the implementation of Peat Restoration Agency. Critical analysis on these two cases showed us a new complexity on Indonesian environmental diplomacy.

Environmental issues are emerged as serious challenge to the legitimacy of states in International Relations. According to Hurrell¹, states are still considered as the primary actor in implementing policy and allocating resources in the context of mitigation of global and national environmental problems. However, this domination is being constantly challenged by the presence of multinational corporations (MNCs) and civil society. MNCs have voiced their protest regarding the impact of climate change and implemented many initiatives to complement global arrangement. It became even more crucial when civil society used their normative power to march against government and created self-sustained global environmental movement.²

Environmental diplomacy is an effort to integrate environmental issues into foreign policy of a nation. In the midst of thousands

¹ Falkner, Robert. 2009. *Business Power and Conflict in International Environmental Politics*. New York: Palgrave Macmillan.

² Ardhian, David, Soeryo Adiwibowo, and Ekawati Sri Wahyuni. 2016. "Peran dan Strategi Organisasi Non Pemerintah dalam Arena Politik Lingkungan Hidup." *Sodality* 210-216.

of bilateral and multilateral negotiations among nations, environmental diplomacy is a tool for governments to achieve a new form of cooperation in addressing urgent environmental problems. The nature of environmental problems is global in scope, transboundary and stateless. The most effective solution to environmental problems requires complex interdependence among nations and non-state actors.³

Benedick⁴ argued that one of the stumbling block of environmental diplomacy is the equity issue between developed and developing countries. For poor countries, the difference in wealth and resource possession should be primary indicator for determining the degree of environmental responsibility. Rich countries have to allocate bigger resources to change their consumption and production behaviour meanwhile poor countries have to focus to eradicate poverty and raise standard of living. The denial of different degree of environmental responsibility is a factor of lack of coordination and compliance toward multilateral environmental agreement including the Paris Agreement.

The problem of environmental diplomacy is not only about equity issue but also the hierarchy of values and principles. The adoption of environmental protection in foreign policy brings a new complexity of values and principles. Narain⁵ asked whether “environmental diplomacy has turned into petty business transactions, not the establishment of fair and global

environmental governance systems”. Environmental diplomacy focused too much on making environmental protection profitable neglecting the principle of justice, fairness, and equality. The interaction between developed and developing countries is an exclusive domain of environmental diplomacy ignoring values and principles motivating interaction among members within a local organization. Therefore, the interaction between international agenda and domestic setting is an imperative.⁶

The failure of environmental diplomacy in capturing principles and mediating the conflict can be understood using Ali and Vladich’s concept of environmental diplomacy. According to them, environmental diplomacy consists of three interlinked components; economic growth, environmental protection and social justice.⁷

Narain’s question on values in environmental diplomacy is related with the conflict between environmental protection and social justice. There is an identity crisis of environmental diplomacy questioning the “real motivation” behind environmental protection platform. Meanwhile Benedick’s argument on the difference of environmental responsibility deals with the competition between economic growth and environmental protection. Environmental diplomacy contained a dilemma: “how to achieve economic growth without sacrificing environmental protection?” Without answering these question, environmental diplomacy is **merely** a form of environmental cooperation between states.

³ Benedick, Richard E. 1999. "Diplomacy for the Environment." In *Environmental Diplomacy*, by American Institute for Contemporary German Studies, 3-13. Washington: American Institute for Contemporary German Studies.

⁴ *Ibid*

⁵ Narain, Sunita. 1999. "Environmental Diplomacy in an Unequal World." In *Environmental Diplomacy*, by American Institute for Contemporary German Studies, 17-25. ^{Washington}: American Institute for Contemporary German Studies.

⁶ Quayle, Linda. 2013. "National and Regional Obligations, the Metaphor of Two-Level Games, and the ASEAN Socio-Cultural Community." *Asian Politics & Policy* 5 (4): 499-521.

⁷ Ali, Saleem, and Helena Vladich. 2016. "Environmental Diplomacy." In *The SAGE Handbook of Diplomacy*, by Costas Constantinou, Pauline Kerr and Paul Sharp, 601-616. London: SAGE.

The emergence of multi-stakeholder initiatives (MSIs) is a sign of protest toward the state-centric environmental diplomacy. Governments are not responsible for protecting environment and they are ineffective in working together fighting against environmental problem.⁸ The presence of civil society in global environmental politics is an indication of the failure of government multilateralism. Global environmental governance become the arena for civil society to be stronger against the states. There are many derivative concepts from global environmental governance such as multi-stakeholder initiative and public-private partnership.

Another example of the crisis of environmental diplomacy is Paris Agreement. Paris Agreement has been criticized as weak agreement as the United States are not interested in developing them. They are mainly marginalized as environmental issues is sidelined in the global politics overshadowed by security crisis is North Korea, South China Sea and Middle East. However, Stockholm Conference 1972 and Rio Conference 1992 were the historical moment showing global solidarity overcome egoistic self-interest of nations.⁹ Water crisis, famine, forest fires, transboundary haze pollution, animal extinction and climate change are pushing leaders to reform their mindset regarding environmental issues.

Stockholm Conference and Rio Conference have successfully produced United Nations Environmental Program and Kyoto Protocol respectively. After then, COP 21 in Paris in 2015 produced Paris Agreement that set global warming below two degrees Celsius compared to pre-

industrial levels. Paris Agreement entered into force after more than 55 countries have ratified it and on 22 April 2016, there were 174 countries ratified it. Paris Agreement is now a global binding international law. The Trump's decision to exit Paris Agreement has put environmental diplomacy in limbo. The US is the biggest carbon emitter in the world and the political superpower in global military and political arrangement. Without the US' engagement, the Paris Agreement is just another "ordinary" environmental law.

Above literature review indicated that there are constant growing dissatisfaction toward national leaders in using environmental diplomacy in building effective global platform in addressing transboundary environmental challenges. Skepticism toward state is inevitable. Even though there are hundreds of global and regional environmental agreements (MEAs), activists and ecologists perceived negatively toward the capacity and the implementation of MEAs.¹⁰ The debate regarding the legitimacy of states in global environmental politics can be analyzed using multiple International Relations theories including English School.

English School is popular as the theory of "debating the debate" due to the presence of its contradicting pillars namely pluralism and solidarism. Pluralism is a worldview championing diplomacy, international organization and international trade as essential component of international order.¹¹ Sovereignty, non-violence and state are the key words of pluralism. Solidarism is simply an anti-thesis of pluralism. Many English School scholars attempted to understand the significance of this debate (Buzan 2004,

⁸ Chasek, Pamela S. 2001. *Earth Negotiations: Analyzing Thirty Years of Environmental Diplomacy*. Tokyo: United Nations University Press.

⁹ Bernstein, Steven. 2001. *The Compromise of Liberal Environmentalism*. New York: Columbia University Press.

¹⁰ French, Hillary. 1999. "How Can We Reconcile the Slow Pace of International Diplomacy with the Growing Urgency of Global Ecological Decline." In *Environmental Diplomacy*, by American Institute for Contemporary German Studies, 13-17. Washington: American Institute for Contemporary German Studies.

¹¹ Bull, Hedley. 1977. *The Anarchical Society: A Study of Order in World Politics*. Basingstoke: Palgrave.

Falkner 2012, Cochran 2009, Jackson 2009). Instead of debating the debate of pluralism and solidarism, this article attempted to evaluate the domination/contraction of pluralism/solidarism in environmental politics. Is it true that the crisis of environmental diplomacy indicated the crisis of pluralism in Environmental Studies of English School?

Research Method

In addressing the conceptual problem of Indonesia environmental diplomacy, the authors asked head of Peat Restoration Agency, Republic of Indonesia, Nazir Foad and head of Greenpeace Indonesia, Leonard Simajuntak to express their views regarding the response of Indonesian government in environmental issues. Both speakers are selected due to their capacity and competence in environmental issues globally and nationally.

Their views will be analyzed using English School theory in order to find the new Indonesia environmental diplomacy. English School theory has pluralism and solidarism which both of them has competing views and perspective. Both views will be relevant in minimizing subjective interpretation of authors.

Discussion and Analysis

To answer the question, the author analyzed the case of haze conflict between Singapore, Malaysia and Indonesia. Since 1998, forest fires in Indonesia and transboundary haze pollution in Malaysia and Singapore are classified not only as regional environmental problems but also global environmental disaster. Forest fires in Sumatra and Kalimantan contributed to haze in Singapore and Malaysia due to their geographical proximity. There are many scientific reports explaining factors of forest fires starting from the vulnerability of peat

fires to the impact of *El-Nino*. However, International Relations experts showed that forest fires were also related to the absence of environmental responsibility among leaders and corporation in exploiting forests. The negative impact of forest fires is obvious. Haze is not only harmed peoples' health but also harmed economic growth and political order. Tourists' number were declining and peoples protested massively to the governments contributing to the declining political support both in Indonesia, Singapore and Malaysia. Forest fires threatened biodiversity and animal habitat as well as the living space of indigenous peoples. Indonesia is home to Earth's most threatened tribes namely *Orang Rimba*, indigenous tribe in Sumatra.¹² *Orang Rimba's* population decreased 30% per year and they are in the brink of extinction due to the expansion of palm oil plantation and forest fires.

Haze conflict is a test case for environmental diplomacy. As elaborated earlier, the skepticism toward environmental diplomacy is based on the failure of states in overcoming the degree of environmental responsibility. In the case of haze, Indonesian government didn't accept as the sole responsible party of forest fires and transboundary haze. Despite of having the second largest tropical forest in the Earth, Indonesia blamed Singaporean and Malaysian corporation as the perpetrators of forest fires.¹³ There are criminal suspects of forest fires from Malaysia- and Singapore-based palm oil corporation. Meanwhile, Indonesia defended its right to exploit forest

¹² The Guardian. 2016. *Indonesia's forest fires threaten Sumatra's few remaining Orang Rimba*. June 7. Accessed August 7, 2017. <https://www.theguardian.com/global-development/2016/jun/07/indonesia-forest-fires-threaten-sumatras-few-remaining-orang-rimba>.

¹³ Deutsche Welle. 2006. *Asap dan Perang Kata-Kata*. Desember 14. Accessed Desember 2, 2016. <http://www.dw.com/id/asap-dan-perang-kata-kata/a-16897824>

for eradicating poverty and raising standard of living. Wibisono argued that Indonesian people should not only become “security officer” of Indonesian forest. Rich countries are richer using Indonesian forest meanwhile Indonesian people are still poor acting only as the guardian of forest.¹⁴

In this way, environmental diplomacy is a tool to defend the Indonesian rights to exploit forest. To understand the crisis of environmental diplomacy, we can learn from Clapp and Dauvergne’s typology of international political economy of environment. According to them, social green is the group that advised radical transformation of national foreign policy. Global environmental crisis is inevitable due to “social injustice at both global and local level” and the solution is “reject industrialism and capitalism and reverse economic globalization”.¹⁵ Of course, the solution is unfeasible for Indonesia, Malaysia and Singapore. Industrialism and capitalism are twin engines of new emerging economies that alleviated welfare to millions of peoples.

For social greens, environmental diplomacy is a tool for defending reputation and prestige among nation-states. It is useless to discuss the effectiveness of mitigation and restoration policy both at global and local level because industrialism and capitalism are dominating national economic agenda and marginalizing ecological justice **everywhere**. Due to the domination of industrialism and capitalism in **all countries**, “naming-and-shaming” should not be a strategy of environmental diplomacy. For social greens, “naming-and-shaming” can only be used by an environmental superpower. Environmental

superpower refers to the states and nations that able to reverse the domination of industrialism and capitalism and promoting ecological justice effectively. In reality, it is not exist.

This effort of making environmental diplomacy as a tool to hide the truth fitted to English School’s research agenda in environmental studies. Most of English School scholars focused to challenge the hegemony of pluralism or solidarism and trace the dynamics between pluralism and solidarism. There are also growing interest among English School scholars to construct a new typology such as Barry Buzan’s world society and Schouenborg’s Scandinavian international society.¹⁶ This research aimed to understand the dynamic of certain “established concepts” such as sustainable development or environmental diplomacy. Rather than taking a concept as taken-for-granted, English School scholars should challenge the consensus among scholars and reformulate it with a new understanding.¹⁷

ASEAN Way is a form of environmental diplomacy. ASEAN Way is “a code of conduct for inter-state behaviour as well as a decision-making process based on consultation and consensus”.¹⁸ If there is a regional problem, ASEAN member states should take non-confrontational approach in solving the problem. According to the advocate of ASEAN Way, sovereignty is the sacred element of regional order explaining

¹⁴ Wibisono, Christianto. 2015. "Kedaulatan Asap RI." Kompas, October 27: 7.

¹⁵ Clapp, Jennifer, and Peter Dauvergne. 2005. *Path to a Green World: the Political Economy of Global Environment*. Masschusetts: MIT Press.

¹⁶ Buzan, Barry. 2004. *From International to World Society: English School Theory and the Social Structure of Globalisation*. Cambridge: Cambridge University Press; Schouenborg, Laust. 2013. *The Scandinavian International Society: Primary Institutions and Binding Forces 1815-2010*. Oxon: Routledge.

¹⁷ Liste, Philip. 2017. "International Relations Norms Research and the Legacies of Critical Legal Theory." *11th Pan-European Conference on International Relations (EISA)*. Barcelona: European International Studies Association. 1-22.

¹⁸ Acharya, Amitav. 1997. "Ideas, Identity, and Institution Building: From the 'ASEAN Way' to the 'Asia-Pacific' Way." *Pacific Review* 319-346.

the absence of war in Southeast Asia since its formation in 1967. In the context of environmental issues, the advocates of ASEAN Way believed that states have responsibility protecting their ecosystem and natural resources and ASEAN Way provided “comfortable zone” for leaders and bureaucrats to implement environmental development projects.

As a form of environmental diplomacy, ASEAN Way is evident in the formation of ASEAN Agreement on Transboundary Haze Pollution (AATHP). In response to the recurrence of forest fires and transboundary haze, Singapore and Malaysia initiated regional multilateral environmental agreements preventing and mitigating the impact of transboundary haze. AATHP faced negative criticism from Indonesia due to the nature of AATHP as a binding agreement. Indonesian parliament feared that AATHP will be used by Singapore and Malaysia to punish Indonesia for its failure in preventing forest fires and transboundary haze. After Indonesian diplomats convinced the parliament that AATHP is another form of environmental diplomacy using ASEAN Way, Indonesian government ratified it in 2014. It takes 12 years for Indonesian parliament to ratify AATHP.

Meanwhile, environmental scholars accused that AATHP is another failure of ASEAN taking out ASEAN Way in dealing with environmental problems. The absence of law enforcement and sanction in AATHP is the primary obstacle of implementing AATHP in the national regulation. Some scholars used the European Union as a case study showing the advantage of including law enforcement and sanction in environmental agreements.

This research argued that ASEAN Way is “greened”. Instead of looking ASEAN Way as a problem, this research offered a new perspective that ASEAN Way has helped states and governments in mitigating the regional environmental

problem. Greening ASEAN Way started from the argument that there are multiple ways to influence national environmental foreign policy. “Naming-and-shaming” strategy is not the only way to change state behaviour. Greening ASEAN Way marked a new importance of dialogue and consultation as well as cooperation between states and sub-state actors in promoting environmental values. ASEAN member states admitted the impact of industrialization and capitalism but environmental diplomacy should be a tool for states in focusing “unexplored area” that is possible for empowering state capacity in correcting environmental failures such as peatland conservation or sustainable forest management.

Indonesian ratification of AATHP is an indication of a shift of the meaning of environmental diplomacy from social greens to institutionalists. According to Clapp and Dauvergne (2005), institutionalists focused on cooperation to bridge the gap between welfare, policy entrepreneurship and technology improvement with environmental problems. Instead of rejecting industrialization and capitalism, institutionalists offer long-term solution using comprehensive global network with non-state actor.¹⁹ Without Indonesian ratification to AATHP, improvement and innovation in sub-state level and national level in addressing forest fires and transboundary haze didn’t gain its political legitimacy. In this way, greening ASEAN Way is a momentum of transformation from “treadmill growth” to strong environmental domestic institution. Instead of “naming-and-shaming” approach of environmental diplomacy, greening ASEAN Way advised closer examination of domestic environmental policies and strategies in delivering environmental restoration and mitigation.

¹⁹ Clapp, Jennifer, and Peter Dauvergne, Op.Cit.

During Susilo Bambang Yudhoyono's leadership, environmental diplomacy is one of Indonesia's top foreign policy agenda and greening ASEAN Way is a consequence of Indonesia's environmentally-sound domestic policies. The first intersection between domestic and international policies in Indonesian environmental diplomacy is the United Nations Framework Convention of Climate Change (UNFCCC) meeting in Bali in 2007. President Susilo Bambang Yudhoyono (SBY) used all his political power to ensure the success of the meeting including the bureaucrats in Ministry of Foreign Affairs and State Ministry of Environment. It is a top-down strategy.²⁰ Due to SBY's entrepreneurship, Bali meeting successfully adopted of Reducing Emission from Deforestation and Degradation Plus (REDD+) in Bali Agenda. REDD+ is a major concern for developing countries to gain assistance and facilitation from developed countries in implementing sustainable forest management.

Ratification of AATHP is the second intersection of domestic and international policies in Indonesian environmental diplomacy. Knowing environmental diplomacy as a top foreign policy agenda, Minister of Foreign Affairs Marty Natalegawa ordered diplomats in Directorate of ASEAN Cooperation to help AATHP into parliament's top law-making agenda. Nguitragool explained that AATHP has lack of support from Indonesian epistemic community. ASEAN was largely invisible in the global environmental policies in comparison with the United Nations.²¹

Special instruction from Minister Marty is crucial in ensuring a smooth ratification of AATHP. In SBY's leadership, greening ASEAN Way is a part of Indonesian environmental diplomacy as a consequence of Indonesia activism in global environmental politics.

After Joko Widodo come into power, peatland protection received substantial attention and institutionalization. President Widodo established Badan Restorasi Gambut (BRG) in the beginning of 2016 to restore Indonesian degraded peatland and protect remaining fertile peatland. BRG has a mandate to restore about two millions of degraded peatland in seven provinces (Riau, South Sumatera, Jambi, Central Kalimantan, West Kalimantan, South Kalimantan and Papua).

The establishment of BRG marked a new era of Indonesian environmental diplomacy. SBY focused to implement emission reduction target through the implementation of REDD+ with the assistance of executive agency of REDD+ (BP REDD+) and National Council of Climate Change. Instead of empowering these institutions, President Widodo dismissed them in January 2015 and simplifying large bureaucracy with the integration of Ministry of Forestry and State Ministry of Environment into Ministry of Environment and Forestry. In the beginning of Widodo's era, streamlined communication and coordination between overlapping ministries is the key strategy in achieving political targets and promises.

Great forest fires and transboundary haze in 2015 shocked the world. It is estimated that about 2,6 million hectares of forest and land was burned. President Widodo received legitimacy crisis due to the recurrence of 1997's forest fires and transboundary haze. Instead of using

²⁰Taufik, Kinanti Kusumawardhani. 2016. "Indonesia's Environmental Diplomacy under Yudhoyono: A Critical-Institutionalist-Constructivist Analysis." *The Hague Journal of Diplomacy* 1-26

²¹Nguitragool, Paruedee. 2011. "Negotiating the Haze Treaty Rationality and Institutions in the Negotiations

for the ASEAN Agreement on Transboundary Haze Pollution (2002)." *Asian Survey* 51 (2): 356-378.

REDD+ framework in dealing with the problem, President Widodo launched a set of governmental policies in preventing forest fires including the establishment of BRG through President Regulation No. 1 Year 2016 and Government Regulation (PP) number 57 year 2016 on Protection and Management of Peat Ecosystems include banning land clearing in peatland area. Widodo's focus to peatland restoration raised pessimism from international community due to the increasing cost of financial burden in implementing peatland restoration target.

There is a contradiction between national regulation and local regulation. West Kalimantan has vast area of peatland and the local regulation allowed farmers to use fires to clear the land. In Local Law number 6 year 1998, local farmers can fire the land for two hectares area per person.²² This rule is against the national regulation banning the fires as a way to clear the land. This problem highlighted the debate between social justice and environmental protection as discussed by Narain (1999). To ensure effective implementation of environmental diplomacy, government need to cooperate with private sectors and sub-national actors. In this regard, peatland is transformed into a business deal between government and local communities with the purpose of preventing environmental problems and turning natural resources into profit. This is similar to Clean Development Emission in Kyoto Protocol. CDM is a carbon trading mechanism that allowed developed countries to transfer their emission to developing countries with financial contributions as its compensation. As Narain said, environmental diplomacy is trapped into a petty business financial transaction.

²² Pontianak Post. 2016. *Revisi Perda Karhutla*. 2 25. Accessed 9 12, 2018. <https://www.pontianakpost.co.id/revisi-perda-karhutla>.

Many palm oil corporations have voiced their protest regarding Indonesia's new policy regarding the ban or moratorium on plantation in peatland area. Ministry of industry has sent a letter to President Jokowi regarding the negative impact of Presidential Decree 57 in 2016.²³ Alisjahbana and Busch (2017) have highlighted on how there are many weaknesses in the institutionalization of BRG. According to Alisjahbana and Busch, BRG has insufficient human resources, inadequate funding and inconsistent peatland regulation.²⁴ As a new organization, BRG need strong political mandate in order to deal with huge multinational corporation and local leaders.

This research argued that BRG's method need to be elaborated further especially the technique in community empowerment. BRG has 3R method that consists of rewetting of degraded peatland, revegetation, and revitalization of local livelihoods. Rewetting and revegetating stand for peatland restoration and revitalizing stands for community empowerment. As stated in the background of chapter one, there is huge expansion of palm oil plantation in response to the growing need of palm oil worldwide. As the incentives for palm oil plantation is bigger that local farming, local community was poised to clear the land and make a canal for drying the peatland. Instead of punish local community for degrading peatland, government need to empower local community in resisting the conversion of

²³ The Jakarta Globe. 2017. *Regulatory Challenges in Peatland Management*. September 13. Accessed November 16, 2017. <http://insight.jakartaglobe.id/indonesias-regulatory-challenges-people-planet-profit-peatland-management/>.

²⁴ Alisjahbana, Armida S., and Jonah M. Busch. 2017. "Forestry, Forest Fires, and Climate Change in Indonesia." *Bulletin of Indonesian Economic Studies* 111-136.

peatland into palm oil plantation. Government need to focus to empower local business that based on sustainable agriculture such as coffee, chocolate, pineapple, dragon fruit or sagu; based on water such as beje ikan (fisheries) and based on ecosystem service such as carbon trade, eco-tourism, etc. Financial and technical aid would be some solution to address this deficit.

The importance of local sustainable economy is very important to integrate social justice and environmental protection. Article 33 of Indonesian constitution number 3 stated: "Earth, water and natural resources should be governed by the state and used to the greatest benefit of the people". This article emphasized the focus toward the local communities around the forest and peatland. Ensuring the benefit of peatland toward the community is one of primary objectives of Indonesian government. In this case, the integration of land reform and peatland restorations is very useful in reconstructing Indonesian environmental diplomacy. Peatland restoration should not only address the biodiversity, ecosystem and livelihood but also the improvement of welfare and social benefit. Jokowi's land reform should be seen as an integral part of peatland restorations based on Indonesian constitution article 33. The improvement of land reform should hand in hand with peatland restoration in addressing global environmental problems.

The implementation of article 33 is reflected in the Supreme Court decision to abandon Minister Regulation number 17 year 2017. Minister of Environment and Forestry issued a minister regulation number 17 year 2017 stating that industrial forest and palm oil that used peatland must be stopped. This regulation provoked protest from corporations and labor unions fearing the bankruptcy of the corporations and the loss

of jobs.²⁵ Peatland restoration and conservation should not be against the article 33 and minister regulation 17/2017 didn't bring any positive impact with peatland restoration and land reform.

In the context of environmental diplomacy, McLellan has compared two different regime in handling global environmental problems. According to McLellan, "Indonesia must build the domestic credentials necessary to be considered a respected and capable player before it can lead on climate change internationally".²⁶ Taufik²⁷ also concluded that "Indonesia appeared to be pursuing a vigorous outward environmental diplomacy strategy, while little attention was directed inward towards incorporating local conceptions of human-nature relations". In sum, both McLellan and Taufik stated that SBY wanted to build global coalition supporting emission reduction but lack of national and local support in pursuing his vision.

Interestingly President Joko Widodo (Jokowi) showed different approaches. Jokowi only appeared in UNFCCC COP 21 Paris meanwhile Susilo Bambang Yudhoyono (SBY) appeared in two UNFCCC COP in Copenhagen and Bali. Jokowi sent Minister Retno and Minister Siti to represent Indonesia in climate negotiation. Meanwhile SBY is very strongly present in all level negotiation. Jokowi stated that he

²⁵ Kompas. 2017. *Pengusaha anggap aturan Menteri LHK soal Gambut Memberatkan*. 5 18. Accessed 6 24, 2018. <https://ekonomi.kompas.com/read/2017/05/18/203010326/pengusaha.anggap.aturan.menteri.lhk.soal.gambut.memberatkan>.

²⁶ McLellan, Sebastian. 2015. *Climate Policy under Yudhoyono and Jokowi: Making Progress or Going Backward?* November 27. Accessed August 5, 2017. <http://www.internationalaffairs.org.au/news-item/climate-policy-under-yudhoyono-and-jokowi-marking-progress-or-going-backward/>.

²⁷ Taufik, Op.Cit.

will support Indonesian diplomacy that benefited Indonesia. However, it is unclear the definition of benefit to Indonesia. REDD+ is also a benefit for Indonesia because developed countries shared their income and technology for forest protection. However, it is unclear on the role of Indonesian government in addressing the interconnection between social injustice and environmental protection.

This research disagrees with Rosyidin's argument mentioning Jokowi has less interest in pursuing international due to bigger focus on domestic policy.²⁸ This research argued that BRG is part of Jokowi's environmental diplomacy. Environmental diplomacy emphasized internal consolidation that has an impact toward bilateral and multilateral negotiation. This is a bottom-up approach that is radically different with previous regime. This research echoed Qin's opinion that Jokowi wanted to implement results-driven foreign policy.²⁹ Multilateralism and great power status are not the only way to achieve significant impact toward Indonesia. Bilateral diplomacy and technical diplomacy can be tools for Jokowi to achieve Indonesian foreign policy.

Indonesia was traditionally used UNFCCC to promote Indonesian national interest in global environmental governance. However, Jokowi regime added Global Peatland Initiatives (GPI) as a new platform for Indonesian environmental diplomacy. The emergence of GPI as a new Indonesian

platform is not surprising due to the failure of UNFCCC to focus on peatland restoration and conservation. GPI was established in 2015 in Germany as a platform for civil society, states and academia to discuss and draft policies and ideas in peatland restoration.³⁰ In 2018, Indonesian Minister for Environment and Forestry Siti Nurbaya Bakar and Deputy for Construction, Operation and Maintenance of Peatland Restoration Agency Alue Dohong attended the second meeting of GPI in Congo.

The emergence of GPI can be analyzed using great power politics. US' decision to neglect of Paris Agreement has a serious impact toward the commitment from developing and developed countries. North-south cooperation is a traditional basis of global environmental governance but US' exit marked a new path for a stronger basis of south-south cooperation as shown in GPI. Indonesia's decision to join GPI is a result of Indonesian reformed environmental diplomacy. Instead of dependent on great power aid, Indonesian focused on the development of national resource and built global coalition to support Indonesian goal.

Conclusion and Recommendation

This research has three conclusions. Firstly, Indonesia is an important actor in the mitigation of many regional and global environmental issues including forest fires and transboundary haze. The success of BRG will have direct implication toward Indonesia emission reduction target. Jokowi has promised to cut Indonesian emission by 29% in 2030 under business-as-usual and 41%

²⁸ Rosyidin, Mohamad. 2017. "Foreign policy in changing global politics: Indonesia's foreign policy and the quest for major power status in the Asian Century." *South East Asia Research* 1-17.

²⁹ Qin, Sophie. 2015. *A Retreat From Multilateralism: Foreign Policy Restructuring Under Jokowi*. 12-23. Accessed 6/26/2018. <http://www.internationalaffairs.org.au/australianoutlook/a-retreat-from-multilateralism-foreign-policy-restructuring-under-jokowi/>.

³⁰ Diamond, Herbert, Willem Ferwerda, Hans Joosten, Tatiana Minaeva, Jack Rieley, Henk Ritzema, and Marcel Silvius. 2004. *The Global Peatland Initiative as a partnership*. 6. Accessed 6/26/2018. https://www.researchgate.net/publication/40124541_The_global_peatland_initiative_as_a_partnership.

with international support.³¹ To achieve this target, there are two sectors that need Jokowi's attention namely energy sector and land-use reform. Wijaya, et.al., (2017) shows that Indonesia existing policies will not achieve the target and Indonesian government need to strengthen its measures to produce emission less than 2.037 MtCO₂.³²

In the context of land-use, land-use change and forestry reform, Wijaya³³ urged Indonesian government to give priority to peatland restoration. Interestingly, land-use, land-use change and forestry accounted to 48% Indonesia emission in 2012. It will be bigger after 2015's forest fires. Therefore, Wijaya challenged Indonesian government to extend original mandate of two million hectares peat restoration in 2020 become six million hectares in 2030. This extension will be significantly help Indonesian government to achieve 29% percent target.

Secondly, the ratification of ASEAN Agreement on Transboundary Haze Pollution and the establishment of peat restoration agency are part of the reinvigoration of Indonesia environmental diplomacy. There is significant difference between SBY and Jokowi's environmental diplomacy especially in peat protection and restoration.³⁴ Jokowi's emphasis on peat

protection must be evaluated regularly in ensuring Indonesia emission reduction target. Land-use and forestry reform are the biggest contributor of Indonesia' emission production. Indonesian peat protection is stronger due to the combination of BRG and KLHK. KLHK is an output of integration of Ministry of Environment and Ministry of Forestry. Meanwhile SBY previously only used BP REDD+ and DNPI that have limited vision on domestic peat protection.

Lastly, Indonesia's reformed environmental diplomacy still faced problem on the relationship between central government and local government. Minister Siti has made promise to assist Congo in its peat protection and Minister Siti must deliver its promise in bringing betterment in Congo. Not only about South-South cooperation, Indonesia also focused to bring peat protection and restoration in Indonesian climate diplomacy with the purpose of ensuring aid and facilities from developed countries. The success of peat protection and restoration can be a tool for Indonesia to shape and formulate global climate negotiation especially during the implementation of Paris Agreement. Peat protection is a global issue and developed countries need to be Indonesia's strategic partner in protecting and restoring global peatland.

³¹ UNFCCC. 2016. *First Nationally Determined Contribution Republic of Indonesia*. Bonn: UNFCCC.

³² Wijaya, Arief, Hanny Chrysolite, Mengpin Ge, Clorinda Kurnia Wibowo, Almo Pradana, Andhyta Firselly Utami, and Kemen Austin. 2017. *How can Indonesia achieve its climate change mitigation goal? An analysis of potential emissions reductions from Energy and Land-Use Policies*. Washington DC: World Resource Institute.

³³ *ibid*

³⁴ Santosa, Mas Achmad, and Januar Dwi Putra. 2016. "Enhancement of Forest and Peatland Governance in Indonesia." *Indonesian Journal of International Law* 344-352.

REFERENCES

- Acharya, Amitav. 1997. "Ideas, Identity, and Institution Building: From the 'ASEAN Way' to the 'Asia-Pacific' Way." *Pacific Review* 319-346.
- Ali, Saleem, and Helena Vladich. 2016. "Environmental Diplomacy." In *The SAGE Handbook of Diplomacy*, by Costas Constantinou, Pauline Kerr and Paul Sharp, 601-616. London: SAGE.
- Alisjahbana, Armida S., and Jonah M. Busch. 2017. "Forestry, Forest Fires, and Climate Change in Indonesia." *Bulletin of Indonesian Economic Studies* 111-136.
- Ardhian, David, Soeryo Adiwibowo, and Ekawati Sri Wahyuni. 2016. "Peran dan Strategi Organisasi Non Pemerintah dalam Arena Politik Lingkungan Hidup." *Sodality* 210-216.
- Benedick, Richard E. 1999. "Diplomacy for the Environment." In *Environmental Diplomacy*, by American Institute for Contemporary German Studies, 3-13. Washington: American Institute for Contemporary German Studies.
- Bernstein, Steven. 2001. *The Compromise of Liberal Environmentalism*. New York: Columbia University Press.
- Bull, Hedley. 1977. *The Anarchical Society: A Study of Order in World Politics*. Basingstoke: Palgrave.
- Buzan, Barry. 2004. *From International to World Society: English School Theory and the Social Structure of Globalisation*. Cambridge: Cambridge University Press.
- Chasek, Pamela S. 2001. *Earth Negotiations: Analyzing Thirty Years of Environmental Diplomacy*. Tokyo: United Nations University Press.
- Clapp, Jennifer, and Peter Dauvergne. 2005. *Path to a Green World: the Political Economy of Global Environment*. Massachusetts: MIT Press.
- Cochran, Molly. 2009. "Charting the Ethics of the English School: What "Good" is There in a Middle-Ground Ethics?" *International Studies Quarterly* 203-225.
- Deutsche Welle. 2006. *Asap dan Perang Kata-Kata*. Desember 14. Accessed Desember 2, 2016. <http://www.dw.com/id/asap-dan-perang-kata-kata/a-16897824>.
- Diamond, Herbert, Willem Ferwerda, Hans Joosten, Tatiana Minaeva, Jack Rieley, Henk Ritzema, and Marcel Silvius. 2004. *The Global Peatland Initiative as a partnership*. 6. Accessed 6 26, 2018. https://www.researchgate.net/publication/40124541_The_global_peatland_initiative_as_a_partnership.
- Falkner, Robert. 2009. *Business Power and Conflict in International Environmental Politics*. New York: Palgrave Macmillan.
- Falkner, Robert. 2012. "Global environmentalism and the greening of international society." *International Affairs* 503-522.
- French, Hillary. 1999. "How Can We Reconcile the Slow Pace of International Diplomacy with the Growing Urgency of Global Ecological Decline." In *Environmental*

- Diplomacy*, by American Institute for Contemporary German Studies, 13-17. Washington: American Institute for Contemporary German Studies.
- Jackson, Robert. 2009. "International Relations as a Craft Discipline." In *Theorising International Society: English School Methods*, by Cornelia Navari, 21-39. New York: Palgrave Macmillan.
- Kompas. 2017. *Pengusaha anggap aturan Menteri LHK soal Gambut Memberatkan*. 5 18. Accessed 6 24, 2018. <https://ekonomi.kompas.com/read/2017/05/18/203010326/pengusaha.anggap.aturan.menteri.lhk.soal.gambut.memberatkan>.
- Laferrière, Eric, and Peter Stoett. 1999. *International Relations Theory and Ecological Thought: Towards Synthesis*. London: Routledge.
- Liste, Philip. 2017. "International Relations Norms Research and the Legacies of Critical Legal Theory." *11th Pan-European Conference on International Relations (EISA)*. Barcelona: European International Studies Association. 1-22.
- McLellan, Sebastian. 2015. *Climate Policy under Yudhoyono and Jokowi: Making Progress or Going Backward?* November 27. Accessed August 5, 2017. <http://www.internationalaffairs.org.au/news-item/climate-policy-under-yudhoyono-and-jokowi-marking-progress-or-going-backward/>.
- Najam, Adil, Mihaela Papa, and Nadaa Taiyab. 2006. *Global Environmental Governance: A Reform Agenda*. Manitoba: International Institute for Sustainable Development.
- Narain, Sunita. 1999. "Environmental Diplomacy in an Unequal World." In *Environmental Diplomacy*, by American Institute for Contemporary German Studies, 17-25. Washington: American Institute for Contemporary German Studies.
- Nguitrugool, Paruedee. 2011. "Negotiating the Haze Treaty Rationality and Institutions in the Negotiations for the ASEAN Agreement on Transboundary Haze Pollution (2002)." *Asian Survey* 51 (2): 356-378.
- Pontianak Post. 2016. *Revisi Perda Karhutla*. 2 25. Accessed 9 12, 2018. <https://www.pontianakpost.co.id/revisi-perda-karhutla>.
- Qin, Sophie. 2015. *A Retreat From Multilateralism: Foreign Policy Restructuring Under Jokowi*. 12 23. Accessed 6 26, 2018. <http://www.internationalaffairs.org.au/australianoutlook/a-retreat-from-multilateralism-foreign-policy-restructuring-under-jokowi/>.
- Quayle, Linda. 2013. "National and Regional Obligations, the Metaphor of Two-Level Games, and the ASEAN Socio-Cultural Community." *Asian Politics & Policy* 5 (4): 499-521.
- Robertua, Verdinand. 2016. "Multi-stakeholder Initiative for Sustainable Development: An English School Perspective ." *Jurnal Sospol* 154-170.
- Rosyidin, Mohamad. 2017. "Foreign policy in changing global politics: Indonesia's foreign policy and the quest for major power status in the Asian Century." *South East Asia Research* 1-17.

- Santosa, Mas Achmad, and Januar Dwi Putra. 2016. "Enhancement of Forest and Peatland Governance in Indonesia." *Indonesian Journal of International Law* 344-352.
- Schouenborg, Laust. 2013. *The Scandinavian International Society: Primary Institutions and Binding Forces 1815-2010*. Oxon: Routledge.
- Susskind, Lawrence E. 1994. *Environmental Diplomacy: Negotiating More Effective Global Agreements*. Oxford: Oxford University Press.
- Taufik, Kinanti Kusumawardhani. 2016. "Indonesia's Environmental Diplomacy under Yudhoyono: A Critical-Institutionalist- Constructivist Analysis." *The Hague Journal of Diplomacy* 1-26.
- The Guardian. 2016. *Indonesia's forest fires threaten Sumatra's few remaining Orang Rimba*. June 7. Accessed August 7, 2017. <https://www.theguardian.com/global-development/2016/jun/07/indonesia-forest-fires-threaten-sumatras-few-remaining-orang-rimba>.
- The Jakarta Globe. 2017. *Regulatory Challenges in Peatland Management*. September 13. Accessed November 16, 2017. <http://insight.jakartaglobe.id/indonesias-regulatory-challenges-people-planet-profit-peatland-management/>.
- UNFCCC. 2016. *First Nationally Determined Contribution Republic of Indonesia*. Bonn: UNFCCC.
- Wibisono, Christianto. 2015. "Kedaulatan Asap RI." *Kompas*, October 27: 7.
- Wijaya, Arief, Hanny Chrysolite, Mengpin Ge, Clorinda Kurnia Wibowo, Almo Pradana, Andhyta Firselly Utami, and Kemen Austin. 2017. *How can Indonesia achieve its climate change mitigation goal? An analysis of potential emissions reductions from Energy and Land-Use Policies*, Washington DC; World Resource Institute.

Strategi NGO Lingkungan Dalam Menangani Polusi Udara di Jakarta (Greenpeace Indonesia)

Fariz Ruhiat¹, Dudy Heryadi², Akim³

¹Ilmu Hubungan Internasional, Universitas Padjadjaran Indonesia

²Ilmu Hubungan Internasional Universitas Padjadjaran, Indonesia

³Ilmu Hubungan Internasional, Universitas Padjadjaran, Indonesia

ARTICLE INFORMATION

SUBMISSION TRACK

Received : 15, March, 2019

Final Revision : 05, May, 2019

Available Online: 30, May, 2019

KEYWORD

Strategy, Greenpeace, Environmental NGO, air pollution

KATA KUNCI

Strategi, Greenpeace, NGO Lingkungan, polusi udara.

CORRESPONDENCE

E-mail: ruhiatfariz@gmail.com

A B S T R A C T

Air pollution is one of the global problems being faced by most major cities in the world. As the problem of air pollution increases, non-state actors emerge because of the limited role of the state in tackling these environmental problems. One of the non-state actors who is concerned about the problem of air pollution is Greenpeace which is a form of international non-governmental organizations. This study aims to describe an understanding of environmental NGO strategies in overcoming air pollution in Jakarta. The researcher uses qualitative research methods with a literature study approach. In library studies, data and information are collected and analyzed to understand the phenomenon under review. Based on the results of discussion and data analysis, Greenpeace has implemented its strategy in overcoming air pollution in Jakarta. From the nine strategies described by McCormick, Greenpeace has a tendency to use undertaking research strategies and Campaigning & organizing public protest.

A B S T R A K

Polusi udara merupakan salah satu permasalahan global yang sedang dihadapi sebagian besar kota besar di dunia. Seiring dengan semakin mengemukanya masalah polusi udara maka muncul pula aktor non-negara karena terdapat keterbatasan peran negara dalam menanggulangi permasalahan lingkungan tersebut. Salah satu aktor non-negara yang hirau terhadap permasalahan polusi udara yaitu Greenpeace yang merupakan bentuk dari organisasi internasional non-pemerintah. Penelitian ini bertujuan untuk menjelaskan mengenai strategi NGO lingkungan dalam penanggulangan polusi udara di Jakarta. Peneliti menggunakan metode penelitian kualitatif dengan pendekatan studi pustaka. Dalam studi kepustakaan, data dan informasi dikumpulkan dan dianalisis untuk memahami fenomena yang dikaji. Berdasarkan hasil pembahasan dan analisis data, Greenpeace telah menjalankan strateginya dalam penanggulangan polusi udara di Jakarta. Dari kesembilan strategi yang dijabarkan McCormick, Greenpeace memiliki kecenderungan untuk menggunakan strategi *undertaking research* dan *Campaigning & organizing public protest*.

Pendahuluan

Pada awal dekade 1990-an, studi Hubungan Internasional mulai mencoba memberikan perhatian terhadap peran penting aktor-aktor non-negara seperti *International Non-Governmental Organizations* (INGO) dan masyarakat sipil global (*global civil society organizations/CSOs*) dalam memainkan perannya sebagai investor moral dalam

Salah satu aktor non-negara yang menjadi perhatian adalah INGO. INGO pada dasarnya bukanlah aktor baru dalam hubungan internasional. INGO mulai dikenal pada tahun 1846 dengan INGO pertama yaitu *World's Evangelical Alliance* (Perhimpunan Penginjil Sedunia). Setelah itu beberapa INGO lainnya mulai terbentuk pada pertengahan abad XIX (sekitar 1860) seiring berjalan dengan berkembangnya kerja sama internasional dalam bentuk organisasi-organisasi internasional antarpemerintah (IGO).

Perkembangan selanjutnya, setelah pasca Perang Dunia I dan II banyak INGO terbentuk. *Yearbook of International Organizations* 1962-1963 menyebutkan bahwa berdiri 1500 INGO pada masa itu.² Dari sekian banyak INGO dengan masing-masing fokus bidangnya, terdapat salah satu INGO yang konsisten bergerak di bidang lingkungan hidup yaitu Greenpeace. INGO ini berkantor pusat di Amsterdam dengan cabang di lebih dari 40 negara, dengan salah satu cabang berada di Indonesia. Greenpeace hadir di Indonesia pada tahun 2005 dengan fokus pada beberapa isu yaitu kehutanan, energi, air dan kelautan.

Selain itu, Greenpeace juga berfokus pada isu polusi udara yang terjadi di beberapa kota besar di Indonesia. Hal ini dikarenakan semakin memburuknya keadaan

demokratisasi, penegakan prinsip HAM, konservasi lingkungan hidup, kampanye keadilan global, dan sebagainya. Perhatian terhadap aktor non-negara bukan tanpa sebab, melainkan pada saat itu merupakan masa jeda (*interlude*) dimana studi HI sedang menghadapi krisis akibat telah gagalnya Realisme dan Neorealisme dalam memberikan eksplanasi logis mengenai situasi politik pasca Perang Dingin.

udara di sejumlah kota besar di Indonesia. Dalam hal ini, Greenpeace merasa terpanggil untuk mengambil peran dalam ikut membantu untuk menanggulangi permasalahan tersebut. Salah satu kota yang menjadi wilayah kerja Greenpeace dalam penanggulangan polusi udara yaitu Ibukota Indonesia, Jakarta.

Berbicara polusi udara, tidak ada kota-kota besar di dunia yang bisa terhindar dari permasalahan polusi udara. Begitupun dengan Jakarta, kota ini merupakan salah satu kota besar dengan tingkat polusi udara mengkhawatirkan. Polusi udara yang terjadi sangat berpotensi membahayakan kesehatan warga.

Pemantauan Greenpeace menunjukkan bahwa polusi udara di kota Jakarta berada pada level di atas ambang batas kesehatan yang dikeluarkan WHO dan juga melampaui level ambang Baku Mutu Udara Ambien Nasional.³ Berdasarkan pemantauan pada semester pertama 2016 (Januari-Juli), tercatat tingkat polusi udara Jakarta dalam kondisi sangat mengkhawatirkan yaitu berada pada level 45 µg/m³, atau 4,5 kali dari ambang batas ketetapan WHO (*World Health Organization*), dan tiga kali lebih besar melampaui standar ketetapan Pemerintah Indonesia.⁴

³ Seperti yang dimuat dalam sumber media online <https://www.thejakartapost.com/adv/2018/08/15/air-pollution-in-jakarta-an-invisible-health-threat.html> diakses pada 19 Februari 2019

⁴ Dikutip dari situs resmi Greenpeace <http://www.greenpeace.org/seasia/id/press/releases/Jakarta-Harus-Memilih-Energi-Bersih/>. Diakses pada 19 Februari 2019

¹ Hadiwinata, Bob Sugeng. 2017. *Studi dan Teori Hubungan Internasional: Arus, Utama, Alternatif, dan Reflektifis*. Jakarta: Yayasan Pustaka Obor. Indonesia.
² Rudy, T. May. 2009. *Administrasi & Organisasi Internasional*. Bandung: Refika Aditama

Greenpeace lebih lanjut melakukan pemantauan kualitas udara pada tahun 2017, pemantauan dilakukan dalam kurun waktu Januari-Juni di 21 lokasi. Data menunjukkan indikasi bahwa kualitas udara Jakarta telah masuk level tidak sehat. Temuan ini didukung oleh temuan Kedutaan Besar Amerika Serikat di Jakarta yang mempunyai temuan kurang lebih sama. Di sejumlah lokasi, angka PM 2.5 harian melebihi level standar WHO yaitu $25\mu\text{g}/\text{m}^3$ dan juga melebihi Baku Mutu Udara Ambien Nasional, yaitu $65\mu\text{g}/\text{m}^3$.⁵

Selanjutnya, pada tahun 2018. Greenpeace melakukan pemantauan kualitas udara dengan alat pemantau di 19 titik di kawasan Jakarta dan sekitarnya. Hasil dari pemantauan selama kurun waktu Februari-Maret menunjukkan bahwa udara di Jabodetabek sangat tercemar. Seperti halnya di wilayah perumahan Cibubur, selama dua bulan pemantauan tingkat PM 2.5 rata-rata mencapai $103.2\mu\text{g}/\text{m}^3$. Hal ini terjadi pula di kawasan perumahan Kebagusan yang mencapai angka $65.9\mu\text{g}/\text{m}^3$ dan Gandul-Depok mencapai angka $71.5\mu\text{g}/\text{m}^3$. Hasil pemantauan tersebut mempertegas bahwa kualitas udara di wilayah-wilayah tersebut sudah sangat tidak baik untuk kesehatan karena telah melampaui batasan dari WHO yakni $25\mu\text{g}/\text{m}^3$, dan juga melampaui standar minimum Baku Mutu Udara Ambien Nasional yakni $65\mu\text{g}/\text{m}^3$.⁶

Polusi udara di kota-kota besar harus segera diatasi karena sangat menyangkut dengan masalah kesehatan. Polusi udara bisa menjadi pemicu munculnya masalah kesehatan serius seperti kanker, penyakit pernapasan dan kardiovaskular. Adapun kelompok usia yang berpotensi terpapar penyakit akibat polusi udara adalah anak-anak, ibu hamil dan usia lanjut. Kandungan

dalam pencemaran udara adalah PM 2.5. Jika manusia terpapar PM 2.5 dalam jangka waktu panjang maka dapat mengakibatkan infeksi saluran pernapasan akut hingga kanker paru-paru. Selain itu, bahaya lain dari PM 2.5 adalah memicu peningkatan kadar racun dalam pembuluh darah yang bisa menyebabkan terjadinya penyakit stroke, jantung, dan kardiovaskular.⁷

Setidaknya, terdapat 3 (tiga) tulisan yang telah mengulas mengenai pergerakan Greenpeace dalam menangani isu lingkungan di suatu negara. Pertama, tulisan Pignar Özdemir yang bertajuk "*Social Media as a Tool for Online Advocacy Campaigns Greenpeace Mediterranean's Anti Genetically Engineered Food Campaign in Turkey.*" Dalam tulisan ini diulas bagaimana keberhasilan Greenpeace melakukan kampanye *Anti Genetically Engineered Food Campaign* di Turki dalam waktu yang cukup singkat. Kampanye yang dilakukan menggunakan kampanye advokasi secara *online*. Kampanye *online* menjadi metode yang paling efektif, mudah dalam menyebarkan informasi dan biaya yang dikeluarkan sangat terjangkau. Özdemir berpendapat bahwa keberhasilan Greenpeace dalam berkampanye di Turki ditunjang karena Greenpeace mampu *up-to-date* dalam bidang teknologi informasi dan komunikasi, dimana jejaring internet telah menjadi suatu kekuatan baru sebagai media untuk menyebarkan ide dan menjalin jaringan, yang kemudian penggunaan media sosial secara efektif bisa menjadi kunci keberhasilan Greenpeace dalam berkampanye. Penulis juga menyatakan bahwa kehadiran Greenpeace yang notabene adalah sebuah NGO ternyata dirasa berpengaruh dan dapat membantu upaya advokasi sebuah isu lingkungan.⁸

⁵ Dikutip dari situs resmi Greenpeace <http://www.greenpeace.org/seasia/id/press/releases/Polusi-Udara-Ancam-Kesehatan-Masyarakat/>. Diakses pada 19 Februari 2019

⁶ Seperti yang dimuat dalam sumber <http://www.greenpeace.org/seasia/id/press/releases/Kualitas-Udara-Jabodetabek-Buruk/>. Diakses pada 19 Februari 2019

⁷ Seperti yang dimuat dalam sumber <http://m.greenpeace.org/seasia/id/PageFiles/759055Briefing%20Paper%20Kualitas%20Udara%20yang%20Buruk%20di%20Jabodetabek.pdf>. Diakses pada 11 Maret 2019

⁸ Özdemir, B. Pinar. (2012). "Social Media as a Tool for Online Advocacy Campaigns: *Greenpeace Mediterranean's Anti Genetically Engineered Food*

Kedua, tulisan yang secara spesifik membahas tentang bagaimana Greenpeace melakukan kampanye dalam isu penyelamatan lapisan ozon ditulis oleh John Maté dengan tulisan berjudul “A Non-Governmental Organization’s Campaign to Save The Ozone Layer Case Study of the Greenpeace Ozone Campaign.” Dalam tulisannya, penulis mengemukakan pendapat bahwa Greenpeace selaku NGO telah berhasil dalam upaya melakukan penyelamatan ozon melalui kampanye yang bertajuk *Greenpeace Ozone Campaign*. Lebih lanjutnya, keberhasilan Greenpeace dikarenakan NGO ini mampu menggunakan strategi kolaborasi kampanye yang begitu terstruktur dan baik. Selain itu, Greenpeace juga mampu melibatkan intervensi pasar. Faktor lain yang dapat mempengaruhi keberhasilan kampanye tersebut juga dikarenakan pandangan masyarakat terhadap NGO yang dianggap sebagai salah satu aktor yang selalu berlaku benar jika dibandingkan aktor lain seperti halnya negara dan korporasi.⁹

Adapun tulisan ketiga, ditulis oleh Puti Parameswari dengan judul “Gerakan Transnasional dan Kebijakan: Strategi Advokasi *Greenpeace Detox Campaign on Fashion* di Tiongkok.” Dalam tulisannya, penulis mengungkap faktor-faktor penyebab keberhasilan Greenpeace dalam menangani isu air di Tiongkok melalui kampanye *Detox Campaign on Fashion*. Peneliti juga menyimpulkan bahwa strategi kampanye yang dilakukan berhasil terhadap dua aktor target. Dua aktor target tersebut adalah pelaku bisnis dan masyarakat internasional. Kampanye tersebut telah berhasil meraup dukungan masyarakat global serta komitmen dari pelaku bisnis untuk lebih peduli terhadap isu lingkungan. Akan tetapi, output advokasi belum terlihat mampu

mempengaruhi aktor negara target. Adapun faktor-faktor utama keberhasilan kampanye tersebut diantaranya pertama, kredibilitas NGO Greenpeace yang mampu membuat NGO ini dapat menggalang partisipasi dunia berupa dukungan internasional yang kuat. Kedua, jejaring NGO Greenpeace yang luas terjalin dengan baik dan kuat. Greenpeace mampu membangun jejaring dengan aktor lain seperti pelaku bisnis dan NGO Lingkungan lain dalam level domestik dan internasional. Ketiga, kemampuan Greenpeace dalam kampanye advokasi. Greenpeace mempunyai kemampuan mumpuni dalam mengolah informasi, pengetahuan, mobilisasi isu, sehingga inovasi advokasi selalu terbangun dan mampu menarik perhatian masyarakat luas dan mempengaruhi kebijakan aktor lain. Faktor terakhir adalah kemampuan memanfaatkan media secara maksimal. Greenpeace menggunakan media sebagai saran untuk menyebarkan informasi yang sebenarnya kepada masyarakat luas. Pemanfaatan media dan jaringan sosial media mampu mencerdaskan masyarakat global sehingga dapat mengajak masyarakat untuk lebih kritis terhadap sebuah isu yang menyangkut lingkungan.¹⁰

Berangkat dari pustaka terdahulu yang telah dibahas diatas, jika kebanyakan tulisan-tulisan yang ada berfokus pada strategi kampanye Greenpeace dalam isu lingkungan seperti lapisan ozon dan pencemaran air di suatu wilayah tertentu. Tulisan ini berfokus pada pertanyaan bagaimana strategi NGO Greenpeace dalam menangani permasalahan polusi udara di Jakarta. Sehingga, pertanyaan dasar yang akan disasar oleh tulisan ini adalah strategi apa saja yang telah dilakukan oleh Greenpeace sejauh ini dalam berupaya mengkampanyekan isu polusi udara di Indonesia, khususnya di Jakarta. Pendekatan yang digunakan adalah menggunakan konsep strategi NGO yang dikemukakan oleh John McCormick. Konsep ini membantu peneliti

Campaign in Turkey”, *Global Media Journal*, Vol 5 Issue 2, pp. 23-29.

⁹ Mate, John. (2002). “Making a Difference: A Non-Governmental Organization’s Campaign to Save the Ozone Layer.” *Review of European Community & International Environmental Law*; Volume 10, Issue 2, pp. 190-198, July 2001. *Greenpeace*

¹⁰ Parameswari, Puti. 2015. *Gerakan Transnasional dan Kebijakan: Strategi Advokasi Greenpeace Detox on Fashion di Tiongkok*.

dalam melihat strategi-strategi yang dilakukan oleh NGO dalam mengatasi isu lingkungan di suatu negara. McCormick mengungkapkan bahwa terdapat 9 (Sembilan) strategi yang biasa dilakukan oleh NGO dalam melakukan tanggung jawabnya di suatu negara.

Metode Penelitian

Peneliti menggunakan metode deskriptif-kualitatif dalam menggambarkan permasalahan penelitian yang mengacu pada penyampaian fakta-fakta yang berhubungan dengan fokus penelitian tersebut.¹¹ Adapun dalam teknik pengumpulan data, peneliti melakukan studi dokumentasi (*library research*). Dimana data-data diperoleh dari berbagai sumber tertulis seperti buku, majalah, dokumen resmi dari Greenpeace, jurnal, makalah-makalah, artikel-artikel, surat kabar serta situ-situs internet yang memiliki korelasi dengan objek penelitian.

Strategi NGO Lingkungan

Seperti yang telah dikemukakan sebelumnya, tulisan ini akan mengkaji mengenai strategi Greenpeace dalam menangani isu polusi udara di Jakarta yang belum banyak mendapat perhatian oleh peneliti lain. Padahal peran NGO tidak bisa lagi dielakkan dan patut untuk terus mendapatkan perhatian dalam studi Hubungan Internasional, terlebih lagi isu dalam penulisan ini berkaitan dengan isu lingkungan yang merupakan isu kontemporer yang begitu penting untuk keberlangsungan makhluk hidup di dunia. Salah satu konsep yang tersedia untuk memahami strategi NGO adalah konsep dari John McCormick yang mengulas mengenai konsep strategi yang digunakan oleh NGO lingkungan dalam melakukan tugasnya di suatu wilayah tertentu.

McCormick mengemukakan sembilan strategi NGO lingkungan dalam melakukan tugasnya¹², diantaranya yaitu:

Working with Elected Officials, Bureaucrats, and Employees of Corporations. Strategi ini mendorong NGO untuk melakukan lobi terhadap pemerintah. Lobi merupakan metode yang paling umum digunakan organisasi-organisasi di tingkat nasional, dengan sangat berhati-hati tanpa merusak status mereka yang merupakan organisasi *nonprofit* atau organisasi amal. Lebih jauh lagi, NGO-NGO besar membentuk komite aksi politik untuk menyalurkan dana ke partai politik dan kandidat yang mencalonkan diri; selain itu mereka juga bekerja untuk memberikan dukungan dan informasi untuk kandidat dukungan mereka. NGO dapat memberikan pengaruh dengan cara memberikan saran dan kesaksian ahli selama audiensi legislatif dan pengembangan perjanjian internasional, atau dengan mengajukan proposal ke departemen pemerintah dan bekerja dengan komisi pemerintahan.¹³

Raising and Spending Money. Pada dasarnya NGO lingkungan merupakan organisasi yang didirikan untuk mengumpulkan dana yang kemudian dapat disalurkan dalam kegiatan konservasi. Dana yang diperoleh akan dialokasikan pada proyek yang bertujuan melindungi spesies hewan dan tumbuhan. Dana diperoleh melalui kombinasi kegiatan akar rumput dan kampanye nasional maupun internasional-

Campaigning and Organizing Public Protests. Strategi yang umum digunakan oleh NGO yaitu kampanye dan pengorganisasian protes publik. Strategi ini berfokus untuk menghasilkan publisitas untuk tujuan mereka. Strategi tersebut berupaya untuk menggerakkan kesadaran

¹¹ Silalahi, Uber. 2012. *Metode Penelitian Sosial*. Bandung: PT. Refika Aditama., 28.

¹² McCormick, John. 1993. *The Role of Environmental NGOs in Internasional Regimes* in The Global Environment Institutions, Law, and Policy. 1999. USA: Congressional Quarterly Inc, 65-68

¹³ Dalton, Russell J. 1994. *The Green Rainbow: Environmental Groups in Western Europe*. New Haven: Yale University Press

masyarakat terhadap isu lingkungan yang sedang terjadi, dari kesadaran tersebut akan muncul pergerakan dari masyarakat. Kampanye bertujuan untuk menciptakan perubahan pada tataran pengetahuan atau kognitif. Pada tahap ini pengaruh yang diharapkan adalah munculnya kesadaran dan meningkatnya pengetahuan khalayak tentang isu tertentu. Kemudian muncul simpati, kepedulian atau keberpihakan masyarakat pada isu tertentu. Sehingga diharapkan adanya tindakan tertentu yang dilakukan oleh masyarakat luas.¹⁴

Promoting Media Coverage of Environmental Issues. Hampir setiap NGO menggunakan strategi ini, terutama dalam penyediaan informasi dan melalui wawancara media. Penelitian berulang kali menemukan bahwa organisasi yang bergerak di bidang lingkungan percaya terhadap media mampu menyampaikan pesan mereka kepada publik, memobilisasi sekutu potensial, memberikan legitimasi dan dukungan terhadap pekerjaan mereka, dan mempengaruhi para pembuat kebijakan.¹⁵

Litigation and Monitoring the Implementation of Environmental Law. Dalam hal ini, NGO melakukan litigasi, pengawasan atas implementasi hukum lingkungan. NGO sebagai aktor non-negara dapat melakukan pengawasan terhadap implementasi hukum lingkungan yang dibuat oleh para pembuat kebijakan. Metode ini juga memungkinkan warga negara untuk menuntut pihak swasta karena ketidakpatuhan terhadap hukum dan untuk memulihkan biaya hukum dan bahkan denda, yang kemudian membantu mendanai kegiatan mereka.¹⁶

¹⁴ Venus, Antar. 2004. *Manajemen Kampanye, Panduan Teoritis dan Praktis Dalam Mengefektifkan Kampanye Komunikasi*. Symbiosa Rekatama Media. Bandung.

¹⁵ Ibid.,

¹⁶ Greve, Michael S. Private Enforcement, Private Rewards: How Environmental Suits Become an Entitlement Program, in *Environmental Politics: Public Cost, Private Rewards*, ed Michael S. Gerve and Fred L Smith. 1992. New York: Praeger, 105-109

Information Exchange. NGO mempunyai peran penting dalam pertukaran dan penyebaran informasi, yang ditujukan untuk membantu memperkuat operasi kelompok lain. Pertukaran informasi bisa dilakukan melalui pendidikan dan program pelatihan, menyediakan bantuan teknis untuk anggota lainnya pada isu seperti pendanaan dan mengkoordinasi para anggotanya dalam melobi pemerintah dan membawa tuntutan hukum.

Undertaking Research. NGO melakukan penelitian mengenai isu yang menjadi fokusnya di suatu wilayah tertentu. NGO melakukan penelitian atas nama pemerintah, agensi internasional, dan NGO terhadap isu-isu kehutanan, pertanian berkelanjutan, dan pemukiman penduduk. NGO melakukan penelitian ilmiah mengenai berbagai masalah lingkungan yang terjadi di wilayah yang menjadi tanggungjawabnya.

Acquiring and Managing Property. Strategi ini telah dilakukan oleh NGO besar di Britania dan Amerika Serikat. NGO melakukan aksi nyata dengan membeli atau diberikan bangunan-bangunan yang memiliki signifikansi historis. Tanah atau bangunan tersebut dikelola oleh para NGO selamanya. Bentuk lain dari strategi ini yaitu dengan membeli tanah yang kemudian ditetapkan sebagai habitat satwa liar.

Generating Local Community Involvement in Environmental Protection. Beberapa organisasi berfokus pada bagaimana memobilisasi akar rumput (*grassroots*) agar mendukung tujuan-tujuan organisasi tersebut. Kelompok semacam ini paling umum di kelompok daerah pedesaan dan perkotaan di negara-negara miskin dan telah aktif melakukan pergerakan. Seperti diantaranya, mobilisasi penghuni hutan di Brazil, India, dan Malaysia untuk menghentikan aktifitas perusahaan kayu.¹⁷

Hasil dan Pembahasan Greenpeace sebagai NGO Lingkungan

¹⁷ McCormick, John. 1993. *The Role of Environmental NGOs in International Regimes in The Global Environment Institutions, Law, and Policy*. 1999. USA: Congressional Quarterly Inc, 65-68

Greenpeace terbentuk sekitar tahun 1969, yang diinisiasi oleh sekelompok pecinta lingkungan dari Vancouver-Kanada. Para pecinta lingkungan tersebut sebagian besar merupakan anggota *Sierra Club-British Columbia Chapter*. Mereka berkumpul dan membentuk sebuah komite yang dinamai "*Don't Make a Wave Committee*", dengan maksud dan tujuan pembentukan komite ini adalah sebagai bentuk rasa tidak puas para anggota *Sierra Club* karena organisasi mereka menolak untuk melakukan protes terhadap pengujian senjata nuklir.¹⁸ Penolakan untuk melakukan protes didasarkan karena pada saat itu, *Sierra Club* dan kelompok lingkungan lainnya dalam melakukan strategi dan mencapai tujuan mereka lebih bersifat moderat.

Don't Make a Wave Committee sangat menentang uji coba nuklir bawah tanah yang dilakukan oleh *The US Atomic Energy Commission* (Komisi Energi Atom AS) di pulau Aleutian, Alaska. Penentangan tersebut bukan tanpa alasan, melainkan karena ledakan bawah tanah dianggap dapat menimbulkan bahaya gelombang pasang dan juga pulau Aleutian merupakan pusat aktifitas seismik terburuk di bumi. Pada saat itu, *Don't Make a Wave Committee* melakukan protes uji coba nuklir dengan berlayar menggunakan kapal bernama *Phyllis Cormack*, langsung ke zona uji di Pulau Amchitka dan tetap di sana sepanjang uji coba nuklir berikutnya. Saat berada di darat, puluhan ribu warga Kolumbia Inggris dan kelompok ekologi setempat mendukung pelayaran tersebut, dengan memblokir perbatasan AS-Kanada dan membeli kancing anti-Amchitka. Meskipun uji coba nuklir itu akhirnya meledak.

Dari terbentuknya *Don't Make a Wave Committee*, kemudian berganti menjadi Greenpeace pada tahun 1971. Greenpeace memutuskan untuk mencoba taktik mereka untuk tidak melakukan kekerasan dan konfrontasi di laut. Sejak 1972 hingga awal 1990-an, Greenpeace telah berkembang dari

memiliki satu kantor di Vancouver menjadi kantor kepegawaian di lebih dari tiga puluh negara, dan sebuah pangkalan di Antartika.¹⁹ Seiring berkembangnya organisasi, Greenpeace merubah strategi kampanye, yang pada awalnya menggunakan strategi *civil disobedience* (pembangkangan sipil) dalam melakukan aksinya, kemudian Greenpeace telah mengubah strateginya menjadi lebih moderat dengan melakukan penelitian mengenai isu tertentu, kampanye melalui media, menarik masa dll.²⁰

Greenpeace hadir di Indonesia sejak 2005, dengan membawa misi untuk menghentikan perusakan lingkungan di Indonesia. Dengan tujuan kerja berfokus pada penghentian laju perusakan hutan di Indonesia yang berlangsung cepat. Selain fokus pada deforestasi, Greenpeace juga berfokus pada isu lingkungan seperti udara, air, dan pencemaran lingkungan lainnya. Seperti halnya di Ibukota, Greenpeace mengambil fokus pada isu polusi udara/pencemaran udara. Dalam melakukan aksinya, Greenpeace melakukan beberapa strategi dalam upaya untuk mengatasi permasalahan polusi udara di Jakarta.

Strategi Greenpeace dalam Menangani Polusi Udara di Jakarta

Dalam konsep yang dikemukakan oleh McCormick mengenai strategi NGO lingkungan disebutkan strategi *Undertaking Research*. Hal ini yang disadari begitu penting oleh Greenpeace Indonesia dalam melakukan fokus kajian polusi udara di Jakarta. Organisasi ini sadar bahwa dalam melakukan aksi untuk mengurangi polusi udara di Jakarta diperlukan penelitian ilmiah terlebih dahulu agar terdapat pembuktian

¹⁸ Lee, Martha F. (1995). *Earth First: Environmental Apocalypse*. Syracuse: Syracuse University Press. 8

¹⁹ Wapner, Paul (1995). "In Defense of Banner Hanger: The Dark Green Politics of Greenpeace", Bron Taylor (ed), in *Ecological Resistance Movement: The Global Emergence of Radical and Popular Environmentalism*. Albany: State university of New York Press.

²⁰ Susanto, Siti Rokhmawati. "The Transformation of Greenpeace Strateu in the 1990s: From Civil Disobedienceto Moderate Movement", *Global & Strategic*, Th I, No 2, Juli-Desem her 2007, 186-205.

mengenai apa yang mereka asumsikan selama ini. NGO lingkungan ini berfokus pada penelitian mengenai polusi udara di Jakarta dengan argumen dasar bahwa udara di Jakarta sudah sangat berbahaya untuk dihirup oleh manusia karena terpapar oleh zat-zat. Selain itu, penyebab lain terjadinya pencemaran udara di Jakarta adalah batubara yang menjadi bahan baku utama dalam operasional PLTU.

Greenpeace menuding bahwa PLTU dan batubara merupakan penyebab utama dalam masalah polusi udara di Jakarta. Jika hanya berargumen tanpa bukti, tentu saja tidak akan ada pihak yang percaya dengan pernyataan tersebut. Maka dari itu, Greenpeace melakukan penelitian sebagai pembuktian ilmiah atas apa yang telah diasumsikan sebelumnya. Pada Oktober 2017, diterbitkan hasil laporan Greenpeace bertajuk “Pembunuhan Senyap di Jakarta: Bagaimana Tingkat Polusi Udara Berbahaya di Kota Jakarta Akan Semakin Memburuk?”. Penelitian ini dilakukan oleh Greenpeace Southeast Asia dan Greenpeace Indonesia yang telah diterbitkan dan bebas akses bagi siapapun.

Penelitian tersebut mengungkapkan bagaimana kondisi polusi udara sebenarnya. Greenpeace dalam hasil pengamatannya mengungkapkan bahwa kondisi udara Jakarta sudah sangat mengkhawatirkan dan bisa dikatakan berada pada level berbahaya. Adapun sumber polusi tersebut berasal dari sektor transportasi, pemukiman, dan pembangkit listrik tenaga batubara (PLTU). Lebih lanjut dipaparkan bahwa kualitas udara Jakarta jarang memenuhi standar yang ditetapkan oleh WHO (Organisasi Kesehatan Dunia), bahkan tingkat polusi udara di Jakarta sering buruk dan berada di bawah standar pemerintah Indonesia yang pada dasarnya standar pemerintah Indonesia berada jauh lebih rendah dari standar WHO. Greenpeace dalam hasil penelitiannya menyatakan bahwa PLTU telah ikut andil dalam permasalahan polusi udara di Jakarta. Disinyalir bahwa terdapat beberapa PLTU berkapasitas besar di pulau Jawa, khususnya

di sekitar Jakarta, dan dua pembangkit listrik tenaga gas dan uap (PLTGU) di dalam kota Jakarta yaitu PLTGU Muara Karang dan Tanjung Priok. Pembangkit listrik ini mampu menghasilkan polusi yang bisa menyebabkan udara di Jabodetabek menjadi lebih berbahaya untuk kesehatan masyarakat. Studi ini didukung oleh studi yang dilakukan Universitas Indonesia yang menemukan bahwa 60% penduduk Jakarta menderita masalah pernapasan yang terkait dengan kualitas udara buruk.²¹

PLTU yang telah beroperasi maupun yang dalam tahap rencana akan mampu menghasilkan emisi yang beresiko pada kesehatan seluruh penduduk Jabodetabek. Diantaranya 7,8 juta anak-anak akan terpapar oleh PM 2.5 yang jauh di atas standar WHO. Dampak kesehatan ini diperkirakan akan menyebabkan 10.600 kematian dini dan 2.800 kelahiran dengan berat lahir yang rendah per tahunnya dimana hampir setengah dari dampak ini berada di Jabodetabek. Greenpeace menegaskan bahwa masih lemahnya peraturan dan penerapan standar emisi untuk polutan utama seperti PM 2.5, SO₂, NO₂ dan debu bila dibandingkan dengan negara lain. PLTU baru di Indonesia masih diperbolehkan untuk mengeluarkan emisi SO₂ sebesar 20 kali lebih tinggi dibandingkan PLTU baru di Cina, dan 7 kali lebih tinggi dari PLTU baru di India. Atas hal tersebut maka diindikasikan situasi polusi udara akan menjadi semakin parah di masa depan.

Dalam upaya memperkuat argumen mengenai bahaya dari penggunaan batubara dalam PLTU. Greenpeace dengan pihak lain yang mempunyai fokus sama melakukan studi tentang bahaya dan dampak buruk dari penggunaan batubara. Studi ini dilakukan Greenpeace dan Tim Peneliti Universitas Harvard. Penelitian tersebut telah dipublikasikan dengan tajuk “Kita, Batubara & Polusi Udara”. Dalam penelitian yang dilakukan, Greenpeace berupaya untuk mengkaji lebih

²¹ Seperti yang dimuat dalam sumber online https://www.vice.com/en_id/article/qkzedm/how-bad-is-the-air-in-jakarta, diakses pada 20 Februari 2019

dalam mengenai dampak buruk yang dihasilkan dari penggunaan batubara sekaligus menguatkan argumen bahwa batubara merupakan salah satu aktor utama penyebab polusi udara di kota-kota di Indonesia. Dalam isu polusi udara Greenpeace berupaya menggunakan kekuatan data dan informasi sebagai basis kampanye atau menggunakan para pakar untuk basis legitimasi isu yang mereka perjuangkan sehingga bisa memengaruhi pengambil keputusan.²²

Penelitian tersebut mengungkapkan bahwa sebenarnya cadangan batubara Indonesia hanya 3% dari cadangan batubara dunia, namun eksplorasi berlangsung secara terus menerus. Dalam urusan batubara, Indonesia merupakan salah satu negara nomor satu pengekspor batubara di dunia. Meskipun menjadi salah satu aktor dalam ekspor batubara, namun ternyata kondisi dalam negeri masih terdapat masyarakat (sekitar 20%) belum mampu memperoleh akses listrik dari negara. Hal ini dirasakan oleh warga negara yang berada di pelosok nusantara. Selain itu, meskipun batubara salah satu komoditas ekspor yang besar tapi pada faktanya hanya menyumbang 4% dari Produk Domestik Bruto (PDB) Indonesia. Data ini tentu saja sekaligus mampu melemahkan argumen pemerintah yang mempertahankan batubara dengan alasan penyokong perekonomian Indonesia. Bila ditelusuri lebih jauh penambangan batubara lebih banyak memberikan dampak negatif terhadap lingkungan karena menjadi penyebab kerusakan terhadap tanah, sumber air, dan udara. Tentu saja sangat berbahaya bagi kesehatan, keamanan dan penghidupan warga setempat di sekitar lokasi pertambangan. Greenpeace dalam studinya memaparkan bahwa sepanjang 3000 km atau sebanyak 45% sungai di Kalimantan Selatan

sangat berpotensi tercemar limbah berbahaya dari konsesi tambang.

Dalam kajian tersebut, terdapat kutipan dari Badan Energi Internasional (IEA) yang menyatakan bahan bakar fosil batubara menyumbang 44% dari total emisi CO₂ global. Selain itu, pembakaran batubara dituding sebagai sumber terbesar emisi gas GHG (*green house gas*) yang mampu memicu perubahan iklim. Pembakaran batubara menghasilkan polutan seperti Nox dan SO₂, kontributor utama dalam pembentukan hujan asam dan polusi PM 2.5. Dimana PM_{2.5} mampu memancarkan bahan kimia berbahaya bagi kesehatan manusia. Partikel-partikel polutan tersebut diduga mampu mengakibatkan kematian dini sekitar 6.500 jiwa per tahun di Indonesia. Perhitungan perkiraan yang dilakukan Universitas Harvard menyebutkan penyebab utama kematian dini termasuk stroke (2.700), penyakit jantung iskemik (2.300), kanker paru-paru (300), penyakit paru obstruktif kronik (400), serta penyakit pernafasan dan kardiovaskular lainnya (800). Estimasi tersebut diperkirakan akan mengalami kenaikan menjadi sekitar 15.700 jiwa/tahun seiring dengan rencana pembangunan PLTU batubara yang baru.

Argumen bahaya batubara sekaligus aktor utama dalam urusan polusi udara didukung oleh penelitian yang dilakukan Greenpeace bersama Universitas Harvard mengenai bahaya batubara bagi lingkungan dan kesehatan. Khususnya di Ibukota Jakarta, Greenpeace terus melakukan strategi penelitian sebagai upaya dalam meyakinkan masyarakat sekaligus pemangku kebijakan. Penelitian tentang buruknya udara di Jakarta sangat diperkuat oleh penelitian mengenai dampak buruk batubara. Karena diyakini polusi udara di Jakarta diakibatkan oleh adanya PLTU yang menggunakan batubara dalam operasionalnya. Strategi ini terus dilakukan oleh Greenpeace sebagai upaya untuk menunjang argumennya mengenai isu tertentu. Dengan penelitian ilmiah tentu saja akan lebih dipercaya oleh setiap lapisan

²² Hass, Peter M. *Introduction: Epistemic Communities and International Policy Coordination*, in *International Organization*, Vol. 46, No. 1, Knowledge, Power, and International Policy Coordination. (Winter, 1992), pp. 1-35.

masyarakat, dimulai dari masyarakat hingga para pemangku kebijakan.

Kampanye & Pengorganisasian Protes Publik

Setelah dirasa memiliki data dan informasi yang cukup akurat mengenai isu yang sedang terjadi, NGO lingkungan akan merasa lebih yakin dalam melakukan aksinya. Hasil penelitian akan menjadi landasan kuat dalam beradu argumen mengenai isu tertentu sekaligus sebagai salah satu alat untuk meyakinkan masyarakat. Setelah itu, NGO lingkungan tidak akan segan melakukan aksi kampanye dan merangkul masyarakat yang dirasa memiliki visi misi yang sama dengan NGO tersebut. Strategi-strategi tersebut telah dilakukan oleh Greenpeace dalam aksi menangani permasalahan polusi udara di Jakarta. Greenpeace melakukan beberapa aksi kampanye sebagai salah satu strategi dalam mem-*blowup* suatu isu yang sedang diperjuangkan. Strategi kampanye telah dilakukan oleh Greenpeace sejak mulai berdirinya di tahun 1971, saat itu kampanye dilakukan di negara-negara industri dan dengan kampanye tersebut mampu menyadarkan dan menjaring warga setempat yang kesadarannya telah terbuka.

Dalam kasus polusi udara Jakarta, Greenpeace melakukan aksi nyata seperti halnya yang dilakukan pada September 2017. Sejumlah aktivis melakukan aksi di depan Kementerian Kesehatan dengan membawa gagasan tentang bahaya polusi udara. Dalam aksi tersebut para aktivis mengenakan kostum yang sangat unik yaitu kostum menyerupai anatomi tubuh manusia lengkap dengan paru-paru hitam akibat terpapar PM 2.5 yang disinyalir sebagai akibat dari polutan berbahaya. Selain itu para aktivis sambil memegang papan yang ber-*hashtag* #JakartaUnderPollution. Aksi ini merupakan bentuk protes kepada pemerintah dan peringatan akan bahaya polusi udara yang terjadi di Ibukota, berdasarkan data yang

diperoleh oleh Greenpeace sejak awal Januari 2017 bahwa kualitas udara Jakarta masuk level tidak sehat dengan indikator angka PM 2.5 harian di sejumlah lokasi melebihi standar WHO yaitu 25µg/m³ dan juga Baku Mutu Udara Ambien Nasional.

Gambar. 1

Aksi Greenpeace di Depan Gedung Kementerian Kesehatan



Sumber: liputan6.com

Aksi yang dilakukan merupakan protes pada pemerintah karena kurang responsifnya pemerintah terkait permasalahan kualitas udara. Hal ini dapat terlihat dari tindakan pemerintah dan lembaga terkait hanya memantau partikel polutan PM 10, sementara tidak ada pantauan PM 2.5, padahal pantauan PM 2.5 sangat diperlukan karena mengingat resiko penyakit yang ditimbulkan. Dengan itu, maka Greenpeace melakukan aksi dengan misi menyampaikan pesan bahwa pemerintah khususnya Kementerian Kesehatan harus lebih peduli dan memperhatikan permasalahan kualitas udara di Jakarta. Karena tentu saja pada akhirnya sangat berkaitan erat dengan kesehatan masyarakat. Dalam hal ini Greenpeace merasa bahwa Kementerian Kesehatan merupakan salah satu aktor yang mempunyai peran penting dalam menciptakan panduan ataupun *early warning system* saat kualitas udara berada pada level tidak sehat atau berbahaya bagi kesehatan masyarakat. Secara *mandatory* Kementerian Kesehatan merupakan lembaga negara yang mempunyai tanggung jawab untuk menjaga kesehatan

rakyat, maka tentu saja sangat wajar apabila Kementerian Kesehatan mampu memberikan rekomendasi untuk diperketatnya peraturan mengenai baku mutu udara ambien Indonesia yang rata-rata 3 kali lebih tinggi dari standar WHO. Greenpeace juga berharap agar Kementerian Kesehatan mampu memberikan rekomendasi pada instansi lain terkait agar dilakukan pengetatan emisi pembangkit tenaga listrik termal Indonesia yang mana regulasinya masih longgar bila dibandingkan dengan mayoritas negara lain. Pada akhirnya semua upaya aksi yang dilakukan untuk kesehatan masyarakat dan keberlanjutan kehidupan yang lebih layak.

Setelah melakukan aksi kampanye di depan Kementerian Kesehatan pada tahun 2017, Greenpeace melakukan aksi kembali pada tahun 2018. Salah satu bentuk kampanye yang dilakukan oleh Greenpeace Indonesia tahun 2018 yaitu dengan memasang pesan melalui poster berukuran besar raksasa (*billboard*). *Billboard* dipasang tepat di Jalan Jendral Gatot Subroto. *Billboard* tersebut ber-*hashtag* #WeBreatheTheSameAir. *Billboard* dipasang langsung oleh para aktivis Greenpeace. Kampanye tersebut merupakan bentuk respon dari hasil kajian sebelumnya yang dilakukan Greenpeace mengenai kondisi kualitas udara Jakarta yang diambil dari rata-rata 5 pemantauan alat kualitas udara milik beberapa institusi berbeda seperti BMKG di Kemayoran, Kedubes Amerika Serikat di Jakarta Pusat dan Selatan, selain itu 3 alat milik Greenpeace yang berlokasi di Rawamangun, Pejaten Barat dan Mangga Dua Selatan.²³

²³ Dikutip dari situs resmi Greenpeace Indonesia <http://www.greenpeace.org/seasia/id/press/releases/Polusi-Jakarta-Masih-Terus-Diabaikan-Ini-Saran-Greenpeace/>, diakses pada 20 Februari 2019

Gambar. 2
Billboard Greenpeace Sebagai Bentuk
Kampanye Polusi Udara di Jakarta



Sumber: situs resmi Greenpeace Indonesia

Permasalahan polusi udara menjadi masalah yang bersifat turun temurun yang belum terselesaikan hingga saat ini. Bahkan Greenpeace menyatakan bahwa kualitas udara di Jakarta jauh dari kata sehat. Sehingga karena alasan demi kebaikan bersama maka Greenpeace mengkampanyekan sebagai upaya untuk menyadarkan berbagai pihak dari mulai masyarakat hingga para pemangku kebijakan.

Tujuan kampanye Greenpeace disampaikan oleh juru kampanye Greenpeace dalam wawancara bersama Akurat.co;

"Kita memasang *billboard* besar ini untuk menginformasikan *air quality index* di Jakarta kepada masyarakat. Sumbernya dari *air visual* yang bisa di-*download*. Jadi ini sesuatu yang sangat penting saya kira, agar masyarakat tahu kualitas udara Jakarta yang kebanyakan tidak sehat,"

"Untuk *hashtag* #WeBreatheTheSameAir itu adalah kita menghirup udara yang sama. Itu bisa kita lihat dari angka kualitas udara dari satu bulan ini yang kita pantau bahwa dari 1 bulan ini, 22 harinya itu kebanyakan tidak sehat. Jadi ini menjadi perhatian kami sebenarnya udara ambien yang kita hirup itu bersumber darimana saja, transportasi sekian persen, industri sekian persen, rumah tangga sekian persen," ujar Bondan Andriyanu.²⁴

²⁴ Seperti yang dimuat dalam sumber online <https://akurat.co/gayahidup/id-289985-read-udara-jakarta-makin-parah-greenpeace-indonesia-pasang->

Greenpeace melalui kampanye tersebut mempunyai harapan besar agar permasalahan kualitas udara menjadi perhatian serius dan bersama. Hal ini dikarenakan masalah kualitas udara sangat erat kaitannya dengan permasalahan kesehatan warga yang mendiami Jakarta. Sehingga melalui strategi tersebut besar harapan akan tumbuh kesadaran dari semua lapisan masyarakat mengenai kualitas udara.

Kampanye terbaru Greenpeace dilakukan pada Maret 2019. Para aktivis Greenpeace melakukan aksi di depan Gedung Kementerian Lingkungan Hidup dan Kehutanan (KLHK). Pada aksi tersebut para aktivis mengenakan kostum berwarna hitam dan menggunakan topeng berwarna hitam dengan tulisan PM 2.5 diseluruh bagian kostum dan topeng. Selain itu, mereka membawa papan yang bertuliskan “Jakarta Butuh Udara Bersih”, “Jakarta Under Pollution”, dan juga *hashtag* #WeBreatheTheSameAir. Kampanye tersebut merupakan respon dari Greenpeace terhadap hasil penelitian yang dilakukan oleh IQ AirVisual bersama Greenpeace Asia Tenggara. Hasil penelitian tersebut memaparkan mengenai kualitas udara di kota-kota besar di seluruh dunia. Laporan tersebut mengungkapkan bahwa Jakarta berada diperingkat pertama dengan PM 2.5 paling buruk di Asia Tenggara selama kurun waktu 2018. Lebih lanjut lagi, selain telah melampaui batas WHO, PM 2.5 di Jakarta bahkan melampaui baku mutu pemerintah Indonesia yang sebenarnya berada dibawah baku mutu yang ditetapkan oleh WHO.²⁵

Dalam kampanye tersebut, tidak hanya Greenpeace namun juga hadir tokoh masyarakat dan organisasi masyarakat sipil yang tergabung dalam Inisiatif Bersihkan Udara Koalisi Semesta (IBUKOTA). Salah

satu agenda dalam aksi tersebut adalah memberikan apresiasi kepada KLHK atas informasi mengenai tingkat pencemaran udara di Jakarta. Pengakuan yang dilakukan KLHK mengungkapkan mengenai konsentrasi rata-rata tahunan PM 2.5 di Jakarta yang berada jauh melampaui baku mutu udara ambien nasional.

Kampanye tersebut membawa pesan kepada pemerintah agar segera mengambil tindakan nyata terkait pencemaran udara. Karena permasalahan pencemaran udara akan banyak menimbulkan kerugian bagi masyarakat. Dalam hal ini, masyarakat memiliki hak untuk menghirup udara bersih dan terhindar dari udara kotor penyebab penyakit. Pemerintah memiliki andil besar dalam mengatasi segala permasalahan yang terjadi yang menyangkut kepentingan masyarakat. Greenpeace sebagai NGO berupaya untuk menyadarkan semua pihak agar lebih peduli terhadap permasalahan polusi udara, terlebih saat ini Jakarta merupakan kota dengan polusi udara terburuk di Asia Tenggara. Greenpeace meminta pemerintah agar lebih fokus mengenai pengawasan dan penegakan hukum, berupaya membuat program pengendalian pencemaran udara, selain itu pula diharapkan pemerintah mampu bekerjasama dengan instansi pusat maupun provinsi karena dalam hal ini tentu saja pemerintah tidak akan sanggup menangani sendiri sehingga sangat dibutuhkan kolaborasi dengan pihak lain.

Kesimpulan

Berdasarkan apa yang telah dinarasikan dalam tulisan ini bahwa Greenpeace telah melakukan strateginya dalam upaya penanggulangan polusi udara di Jakarta. Greenpeace telah berupaya maksimal dengan menggunakan strategi-strategi yang dikemukakan oleh McCormick yaitu strategi *undertaking research*, dan *campaigning and organizing public protests*. Strategi *undertaking research* dilakukan dengan penelitian mengenai kualitas udara Jakarta. Penelitian dilakukan dengan

[billboard-soal-kualitas-udara-jakarta](#), diakses pada 20 Februari 2019

²⁵ Seperti yang dimuat dalam sumber online <http://www.greenpeace.org/seasia/id/press/releases/Da-ta-KLHK-Menunjukkan-Pencemaran-Udara-Tahunan-Jakarta-Dua-Kali-Lebih-Buruk-dari-Baku-Mutu-Udara-yang-Ditetapkan-Pemerintah/>, diakses pada 14 Maret 2019

berkolaborasi dengan instansi lain. Selain itu dilakukan penelitian tentang batubara, hal ini dikarenakan batubara merupakan salah satu aktor utama penyebab terjadinya polusi udara yaitu berasal dari batubara yang digunakan untuk PLTU. Dalam melakukan penelitian, Greenpeace menggaet peneliti dari Universitas Harvard dalam mengkaji bahaya batubara untuk kesehatan.

Selain melakukan penelitian, Greenpeace juga sejauh ini telah melakukan aksi nyata dengan kampanye yang dilakukan di depan Kementerian Kesehatan, Kementerian Lingkungan Hidup dan Kehutanan dan kampanye dengan pemasangan *billboard*. Aksi yang dilakukan bisa terbilang unik dan kreatif. Kampanye pertama tahun 2017, para aktifis menggunakan kostum berbentuk anatomi tubuh manusia dengan paru-paru berwarna hitam. Kampanye kedua tahun 2018 dilakukan dengan memasang poster besar berupa sketsa manusia yang menggunakan masker sebagai gambaran buruknya kualitas udara sekitar. Kampanye ketiga pada tahun 2019 dilakukan para aktifis mengenakan pakaian dan topeng berwarna hitam bertuliskan PM 2.5. Penelitian ini berujung

pada kesimpulan bahwa Greenpeace selaku NGO telah melakukan aksi nyata dalam upaya penyelamatan lingkungan melalui strategi-strategi yang merujuk pada konsep McCormick yaitu strategi *undertaking research*, dan *campaigning and organizing public protests*.

DAFTAR PUSTAKA

- Akurat.co, Udara Jakarta Makin Parah Greenpeace Indonesia Pasang Billboard Soal Kualitas Udara, sumber online <https://akurat.co/gayahidup/id-289985-read-udara-jakarta-makin-parah-greenpeace-indonesia-pasang-billboard-soal-kualitas-udara-jakarta>, diakses pada 20 Februari 2019.
- Dalton, Russell J. *The Green Rainbow: Environmental Groups in Western Europe*. New Haven: Yale University Press, 1994.
- Greenpeace, Kualitas Udara Jabodetabek Buruk, bersumber dari <http://www.greenpeace.org/seasia/id/press/releases/Kualitas-Udara-Jabodetabek-Buruk/>. Diakses pada 19 Februari 2019.
- Greenpeace, Memilih Energi Bersih, dikutip dari <http://www.greenpeace.org/seasia/id/press/releases/Jakarta-Harus-Memilih-Energi-Bersih/>, diakses pada 19 Februari 2019.
- Greenpeace, Polusi Ancaman Kesehatan Masyarakat, bersumber dari <http://www.greenpeace.org/seasia/id/press/releases/Polusi-Udara-Ancam-Kesehatan-Masyarakat/>, diakses pada 19 Februari 2019.
- Greve, Michael S. Private Enforcement, Private Rewards: How Environmental Suits Become an Entitlement Program, in *Environmental Politics: Public Cost, Private Rewards*, ed Michael S. Gerve and Fred L Smith. 1992. New York: Praeger, 105-109.
- Hadiwinata, Bob Sugeng. 2017. *Studi dan Teori Hubungan Internasional: Arus. Utama, Alternatif, dan Reflektivis*. Jakarta: Yayasan Pustaka Obor, 2017.
- Hass, Peter M. *Introduction: Epistemic Communities and International Policy Coordination*, in *International Organization*, Vol. 46, No. 1, Knowledge, Power, and International Policy Coordination. (Winter, 1992), pp. 1-35.
- Jakpost, *Air Pollution in Jakarta an Invisible Health Threat*, bersumber dari media online <https://www.thejakartapost.com/adv/2018/08/15/air-pollution-in-jakarta-an-invisible-health-threat.html> diakses pada 19 Februari 2019.

- Lee, Martha F. *Earth First: Environmental Apocalypse*. Syracuse: Syracuse University Press, 1995.
- Mate, John. (2002). "Making a Difference: A Non-Governmental Organization's Campaign to Save the Ozone Layer." *Review of European Community & International Environmental Law*; Volume 10, Issue 2, pp. 190-198, July 2001. *Greenpeace*.
- McCormick, John. 1993. *The Role of Environmental NGOs in Internasional Regimes in The Global Environment Institutions, Law, and Policy*. 1999. USA: Congressional Quartely Inc, 65-68.
- Özdemir, B. Pinar. 2012. "Social Media as a Tool for Online Advocacy Campaigns: *Greenpeace* Mediterranean's Anti Genetically Engineered Food Campaign in Turkey", *Global Media Journal*, Vol 5 Issue 2, pp. 23-29.
- Parameswari, Puti. 2015. *Gerakan Transnasional dan Kebijakan: Strategi Advokasi Greenpeace Detox on Fashion di Tiongkok*.
- Rudy, T. May. *Administrasi & Organisasi Internasional*. Bandung: Refika Aditama, 2009.
- Silalahi, Uber. *Metode Penelitian Sosial*. Bandung: PT. Refika Aditama, 2012.
- Susanto, Siti Rokhmawati, "The Transformation of Greenpeace Strateu in the 1990s: From Civil Disobedienceto Moderate Movement", *Global & Strategic*, Th I, No 2, Juli-Desem her 2007, 186-205.
- Vice.com, *How Bad Is The Air in Jakarta*, bersumber dari sumber online https://www.vice.com/en_id/article/qkzedm/how-bad-is-the-air-in-jakarta, diakses pada 20 Februari 2019.
- Wapner, Paul. 1995. "In Defense of Banner Hanger: The Dark Green Politics of Greenpeace", Bron Taylor (ed), in *Ecological Resistance Movement: The Global Emergence of Radical and Popular Environmentalism*. Albany: State university of New York Press.

South Korean Government's Role in Public Diplomacy: A Case Study of the Korean Wave Boom

Sofia Trisni¹, Putiviola Elian Nasir², Rika Isnarti³, Ferdian⁴

¹International Relations, Universitas Andalas, Padang, Indonesia

²International Relations, Universitas Andalas, Padang, Indonesia

³International Relations, Universitas Andalas, Padang, Indonesia

⁴Pascasarjana, Universitas Andalas, Padang, Indonesia

ARTICLE INFORMATION

SUBMISSION TRACK

Received : 14, January, 2019

Final Revision : 15, May, 2019

Available Online: 30, May, 2019

KEYWORD

Korean wave, popular culture, public diplomacy

KATA KUNCI

Korean wave, budaya populer, diplomasi publik

CORRESPONDENCE

E-mail: sofidinara@gmail.com

ABSTRACT

Korean wave has become a current booming popular culture; reaching all continents of the world. The phenomenon is the result of cooperation from various actors, namely state and non-state actors. This paper aims to determine the role of the South Korean government in the accomplishments of the Korean wave to date, by studying the literature that focuses on the Korean wave success. We conducted library research to some related articles and government's policy paper in order to get our finding. Our research concludes that the South Korean government acts as a stimulator, regulator and facility provider for the cultural industry to develop. While the success of the Korean wave in penetrating the world market is the result of the formulation of strategies and promotions conducted by non-state actors involved in the process of producing the Korean wave.

ABSTRAK

Korean wave telah menjadi budaya populer yang sedang booming saat ini; menjangkau semua benua di dunia. Fenomena tersebut merupakan hasil kerjasama dari berbagai aktor, yaitu aktor negara dan non-negara. Tulisan ini bertujuan untuk menentukan peran pemerintah Korea Selatan dalam pencapaian *Korean wave* hingga saat ini, dengan mempelajari literatur yang fokus pada keberhasilan *Korean wave*. Tulisan ini menggunakan studi pustaka terhadap beberapa artikel terkait dan dokumen kebijakan pemerintah untuk mendapatkan temuan. Tulisan ini menyimpulkan bahwa pemerintah Korea Selatan bertindak sebagai stimulator, regulatir dan penyedia fasilitasi bagi industri budaya untuk berkembang. Sedangkan keberhasilan *Korean wave* dalam menembus pasar dunia adalah hasil dari perumusan strategi dan promosi yang dilakukan oleh aktor non-negara yang terlibat dalam proses *Korean wave*.

Introduction

Korean wave is taking over the world. In May 2018, the New York Times released an article titled "BTS Becomes the First K-Pop Act to Top Billboard Album Chart". This news piece shared the success story of BTS, a South Korean boy band, in

penetrating the American market. In the same column, it was reported that BTS was the first music group outside of the United States to reach the top position on the American Billboard in the last 12 years, which was previously "occupied" by Il Divo in 2016. Apart from outrivaling famous

names such as Justin Bieber, Ariana Grande and Selena Gomez on the Billboard top charts, BTS became the first South Korean music group invited to speak at the UN session.¹ Meanwhile Korean Dramas such as the Descendant of the Sun, were able to attract viewers from 32 countries, with a total of 1 billion viewers per each episode on iQiyi in 2016.² This presents a small example South Korea's popular culture success in penetrating the world, after in 2012, PSY struck the global music industry by being first place in Britain's pop charts and number two in America.³

The United States and Great Britain have not been the only countries affected by this popular culture, Indonesia has also been heavily experiencing Korean wave effects. One of the examples is the success of South Korean cultural festival in Palembang on August 13, 2018. The festival arranged by the Korean Cultural Center Indonesia (KCCI) captivated 3,000 people, higher than the 1,000 attendees that KCCI targeted.⁴ In addition, Indonesia has the largest South Korean popular culture fan base in Asia (Milia, 2015). This indicates the Indonesian people's high interest in the cultural products exported by the country of ginseng.

Hallyu or more familiar as Korean wave or *Hallyu* describes the phenomenon of South Korean popular culture outbreak outside of

its own country.⁵ Korean wave includes a wide range of cultural products such as drama series, movies, k-pop, dance, games, culinary, *fashion* dan language (Jang and Won, 2012).⁶ Korean wave's popularity is gradually spreading; with the estimation reaching East Asia, South East Asia, Africa and Europe.

There is a unique element present in the Korean wave boom. Although the Korean wave is a component of South Korea's Public Diplomacy, the authors find that the success of the Korean wave is not accompanied by increased interest in accessing South Korean government programs in the city of Padang in 2017. This means, there is a separation of objects by fans in this city between cultural products and their home countries (South Korea). This indication generated interest; specifically, in understanding the government's role in the success of the Korean wave. This then becomes the basis for recognizing the reason behind Korean wave fans enthusiasm with Korean wave products, but not accompanied by increased curiosity about the South Korean government program. To understand government's role in Korean wave production, this article is divided into four segments; the introductory section as the first part, Research Methodology in the second part and in the Discussion and Analysis in third part, we present the importance of public diplomacy as the rationale for why countries are competing to use public diplomacy. Further in the third part we also provide an explanation of South Korea's policies regarding Korean wave including the state actors involved, and also the discussion of South Korean government role in the industry. The fourth part is a conclusion of our writing.

¹ BBC, BTS : Who are they and how did they become so successful?, view online 5 Oktober 2018, 20 :10 <https://www.bbc.co.uk/newsround/45721656>.

² J.A. Son, "Descendants of the Sun Heads to 32 countries", *Koreanet* 4 April 2016 view online 10 Oktober 2018 <http://www.korea.net/NewsFocus/Culture/view?articleId=134818>

³ The Economist, Bubbly pop, view online 5 Oktober 2018, 20:19 <https://www.economist.com/banyan/2012/10/02/bubbly-pop>.

⁴ Y. Safitiri, "Korean culture event in Palembang draws thousands of K-pop fans", *The Jakarta Post*, 13 August 2018, view online 25 Nov 2018, <https://www.thejakartapost.com/life/2018/08/13/korean-culture-event-in-palembang-draws-thousands-of-k-pop-fans.html>

⁵ N.P.E Suryani, "Koreana wave sebagai instrument *soft power* untuk Memperoleh Keuntungan Ekonomi Korea Selatan", *Global* Vol. 16 No.1 Mei 2014

⁶ G.Jang and W.K. Paik, "Korean wave as Tool for Korea's New Cultural Diplomacy", *Advances in Applied Sociology*, 2012. Vol.2, No.3, 196-202

Research Method

We conducted library research to fulfil our aims. We collected some related articles to Korea's government involvement in Korean wave industry and we also look into Korean government policy that was written on diplomatic white paper, government's website and policies that quoted by some expert. There are thirty three articles and policy that we studied. From our observing to those articles, we then put these articles into some grouping under some coding. Those coding brought us into some government's effort such as stimulator, regulator and facility provider. We based our grouping according to the definition offered by the dictionary. For the definition of a stimulator, Oxford dictionary tells that stimulator is "A person or thing that encourages the development of or increased activity in a state or process".⁷ It means, for every sentence that indicates activities in accordance with this definition will group into stimulator. Further, there are three definitions offered by Oxford dictionary for Regulator ; First, "a person or body that supervises a particular industry or business activity", Second , "a device for controlling the rate of working of machinery or for controlling fluid flow, in particular a handle controlling the supply of steam to the cylinders of a steam engine" and lastly "a device for adjusting the balance of a clock or watch in order to regulate its speed".⁸ Similar to the first point, we looked into the sentence that indicated the role as a regulator with paying attention to the above definition. In addition, provider means "a person or thing that provides something".⁹ We did the same treatment for the third definition.

⁷ Oxford Dictionaries, accessed 13 May 2019, <https://en.oxforddictionaries.com/definition/stimulator>

⁸ Oxford Dictionaries, accessed 13 May 2019, <https://en.oxforddictionaries.com/definition/stimulator>

⁹ Oxford Dictionaries, accessed 13 May 2019 , <https://en.oxforddictionaries.com/definition/provider>

Result and Discussion

Before explain the result of our research, we would like to begin with the discussion about Public Diplomacy as Korean wave's activities are claimed as part of Public Dipomacy by the South Korean government.

The Significance of Public Diplomacy

In today's era, achieving state interests can not only be done by strengthening hard power assets, but can also be achieved by strengthening soft power assets. The term soft power was coined by Joseph Nye, who explains soft power as an approach using attraction in order to attract other parties to voluntarily follow our desires without feeling forced.¹⁰ Furthermore, Nye¹¹ explained that the use of soft power assets is important because "a country may obtain outcomes it wants in world politics because other countries want to follow it, admitting its values, emulating its example, and / or aspiring to its level of prosperity and openness ". This means that through the use of soft power, the state no longer has to struggle to achieve its interests, because people of the target country who have admired and fallen in love with that specific country, will voluntarily follow its wishes without being forced to. Furthermore, Nye¹² describes that a country's soft power assets /resources lie in its culture, values and policies. Still according to Nye, public diplomacy is an approach that states can use to develop soft power.

Public diplomacy has various definitions, but in essence, all of these definitions agree that public diplomacy is an

¹⁰ J. Nye, "Public Diplomacy and Soft Power", *Annals of the American Academy of Political and Social Science*, Vol. 616, PublicDiplomacy in a Changing World Mar., 2008, pp. 94-109, p.94

¹¹ J. Nye, 2018

¹² J. Nye, 2018

effort to reach foreign public. Sharp¹³ states that public diplomacy is "the process of direct relations with people in a country that is pursued to advance the interest and extend the values of those being represented". Berridge¹⁴ defines that public diplomacy is a white propaganda, which is used by the state to influence other countries by winning (the heart) of its people. Rana¹⁵ suggests that public diplomacy is "activities through governments, working with non-state agencies, reach out to publics and nonofficial actors abroad, covering information, culture, education and the country image". Furthermore Emilia¹⁶, described public diplomacy as "any effort conducted by the government of a country towards the international public". The above definitions provide an illustration of the difference between traditional diplomacy and public diplomacy; which unlike traditional diplomacy that focuses on the relationship between governments (G to G); public diplomacy emphasizes the relationship with foreign public. Moreover, the government is not the only public diplomacy actor. In reality, public diplomacy actors have been developing and increasing; which currently also includes non-state actors.¹⁷

Despite the expansion of contributing actors, basically public diplomacy still aims to win the hearts and minds of the public; which according to Nye is an effective way to create soft power. Amr Hady in Cho¹⁸

agreed to this thought and wrote that "through a bottom-up political mechanism, civil society has a pressure on the government policymaking, and this will indirectly influence one's national security and prosperity". The importance of winning the hearts and minds of foreign people becomes crucial based on the fact that these people are expected contributors of their country's policy changes. The argument becomes more compelling with the increasing potential of public's involvement in the process of a state's policy making in current democratic era. Therefore, public diplomacy becomes a popular tool used by many states; one of them is South Korea.

South Korea is a country that highly regards its public diplomacy implementation. The last four South Korean presidents believed that the use of culture as an asset to achieve the country's interests is the precise strategy.¹⁹ South Korean government's concern for cultural policy flourished since 1990, when the desire to become a developed country emerged in South Korea.²⁰ In their article published in the "International Journal of Cultural Policy", Kwon and Kim²¹ presented their findings on the long-standing policies of the South Korean government starting in 1990 to support the advancement of their cultural industries. It provides an explanation why the booming of South Korean cultural products in today's global market cannot be separated from the role of the government through regulations made to facilitate developing of cultural industries. This means that the country's concern for its cultural industry development is very high, and

¹³ P. Sharp, "Revolutionary States, Outlaw Regimes and the Techniques of Public Diplomacy" dalam Melissen (eds), *The New Public Diplomacy : Soft Power in International Relations*, Palgrave macmillan, 2005

¹⁴ G.R Berridge, *Diplomacy : Theory and Practice*, Palgrave Macmillan, New York 2010

¹⁵ K.R Rana, *21st Century Diplomacy : A Practitioner's Guide*, Continuum, London, 2011

¹⁶ R.Emilia, *Praktek Diplomasi*, Baduose Media, 2013

¹⁷ N. J. Cull, *Public Diplomacy: Lessons from the Past*. California: FIGUEROA PRES,2009

¹⁸ YY. Cho, "Public Diplomacy and South Korea's Strategies", *The Korean Journal of International Studies*, Vol. 10, No.2 (Dec 2012), pp.275-296

¹⁹ O. Krasnyak, ,2017, *Evolution of Korea's Public Diplomacy*, USC Center on Public Diplomacy, <https://uscpublicdiplomacy.org/blog/evolution-koreas-public-diplomacy>, viewed 1 June 2018, 12:23 WIB

²⁰ S. Kwon and J. Kim, "The cultural industry policies of the Korean government and the Korean Wave, *International Journal of Cultural Policy* 20 : 4, 31 Dec 2014, pp.422-439, 2014

²¹ Kwon and Kim, 2014

without the support given through regulations or the accelerated development of other industries, South Korea might not have achieved their current success.

When President Lee Myung-bak came into office in 2008, he launched the slogan "Global Korea". This presents an interesting point of how South Korea highly perceives its cultural industry. "Global Korea" became a branding elevating the position of South Korea as a developed country, unlike the popular notion of South Korea at that time, as a poor country that has been involved in civil war.²² The country believes this image which disturbs them; the image of being poor and related to civil war, produces negative views of South Korea. During his tenure, President Lee wanted to bring South Korea to a more advanced economic level, as stated in his first state address in February 2008 "That is the vision of a Great Korea that Lee Myung-bak's administration will work for. The miracle will continue. The legend will go on".²³ Still in the same speech, President Lee stressed the importance of developing their cultural industry, by reasoning the use of this asset to actualize Global Korea²⁴:

We must develop our competitiveness in our contents industry, thereby laying the foundation to become a nation strong in cultural activities. An increase in income will lead to a rise in cultural standards, which in turn heightens our quality of life. Through culture we are able to enjoy life, through culture we are able to communicate with each other and through culture, we will be able to advance together. The new Administration will do its best to bring the power of our culture into a full blossom in this globalized setting of the 21st century..... Our traditional culture, when coupled together with our technological prowess, will no doubt transmit to the world an image of a more attractive Korea.

²² J.V. John, "Globalization, National Identity and Foreign Policy : Understanding "Global Korea", *The Copenhagen Journal of Asian Studies* 33(2), 2015, 38-57

²³ Hankyoreh, Full text of Lee's inaugural speech, view online http://english.hani.co.kr/arti/english_edition/e_nationa/271850.html 6 Oktober 2018, 9:29

²⁴ Hankyoreh, 2018

Furthermore, to accomplish this desire of "Global Korea", President Lee's government formed a council named "Presidential Council on Nation Branding (PCNB)" which was mandated to execute 10 action points, where one of the points was "to adopt a 'Korean wave' program".²⁵ In this period, the Korean wave which had pioneered its success starting in the 1990s in China²⁶ began to be adopted by the state as part of its policy. Lee's government intended to maintain the popularity that has been achieved by the Korean wave.²⁷ This was based on the positive results contributed by cultural products which were able to help the country achieve prosperity in the economics sector and image improvement.

Lee Myung-bak's policy towards Korean wave has been continued by the South Korean government to date. The South Korean Ministry of Foreign Affairs website explains that "Hallyu (the Korean wave) serves as an important element of Korea's public diplomacy". Meanwhile, public diplomacy is one of South Korea's diplomacy focus used to achieve its interests as described in the following foreign ministry website²⁸:

...the Ministry of Foreign Affairs (MOFA) has moved beyond the sphere of traditional government-oriented diplomacy by increasing its focus on public diplomacy, which includes reaching out to the foreign public through the arts, knowledge sharing, media, language, and aid.

South Korea's attention towards its public diplomacy is also evident in the large budget allocation for its implementation. In 2016, MOFA's budget was recorded at 17.8

²⁵ J.V. John, 2015

²⁶ G. Jang and W.K. Paik, 2012

²⁷ J.V. John, 2015

²⁸ Website Kementerian Luar Negeri Korea Selatan http://www.mofa.go.kr/eng/wpge/m_5474/contents.do

billion won / 16.18 million dollars.²⁹ This amount continues to be increased by the government, as reported by their foreign ministry website.

The Korean wave adoption as an element of public diplomacy was based on the ambition to make South Korea a developed country with a positive image. Cultural aspects are considered as one of the tools to achieve this target, given the rich culture owned by this country. Aside from the progress in the economic sector, the Korean wave is also considered a soft power asset, which basically also supports the progress proclaimed by South Korea.

South Korean Government's Role in the Korean Wave Success

In this section, the authors attempt to observe the role of government in the success achieved by Korean wave. The success of Korean wave has become a very interesting phenomenon to study, given its extraordinary appeal to various groups. The results of our 2017 study demonstrated that 28% of Korean wave fans in Padang spent between 1-3 hours a day watching Korean cultural products, while another 25% spent 3-5 hours per day. The amount of time they have allocated to watch Korean cultural products is quite high, therefore it is compelling to understand the role of the government in achieving that success.

The South Korean President is known as a president who tends to the implementation of his public diplomacy. The Korean wave success yielded positive response during President Lee Myung-bak's government. President Lee Myung-bak included Korean Wave into the PCNB program, a council formed by the

government for branding his country. This was the government's initial step in institutionalizing the Korean wave, which at first was more of a phenomenon of success of cultural products that were administered by non-state actors. The subsequent presidents also gave great attention to Korean wave. The South Korean Foreign Ministry website on the public diplomacy section clearly stated Korean wave as an important element of the country's public diplomacy. This statement was strengthened by discussion of Korean wave in the 2016 Diplomatic White Paper. The discussion of Korean wave in important state documents indicate the importance of this topic for the government.

Furthermore, other roles executed by government can be seen by referring to a number of government policies at the outset of this emerging cultural industry's idea. Examples of this initial policy are assistance in finding investors and idea exchanges about potentially globalizing popular culture. The system changes implemented by the government in the 1980s provided space for the *Chaebol* / conglomerates to invest in the Korean wave industry.³⁰ In this case, government provides assistance by finding funding for this industry because through its regulations, conglomerates such as Samsung, Daewoo, Hyundai, LG and SK began to enter the industry and distribute their funds.³¹ A specific example was investment allocated to SM Entertainment, which gave SM the opportunity to have various auditions to find the best members for the boy band under its label; one of these boy band groups was

²⁹ S. Lee, "Korea's Public Diplomacy Needs Better Coordination and Strategies, Korea Focus, 13 January 2015, view online 10 Oktober 2018 http://www.koreafocus.or.kr/design2/layout/content_print.asp?group_id=105736

³⁰ S. Jun and D. Shim, "Social distribution : K-pop fan practices in Indonesia dan the 'Gangnam Style' phenomenon", *International Journal of Cultural Studies* Vol 17(5), 2014, 485-501; Jang and Paik, "Korean Wave as Tool for Korea's New Cultural Diplomacy", *Journal Advances in Applied Sociology* Vol.2, No.3, 2012, pp.196-202

³¹ S. Kwon & J. Kim, "The Cultural Industry Policies of the Korean government and the *Korean wave*", *International Journal of Cultural Policy* 20:4, 422-439, 2014

H.O.T.³² In addition, the Kim Dae-jung government (1998-2003) gave the permission for Japanese Culture to enter his country, providing an exchange of creative content between the two countries.³³

It can be assumed that the government was able to fill the gap of funding to help this cultural industry to go global, because the preparation of the production process until distribution uses a large amount of funds. The conglomerates involvement in this industry is considered as effective strategy; supporting an industry that was once simple to stretch and develop. Meanwhile, the entry of Japanese cultural content provides lessons and inspiration for the development of South Korea's cultural industry. Based on this strategy, the South Korean government has been regarded as effective and responsive by maximizing the existing situation and issuing appropriate policies.

There is also another role of the government in supporting the development of this country's culture industry. Youtube, Twitter and other virtual world programs are factors that support the success of Korean wave. The research we conducted in 2017 at universities in Padang also indicated the same results. It cannot be denied that the power of promotion today is greatly influential on internet technology that can reach public around the world in a short time. Lee Myung-bak's government (2008-2013) created policies that included strengthening ICT.³⁴ Strengthening this ICT structure facilitated the cultural industry to manage promotions through the use of internet networks. K-pop companies take advantage of technological developments through YouTube and Facebook as a medium to promote their products³⁵, all of

this strategy require the power of internet networks and the government responded quickly by strengthening their ICT networks. The government is once again responsive in understanding the right media in promoting their cultural products by strengthening the infrastructure associated with internet use.

Moreover, the South Korean government shows its support for the Korean wave by awarding the actors / actress involved in this cultural industry as ambassadors for various activities. This effort is considered as government promotion support to their cultural products.³⁶ For example, the Wonder Girls were named Korean Food Ambassador, Kim Hyun Joong as the UN Ambassador for the Social Welfare Program and Hyun Bin as Korean Defense Ambassador.³⁷ Indonesian actress Dewi Sandra, was named Korean Tourism ambassador for Indonesia.³⁸ Subsequently, actor Song Joong-ki, who was the male lead of the drama "Descendant of the Sun" was appointed as honorary ambassador for Korean tourism in 2016.³⁹ Although these types of appointments can be seen as symbiosis of mutualism, where the government also gain benefit from assigning these actors and actresses who have won global reputation with fans who are widely spread internationally, it cannot be denied that this policy can also be considered as the government's efforts to help maintain the popularity of Korean wave.

Other policies issued by the South Korean government in supporting their

³² S. Jun and D.Shim, 2014

³³ F. Istad, "A Strategic Approach to Public Diplomacy in South Korea" in Kadir Ayhan (ed), *Korea's Public Diplomacy*, Seoul, Korea : Hangang Network, 2016

³⁴ Kwon and Kim, 2013

³⁵ S.Jun and D.Shim, 2014

³⁶ T.D Effendi, "K-Pop and J-Pop Influences to University Students in Malang, East Java—Indonesia : A Comparative Public Diplomacy Studies" *Andalas Journal of International Studies*, Vol.1 No.2, 2012, pp.182-196

³⁷ T.D Effendi, 2014

³⁸ T.D Effendi, 2014

³⁹ I.C Chang, "Descendants's Actor Invites You Into Story of Korea", *Koreanet*, 26 Mqy 2016, view online 10 Oktober 2018, <http://www.korea.net/NewsFocus/Culture/view?articleId=134793>

cultural industries are related to the creation of various institutions; both institutions directly under the government or institutions affiliated with the government. These councils and institutions are an extension of government in coordination, promotion and execution of various South Korean cultural products. It has been previously mentioned that President Lee Myung-bak's government established a nation branding council named PCNB. PCNB is an example of an institution directly under the government, where the coordination is directly under the authority of the president.⁴⁰ PCNB then created King Sejong Institute, located in various countries, focusing on the Korean language learning.⁴¹ In Indonesia, this institution was established in collaboration with the National University, with funds sponsored by the South Korean government.⁴² In 1995, government founded the Culture Industry Bureau to monitor the development of the country's cultural industry.⁴³ In addition, there are various other institutions such as KCC (Korean Cultural Center), KOICA (Korea International Cooperation Strategy) and KOFICE (Korean Foundation for International Cultural Exchange). KCC is a language and cultural centre with programs such as Korean language learning and movie screenings⁴⁴, KOICA is associated with the cooperation and business development⁴⁵ while KOFICE is concentrate on student

exchange schemes.⁴⁶ The South Korean government prepares various institutions to support the advancement of the cultural industry; these institutions can either be government institutions or institutions affiliated with the government.

Apart from the government's support previously described, there are also other policies implemented by the South Korean government to advance its cultural industry. One example is by prioritizing the growth of strategic industries, compiling a series of development plans, providing financial assistance and controlling labor availability.⁴⁷ During Kim Dae Jung's term between 1998 - 2002, the government built infrastructure needed by developing firms by providing funding support.⁴⁸ Specific plans and policies to aid cultural products penetrate the global market were conceived during Roh Moo-hyun's government.⁴⁹ Furthermore in 2015, the government bank, Korean Development Bank (KDB), provided funding of 100 billion won to the Korea Broadcasting Station (KBS) for creative content.⁵⁰

However, behind the efforts made by the South Korean government, there are various gaps raised by experts regarding this role which is the lack of coordination between the government and implementing institutions. The government is required to provide direction, coordination with stakeholders and promotion of activities related to the cultural industry.⁵¹ The point here is that the government must improve coordination between state ministries and affiliated organizations.⁵² Coordination between these actors will be conducted by forming a "control tower" to coordinate information between various ministries and

⁴⁰ Choi and Kim 2014; F. Istad 2016; Kwon and Kim 2013

⁴¹ D.Y Choi, and P.S. Kim, "Promoting a Policy Initiative for Nation Branding : The Case of South Korea", *Journal of Comparative Asian Development* 13:2, 2014, pp.346-368

⁴² MPR UNAS, "UNAS Korea Jajaki Program King Sejong Institute", *Marketing and Public Relations Universitas Nasional* 17 May 2017, view online 25 Nov 2019 <http://mpr.unas.ac.id/unas-korea-jajaki-program-king-sejong-institute/>

⁴³ G. Jang and W.K. Paik

⁴⁴ KCC website <http://id.korean-culture.org/id/6/contents/341> accessed 8 May 2019

⁴⁵ KOICA website https://www.koica.go.kr/koica_en/index.do accessed 8 May 2019

⁴⁶ KOFICE website <http://eng.kofice.or.kr/> accessed 8 May 2019

⁴⁷ S. Kwon & J. Kim, 2013

⁴⁸ Baek in Kwon and Kim, 2013

⁴⁹ S. Kwon & J. Kim

⁵⁰ F. Istad, 2016

⁵¹ F. Istad, 2016

⁵² F. Istad, 2016

organizations.⁵³ Furthermore, Cho⁵⁴ argues that the government needs to form an organized public diplomacy goal and to form effective strategies. Other than coordination problems, there is also criticism towards the continuity of policy implementation, where suitable policies cannot be maintained for a long period of time due to the change of leaders. An example of this is the PCNB dismantling by President Park Geun-hye during her tenure.⁵⁵

There is an indication that the institutions formed by the South Korean government, as described in the paragraph above, did not receive sufficient coordination from the government therefore inhibiting the implementation synergy of the industry. There is a possibility that this lack of control, interference and coordination from the government has caused its programs to become unpopular among our respondents in 2017. When non-state actors conduct their activities without coordination with the government, the goal of these missions are to achieve economic interests and does not include the government's mission in implementing public diplomacy.

There are also claims that the success of Korean wave is the result of the non-state actors hard work. Focusing on the success of Korean wave, there are several statements indicating that the success achieved by the cultural industry is the contribution of private actors. This means, the government did not play a significant role in the success of Korean wave. This can be seen from the statement of the Minister of Culture, Sports and Tourism Kim Jongdeok in 2016⁵⁶ :

We, the Korean government and the culture ministry, support the work they want to make, but we would not take any role or whatsoever as a decision maker or in getting involved in the actual working process at all. It's the working people, I mean, film makers or singers, who take the lead in actually promoting the Korean wave outside South Korea. The government is just

putting a little bit of stepping stones so that they can jump up and move forward. That's all we do.

A similar argument was also made by Jung and Shim⁵⁷ who explained that the success achieved by producers such as SM, YG and JYP is the result of the implementation of a well-organized and excellent production and distribution strategy by the producers. The above statement provides an understanding that the role of the government in the success of Korean wave is not large, unlike the role of the private actors who were involved in its creation and distribution. Chae Jiyoung, senior researcher at the Korea Culture and Tourism Policy Institute, added that the success was not because of the government or the Korean broadcaster, but because of suitable market conditions for Korean cultural products export motivated by a competitive domestic market.⁵⁸

The above descriptions generated several explanations. First, the government fully understands the importance of the cultural industry for the country's image and economy, therefore the government then gives more attention to this industry. This attention is manifested by providing support to develop the industry, starting from funding policy making, opening investment for private actors, building various infrastructures to support the development of the cultural industry, including the provision of trained workers. Second, the government established institutions and affiliations to support the cultural industry. Unfortunately, there are indications that there are still gaps in the government's role. Experts consider these institutions as uncoordinated with no clear strategic goal and no similar objective targeted by state actors and non-state actors. Moreover, the success of the Korean wave is claimed to be the success achieved by private actors, not as a result of government effort. To sum up, the government plays a major

⁵³ S. Lee, 2015

⁵⁴ YY. Cho, 2012

⁵⁵ F. Istad, 2016

⁵⁶ J.A. Son, 2015

⁵⁷ S.Jung and D Shim, 2014

⁵⁸ D. Shim, 2008

role in stimulating and facilitating the cultural industry to develop, while for its execution, it is the non-state actors who are instrumental in achieving the success of Korean wave.

Conclusion

The Korean wave is a cultural industry that involves many actors; both state and non-state actors such as producers, actors, actresses, distributors and others involved in the production process from the beginning to the promotion and distribution process. In addition to these actors, the Korean wave success cannot be separated from the support and role provided by the South Korean government. The South Korean government is a government that is well aware of the great opportunities brought by their cultural industries, provides large support in order to develop this industry. This paper has outlined the role conducted by the government in supporting the Korean wave success. Government's dominant role can be seen from the strategic policy implemented by government, such as policies to facilitate smooth investment from conglomerates, which makes it possible for this industry to obtain financing to improve their quality; granting permission for Japanese cultural products to enter Korea, which can be seen as an opportunity for Koreans to produce creative ideas for cultural industry development; state

institutions designation to implement public diplomacy, including establishing affiliated institutions; building various infrastructures that facilitate the advancement of this industry such as strengthening ICT networks and stimulating other strategic industries; include Korean wave as an element of their public diplomacy; help promote Korean wave actors / actresses by appointing them as ambassadors for various government activities and numerous other roles related to these descriptions.

Although indications support South Korean government's various roles is in accordance with its position as a state regulator, there are several weaknesses of this role. This paper underlines coordination and consistency as the deficiency. This research resulted in implications surrounding the government's lack of control over government affiliated institutions or purely private institutions, in brief, poorly planned execution. Additionally, problems arise from government inconsistency due to change in state leadership; consequently, hindering long-term implementation of programs. In conclusion, the South Korean government acts as Korean wave's stimulator, regulator and facility provider. However, it is non-state actors involved in Korean wave production who capably plays the role of executor.

REFERENCES

- BBC, BTS : Who are they and how did they become so successful?, view online <https://www.bbc.co.uk/newsround/45721656>, 5 Oktober 2018, 20 :10
- Berridge, G.R, *Diplomacy : Theory and Practice*, Palgrave Macmillan, New York 2010
- Chang, I.C, "Descendants's Actor Invites You Into Story of Korea", Koreanet, 26 Mqy 2016, view online 10 Oktober 2018, <http://www.korea.net/NewsFocus/Culture/view?articleId=134793>
- Cho, Yun Young, "Public Diplomacy and South Korea's Strategies", *The Korean Journal of International Studies*, Vol. 10, No.2 (Dec 2012), pp.275-296

Choi, Dae Yong and Kim, Pan Suk, "Promoting a Policy Initiative for Nation Branding : The Case of South Korea", *Journal of Comparative Asian Development* 13:2, 2014, pp.346-368

Cull, N. J, *Public Diplomacy: Lessons from the Past*. California: FIGUEROA PRES,2009

Diplomatic Whitepaper of South Korea, 2016

Effendi, Tonny Dian, "K-Pop and J-Pop Influences to University Students in Malang, East Java—Indonesia : A Comparative Public Diplomacy Studies" *Andalas Journal of International Studies, Vol.1 No.2*, 2012, pp.182-196

Emilia, Ranny, *Praktek Diplomasi*, Baduose Media, 2013

Gunjoo, Jang dan Won K. Paik, "Korean wave as Tool for Korea's New Cultural Diplomacy", *Advances in Applied Sociology*, 2012. Vol.2, No.3, 196-202

Hankyoreh, Full text of Lee's inaugural speech, view online http://english.hani.co.kr/arti/english_edition/e_national/271850.html 6 Oktober 2018, 9:29

Istad, Felicia, "A Strategic Approach to Public Diplomacy in South Korea" in Kadir Ayhan (ed), *Korea's Public Diplomacy* , Seoul, Korea : Hangang Network

Jang and Paik, " Korean Wave as Tool for Korea's New Cultural Diplomacy", *Journal Advances in Applied Sociology* Vol.2, No.3, 2012, pp.196-202

John, Jojin V, "Globalization, National Identity and Foreign Policy : Understanding "Global Korea", *The Copenhagen Journal of Asian Studies* 33(2), 2015, 38-57

Jung, Sun dan Shim, Doobo, "Social distribution : K-pop fan practices in Indonesia dan the 'Gangnam Style' phenomenon", *International Journal of Cultural Studies* Vol 17(5), 2014, 485-501

Krasnyak, Olga,2017, *Evolution of Korea's Public Diplomacy*, USC Center on Public Diplomacy, <https://uscpublicdiplomacy.org/blog/evolution-koreas-public-diplomacy>, viewed 1 June 2018, 12:23 WIB

Korean Cultural Center <http://id.korean-culture.org/id/6/contents/341>

Kwon and Kim, "The cultural industry policies of the Korean government and the Korean Wave, *International Journal of Cultural Policy* 20 : 4, 31 Dec 2014, pp.422-439

Lee, Sook-jong, "Korea's Public Diplomacy Needs Better Coordination and Strategies, Korea Focus, 13 January 2015, view online 10 Oktober 2018 http://www.koreafocus.or.kr/design2/layout/content_print.asp?group_id=105736

Milia, Jana, "Indonesia Dipengaruhi oleh *Korean wave* juga loh!". Kompasiana, view online <https://www.kompasiana.com/milimilia/552883046ea83405718b456b/indonesia-juga-dipengaruhi-korean-wave-loh> 19.08.2018

Nye, "Public Diplomacy and Soft Power", *Annals of the American Academy of Political and Social Science*, Vol. 616, PublicDiplomacy in a Changing World Mar., 2008, pp. 94-109

Oxford Dictionaries, accessed 13 May 2019, <https://en.oxforddictionaries.com/definition/stimulator>

Rana, Kishan R, *21st Century Diplomacy : A Practicioner's Guide*, Continuum, London, 2011

Savitri, Yulia, Korean culture event in Palembang draws thousands of K-pop fans, *The Jakarta Post*, view online <http://www.thejakartapost.com/life/2018/08/13/korean-culture-event-in-palembang-draws-thousands-of-k-pop-fans.html> , 5 Oktober 2018, 19:28

Son, J.A, "Descendants of the Sun Heads to 32 countries", *Koreanet* 4 April 2016
view online 10 Oktober 2018
<http://www.korea.net/NewsFocus/Culture/view?articleId=134818>

Seung-Ho Kwon & Joseph Kim (2014), "The Cultural Industry Policies of the Korean government and the *Korean wave*", *Intenational Journal of Cultural Policy* 20:4, 422-439, 2014

Shim, Doo, "The Growth of Korean Cultural Industries and the *Korean wave*" in Chua BH and Iwabuchi K (eds) (2008) *East Asian Pop Culture: Analysing the Korean wave*. Hong Kong: Hong Kong University Press.

Sohn, Jiae, 2017, "Content producers lead *Korean wave*", *Korea.net* <http://www.korea.net/NewsFocus/Culture/view?articleId=134924> view online 1 June 2018, 14:32

Safitiri, Y, "Korean culture event in Palembang draws thousands of K-pop fans", *The Jakarta Post*, 13 August 2018, view online 25 Nov 2018, <https://www.thejakartapost.com/life/2018/08/13/korean-culture-event-in-palembang-draws-thousands-of-k-pop-fans.html>

Sisario, Ben, *BTS Becomes the First K-Pop Act to Top Billboard Album Chart*, *the New York Times*, 28 May 2018, view online <https://www.nytimes.com/2018/05/28/arts/music/bts-no-1-billboard.html> , 5 Oktober 2018, 19:12 Wib

Sharp, Paul, "Revolutionary States, Outlaw Regimes and the Techniques of Public Diplomacy" dalam Melissen (eds), *The New Public Diplomacy : Soft Power in International Relations*, Palgrave macmillan, 2005

Suryani, Ni Putu Elvina, *Korena wave sebagai instrument soft power untuk Memperoleh Keuntungan Ekonomi Korea Selatan*, "Global Vol. 16 No.1 Mei 2014

The Economist, *Bubbly pop*, view online <https://www.economist.com/banyan/2012/10/02/bubbly-pop>, 5 Oktober 2018, 20:19

Universitas Nasional, "King Sejong Institute Akan Menjadi Pusat Studi Korea di Jakarta" , 18 Juli 2017, view online 11 Oktober 2018 <https://www.unas.ac.id/berita/king-sejong-institute-akan-menjadi-pusat-studi-korea-di-jakarta/>

Website Kementerian Luar Negeri Korea Selatan
http://www.mofa.go.kr/eng/wpge/m_5474/contents.do

Penggunaan *ASEAN Way* dalam Upaya Penyelesaian Sengketa Laut Tiongkok Selatan: Sebuah Catatan Keberhasilan?

Arief Bakhtiar Darmawan¹, Hestutomo Restu Kuncoro²

¹*International Relations, Universitas Jenderal Soedirman, Indonesia*

²*International Relations, Manchester University England*

ARTICLE INFORMATION

SUBMISSION TRACK

Received : 07, February, 2019

Final Revision : 20, May, 2019

Available Online: 30, May, 2019

KEYWORD

Indonesia environmental diplomacy, greening ASEAN Way, peat restoration agency, English School

KATA KUNCI

Diplomasi lingkungan Indonesia, greening ASEAN Way, Badan Restorasi Gambut, English School

CORRESPONDENCE

E-mail: ariefbakhtiar@rocketmail.com

ABSTRACT

Up to this point, the principles in ASEAN Way have been challenged by the regional dynamics of Southeast Asia. This article seeks to observe ASEAN's efforts in handling the resolution of the South China Sea (SCS) dispute and the failure of the ASEAN Way to adequately support the effort. To do so, the writers use a qualitative method which relies on academic literature regarding SCS and ASEAN's official documents to comprehend, interpret, and to formulate the result of the research. This article uses the perspective of constructivism which provides the structure to explain the normative drives behind the actions of International actor. Based on the analysis, ASEAN Way is a positive drive to dialogues and peaceful consultations but not in itself a solution to end the dispute. The Way had allowed ASEAN to become central in the peaceful resolution efforts involving major powers from beyond the region. ASEAN Way, however, has its back draws; one of which was used by China to prevent ASEAN's intervention in or to dictate policy regarding the SCS dispute. Therefore, ASEAN collectivity in handling the SCS dispute should be the next step forward.

ABSTRAK

Sampai saat ini, prinsip-prinsip dalam *ASEAN Way* selalu mendapatkan tantangan dalam menghadapi dinamika kawasan Asia Tenggara. Artikel ini bertujuan untuk mengamati upaya-upaya ASEAN dalam menangani penyelesaian sengketa Laut Tiongkok Selatan dan mengapa *ASEAN Way* gagal memengaruhi upaya-upaya tersebut secara optimal. Untuk menjawab rumusan tersebut, penulis menggunakan metode penelitian kualitatif yang mengandalkan literatur-literatur akademis mengenai LTS dan dokumen-dokumen resmi ASEAN untuk memahami, menginterpretasikan, serta menyusun hasil penelitian dari

fenomena sengketa LTS. Penulis menggunakan perspektif konstruktivisme yang menyediakan struktur normatif untuk menjelaskan tindakan politik aktor internasional. Berdasarkan analisis terhadap data dan pembahasan, ASEAN Way merupakan pendorong yang positif dalam konteks fungsi dialog dan konsultasi damai dan bukan sebagai solusi untuk penyelesaian sengketa LTS. ASEAN berhasil menjadi sentral dalam upaya penyelesaian damai yang juga melibatkan negara-negara besar luar kawasan. Untuk menjadi sebuah solusi nyata, ASEAN Way masih memiliki tantangan karena seringkali menjadi alat Tiongkok agar ASEAN tidak melakukan intervensi atau pemaksaan kebijakan suatu negara terkait penyelesaian konflik LTS. Oleh karena itu, kolektivitas ASEAN dalam menghadapi isu LTS merupakan langkah ke depan yang perlu untuk segera diwujudkan.

Pendahuluan

Beberapa pengamat melihat kesuksesan *Association of Southeast Asian Nations* (ASEAN) menjaga keamanan dan stabilitas kawasan dalam konteks peran norma-norma ASEAN, seperti penggunaan cara-cara non-kekerasan, non-intervensi, dan pertemuan informal sebagai bagian dari manajemen konflik.¹ Stabilitas itulah yang saat ini membuat negara-negara ASEAN bisa fokus pada pembangunan dalam negeri dan mengupayakan kesejahteraan ekonomi. Namun, sepanjang perjalanannya sebagai organisasi regional, ASEAN tidak lepas dari kritik. Kontribusi ASEAN dalam lingkup regional, misalnya, masih dianggap minim.² Prinsip non-intervensi yang dipegang

ASEAN dipandang tidak cukup mampu dalam menangani krisis pengungsi Rohingya dan mengatasi pelanggaran hak asasi manusia dalam konflik Timor Leste-Indonesia.³ Langkah-langkah ASEAN dalam menjalin relasi dengan rezim militer yang tidak demokratis di antara anggotanya juga dinilai terlalu lembek oleh Barat.⁴ Persoalan kesatuan dan keaktifan ASEAN dalam isu-isu yang sulit dan kontroversial masih menjadi bahasan yang relevan untuk terus diperbincangkan, termasuk dalam isu Laut Tiongkok Selatan (LTS). Pandangan dan sikap negara-negara ASEAN masih terbelah dalam menghadapi isu LTS ini.⁵

Laut Tiongkok Selatan merupakan area perairan yang terbentang sepanjang 1.100 kilometer dari Selat Malaka di barat

¹ Lihat, Timo Kivimäki, "The Long Peace of ASEAN," *Journal of Peace Research* 38, no. 1 (2001): 5-25; Nikolas Busse, "Constructivism and Southeast Asian security," *The Pacific Review* 12, no. 1 (1999): 39-60; Mely Caballero-Anthony, "Mechanism of Dispute Settlement: The ASEAN Experience," *Contemporary Southeast Asia* 20, no. 1 (1998): 38-66.

² Mark Beeson, "What's the point of Asean?" *Asia Times*, 1 Mei 2017, <http://www.atimes.com/whats-point-asean/> (diakses pada 28 November 2018).

³ Tony Firman, "Disfungsi ASEAN dan Kegagapannya Merangkul Asia Tenggara," *Tirto.id*, 8 Agustus 2018, <https://tirto.id/disfungsi-asean-dan-kegagapannya-merangkul-asia-tenggara-cP9S> (diakses pada 3 Desember 2018).

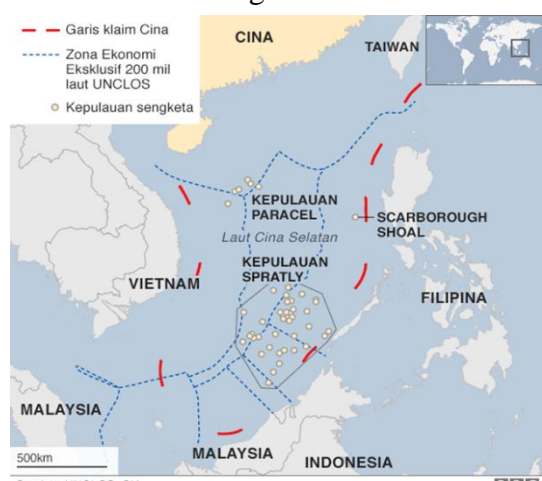
⁴ Iwao Fujisawa, "The Use and Abuse of the ASEAN Way" (Discussion Papers, Chiba University, 2017).

⁵ Arief Bakhtiar Darmawan & Lady Mahendra, "Isu Laut Tiongkok Selatan: Negara-negara ASEAN Terbelah Menghadapi Tiongkok," *Jurnal Global & Strategis* 12, no. 1 (2018): 79-100.

daya hingga ke Selat Taiwan di timur laut (lihat gambar 1). Daerah ini telah lama diprediksi akan menjadi daerah konflik karena posisi geografis dan geopolitiknya yang strategis.⁶ LTS diperkirakan memiliki sebelas miliar barel minyak bumi, lima triliun meter kubik gas alam, serta satu-persepuluh populasi ikan dunia hidup di LTS. Selain memiliki potensi ekstraktif, LTS juga merupakan jalur strategis perdagangan yang dilewati oleh komoditi senilai \$5,3 triliun setiap tahunnya. Posisi LTS yang strategis juga membuatnya menjadi lokasi ideal untuk pangkalan militer. Tiongkok sendiri telah memanfaatkan beberapa pulau di LTS sebagai dermaga transit untuk angkatan laut mereka, tindakan yang membuat khawatir negara-negara di sekitar LTS. Selain negara sekitar LTS, negara-negara yang jauh secara geografis seperti Australia, India, Jepang, dan Amerika Serikat (AS) juga telah menyatakan rencana mereka melakukan patroli militer di wilayah LTS.⁷

Gambar 1.

Peta Tumpang Tindih Klaim di Laut Tiongkok Selatan



⁶ Mikael Weissmann, "The South China Sea: Still No War on the Horizon," *Asian Survey* 55, no. 3 (2015): 596-617.

⁷ Ralph Jennings, "Four Countries Plan Resistance to China in a Disputed Asian Sea," *VoA News*, 5 Februari 2018, <https://www.voanews.com/a/countries-push-for-joint-naval-exercises-in-south-china-sea/4239171.html> (diakses pada 7 Desember 2018).

Konflik di LTS terus terjadi. Pada tahun 2007, misalnya, konflik memanas ketika Tiongkok memberikan kewenangan kepada Sansha, kota di Hainan, untuk memerintah Kepulauan Paracel dan Spratly.⁸ Tindakan ini dibarengi dengan meningkatnya patroli angkatan laut Tiongkok yang kemudian menuai protes, terutama dari Vietnam dan Filipina. Penguatan ekonomi dan militer Tiongkok membuat Beijing makin berani beraktivitas di wilayah LTS hingga menangkap kapal nelayan Vietnam yang dianggap melanggar batas wilayah dan bahkan berani mengusir kapal milik angkatan laut AS. Hadirnya AS (serta rencana negara besar lain, seperti Rusia, untuk melakukan patroli militer) di LTS meningkatkan kompleksitas sengketa LTS dan membuatnya menjadi titik konflik global. Dinamika sengketa atas klaim di LTS berpotensi mengancam keamanan regional menjadi titik konflik global, sebab banyak negara-negara besar luar kawasan yang akan terlibat di sana.⁹ Jika negara besar seperti AS saja tidak mampu mempengaruhi sikap Tiongkok yang kadang agresif dalam konflik LTS, apa yang bisa diharapkan dari ASEAN?

Tulisan ini tidak memiliki pretensi untuk menyangkal anggapan-anggapan negatif tersebut. Dalam artikel ini, penulis lebih berusaha untuk melakukan penelitian mengenai apa saja upaya-upaya ASEAN dalam menangani penyelesaian sengketa LTS. Upaya-upaya yang ada meliputi pertemuan-pertemuan formal maupun

⁸ Mikael Weissman, "Why is there a relative peace in the South China Sea?" dalam *Entering Unchartered Waters? ASEAN and The South China Sea Dispute*, Pavin Chachavalpongpun, ed. (Singapore: Institute of Southeast Asian Studies, 2014), 38.

⁹ Aleja Martinez-Barcelon, "The ASEAN way in the South China Sea disputes" (Hawaii: Pacific Forum CSIS, 2016), <https://www.csis.org/analysis/pacnet-57a-asean-way-south-china-sea-disputes>. (diakses pada 7 Desember 2018)

informal, baik dalam konteks regional Asia Tenggara maupun keterlibatan negara luar kawasan Asia Tenggara yang lebih luas. Selanjutnya, penulis mencoba mengamati bagaimana *ASEAN Way* yang selama ini eksis di ASEAN memengaruhi upaya ASEAN dalam penyelesaian sengketa. Pokok masalah yang ditekankan sebagai diskusi utama adalah mengapa *ASEAN Way* cenderung dilihat sebagai kegagalan dalam penyelesaian sengketa, dan bagaimana perdebatan tentang apakah *ASEAN Way* merupakan bagian dari solusi atau masalah terus berlangsung.

Penulis berargumen bahwa ASEAN merupakan organisasi kawasan yang aktif dalam penyelesaian sengketa LTS. Dalam prosesnya, norma-norma ASEAN diduga menjadi kendala bagi kesatuan ASEAN dalam merespon dinamika kawasan, termasuk dalam isu sengketa LTS. Meski telah melakukan berbagai upaya, kesatuan ASEAN dalam menghadapi Tiongkok masih menjadi hambatan. Sampai saat ini, ASEAN dan Tiongkok belum menyepakati kode tata perilaku yang legal dan mengikat. Tiongkok juga berhasil memengaruhi beberapa negara ASEAN untuk tidak membahas isu LTS dalam pertemuan regional. Lebih jauh, isu LTS ini dikhawatirkan memicu campur tangan aktor luar kawasan di dalam negerinya. Secara bersamaan, *ASEAN Way* membawa keberhasilan bagi ASEAN dalam tiga hal. Pertama, membangun tata regional dalam menghadapi dinamika regional baru. Kedua, tidak adanya konflik saling ancam antarnegara ASEAN. Ketiga, ASEAN berhasil meredam kemunculan perang terbuka di lautan.

Beberapa penelitian telah mengkaji mengenai penggunaan *ASEAN Way* dalam konflik-konflik Asia Tenggara. Secara umum, Pek Koon Heng melihat bahwa *ASEAN Way* akan terus menjadi instrumen kunci dalam hubungan internasional di

kawasan.¹⁰ Negara-negara besar seperti AS, Tiongkok, dan Jepang, tidak memiliki mekanisme keamanan multilateral alternatif yang lebih baik. Dengan menggunakan studi kasus, Gillian Goh mengkaji penggunaan *ASEAN Way* yang memperlihatkan hasil positif dalam penyelesaian konflik internal di Kamboja antara pemerintah dan Khmer Merah.¹¹ Sementara itu, Dio Herdiawan Tobing mengamati bahwa penggunaan *ASEAN Way*, terutama prinsip non-intervensi, membuat tindakan negara-negara Asia Tenggara dalam menangani masalah Rohingya menjadi sangat terbatas.¹² Dua pandangan tersebut mewakili analisis dan interpretasi yang berbeda dari para akademisi hubungan internasional mengenai peran *ASEAN Way* di kawasan. Tulisan ini bertujuan untuk menjelaskan peran *ASEAN Way* dalam penyelesaian sengketa LTS yang terus berjalan menuju arah yang positif. Namun, ASEAN masih memiliki pekerjaan berat untuk mendorong persetujuan kode tata berperilaku di LTS ke arah yang lebih mengikat.

Metode Penelitian

Penelitian ini menggunakan metode riset kualitatif yang menelaah mengenai bagaimana fenomena atau entitas sosial diinterpretasikan, dipahami, dialami, dibuat, atau disusun. Dalam pengumpulan data, metode ini menggunakan teknik

¹⁰ Pek Koon Heng, *The "ASEAN Way" and Regional Security Cooperation in the South China Sea* (European University Institute (EUI) Working Paper: Robert Schuman Centre for Advanced Studies, 2014).

¹¹ Gillian Goh, "The 'ASEAN Way' Non-Intervention and ASEAN's Role in Conflict Management," *Stanford Journal of East Asian Affairs* 3, no. 1 (2003): 113-118.

¹² Dio Herdiawan Tobing, "The Limits and Possibilities of the ASEAN Way: The Case of Rohingya as Humanitarian Issue in Southeast Asia," dalam *The 1st International Conference on South East Asia Studies*, 2016, KnE Social Sciences, 148-174.

pengumpulan data yang sangat kontekstual terhadap kasus yang diteliti. Oleh sebab itu, metode kualitatif adalah metode riset yang sangat fleksibel baik dalam pengumpulan maupun pengolahan data. Secara spesifik, dalam ilmu hubungan internasional, metode kualitatif bertujuan menemukan makna dibalik suatu tindakan atau kejadian yang terjadi di arena politik internasional. Dalam artikel ini, penulis berusaha mengurai cara-cara ASEAN dalam penyelesaian sengketa. Untuk mencapai tujuan tersebut, metode kualitatif mengedepankan metode analisis yang berfokus pada kompleksitas suatu kejadian/ tindakan, detail-detailnya, serta konteks yang mendasari kejadian/ tindakan tersebut. Metode ini memberikan pemahaman yang menyeluruh dan kontekstual atas suatu kejadian/ tindakan menggunakan data yang selengkap mungkin, spesifik, dan sangat memperhatikan detail terkecil (*nuanced*).

Penulis menggunakan konstruktivisme untuk mempertajam pisau analisis. Konstruktivisme dapat dipahami melalui tiga karakter utama.¹³ Pertama, konstruktivisme menekankan bahwa struktur normatif sama pentingnya dengan struktur material. Konstruktivisme berargumen bahwa ide, kepercayaan, dan nilai harus dilihat sebagai bagian dari struktur sebab hal-hal tersebut memiliki pengaruh yang kuat dalam tindakan politik suatu aktor. Kedua, konstruktivisme menekankan pentingnya melihat bagaimana struktur non-material (ide, kepercayaan, dan nilai) mempengaruhi identitas yang terbentuk sebab identitas menentukan kepentingan dan kepentingan menentukan tindakan. Ketiga, konstruktivisme menekankan bahwa agen dan struktur memiliki hubungan saling mempengaruhi yang sama kuat. Struktur memang

mempengaruhi bagaimana agen bertindak, namun struktur itu sendiri terbentuk dari tindakan-tindakan yang dilakukan oleh agen. Oleh sebab itu, dari kaca mata konstruktivisme, struktur non-material mempengaruhi tidak hanya apa yang dianggap bisa dilakukan namun juga apa yang dianggap perlu dilakukan oleh suatu aktor. Dengan bahasa yang lebih sederhana, struktur non-material tidak hanya mempengaruhi strategi yang dipilih oleh suatu aktor, namun juga mempengaruhi tujuan atau kepentingan yang dimiliki oleh aktor tersebut dan juga dipengaruhi oleh tindakan yang dilakukan oleh aktor tersebut.

Dalam studi organisasi internasional, konstruktivisme meminta penggunaannya untuk tidak hanya melihat ontologi material yang ada di suatu organisasi internasional, seperti kepentingan, peraturan tertulis, traktat, atau perjanjian. Konstruktivisme melihat tindakan suatu negara sebagai sebuah konstruksi sosial yang dipengaruhi oleh struktur non-material, baik pada level domestik maupun internasional. Oleh sebab itu, dalam menjelaskan tindakan suatu negara, konstruktivisme akan melihat identitas yang mendasari tindakan tersebut serta bagaimana identitas itu sendiri dibentuk oleh ide, kepercayaan dan nilai yang tertanam (*embedded*) di kawasan maupun pada level domestik.

Dalam konteks ASEAN, *ASEAN Way* perlu dilihat sebagai sebuah sistem struktur non-material. Melihat *ASEAN Way* sedemikian rupa akan menjelaskan bagaimana *ASEAN Way* punya kapabilitas untuk mempengaruhi bagaimana negara bertindak bahkan ketika tidak memiliki kekuatan legal yang kuat. Melihat *ASEAN Way* sebagai struktur non-material berarti juga memahami bahwa *ASEAN Way* harus dilihat tidak sekedar sebagai “aturan” yang mendikte apa yang boleh dan tidak boleh dilakukan (dan dalam konteks ini *ASEAN*

¹³ Christian Reus-Smit, “Constructivism,” dalam *Theories of International Relations*, ed. S. Burchill, et al. (New York: Palgrave Macmillan, 2005), 188-212.

Way sering dianggap lemah), melainkan sebagai ide, kepercayaan, dan nilai yang mempengaruhi apa yang dianggap negara-negara anggota sebagai hal yang perlu dilakukan. Melihat *ASEAN Way* dengan cara seperti ini tidak hanya akan menjelaskan bagaimana *ASEAN Way* memiliki peran signifikan dalam sengketa LTS namun juga akan memberikan gambaran mengenai kekurangan-kekurangan *ASEAN Way*. Konstruktivis memberikan perspektif alternatif dengan berusaha menunjukkan peran norma di kawasan Asia Tenggara daripada agenda politik luar negeri seperti perang antar negara dan pembentukan aliansi dengan negara luar kawasan yang kerap ditulis oleh para realis (Busse, 1999: 39).¹⁴ Dalam lingkup konstruktivis tersebut, tulisan ini berusaha menganalisis peran norma ASEAN dalam penyelesaian sengketa LTS.

Menurut Yukawa, *ASEAN Way* merupakan “a set of rules of the ASEAN centered on the principle of non-interference and consensus decision-making”.¹⁵ Pernyataan itu sejalan dengan Katsumata yang melihat *ASEAN Way* sebagai “a set of diplomatic norms shared by the member [states]”.¹⁶ Sementara itu, Iwao Fujisawa menggarisbawahi *ASEAN Way* sebagai proses pengambilan keputusan yang lebih mengutamakan konsultasi dan konsensus di antara para anggotanya.¹⁷ Dengan *ASEAN Way*, negara-negara anggota memilih interaksi dan kerja sama regional yang berdasar atas informalitas, proses konsensus, dan tawar-menawar dengan cara non-konfrontasi ketimbang cara-cara

permusuhan, pengambilan suara mayoritas, atau proses pengadilan. Selain itu, ASEAN juga memegang prinsip dan norma seperti menentang penggunaan kekerasan dan lebih mengutamakan solusi damai dalam menghadapi persoalan, otonomi regional atau tidak menggantungkan diri kepada negara besar luar kawasan, serta prinsip non-intervensi, yang berarti bahwa antar negara ASEAN tidak diperbolehkan mencampuri urusan domestik negara lain.¹⁸

Hasil dan Pembahasan

Akomodasi ASEAN dalam Upaya Penyelesaian Sengketa

Pada bagian ini, penulis membahas cara-cara yang ditempuh oleh negara-negara ASEAN dalam menyelesaikan sengketa LTS. Dengan adanya Singapura, Indonesia, Jepang, Amerika Serikat, dan Rusia yang memiliki kepentingan cukup besar, selain enam negara pengklaim utama, dialog di tingkat regional untuk pengembangan pembicaraan sengketa LTS agaknya tidak bisa dihindarkan. Tensi atau dinamika konflik yang bisa sewaktu-waktu memanas harus coba diselesaikan dengan cara-cara yang damai. Tentu saja ASEAN harus mengambil peran dalam masalah ini. Penulis memaparkan bagaimana ASEAN mengakomodasi dialog-dialog di tengah dinamika konflik LTS. ASEAN sebagai organisasi regional di kawasan Asia Tenggara tentu tidak tinggal diam. Setidaknya ada beberapa kepentingan bagi ASEAN dalam menyelesaikan sengketa LCS.¹⁹ Pertama, ASEAN memiliki

¹⁴ Busse, “Constructivism,” 39.

¹⁵ Taku Yukawa, “The ASEAN Way as a symbol: an analysis of discourses on the ASEAN Norms,” *The Pacific Review* 31, no. 3 (2018): 298.

¹⁶ Hiro Katsumata, “Reconstruction of Diplomatic Norms in Southeast Asia: The Case for Strict Adherence to the ASEAN Way,” *Contemporary Southeast Asia* 25, no. 1 (2003): 104.

¹⁷ Fujisawa, “The Use and Abuse,” 2.

¹⁸ Agus Haryanto dan Isman Pasha, *Diplomasi Indonesia: Realitas dan Prospek* (Yogyakarta: Pustaka Ilmu, 2016), 208-214.

¹⁹ Claudia Conchita Renyoet, “Diplomasi Informal sebagai Pendekatan dalam Proses Penyelesaian Konflik Laut Cina Selatan” (Tesis. Yogyakarta: Universitas Gadjah, 2012), 61.

kepentingan untuk menjaga stabilitas hubungan negara-negara anggota. Kedua, wilayah yang sangat strategis seperti LTS membuat ASEAN harus selalu waspada mengenai berbagai potensi konflik di kawasan, karena dikhawatirkan memengaruhi perkembangan ekonomi kawasan. Ketiga, masalah LTS menjadi pembuktian apakah ASEAN merupakan organisasi regional yang solid atau tidak.

Upaya-upaya ASEAN dan negara-negara Asia Tenggara untuk menyelesaikan masalah keamanan, terutama yang berkaitan dengan LTS, adalah sebagai berikut:

Pertama, melalui deklarasi-deklarasi keamanan. Pada tahun 1971, negara-negara ASEAN menandatangani sebuah deklarasi mengenai kawasan damai, bebas, dan netral (*Zone of Peace, Freedom, and Neutrality*) atau ZOPFAN di Kuala Lumpur. Deklarasi ini merupakan komitmen politik dan kerjasama politik dan keamanan ASEAN untuk pertama kalinya dalam sejarah ASEAN. Konsep ZOPFAN inilah yang mengatur hubungan antarnegara di Asia Tenggara maupun antara negara-negara ASEAN dengan negara lain di luar kawasan. Titik penekanan ZOPFAN ada pada “kesepakatan untuk menerima berbagai langkah dan sikap untuk saling menahan diri”.²⁰ Selanjutnya, pada tahun 1976, ASEAN menandatangani dokumen *Declaration of ASEAN Concord* atau yang sering disebut dengan Bali Concord I dan Perjanjian Persahabatan dan Kerjasama atau *Treaty of Amity and Cooperation* (TAC). Dalam Bali Concord I dan TAC inilah tercantum komitmen dan penyelesaian secara

damai antarnegara ASEAN dengan cara-cara Asia Tenggara (yang kemudian sering disebut “ASEAN Way”) tanpa campur tangan pihak luar, yaitu pada ayat 13-17.²¹ Meskipun TAC masih memiliki sifat longgar, di mana pihak yang bersengketa tidak terlalu terikat untuk menerima adanya mediasi, TAC merupakan langkah maju dalam realisasi ZOPFAN. Dua deklarasi keamanan di atas merupakan dua dasar atau prinsip yang akan selalu dipakai ASEAN, terutama dalam menyelesaikan masalah keamanan seperti LTS. Dalam dokumen TAC, misalnya, kemudian dirumuskan enam prinsip yang harus dihormati para penandatangan Bali Concord I. Prinsip-prinsip tersebut ada dalam pasal 2 TAC: (1) saling menghormati kemerdekaan, kedaulatan, persamaan derajat, integritas teritorial, dan identitas nasional semua bangsa; (2) hak masing-masing negara untuk hidup bebas dari campur tangan, subversi, atau paksaan; (3) tidak mencampuri urusan dalam negeri negara lain; (4) penyelesaian sengketa dengan cara-cara damai; (5) berjanji untuk tidak melakukan ancaman atau menggunakan kekerasan; serta (6) mengadakan kerjasama efektif di kalangan ASEAN.²²

Pada tahun 2002, ASEAN dan Tiongkok berhasil menandatangani *Declaration on the Conduct of Parties in South China Sea* yang merupakan deklarasi Tata Berperilaku di sekitar kawasan LCS. Pada tahun 2005, dalam rangka melaksanakan pengimplementasian dari *Declaration on the Conduct of Parties in South China Sea* (DOC), ASEAN-Tiongkok melakukan *Joint Working Group* dan menghasilkan kesepakatan bahwa kedua belah pihak, baik ASEAN maupun

²⁰ Hasjim Djalal, et al., *Usaha-Usaha Mengalihkan Potensi Konflik di Laut Cina Selatan Menjadi Potensi Kerjasama*, Proyek Penelitian dan Pengembangan Politik Luar Negeri Yayasan Pusat Studi Asia Tenggara dengan Badan Penelitian dan Pengembangan Departemen Luar Negeri Republik Indonesia (Jakarta: Yayasan Pusat Studi Asia Tenggara, 1995), 25.

²¹ ASEAN, *Handbook of Selected ASEAN Political Documents* (Jakarta: ASEAN Secretariat, 2003), 25-27.

²² ASEAN, *Handbook of Selected ASEAN*, 22.

Tiongkok, akan berkomitmen menjaga perdamaian dan stabilitas di kawasan LTS. Beberapa kelanjutan pertemuan dari kelompok kerja gabungan tersebut terus dilakukan. Pada 16-17 April 2010, misalnya, dilakukan *ASEAN-China Joint Working Group Meeting on the Implementation of the DoC* yang diselenggarakan di Hanoi, Vietnam. Pertemuan ini menyepakati bahwa (1) DOC tetap dan akan selalu menjadi salah satu dokumen yang signifikan bagi ASEAN dan Tiongkok, (2) implementasi dari DOC penting bagi perdamaian dan stabilitas baik di wilayah LTS maupun ASEAN, (3) kendati DOC dan *Draft Guidelines* akan melalui observasi lebih, para pihak harus terus menghormati setiap aspek yang terkandung pada DOC. Pada tanggal 21-22 Desember 2010, kembali diadakan *ASEAN-China Joint Working Group Meeting on the Implementation of the DOC* di Kunming. Dalam pertemuan tersebut, Tiongkok menyampaikan adanya perbedaan pemahaman terhadap DoC dan *draft Guidelines* di antara Tiongkok dan beberapa anggota ASEAN. Pada tanggal 17-19 April 2011, kembali diadakan pertemuan ke-6 *ASEAN-China Joint Working Group on the Implementation of the Declaration on the Conduct of Parties in the South China Sea (DOC)* yang diselenggarakan di Medan dan diketuai oleh Vietnam dan Tiongkok.²³

Kedua, melalui KTT ASEAN dan pertemuan menteri luar negeri. Masalah sengketa LTS beberapa kali dilakukan dalam KTT ASEAN. Pada tahun 1995, KTT ASEAN V menghasilkan traktat mengenai kawasan bebas senjata nuklir di Asia Tenggara (*Treaty on South East Asia Zone-Nuclear Free Zone*). Hal ini sangat penting untuk mencegah perang yang lebih buruk di masa depan. Pada November 2007, dalam

²³ Deplu RI, *Hubungan Kemitraan ASEAN-China* (Jakarta: Departemen Luar Negeri Republik Indonesia, 2011), 22.

KTT ASEAN ke-11 di Singapura, Tiongkok menandatangani beberapa kesepakatan dengan ASEAN di bidang politik dan keamanan, antara lain “*MoU between the Government of the Member Countries of the Association of Southeast Asian Nations (ASEAN) and the Government of the people’s Republic of China on Cooperation in the field of non-traditional security issues and the declaration on the Conduct of Parties in the South China Sea (DoC)*” sebagai *confidence-building measures* antara pihak-pihak yang berkepentingan terhadap penyelesaian ketegangan di LTS.²⁴

Pada pertemuan KTT ASEAN ke-17 yang diselenggarakan pada 30 Oktober 2010 di Hanoi, Vietnam, kembali membahas masalah DOC. Dalam pertemuan itu disepakati langkah-langkah terkait implementasi DOC, diantaranya sebagai berikut: (1) masalah teritorial harus diselesaikan oleh negara-negara yang bersangkutan dengan cara damai berdasarkan hukum internasional dan UNCLOS 1982; (2) pentingnya tercipta keamanan dan prinsip kebebasan navigasi di LTS mengingat kawasan tersebut merupakan jalur pelayaran penting atau *Sea Lane of Communication (SLOC)*; (3) memanfaatkan mekanisme regional dalam membangun saling percaya dalam isu tersebut dengan pengimplementasi dari DOC serta mengupayakan tersusunnya *Code of Conduct in the South China Sea (COC)* (ASEAN, 2012c).²⁵

Pada KTT ASEAN ke-19 di Bali pada 17-19 November 2011, menghasilkan Bali Concord III dimana terdapat 9 kesepakatan

²⁴ ASEAN, *Chairman’s Statement of the 11th ASEAN-China Summit Singapore, 20 November 2007*, http://asean.org/?static_post=chairman-s-statement-of-the-11th-asean-china-summit-singapore-20-november-2007 (diakses pada 4 Desember 2018).

²⁵ ASEAN, *Chairman’s Statement of the 17th ASEAN Summit*, http://asean.org/?static_post=chairman-s-statement-of-the-17th-asean-summit (diakses pada 4 Desember 2018).

di bidang politik dan keamanan, bidang ekonomi, dan bidang sosial budaya. Di bidang politik dan keamanan, Bali Concord III memberi fokus, diantaranya, pada penyelesaian konflik kawasan.²⁶ Sebagai tindak lanjut atas disepakatinya *guidelines* dari DOC, pembahasan isu LTS di ASEAN telah mengarah pada upaya identifikasi proyek-proyek kerja sama ASEAN-Tiongkok di kawasan tersebut. KTT ASEAN ke-22 di Bandar Seri Begawan, Brunei, pada 24 April 2013 juga kembali membicarakan masalah LTS. Dalam pertemuan tersebut, negara-negara ASEAN berusaha mengajak Tiongkok untuk menyetujui *code of conduct* (COC) atau tata berperilaku dalam penyelesaian masalah di LTS.²⁷

Tidak hanya dalam KTT ASEAN, isu LTS turut dibahas dalam Pertemuan Menteri Luar Negeri ASEAN. Pada tahun 1992, Pertemuan Menteri Luar Negeri ASEAN di Manila menghasilkan *ASEAN Declaration on the South China Sea* yang menegaskan “necessity to resolve all sovereignty and jurisdictional issues pertaining to the South China Sea by peaceful means, without resort to force”, dan keinginan “all parties concerned to exercise restraint”.²⁸ Pertemuan Menteri Luar Negeri ASEAN (AMM Retret) pada 16-17 Januari 2011 membahas isu-isu kawasan dan internasional yang menjadi perhatian bersama ASEAN. Dalam pembahasan isu LTS, pertemuan berpandangan bahwa perlu adanya percepatan dalam proses finalisasi *guidelines* karena negosiasi sudah berjalan selama

sembilan tahun tanpa hasil. Pertemuan tersebut juga membahas mengenai implementasian DOC oleh ASEAN dan Tiongkok secara bersama-sama agar dapat menciptakan stabilitas di kawasan LTS. Pada bulan Juli 2011, Pertemuan Tingkat Menteri Luar Negeri ASEAN+3, dilakukannya penandatanganan penegasan komitmen tentang DOC oleh semua negara yang bersengketa. Penegasan tersebut terdiri dari delapan poin, diantaranya semua pihak yang berseteru dalam masalah LTS harus tetap melanjutkan dialog agar terhindar dari konflik terbuka. Selain itu, setiap keputusan yang diambil untuk mengatasi konflik tersebut, harus melalui konsensus dan dilaporkan setiap tahun pada pertemuan tingkat menteri ASEAN-Tiongkok.²⁹ Pada bulan Agustus 2018, para menteri luar negeri negara ASEAN dan Tiongkok menyetujui draf tunggal teks negosiasi tata berperilaku di LTS. Untuk menjadi tata berperilaku yang lebih mengikat, draf tunggal ini merupakan kemajuan yang sangat berarti bagi ASEAN dan Tiongkok.

Ketiga, melalui ASEAN Regional Forum (ARF). ARF dibentuk pada tahun 1994. Forum ini dibentuk setelah disepakati oleh para pemerintah negara-negara ASEAN dalam Pertemuan Menteri ASEAN yang diselenggarakan pada 23-25 Juli 1993. Pertemuan ARF pertama kali dilangsungkan di Bangkok pada 25 Juli 1994.³⁰ Masalah LCS tepat dibahas dalam ARF karena hal ini sesuai dengan tujuan ARF dibentuk, yaitu “to foster constructive dialogue and consultation on political and security issues of common interest and concern” dan “to make significant contributions to efforts towards confidence-building and preventive

²⁶ ASEAN, *Bali Declaration on ASEAN Community in a Global Community of Nations “Bali Concord III”* (Jakarta: ASEAN Secretariat, 2011).

²⁷ ASEAN, *Chairman’s Statement of the 16th ASEAN-China Summit* (Bandar Seri Begawan: Brunei Darussalam, 2013).

²⁸ Amitav Acharya, *Constructing a Security Community in Southeast Asia: ASEAN and The Problem of Regional Order*, 2nd ed (New York: Routledge, 2009), 134.

²⁹ ASEAN, *ASEAN Plus Three Documents Series 2011-2015* (Jakarta: The ASEAN Secretariat, 2016).

³⁰ Kemlu RI, “ASEAN: Selayang Pandang,” https://www.kemlu.go.id/Documents/ASEAN/ASP_2012_Edisi_20.pdf (diakses pada 4 Desember 2018).

diplomacy in the Asia-Pacific region”.³¹ Proses kerjasama dalam ARF terbagi atas 3 tahap yaitu tahap *Confidence Building Measures* (CBMs), *Preventive Diplomacy* (PD) dan *Conflict Resolution* (CR). Mengapa pembicaraan dalam ARF menjadi penting? Sebab isu LTS melibatkan banyak pihak, terutama yang berkaitan dengan kebebasan navigasi di wilayah tersebut. Pihak-pihak yang tidak terlibat klaim langsung pun berkepentingan dalam mencari penjelasan dan perkembangan mengenai isu LTS.

Dalam perkembangan ARF kemudian, hadir berbagai negara besar seperti Amerika Serikat, Rusia, dan India, yang dilandasi berbagai kepentingan. AS, misalnya, menyatakan bahwa mereka ingin Indo-Pacific sebagai kawasan yang terbuka dengan meliputi “peaceful resolution of territorial and maritime disputes”.³² Hanya saja, Tiongkok enggan membicarakan masalah LTS ini lebih jauh dalam perundingan multilateral seperti ARF. Pada pertemuan ARF di Brunei tahun 1995, juru bicara Menteri Luar Negeri Tiongkok mengatakan bahwa Tiongkok “menolak peran ARF dalam mendiskusikan masalah ini”.³³ Karena terlalu banyak kekuatan besar luar kawasan yang terlibat di dalamnya, Hasjim Djalal mengamati bahwa upaya ARF dalam isu LTS cenderung berjalan tidak terlalu efektif.³⁴ Meski demikian, isu LTS terus masuk dalam ARF, Pembicaraan penting dalam ARF mengenai LTS diantaranya ada pada ARF ke-18 di Bali pada Juli 2011. Pertemuan itu menghasilkan

beberapa kesepakatan antara ASEAN dan Tiongkok mengenai komitmen dalam pelaksanaan DOC para pihak di LTS.³⁵

Keempat, melalui pertemuan informal Managing Potential Conflicts in the South China Sea (MPCSCS). MPCSCS merupakan pertemuan informal yang digagas oleh Indonesia dan didanai oleh Kanada pada tahun 1989. Pertemuan ini bertujuan “to promote peace, stability, and cooperation in the South China Sea”. Jadi, ada dua target utama, yaitu belajar bagaimana cara bekerja sama dan bagaimana mengimplementasikan kerja sama itu.³⁶ Pertemuan pertama MPCSCS tahun 1990 hanya dihadiri oleh enam negara ASEAN. MPCSCS kemudian berlangsung tiap tahun dan dihadiri oleh seluruh anggota ASEAN, ditambah Tiongkok dan Taiwan. Materi yang terus berjalan dengan baik adalah pembicaraan mengenai penelitian kelautan, seperti ekspedisi biodiversitas (tahun 2002), pelatihan sains dan teknologi kelautan di LTS (2009), serta kerja sama menghadapi perubahan iklim global (2011). Meski demikian, diskusi mengenai isu teritorial dan kedaulatan dalam politik dan keamanan masih tersendat karena beberapa pihak menolak untuk membicarakan hal tersebut. Namun, diskusi dalam MPCSCS diharapkan membawa saling pengertian di antara para negara-negara untuk menjaga kawasan LTS agar tetap damai dan stabil. Seiring berjalannya waktu, pusat-pusat penelitian dan kelompok-kelompok akademisi dari berbagai negara semakin terlibat dalam inisiatif informal ini, seperti akademisi

³¹ ASEAN, “About The ASEAN Regional Forum,” aseanregionalforum.asean.org/about.html (diakses pada 4 Desember 2018).

³² Michael R. Pompeo, *Remarks on "America's Indo-Pacific Economic Vision"* (Washington, D.C.: US Department of State, 2018).

³³ Acharya, “Constructing a Security Community.”

³⁴ Hasjim Djalal, “Managing Potential Conflicts in the South China Sea: Lessons Learned,” dalam *Maritime Regime Building*, Mark J Valencia (Ed.) (Britain: Kluwer Law International, 2001), 88.

³⁵ Ernest Bower, “18th ASEAN Regional Forum in Bali, Indonesia,” *Center for Strategic & International Studies*, 1 Agustus 2011, <https://www.csis.org/analysis/18th-asean-regional-forum-bali-indonesia> (diakses 4 Desember 2018).

³⁶ Djalal, “Managing Potential Conflicts,” 89-90.

Tiongkok, Vietnam, Malaysia, Singapura, Taiwan, dan lain sebagainya.³⁷

Penggunaan ASEAN Way

ASEAN memiliki seperangkat aturan main dalam hubungan antarnegara di kawasan Asia Tenggara yang sering disebut dengan *ASEAN Way*. *ASEAN Way* merupakan norma-norma yang melekat pada institusi dengan menekankan prinsip non-intervensi yang menghormati kedaulatan negara lain serta menggunakan pendekatan konsultasi dan konsensus dalam interaksi penyelesaian isu di kawasan daripada penggunaan cara-cara konfrontasi/kekerasan. Walter Woon menyatakan bahwa ada tiga aspek penting dalam *ASEAN Way*.³⁸ Pertama, hasrat untuk tidak kehilangan muka atau membuat negara lain kehilangan muka. Kedua, memilih konsensus daripada konfrontasi. Ketiga, penolakan terhadap gagasan bahwa suatu negara memiliki hak untuk mencampuri urusan internal negara lain. Sementara menurut Acharya, tata perilaku *ASEAN Way* ditunjukkan dengan cara: (1) kepatuhan terhadap cara-cara non-intervensi, non-kekerasan, dan resolusi perdamaian dalam konflik; (2) mempromosikan otonomi regional dan kolektivitas; (3) penolakan pakta militer multilateral; dan (4) preferensi pada norma sosio-kultural yang berdasarkan konsultasi informal dan konsensus daripada norma legal-rasional dalam pembuatan keputusan.³⁹ Dengan demikian, penulis menggarisbawahi *ASEAN Way* sebagai kecenderungan ASEAN dan negara-negara Asia Tenggara untuk

melakukan proses interaksi dan kerja sama yang berdasar atas non-intervensi, informalitas, pembuatan keputusan secara konsensus, dan perilaku non-konfrontasi. Dalam isu LTS, proses pembuatan keputusan dengan cara-cara ASEAN (*ASEAN Way*) membantu negara-negara Asia Tenggara dan kawasan sekitarnya untuk saling menghormati satu sama lain dan menghasilkan perdamaian di kawasan.

Pembicaraan mengenai norma ASEAN tidak lepas dari sejarah awal pembentukan ASEAN sekitar pertengahan 1960-an yang membutuhkan standar untuk menghormati kedaulatan masing-masing negara. Prinsip ASEAN mengenai non-intervensi memiliki konteks eksternal dan internal.⁴⁰ Konteks eksternal waktu itu merujuk pada kekuatan luar kawasan, terutama AS dan Rusia. Negara-negara mula anggota ASEAN kecuali Thailand merupakan negara berkembang yang baru merdeka pasca-Perang Dunia II dan tidak ingin kolonisasi Barat hadir kembali di Asia Tenggara. Oleh karena itu, intervensi dari negara besar masih menjadi perhatian penting negara para pendiri ASEAN, baik intervensi dalam politik domestik maupun integritas teritorial. Secara bersamaan, konteks internal merujuk pada sikap saling respek terhadap kedaulatan terhadap masing-masing anggota ASEAN. Dengan demikian, negara-negara anggota ASEAN yang baru merdeka ini bisa fokus dalam pembangunan ekonomi domestik.

Kemunculan prinsip tersebut kemudian dinyatakan dalam dua dokumen ASEAN yang paling dasar dan penting, yaitu Bali Concord I dan TAC yang ditandatangani di hari yang sama pada tahun 1976. Dalam dokumen-dokumen tersebut negara-negara ASEAN menyatakan untuk selalu mengandalkan proses penyelesaian secara damai di antara perbedaan-perbedaan internal kawasan, mempromosikan kerja

³⁷ Hasjim Djalal, "South China Sea: Contribution of 2nd Track Diplomacy/Workshop Process to Progressive Development of Regional Peace and Cooperation," dipresentasikan di Manila, Filipina, 16-17 Oktober 2011.

³⁸ Walter Woon, *Dispute Settlement the ASEAN Way* (Singapore: Center for International Law, 2012), 1.

³⁹ Acharya, *Constructing a Security Community*, 48-72.

⁴⁰ Yukawa, "The ASEAN Way," 2.

sama damai, serta mengembangkan kesadaran dan penghormatan terhadap sesama sesuai prinsip persamaan kedaulatan dan non-intervensi. Para pemimpin negara-negara anggota ASEAN sendiri mencatat bahwa *ASEAN Way* merupakan norma yang telah menjadi dasar pijakan di Asia Tenggara. Wakil Perdana Menteri Malaysia Datuk Musa Hitam menyatakan:

“Because of ASEAN, we have been able to establish the fundamental ground rules for the game of peace and amity between us all. What are these fundamental ground rules? First, the principle of strict non-interference in each other’s internal affairs. Second, the principle of pacific settlement of disputes. Third, respect for each other’s independence. Fourth, strict respect for the territorial integrity of each of the ASEAN states.... The ASEAN states have declared these ground rules...we have enacted them, we have imbibed them, and most important, we have acted and lived by them” (Pidato Datuk Musa Hitam di Honolulu, 29 Oktober 1985).⁴¹

Dengan melakukan analisis terhadap akomodasi ASEAN dan negara-negara Asia Tenggara di atas, penulis mengamati beberapa indikasi penerapan *ASEAN Way* dalam menghadapi masalah LTS. Pertama, ASEAN dan beberapa negara Asia Tenggara mengadakan pertemuan-pertemuan sebagai sarana *mutual understanding*. Sejak awal, ASEAN secara eksplisit menolak pembentukan pakta militer dan lebih fokus pada dialog, konsultasi, dan pertemuan informal. Perkembangan ASEAN tidak mengarah pada kerja sama keamanan kolektif seperti *North Atlantic Treaty Organization* (NATO, 1949-sekarang)

maupun *Southeast Asia Treaty Organization* (SEATO, 1954-1977). ASEAN juga tidak mencoba meniru model integrasi Uni Eropa. Para pemimpin ASEAN lebih cenderung membentuk organisasi regional berbasis norma yang bersandar pada “the route of informality, of eschewing legal formulations and legally binding commitments, of avoiding elaborate regional, supranational institutions”.⁴² Hal inilah yang ditunjukkan dalam penyelesaian masalah di LTS. *ASEAN Declaration on the South China Sea* tahun 1992 menyatakan bahwa penyelesaian isu ini harus mengacu kepada prinsip-prinsip dalam TAC tahun 1976, terutama yang tercantum dalam pasal 2. Cara ASEAN melalui pertemuan informal terlihat dalam MPCSCS yang diinisiasi oleh Indonesia. Di sini, negara-negara pengklaim hadir dan membicarakan soal isu LTS bersama-sama, meskipun tidak menyinggung isu keamanan dan politik. MPCSCS membuat negara-negara terus terlibat dalam dialog dan menumbuhkan semangat kerja sama di area sengketa.⁴³

Kedua, mempererat relasi di antara negara-negara kawasan, baik yang terlibat langsung maupun tidak, melalui berbagai bidang, misalnya ekonomi, sosial, sains, atau kultural. Hal inilah yang tercantum sejak tahun 1976 dalam Bali Concord I ketika lima negara ASEAN secara eksplisit mengingkari tujuan kerja sama keamanan dan menyatakan fokus pada kerja sama ekonomi, sosial, kultural, teknikal, pendidikan, dan saintifik. Hal itu berlanjut dalam *ASEAN Declaration on the South China Sea* tahun 1992. Deklarasi tersebut menyatakan bahwa menteri-menteri ASEAN sepakat untuk mengeksplorasi

⁴¹ Dikutip dalam Acharya, *Constructing a Security Community*, 71.

⁴² Rudolfo Severino, *Southeast Asia in Search of an ASEAN Community* (Singapore: Institute of Southeast Asian Studies, 2006).

⁴³ Djajal, “South China Sea.”

“the possibility of cooperation in the South China Sea relating to the safety of maritime navigation and communication, protection against pollution of the marine environment, coordination of search and rescue operations, efforts towards combating piracy and armed robbery as well as collaboration in the campaign against illicit trafficking in drugs”.⁴⁴

Pernyataan itu menegaskan bahwa ASEAN akan lebih fokus hal-hal yang terkait dengan kerja sama maritim di LTS dan penanganan kejahatan transnasional di kawasan. MPCSCS merupakan pertemuan yang menitikberatkan pada kerja sama di luar politik. Kerja sama para ahli berbagai negara dalam MPCSCS yang paling menunjukkan kemajuan adalah bidang penelitian kelautan, seperti ekspedisi bersama biodiversitas di Kepulauan Anambas dan penelitian penanganan naiknya permukaan air laut sebagai dampak perubahan iklim global. Tidak hanya itu, inisiatif informal MPCSCS semakin mempererat dialog antarpihak di antara anggota dan bahkan memperlihatkan ketertarikan lembaga-lembaga riset dan kelompok akademisi dari berbagai negara untuk bekerja sama.⁴⁵

Ketiga, menyelesaikan masalah dengan konsensus. Memaksa negara lain untuk melakukan suatu tindakan merupakan hal yang dihindari dalam pendekatan ASEAN ketika menyelesaikan masalah. Konflik sebisa mungkin ditangani dengan menghormati kedaulatan dan menjunjung tinggi prinsip non-intervensi terhadap negara lain.⁴⁶ Ketika Tiongkok menyatakan tidak setuju jika pembicaraan mengenai LTS membawa aktor luar kawasan dalam ARF,

forum tidak memaksakan diri untuk memasukkan AS dan Jepang sebagai negara yang aktif dalam forum pertemuan. ASEAN juga pernah mencapai kata tidak sepakat ketika pada tahun 2016 Kamboja menolak langkah ASEAN untuk menyatakan kritik terhadap perilaku Tiongkok atas klaimnya di LTS.⁴⁷ Meskipun hanya satu negara yang menolak, ASEAN tetap tidak bisa memasukkan kritik terhadap Tiongkok dalam pernyataan bersama atas dasar pengambilan kebijakan secara konsensus.

Dengan mencermati indikasi-indikasi di atas, *ASEAN Way* merupakan struktur normatif yang memiliki pengaruh kuat dalam menyelesaikan konflik LTS. Pengaruh non-material dalam *ASEAN Way* ini kemudian menentukan cara-cara negara ASEAN dan Tiongkok ketika melakukan tindakan-tindakan yang dalam arena hubungan internasional. Di sini agen, yaitu pihak-pihak yang terlibat, dan struktur non-material, yaitu *ASEAN Way*, memiliki hubungan yang saling mempengaruhi. ASEAN, mengacu dari berbagai dokumen seperti TAC, mempengaruhi proses dialog dan negosiasi yang berjalan, sementara pihak-pihak yang terlibat juga menyandarkan diri pada *ASEAN Way* untuk memastikan bahwa akomodasi kawasan bisa terus berlanjut.

Catatan-catatan Keberhasilan?

Dalam melihat akomodasi kawasan terhadap isu LTS, *ASEAN Way* setidaknya mendorong keberhasilan dalam tiga aspek penting. Pertama, stabilitas kawasan LTS yang relatif damai. Bagaimana pun, dialog-dialog yang dibangun oleh ASEAN dan

⁴⁴ ASEAN, *Handbook of Selected ASEAN*, 36. Rudolfo Severino, “ASEAN and the South China Sea,” *Security Challenges* 6, no. 2 (2010): 41.

⁴⁵ Djalal, “South China Sea.”

⁴⁶ Kivimäki, “The Long Peace,” 68.

⁴⁷ Manuel Mogato, Michael Martina, & Ben Blanchard, “ASEAN deadlocked on South China Sea Cambodia blocks statement,” *Reuters*, 25 Juli 2016, <https://www.reuters.com/article/us-southchinasea-ruling-asean/asean-deadlocked-on-south-china-sea-cambodia-blocks-statement-idUSKCN1050F6> (diakses pada 8 Desember 2018).

negara-negara anggotanya ketika berhadapan dengan suatu konflik sangat penting daripada upaya-upaya untuk menghindari konflik. Sebagai organisasi kawasan dengan banyak negara yang terlibat di dalamnya, konflik merupakan hal yang tidak bisa dihindari. Dengan memahami bahwa kesepahaman tidak mungkin selalu dapat terjadi dalam segala hal, cara-cara ASEAN ketika menangani isu LTS agar tidak menjadi perang terbuka merupakan prestasi yang penting untuk dicatat. Konsensus yang dimaksud dalam *ASEAN Way* bukan berarti kebulatan suara, melainkan komitmen untuk menemukan cara-cara untuk terus maju dengan mempertahankan apa yang secara umum didukung oleh negara-negara anggota.⁴⁸ Di sini, meski tidak semua negara nyaman dengan situasi yang ada, hal itu tidak berpretensi untuk mengganggu kepentingan dasar semua pihak. Dari situ seminar informal MPCSCS, misalnya, bisa lebih dipahami sebagai pertemuan dengan fungsi membangun komunikasi damai daripada sebuah solusi masalah.⁴⁹ Dalam ARF, isu LTS tidak mengarah pada penyelesaian multilateral karena permintaan Tiongkok yang menganggap ARF bukan forum yang tepat untuk mendiskusikannya. Begitu juga dengan masalah tata perilaku yang ketat (COC) di LTS tidak kunjung disepakati. ASEAN melihat deklarasi tata perilaku (DOC) terus dipertahankan, dengan semua pihak sepakat bahwa pembicaraan mengenai tata perilaku akan terus dilanjutkan dalam forum-forum ke depan sampai mencapai persetujuan.

Kedua, isu LTS memperlihatkan bahwa ASEAN mampu menyesuaikan diri dengan perkembangan geopolitik terkini. Beberapa tahun terakhir lanskap pergeseran

kekuatan regional terlihat di Asia Tenggara.⁵⁰ Pertama, kebangkitan Tiongkok. Dengan kapabilitas militer yang kuat dan kekuatan ekonomi yang cukup baik, Tiongkok semakin gencar melakukan peningkatan investasi di berbagai negara Asia Tenggara. Pada tahun 2050, Tiongkok diperkirakan menjadi kekuatan ekonomi terbesar di dunia, mengungguli AS, Jepang, dan Eropa. Kedua, berlanjutnya kehadiran militer AS di kawasan. AS memiliki kepentingan kebebasan navigasi di LTS. Kehadiran dan patroli kapal militer AS seringkali menjadi sumber konfrontasi antara AS dan Tiongkok. Sebagai contoh, pada bulan Juli 2018, Angkatan Laut AS dan Filipina melaporkan bahwa Tiongkok mengusir dan mengancam kapal dan pesawat militer Filipina yang beroperasi di LTS. Meski mengetahui hal itu, Komodor AS Clay Doss mengatakan bahwa operasi militer AS di Asia-Pasifik tidak terpengaruh oleh perilaku Tiongkok.⁵¹ Ketiga, revitalisasi peran keamanan Jepang. Tensi yang dinamis di bagian utara dan potensi konflik di bagian selatan membuat Jepang melakukan kebijakan keamanan jangka panjang yang menekankan perangkat militer modern. Pada tahun 2012, Jepang untuk pertama kalinya menerbitkan dokumen strategi keamanan nasional dan panduan program pertahanan nasional yang akan diimplementasikan dalam ekspansi angkatan laut dan memperkuat patroli dan kapabilitas udara Jepang. Sebagai konsekuensinya, Jepang melakukan kerja sama keamanan dengan

⁴⁸ Acharya, *Constructing a Security Community*, 69.

⁴⁹ Niklas Swanström, "Conflict Management and Negotiation in the South China Sea: The ASEAN Way?" (Oslo: Workshop on The South China Sea Conflict, 1999), 125.

⁵⁰ Rizal Sukma, "Negara-negara Besar, Arsitektur Regional, dan Posisi Indonesia," *Jurnal Luar Negeri* 26, no. 1 (2009): 47.

⁵¹ Ryan Pickrell, "'Leave immediately or you will pay': China is threatening foreign ships and planes, but the US military isn't changing a thing," *Business Insider*, 31 Juli 2018, <https://www.businessinsider.com.au/china-warns-foreign-ships-planes-to-steer-clear-of-its-islands-or-pay-2018-7> (diakses pada 8 Desember 2018).

negara-negara di sekitarnya.⁵² Keempat, perkembangan India. Dengan *Act East Policy* (AEP), India terus mendekat secara ekonomi dan keamanan kepada kawasan Asia Tenggara. Kerja sama perdagangan dan investasi India beranjak pada kerja sama politik dan keamanan. Oleh karena itu, India memiliki kepentingan agar LTS menjadi kawasan yang stabil dan kebebasan navigasi terus terjamin. Di kawasan Asia Tenggara, India menjalin kerja sama dengan Vietnam, AS, dan Jepang.⁵³

Untuk menyesuaikan diri dengan perkembangan tersebut, ASEAN menjadi rekanan utama dari kawasan yang lebih besar seperti Asia Timur dan Asia-Pasifik. ASEAN menyediakan platform bagi aktor-aktor dalam dan luar kawasan untuk mengartikulasikan kepentingan mereka dalam berbagai institusi multilateral yang dipimpin ASEAN. Forum-forum pertemuan tersebut, diantaranya, ARF, Pertemuan Menteri Luar Negeri negara-negara ASEAN, KTT ASEAN, serta forum informal seperti MPCSCS. Dalam bidang ekonomi, ASEAN membentuk ASEAN+3, mengadakan pertemuan menteri pertahanan, serta *East Asian Summit* (EAS). Meski tidak menjadi badan supranasional seperti Uni Eropa yang memiliki peraturan yang ketat dan mengikat, termasuk belum adanya tata berperilaku yang mengikat di LTS, ASEAN mampu mempertahankan sentralitas atau penghubung dalam arsitektur organisasi kawasan. Kemampuan ASEAN menjadi sentral dalam menjalankan kerja sama regional disebabkan oleh tiga hal.⁵⁴ Pertama, ASEAN diuntungkan oleh rivalitas di antara negara-negara besar yang mencegah mereka

untuk membentuk badan keamanan multilateral di kawasan. Ketidakmampuan Tiongkok dan Jepang untuk menyediakan kepemimpinan yang kooperatif menyebabkan ASEAN menjadi instrumen penting untuk menjadi penghubung kerja sama regional. Kedua, ASEAN mampu membuat model regionalisme minimal yang menyediakan instrumen kerja sama informal yang bisa diterima oleh Tiongkok, Jepang, AS, dan negara besar luar kawasan lainnya. Ketiga, norma-norma ASEAN sangat cocok dengan norma yang telah ada sebelumnya, seperti *Five Principles of Peaceful Co-existence* yang diartikulasikan Tiongkok dan India pada tahun 1953 dalam kerangka Gerakan Non-Blok. Prinsip-prinsip tersebut yaitu saling menghormati kedaulatan teritorial, non-agresi, non-intervensi, keuntungan bersama, dan hidup berdampingan secara damai.

Ketiga, cara-cara ASEAN memastikan bahwa Tiongkok selalu memperbarui komitmen damai dan pada akhirnya menyepakati draf tunggal teks negosiasi tata perilaku di LTS. Pada tahun 1994, Direktur Asia Kementerian Luar Negeri Tiongkok Wang Yingfan dalam forum MPCSCS menyatakan bahwa Tiongkok siap untuk mengadakan kerja sama eksplorasi dan setuju bahwa masalah LTS harus diselesaikan secara damai.⁵⁵ Dalam ARF ke-8 tahun 2001 di Hanoi, Menteri Luar Negeri Tiongkok kembali menegaskan prioritas pilihan Tiongkok untuk membangun sikap bersahabat dengan negara tetangga.⁵⁶ Pernyataan damai dan bersahabat kembali muncul, ketika Perdana Menteri Lie Keqiang

⁵² Bhubhinder Singh, "The Development of Japanese Security Policy: A Long-Term Defensive Strategy," *Asia Policy*, no. 19 (2015): 51-52.

⁵³ Ulises Granados, "India's Approaches to the South China Sea: Priorities and Balances," *Asia & the Pacific Policy Studies* 5, no. 1 (2017): 123.

⁵⁴ Heng, *The "ASEAN Way"*, 6.

⁵⁵ John W. Garver, "China's Push through the South China Sea: The Interaction of Bureaucratic and National Interests," *The China Quarterly*, no. 132 (1992).

⁵⁶ Thammy Evans, "The PRC's Relationship with the ASEAN Regional Forum: Realpolitik, Regime Theory or a Continuation of the Sinic Zone of Influence System?" *Modern Asian Studies* 37, no. 3 (2003).

dalam *East Asian Summit* 2015 menyatakan bahwa “China does not want the SCS to become a source of tension for the region”. Tiongkok juga bersedia berbicara dengan negara-negara kawasan lain “to maintain the freedom of navigation and overflight”.⁵⁷ Dalam hal ini, meski memiliki kelemahan karena tidak bisa menghentikan perilaku-perilaku konfrontasi yang kadang dilakukan Tiongkok di LTS, *ASEAN Way* mendorong Tiongkok untuk terus menyatakan diri mendukung proses damai dan terlibat dalam konsultasi mengenai isu LTS dalam forum-forum regional maupun multilateral. Pada 3 Agustus 2018, para menteri luar negeri negara ASEAN dan Tiongkok akhirnya menyetujui draf tunggal teks negosiasi tata berperilaku di LTS. Draft tunggal tersebut akan menjadi dasar bagi adopsi kode tata berperilaku di LTS. Teks negosiasi menyebutkan bahwa TAC, yang merupakan sumber dokumen *ASEAN Way*, masih merupakan pedoman penyelesaian masalah di kawasan. Oleh karena itu, draft tunggal tidak menyertakan pihak ketiga di luar ASEAN dan Tiongkok sebagai penandatanganan.⁵⁸ Menteri Luar Negeri Tiongkok Wang Yi menyatakan bahwa kesepakatan draft tunggal membuktikan bahwa Tiongkok dan negara-negara ASEAN mampu mempertahankan perdamaian dan stabilitas di LTS dan menghasilkan aturan regional bersama.⁵⁹

⁵⁷ Martinez-Barcelon, “The ASEAN way.”

⁵⁸ Carl Thayer, “A Closer Look at the ASEAN-China Single Draft South China Sea Code of Conduct,” *The Diplomat*, 3 Agustus 2018, <https://thediplomat.com/2018/08/a-closer-look-at-the-asean-china-single-draft-south-china-sea-code-of-conduct/> (diakses 10 Desember 2018).

⁵⁹ MOFA of the PRC, “Wang Yi: The Agreement of the Single Draft Negotiating Text of the Code of Conduct (COC) in the South China Sea Proves that China and the Countries of the Association of Southeast Asian Nations (ASEAN) Are Capable of Reaching Regional Rules Adhered to by All.”

Kesimpulan

Cara-cara ASEAN ketika menghadapi kasus kontroversial di Asia Tenggara seringkali menimbulkan banyak kritik. ASEAN sering dianggap kurang optimal dalam menyelesaikan persoalan besar di kawasan. Hal itu tidak bisa dilepaskan dari harapan terhadap ASEAN agar mengambil peran multilateral yang lebih besar. Dinamika regional baru yang muncul bersamaan dengan isu LTS merupakan salah satu ujian untuk membuktikan bahwa ASEAN merupakan organisasi yang kuat dan efektif. Meskipun tidak menghasilkan kemajuan yang cepat dan drastis, ASEAN dengan transformasi *ASEAN Way* berjalan ke arah yang positif dalam merespon isu LTS. Tidak hanya itu saja, dalam perjalanan ASEAN, *ASEAN Way* berpeluang untuk menyesuaikan diri dengan tantangan baru. ASEAN sebagai organisasi regional telah merespon perubahan kekuatan regional dengan tepat. Untuk langkah ke depan, dalam menangani konflik LTS, ASEAN butuh bersatu sebagai satu unit untuk bernegosiasi dengan pihak luar dan membentuk sistem keamanan kolektif antara ASEAN dan Tiongkok. Mekanisme yang harus dipastikan dan dipertahankan oleh ASEAN dan Tiongkok adalah desakan Tiongkok mengenai non-intervensi dari pihak-pihak yang tidak terlibat dan kontinuitas sentralitas ASEAN dalam upaya penyelesaian sengketa. ASEAN perlu untuk terus waspada sekaligus terus mendorong penyelesaian isu LTS karena kegagalan dalam mempertahankan stabilitas dalam isu LTS akan memengaruhi kawasan yang lebih luas selain Asia Tenggara, misalnya kawasan Asia Timur dan Asia-Pasifik.

https://www.fmprc.gov.cn/mfa_eng/zxxx_662805/t1583333.shtml (diakses pada 20 Desember 2018).

DAFTAR PUSTAKA

- Acharya, Amitav. *Constructing a Security Community in Southeast Asia: ASEAN and The Problem of Regional Order*, 2nd ed. New York: Routledge, 2009.
- ASEAN. *ASEAN Plus Three Documents Series 2011-2015*. Jakarta: The ASEAN Secretariat, 2016.
- ASEAN. *Chairman's Statement of the 16th ASEAN-China Summit*. Bandar Seri Begawan, Brunei Darussalam, 2013b.
- ASEAN. *Bali Declaration on ASEAN Community in a Global Community of Nations "Bali Concord III"*. Jakarta: ASEAN Secretariat, 2011.
- ASEAN. *Handbook of Selected ASEAN Political Documents*. Jakarta: ASEAN Secretariat, 2003.
- ASEAN. "About The ASEAN Regional Forum." aseanregionalforum.asean.org/about.html (diakses pada 2 Januari 2019).
- ASEAN. "Declaration of ASEAN Concord, Bali, Indonesia, 24 February 1976." http://asean.org/?static_post=declaration-of-asean-concord-indonesia-24-february-1976 (diakses pada 2 Januari 2019).
- ASEAN. "Chairman's Statement of the 11th ASEAN-China Summit Singapore, 20 November 2007." http://asean.org/?static_post=chairman-s-statement-of-the-11th-asean-china-summit-singapore-20-november-2007 (diakses pada 2 Januari 2019).
- ASEAN. "Chairman's Statement of the 17th ASEAN Summit." http://asean.org/?static_post=chairman-s-statement-of-the-17th-asean-summit (diakses pada 2 Januari 2019).
- BBC. "Klaim Cina di Laut Cina Selatan 'tak punya landasan hukum'". *BBC News*, 12 Juli 2016. https://www.bbc.com/indonesia/dunia/2016/07/160712_dunia_putusan_lautcinaselatan (diakses pada 4 Mei 2019).
- Beeson, Mark. "What's the point of Asean?" *Asia Times*, 1 Mei 2017. <http://www.atimes.com/whats-point-asean/> (diakses pada 29 Desember 2018).
- Bower, Ernest. "18th ASEAN Regional Forum in Bali, Indonesia." *Center for Strategic & International Studies*, 1 Agustus 2011. <https://www.csis.org/analysis/18th-asean-regional-forum-bali-indonesia> (diakses pada 29 Desember 2018).
- Busse, Niklas. "Constructivism and Southeast Asian security." *The Pacific Review* 12, no. 1 (1999): 39-60.
- Caballero-Anthony, Mely. "Mechanism of Dispute Settlement: The ASEAN Experience." *Contemporary Southeast Asia*, 20, no. 1 (1998): 38-66.
- Darmawan, Arief Bakhtiar & Mahendra, Lady. "Isu Laut Tiongkok Selatan: Negara-negara ASEAN Terbelah Menghadapi Tiongkok." *Jurnal Global & Strategis* 12, no. 1 (2018): 79-100.
- Deplu RI. *Hubungan Kemitraan ASEAN-China*. Jakarta: Departemen Luar Negeri Republik Indonesia, 2011.
- Djalal, Hasjim. "South China Sea: Contribution of 2nd Track Diplomacy/Workshop Process to Progressive Development of Regional Peace and Cooperation." Manila, Filipina, 16-17 Oktober 2011.
- Djalal, Hasjim. "Managing Potential Conflicts in the South China Sea: Lessons Learned," dalam *Maritime Regime Building*, diedit oleh Mark J. Valencia, 87-92. Britain: Kluwer Law International, 2001.
- Djalal, Hasjim, et.al. "Usaha-Usaha Mengalihkan Potensi Konflik di Laut Cina Selatan Menjadi Potensi Kerjasama." Proyek Penelitian dan Pengembangan Politik Luar

- Negeri Yayasan Pusat Studi Asia Tenggara dengan Badan Penelitian dan Pengembangan Departemen Luar Negeri Republik Indonesia, Jakarta: Yayasan Pusat Studi Asia Tenggara, 1995.
- Evans, Thammy. "The PRC's Relationship with the ASEAN Regional Forum: Realpolitik, Regime Theory or a Continuation of the Sinic Zone of Influence System?" *Modern Asian Studies* 37, no. 3 (2003): 737-763.
- Firman, Tony. "Disfungsi ASEAN dan Kegagapannya Merangkul Asia Tenggara." *Tirto.id*, 8 Agustus 2018. <https://tirto.id/disfungsi-asean-dan-kegagapannya-merangkul-asia-tenggara-cP9S> (diakses pada 29 Desember 2018).
- Fujisawa, Iwao. "The Use and Abuse of the "ASEAN Way"." Discussion Papers, Chiba: Center for Relational Studies on Global Crises, Chiba University, 2017.
- Garver, John W. "China's Push through the South China Sea: The Interaction of Bureaucratic and National Interests." *The China Quarterly*, no. 132 (1992): 999-1028.
- Goh, Gillian. "The 'ASEAN Way' Non-Intervention and ASEAN's Role in Conflict Management." *Stanford Journal of East Asian Affairs* 3, no. 1 (2003): 113-118.
- Granados, Ulises. "India's Approaches to the South China Sea: Priorities and Balances." *Asia & the Pacific Policy Studies* 5, no. 1 (2017): 122-137.
- Haryanto, Agus. & Pasha, Isman. *Diplomasi Indonesia: Realitas dan Prospek*. Yogyakarta: Pustaka Ilmu, 2016.
- Heng, Pek Koon. "The "ASEAN Way" and Regional Security Cooperation in the South China Sea." European University Institute (EUI) Working Paper: Robert Schuman Centre for Advanced Studies, 2014.
- Jennings, Ralph. "Four Countries Plan Resistance to China in a Disputed Asian Sea." *VoA News*, 5 Februari 2018. <https://www.voanews.com/a/countries-push-for-joint-naval-exercises-in-south-china-sea/4239171.html> (diakses pada 30 Desember 2018).
- Katsumata, Hiro. "Reconstruction of Diplomatic Norms in Southeast Asia: The Case for Strict Adherence to the ASEAN Way." *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 25, no. 1 (2003): 104-121.
- Kemlu RI. ASEAN: Selayang Pandang. https://www.kemlu.go.id/Documents/ASEAN/ASP_2012_Edisi_20.pdf.
- Kivimäki, Timo. "The Long Peace of ASEAN." *Journal of Peace Research* 38, no. 1 (2001): 5-25.
- Martinez-Barcelon, Aleja. "The ASEAN way in the South China Sea disputes." PacNet 57(A), Hawaii: Pacific Forum CSIS, 2016. <https://www.csis.org/analysis/pacnet-57a-asean-way-south-china-sea-disputes> (diakses pada 30 Desember 2018).
- MOFA of the PRC. *Wang Yi: The Agreement of the Single Draft Negotiating Text of the Code of Conduct (COC) in the South China Sea Proves that China and the Countries of the Association of Southeast Asian Nations (ASEAN) Are Capable of Reaching Regional Rules Adhered to by All*. https://www.fmprc.gov.cn/mfa_eng/zxxx_662805/t1583333.shtml (diakses pada 30 Desember 2018).
- Mogato, Manuel, Martina, Michael, & Blanchard, Ben. "ASEAN deadlocked on South China Sea, Cambodia blocks statement." *Reuters*, 25 Juli 2016. <https://www.reuters.com/article/us-southchinasea-ruling-asean/asean-deadlocked-on->

- south-china-sea-cambodia-blocks-statement-idUSKCN1050F6 (diakses pada 2 Januari 2019).
- Pickrell, Ryan. "‘Leave immediately or you will pay’: China is threatening foreign ships and planes, but the US military isn’t changing a thing." *Business Insider*, 31 Juli 2018. <https://www.businessinsider.com.au/china-warns-foreign-ships-planes-to-steer-clear-of-its-islands-or-pay-2018-7> (diakses pada 2 Januari 2019).
- Pompeo, Michael R. *Remarks on “America’s Indo-Pacific Economic Vision”*. Washington, DC: Secretary of State, 2018.
- Renyoet, Claudia Conchita. "Diplomasi Informal sebagai Pendekatan dalam Proses Penyelesaian Konflik Laut Cina Selatan." Tesis, Yogyakarta: Universitas Gadjah, 2012.
- Reus-Smit, Christian. "Constructivism," dalam *Theories of International Relations*, diedit oleh S. Burcholl, et al., 188-212. New York: Palgrave Macmillan, 2005.
- Severino, Rudolfo. "ASEAN and the South China Sea." *Security Challenges* 6, no. 2 (2010): 37-47.
- Severino, Rudolfo. *Southeast Asia in Search of an ASEAN Community*. Singapore: Institute of Southeast Asian Studies, 2006.
- Singh, Bhubhindar. "The Development of Japanese Security Policy: A Long-Term Defensive Strategy." *Asia Policy*, No. 19 (2015): 49-64.
- Sukma, Rizal. "Negara-negara Besar, Arsitektur Regional, dan Posisi Indonesia." *Jurnal Luar Negeri* 26, no. 1 (2009): 45-59.
- Swanström, Niklas. *Conflict Management and Negotiation in the South China Sea: The ASEAN Way?* Oslo: Workshop on The South China Sea Conflict, 1999.
- Thayer, Carl. "A Closer Look at the ASEAN-China Single Draft South China Sea Code of Conduct." *The Diplomat*, 3 Agustus 2018. <https://thediplomat.com/2018/08/a-closer-look-at-the-asean-china-single-draft-south-china-sea-code-of-conduct/> (diakses pada 3 Januari 2019).
- Tobing, Dio Herdiawan. "The Limits and Possibilities of the ASEAN Way: The Case of Rohingya as Humanitarian Issue in Southeast Asia," dalam *The 1st International Conference on South East Asia Studies*, 2016, KnE Social Sciences, 148–174.
- Weissmann, Mikael. "The South China Sea: Still No War on the Horizon." *Asian Survey* 55, no. 3 (2015): 596-617.
- Weissmann, Mikael. "Why is there a relative peace in the South China Sea?" dalam *Entering Unchartered Waters? ASEAN and The South China Sea Dispute*, diedit oleh Pavin Chachavalpongpun, 36-64. Singapore: Institute of Southeast Asian Studies, 2014.
- Woon, Walter. "Dispute Settlement the ASEAN Way." Singapore: Center for International Law, 2012.
- Yukawa, Taku. "The ASEAN Way as a symbol: an analysis of discourses on the ASEAN Norms." *The Pacific Review* 31, no. 3 (2018): 298-314.

Resource Amassment In The Indian Ocean: Revisiting Hans Joachim Morgenthau

Ramla Khan¹

¹Research Scholar, National Defence University, Islamabad

ARTICLE INFORMATION

SUBMISSION TRACK

Received : 01, January, 2019
Final Revision : 19, May, 2019
Available Online: 30, May, 2019

KEYWORD

Classical realism, Power Maximization,
Resource Politics, Indian Ocean

ABSTRACT

Indian Ocean is the new pivotal of the twenty-first century cauldron, bearing high-yielding economic driving potential analyzed from the sparsely deliberated classical realist vistas of Morgenthau that form an intertwine between accumulation of resources and maximization of power. The aim of paper is to provide new dimensions to the IOR rivalry between the power-players whose dominance remains reliant upon the control of the sea resources. Indian Ocean residues abundant possessions vibrant for the sustenance of human society, economic upheavals and for the purpose of modernizing military capabilities. The present geopolitical settings embedded in the virtues of multifaceted interdependence would not allow for war to be nominated as an appropriate strategy to win the concentrated control of sea wealth. The opinions of leading Indian Ocean connoisseurs on strategy and security have been evaluated qualitatively from different perspectives to form an independent judgment for the study. The paper offers a way-out, stipulating joint development of resources as the rational approach which would foster cooperation, stability of the Sea-Lines of Communications and smooth running of the economic engines, provide useful insights benefits to major littoral and regional states including India, China and Pakistan apart from the foreign stakeholders in the form of United States and Europe.

KATA KUNCI

Realisme klasik, pemaksimalan *power*, politik sumberdaya, Samudera Hindia

CORRESPONDENCE

E-mail: ramla.khan2418@gmail.com

ABSTRAK

Samudera Hindia menjadi titik penting baru pada abad ke 21, mengandung potensi penggerak ekonomi hasil tinggi yang dianalisis dari sudut pandang realis klasik Morgenthau yang menghubungkan antara akumulasi sumber daya dengan pemaksimalan kekuasaan. Tujuan dari tulisan ini adalah untuk memberikan dimensi baru bagi persaingan IOR antara *power-players* yang dominasinya tetap bergantung pada kontrol sumber daya laut. Samudera Hindia memiliki harta berlimpah untuk keberlangsungan hidup manusia, peningkatan ekonomi dan untuk tujuan memodernasikan kapabilitas militer. Pengaturan geopolitik saat ini yang melekat pada nilai-nilai saling ketergantungan yang beragam tidak akan memungkinkan perang dianggap sebagai strategi yang tepat untuk memenangkan kontrol yang terkonsentrasi atas kekayaan laut. Tulisan ini menemukan jalan keluar, menetapkan pengembangan sumber daya sebagai pendekatan rasional yang akan mendorong kerja sama, stabilitas *sea line communication* dan kelancaran pertumbuhan ekonomi, memberikan manfaat wawasan yang

bermanfaat bagi negara-negara pesisir dan regional termasuk India, Cina dan Pakistan terlepas dari para pemegang saham asing dari Amerika dan Eropa.

Introduction

The relocation of great powers pivot from one region to another, is a strategic game appraisal of assets, resources and global balance of power.¹ They turn the propellers of their crafts according to the ratio of the riches, and means an area holds to it. Lord Balfour, British statesmen describing the vested interest of resource amassment during the ‘Scramble for Africa’² stated that “spheres of influence we will not admit whereas spheres of interest we will not deny”. Concurring to similar tactic, in the last few years the hub of world’s heed grabbed momentum in the Indian Ocean. The paper sheds light on the Hans Morgenthau-Classical realist paradigm whose one key assumption despite of the growing applicability remains in the covers. It is counselled by Morgenthau that a continuous competition exists for the amassment of resources to remain in power.³

*‘In pursuit of national security, states strive to amass resources.’*⁴

The paper will try to prove Morgenthau’s believes that the real power lies in the resources a country possesses.⁵ For ensuring

states national security, there is the requirement to build up power to deter others that can only be maximized once the required levels of resources are possessed. Hence, the balance of power, particularly the one at sea is contingent on plenty and decent stockpiles of resources. States today practice hard or soft power, or the blend of the two in furthering their core security objectives.⁶ All of these require abundant resources whether they are situated at land or at within the sea beds. Hard power is synonymous to heavy compact up-to-date arsenals which are unlikely to enter production without a flourishing industrial base that is dependent on extensive crude oil products for electricity and machinery. Metallic and petrochemical minerals like copper, uranium and aluminum are abundant in the IOR. The soft power projection would require sufficient economic strength and upgradation which is also highly pertinent on these possessions. The following chart explains that power maximization cannot be attained without Morgenthau’s amassment of resource.

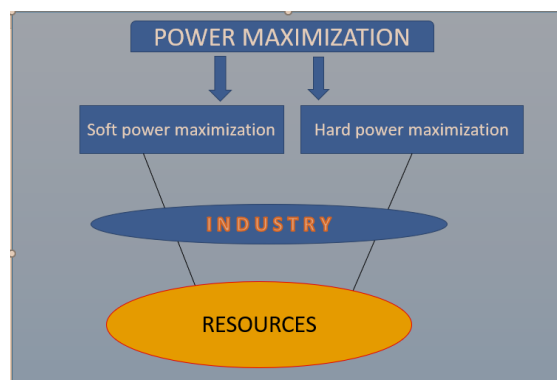


Figure 1.1 showing dependence of statecraft on resources

¹ Nina Silove, "The Pivot Before the Pivot: US Strategy to Preserve the Power Balance in Asia," *International Security* 40, no. 4 (2016): 45-88.

² W.D Smith, *European Imperialism in the Nineteenth and Twentieth Centuries* (Chicago: Nelson Hall 1982)

³ Antra Saxena, "India’s Policy Towards the Indian Ocean: A Study of Traditional and Non-Traditional Security Concerns," Doctorate Thesis, Dayalbagh Educational Institute (Deemed University) Agra, 2017.

⁴ Peter Baofu, "The Future of Post-human War and Peace a Preface to a New Theory of Aggression and Pacificity" (Newcastle upon Tyne: Cambridge Scholars, 2010), 163.

⁵ Jennifer Sterling-Folker, "Realism and the Constructivist Challenge: Rejecting, Reconstructing, or Rereading." *International Studies Review* 4, no. 1 (2002): 73-97.

⁶ Joseph S. Nye, "Get Smart: Combining Hard and Soft Power." *Foreign Affairs* (2009): 160-163.

Research Method

The opinions of leading specialists in the Indian Ocean on strategy and security have been studied to form an independent judgement. The primary sources of data include the yearly proceedings of the International Maritime Conferences held over the years by National Institute of Maritime Affairs (NIMA). Added to that an in-depth analysis of strategy papers, doctrines and postures of major powers provided valuable insight. Qualitative mode of analysis is undertaken throughout the study. Where quantitative figures such as tables and charts are used, a qualitative explanation is provided. The study has considered different perspectives available in the public domain to come up with solutions and avoid little bias in the conclusion for the third largest ocean that is on the verge of becoming the “epic-center of the 21st century”.

Result and Discussion

The demise of Cold War hostilities released the states from the constrictions imposed by East-West military blocs⁷, bringing a reconfiguration of the power nodes in the Indian Ocean.⁸ This allowed the states to exploit new opportunities in the power vacuum left by the fragmentation of bipolar world order. Since then agents of international community are utilizing the best of their tactics, strategies and schemes to gain the maximum out of these waters.⁹ The Indian Ocean, third largest in magnitude extends maritime accessibility due to its

centrality to all the major regions of the globe, becoming in the process elated in international security and policy-making. The special focus of geographers and analysts over the years have added towards the prospected ‘ever-growing wealthy destiny of this region,’ inducing regional and aspiring great power states to preserve their influence.¹⁰

Alfred Mahan in the early parts of the 20th Century prophesized the eccentric significance of the Indian Ocean by concluding: “Whoever controls the Indian Ocean dominates Asia. This ocean is the key to the seven seas. In the twenty-first century, the destiny of the world will be decided in these waters.”¹¹ Robert Kaplan reaffirms the ‘Mahanian principles’ in “Monsoon: The Indian Ocean and Future of America Power” in a world overshadowed by relatively declining United States (US) influence that the Ocean holds the key to bringing any transitions in global power structure.¹² James Stavridis, a four-star US admiral who served as the Chief of Naval Operations (CNO) has reiterated the strategic significance of Indian Ocean Region (IOR) by providing comprehensive veteran account in “Sea Power, The History of Geopolitics of World’s Oceans,” by articulating the “unmatched characteristics of the Indian Ocean” in geography, power and politics. The ‘beating heart of the Islamic world,’¹³ as Stavridis calls the region, gives access to geostrategic gateway states, such as: Pakistan, Bangladesh, Indonesia, Iran and

⁷ Hugh Faringdon, *Confrontation: The Strategic Geography of NATO and the Warsaw Pact* (Routledge, 1986).

⁸ Christian Bouchard, "Emergence of a New Geopolitical Era in the Indian Ocean: Characters, Issues and Limitations of the Indianoceanic Order," ed. Dennis Rumley and Sanjay Chaturvedi, in *Geopolitical Orientations, Regionalism and Security in the Indian Ocean* (New Delhi: South Asian Publisher, 2004).

⁹ Robert D. Kaplan, "Center Stage For the Twenty-First Century: Power Plays in the Indian Ocean," *Foreign Affairs* (2009): 16-32.

¹⁰ Glenn Ojeda, "Strategic Routes and Wealth Quadrants in the Indian Ocean," *Farmfolio*, August 09, 2018, , accessed November 30, 2018, <https://farmfolio.net/articles/strategic-routes-wealth-quadrants-indian-ocean/>.

¹¹ James Holmes, "Mahan, a “Place in the Sun,” and Germany's Quest for Sea Power," *Comparative Strategy* 23, no. 1 (2004): 27-61.

¹² Robert D. Kaplan, *Monsoon: The Indian Ocean and the Future of American Power* (New York: Random House Trade Paperbacks, 2011).

¹³ James Stavridis, *Sea Power: The History and Geopolitics of the World's Oceans* (New York: Penguin Books, 2018), 119.

the Gulf monarchies. The exclusiveness of the Ocean, however is beyond that of the Islamic countries, with the dependency of major global and regional stakeholders.¹⁴ The Sea Lanes of Communications (SLOCs) are vital for the economic and energy driven engines of People's Republic of China (PRC) and India. The two rising 'Asian giants' reliance on Indian Ocean in greater than any other state, in the backdrop of increasing population and demand for additional manufacturing industry, the appetite for energy resources is surging on daily basis.¹⁵ The SLOCs over the years have contributed their share in the economic advancement sustained despite the 2008 Financial Meltdown and the preceding slump in the Asia-Pacific markets.¹⁶ However, challenges in form of arms race and nuclear militarization, particularly the Indo-Pak rivalry pose considerable danger to freedom of the high seas. During the Cold war, Soviets and the Americans showed great interests in these oceanic waters. The former allegedly started the 1979 Invasion of Afghanistan as a cover for accessing the warm waters of the Arabian Sea¹⁷ whereas the latter had US Navy Fifth-Fleet permanently stationed, comprising of rapid-deployment force in form of carriers,

destroyers and submarine-task force augmented after the Carter Doctrine.¹⁸

At present, Pakistan is reinstating its support to China and its Belt and Road Initiative (BRI), which has invested in Gwadar port development, in the Balochistan province. India on the other side, has become closer towards US with the "Pivot towards Asia" and is building up nuclear submarines and aircraft carriers as part of 'Vision 2025' to develop its sea power in IO region.¹⁹ Alfred Mahan in *The Influence of Sea Power upon History* jots the elements of sea power. He describes that sea border as a plus point for states. They can establish their own harbors and ports with no fear of blockade. However, the scenario has a very powerful rip-off as it requires states to amass greater resources and force to preserve their independence.²⁰ For Mahan the size of country is not important but is rather the quality of ports and sea bases it maintains. Sea power is vital for influence and resource exploitation across the Indian Ocean Region. The oceans are one of the crucial assets out of all the world resources that are residual to enormous amounts of wealth in form of energy minerals and fisheries. Indian Ocean out of all the five oceans comprises of diverse strengths. It has substantial depositories of oil and natural gas. Added to that, the waters have been recognized to

¹⁴ Christian Bouchard, and William Crumplin, "Neglected No Longer: the Indian Ocean At the Forefront of World Geopolitics and Global Geostrategy," *Journal of the Indian Ocean Region*, no. 1 (2010): 26-51.

¹⁵ Uday Bhaskar, "China and India in the Indian Ocean Region: Neither Conflict nor Cooperation Preordained," *China Report* 46, no. 3 (August 2010): 311-18. doi:10.1177/000944551104600311.

¹⁶ TNN, "India Had Fastest Wage Growth in South Asia in 2017" *The Times of India*, November 27, 2018, accessed November 30, 2018, <https://timesofindia.indiatimes.com/business/india-business/india-had-fastest-wage-growth-in-south-asia-in-2017/articleshow/66836316.cms>.

¹⁷ Andrew Hartman, "The Red Template: US Policy in Soviet-occupied Afghanistan," *Third World Quarterly* 23, no. 3 (2002): 467-489.

¹⁸ Rasul B. Rais, "An Appraisal of US Strategy in the Indian Ocean," *Asian Survey* 23, no. 9 (1983): 1043-1051.

¹⁹ "Indian Navy Aiming at 200-ship Fleet by 2027," *The Economic Times*, July 14, 2018, accessed November 30, 2018, <https://economictimes.indiatimes.com/news/defence/indian-navy-aiming-at-200-ship-fleet-by2027/articleshow/48072917.cms>.

²⁰ "Press Release: One-day National Conference on Maritime Economy and the Geopolitics of Indian Ocean Rim: Challenges for Pakistan," *Institute of Strategic Studies, Islamabad (ISSI)*. Accessed November 30, 2018. <http://issi.org.pk/press-release-one-day-national-conference-on-maritime-economy-and-the-geopolitics-of-indian-ocean-rim-challenges-for-pakistan-2/>.

contain large amounts of uranium,²¹ a vital component in the production of nuclear weapons.

Resource and Indian Ocean

The aspect that needs to be clarified is what can be perceived a resource in perspective of IOR, Indian Ocean Region. By resources the paper do not only signify the minerals and oils in sea but also the islands, bays, choke points that may lead a country towards their capture.

It is in Asia that nations with space, natural resources and great masses of men lie. Any nation that would add to its power, the enormous power potential of China would thereby make itself the prospective master of not only Asia but the world.²²

- ***Islands, Bays and Seas serve as route to resources***

It is an undeniable fact that Indian Ocean routes are equivalent to incandescent gems. The numerous gulfs, bays, choke points and Exclusive Economic Zones (EEZ) cannot be neglected. They in themselves are as imperative as the resources within the oceanic waters of IOR. These strategic waterways have supported maritime global trade for centuries.²³ Under the obtained

²¹ James Conca, "Uranium Seawater Extraction Makes Nuclear Power Completely Renewable," *Forbes*, September 06, 2016, , accessed November 22, 2018,

<https://www.forbes.com/sites/jamesconca/2016/07/01/uranium-seawater-extraction-makes-nuclear-power-completely-renewable/#a96b6b3159ae>.

²² Francis P. Sempa, "Hans Morgenthau and the Balance of Power in Asia," *The Diplomat*, May 25, 2015, , accessed November 30, 2018, <https://thediplomat.com/2015/05/hans-morgenthau-and-the-balance-of-power-in-asia/>.

²³ Pragya Pandey, "Emerging Maritime Security Environment in the IOR: Challenges and Responses," *Proceedings of 23rd World Congress on Political Science: Challenges of Contemporary Governance*, Canada, Montreal, Quebec (Jawaharlal Nehru University, 2014), accessed December 1, 2018, http://paperroom.ipsa.org/papers/paper_34577.pdf.

historical evidences, the sailing began in the fifth

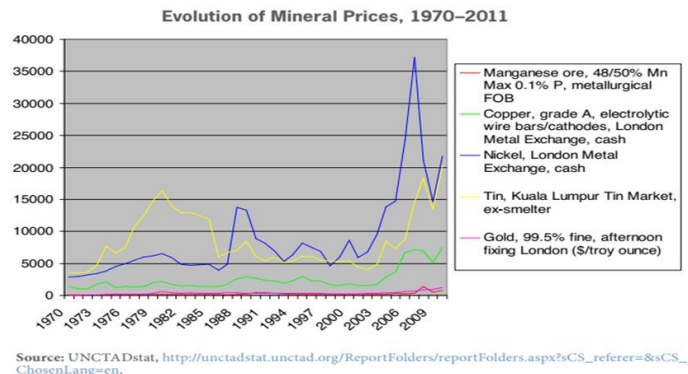


Figure 1.2 :Rise in mineral Prices

century with the trade of materials such as ebony, expensive hardwood, metals, oils and incenses. Free trafficking even in those days was a vital interest for economies to breathe. New ports were opened by Persian Empire in the east of the Gulf. James Stavridis, narrates his lifelong learnings in *Sea Power: History and Geopolitics of Indian Ocean*. He terms the 'Strait of Hormuz' as a 'perpetual flashpoint of collision between civilizations.'²⁴

The islands, bays and seas are assets of this water body. Without the control and mastery of these seas, islands and bays no one can gain access to the beneath lying true resources in the ocean. Oil rigging, coal extraction, fishing, mineral collection all require control of the territory. The British also took the control of Asian resources by first colonizing the territory. It therefore can be summed that trade routes that include the bays, straits and choke points are also a sea resource whose control is necessary for not only for trading but for exploration and command of marine wealth.²⁵

²⁴ Jason Gewirtz, "If Iran Tries to Close This Strait Crucial to the Oil Trade, the US Navy Can Unblock It Quickly - Adm. Stavridis," *CNBC*, July 23, 2018, , accessed November 30, 2018, <https://www.cnn.com/2018/07/23/what-the-us-can-do-if-iran-closes-the-strait-of-hormuz.html>.

²⁵ Tanvi Madni, "India's International Quest For Oil and Natural Gas: Fueling Foreign Policy," *India Review* 9, no. 1 (2010): 2-37.

Waters are considered the easiest pathway to enter a country's dominions. United States, People's Republic of China as well as by India are struggling for the dominance of Asian seas. Out of which China seems the victorious creating its peculiar place in world market. The countries realize the importance of waters with respect to commerce routes, off land assets, economy, and political influence as well as in regard to the growing environmental problems like global warming and climate change which forces states to increase their maximum sovereignty over the remaining marine resources across globe.²⁶ The vitality of this capital is transforming world in the greed to gather 'plenty of it' under its supremacy. Fossil Fuels whose demand is rising with the growing populations are more than treasure are formed with the remains of marine life. The collapse of this cycle will result in death of modern economies which is a stern nightmare for states of international community hence they keep on struggling for the rule of resources to safeguard their national security and survival.

▪ ***Strategic Position and US Power Extension***

The axle of attention in world politics has paused in the IOR because of its geostrategic position. Being not only in heart of the globe but in heart of oceans and world's most important states on borders, the value of ocean is enhancing per day. IOR with its linkage to crucial SLOCs with Middle East, Africa, and Asia has grand strategic, economic and security stature.²⁷ China in South and India in the east are keeping the tradition of Cold war alive. Unlike any other state, USA is the most worrisome entity as it keeps no direct

connection with the region. As mentioned above in Admiral Mahan's elements of sea power that countries with sea borders are in advantage but the quality of ports is of due importance. US is relying on its bandwagon mechanism to stay a participatory in the scenario. One odd happening that took place years ago keeps chances for US creating an excuse for it to stay in Indian waters. The ocean has wartime history but as according to Lindsay Bremner the region got into view with intensity during the Malaysian lost flight MH370 tragedy.²⁸ It is termed as the biggest aviation mystery distinctive modern devices in three years of constant searching could not be identified. Australia, China and Malaysia each funded the craft locating campaign but the efforts could not be much fruitful. The families of 239 passengers have lost hopes of any return of their beloveds as the three states have ended the investigation procedures. No one is sure if the plane was crashed or hijacked. Families are inviting US to provide its assistance in locating the signs of their beloveds. In past years too, Americans maintained their stakes in IOR in similar roles. During Iran-Iraq war the US Fleet force rested in nearby Persian Gulf to overcome any activity by Iran. Being in role of a humanitarian country, it can not only scratch the card for its own national interest instead can too provide help in search and inspection of truth for the satisfaction of victim families. Other than this marine piracy and hijacking can be a concern for which America can sign up a document with the regional states and show its presence IO.

Resource Politics and 'De Ja Vu in Indian Ocean'

Analyzing the yesteryears of the region it seems like history is repeating itself in the Indian Ocean. It was with the discovery of oil in Middle East that in the twentieth century the region gained back the pre-eminence at the strategic chessboard. In

²⁶ Martin Walker, "Indian Ocean Nexus," *The Wilson Quarterly* 32, no. 2 (2008): 21-28.

²⁷ Geoffrey Till and Patrick Bratton, *Sea Power and the Asia-Pacific: The Triumph of Neptune* (London: Routledge, 2013), 243.

²⁸ Timothy Doyle and Graham Seal, "Indian Ocean Futures: New Partnerships, New Alliances and Academic Diplomacy," *Taylor & Francis* (2015): 2-7.

the above discussion, the routes, bays and straits are also entitled as a vigorous resource in ocean. Contemporary Chinese strategy calls for revival of the 'Ancient Silk route' under the Belt and Road Initiative (BRI) that was long disarrayed with the sixteenth century British colonization of Asian states. "The British on the other hand began with a focus on gaining control of as much as of the Indian landmass as they could. They built forts and created a string of bases around the periphery of the country in the 1600s and on into the early 1700s." The British destined to conquer the water resource by developing controlled positions in form of bases. The modern Chinese strategy is looked with suspicion by India and US, under the policy of 'Strings of Chain' which refers to development of several stations all across Asia that traps developing countries into unending cycles of loans and economic deterioration.²⁹ The creation of bases since Hu Jintao's era has been an essential custom of Sino foreign policy. As it is wisely said that the sun never sets on the Brits. Following these pathways seems like with the near creation of artificial moon by Chinese, neither the sun nor moon will set over Sinos. By the end of eighteenth century the only power existing were the British aiming to create the entire ocean as 'British Lake'. Most of nineteenth century is jotted with the blighty chronicles as they well realized the vitality of sea lanes. Chinese today are overshadowing other world nations in almost every walk of life. After British colonialism it seems like Chinese capitalism is colonizing the developing states.³⁰

China with its exceptional rise has proved the world that power can be attained

²⁹ Emrys Chew, "Crouching Tiger, Hidden Dragon: The Indian Ocean and the Maritime Balance of Power in Historical Perspective," *Working Paper*, no. No. 144 (2007)

³⁰ William A. Callahan, "China's 'Asia Dream' The Belt Road Initiative and the new regional order," *Asian Journal of Comparative Politics* 1, no. 3 (2016): 226-243.

without entering conflicts and wars.³¹ It very wisely made people realize that the more China will grow the more profits will be attained by its trade partners. The domino effect is applicable very wisely here, where fall of one state predicts the failure of the rest. The growing economy of China prophesizes the automatic gains for its other trading companions. This idea has widely aided China in fulfilling its 'String of Pearls Strategy' in Indian Ocean.³² The Asian countries cooperated with China being periphery and semi-peripheral states to survive their economies in international arena and indirectly kept on serving Sino Pearl development interests. The nuclear submarines of China in IO are often attributed threatening by India and United States.³³ The Chinese military and commercial ships in waters are its true depiction of sea power. Sea power when defined accounts for not only the trading traffic of a state but also the military presence. CSCL is Chinese commerce shipping craft particularly built for Indian Ocean in year 2014. The craft is estimated to perform 24/³⁴7 carrying as much as of 19000 containers in each row.

New Delhi's Sprawl in IOR

India is too following the foot prints of China marking to become the second giant economy of Asia. It is quite ahead in its naval advancements. Despite of US firm long timed support it is still facing multiple complexities in matching Beijing's

³¹ Zhang Xiaotong and James Keith, "From wealth to power: China's new economic statecraft," *The Washington Quarterly* 40, no. 1 (2017): 185-203.

³² Gurpreet Khurana, "China's 'String of Pearls' in the Indian Ocean and Its Security Implications," *Strategic Analysis* 32, no. 1 (2008): 1-39.

³³ Mohan Malik, *China and India: Great Power Rivals* (Colorado: Lynne Rienner Publishers, 2011)

³⁴ Huang, Linyan, Frédéric Lasserre, and Olga Alexeeva, "Is China's interest for the Arctic driven by Arctic shipping potential?," *Asian Geographer* 32, no. 1 (2015): 59-71.

commerce and marine approach in all ways.³⁵ American support to India is a remedy to abstain it from drawing closeness to its Cold War partner. Russia during its Soviet era had funded and guided India to build its navy in the IO. To avoid any such rehashing this can be a staunch reason for US backing to it. India in past year chose 'East policy' to shatter Chinese growing pearls in IOR.³⁶ The policy missioned at developing closer ties to Asian states to isolate China in its neighborhood however the revealed statistics of year 2018 by IISS, the Military Balance, Delhi is failing to overcome Chinese strategies.

Country	Active Naval Vessels Manufactured/Co-Developed by China*	Big-Ticket Maritime Infrastructure under development by China	Chinese Investment Spending 2005 – 2017 (in \$ bn)+	Status of Free Trade Agreement with China
Bangladesh	46	Chittagong Port	24.1	Biggest Trading Partner, Feasibility Study Started in 2016
Maldives	0	Ihavandhippolhu Integrated Development (IHavan) Project	NA	Signed (2017)
Myanmar	17	Kyaukpyu Deep Water Port	7.4	ASEAN-China Free Trade Area (2010)
Pakistan	15	Gwadar Deep Water Port	50.6	Signed (2007)
Sri Lanka	17	Hambantota Port	14.7	Biggest Trading Partner, Negotiations Started in 2014

Figure 1.3 showing statistics according to IISS Military Balance 2018 (Chapter 6: Asia)³⁷

India's 90 percent of oil and gas transportation occurs from the sea.³⁸ The more its market presence is advancing, the call for more resources is gaining

³⁵ Raja Mohan, "India and the Balance of Power," *Foreign Affairs* (2006): 17-32.

³⁶ Donald L. Berlin, "India in the Indian Ocean," *Naval War College Review* 59, no. 2 (2006): 58-89.

³⁷ Michael Beckley, "The Emerging Military Balance in East Asia: How China's Neighbors Can Check Chinese Naval Expansion," *International Security* 42, no. 2 (2017): 78-119.

³⁸ Hasan Yaser, "The Emerging Strategic Rivalries in the Indian Ocean Region: An Analysis of Indo-American Ambitions and Implications for China," *Journal of Contemporary Studies*, Winter 2014, Vol. III, no. No. 2 (2014), NDU, Islamabad.

acceleration. It will therefore never compromise to shatter any agent becoming an obstruction in its path of development. Malacca strait in the Indian Ocean therefore is the backbone of Chinese and Indian economies.³⁹ These routes and chokepoints being an extraneous resource in this ocean can any time become bone of contention involving many other states in the scenario. In the unending crisis between Pakistan and India, any strike from the two nuclear neighbors may disrupt the sea lines of communication forcing China to intervene.⁴⁰ India being in combat will automatically call for USA, along with other international stakeholders including Russia and Europe which are likely to reinstate their support for cessation of hostilities. It is to be kept in mind that the powerplay this time is likely to lead to the gargantuan waves of ocean, considering that grand strategies of the major powers compete in the shallow waters of the IO. India in haphazard has reshaped its naval inventory after its recent strikes Pakistan's submarines and intervention in land and water territorial sovereignty. The recent defense exchanges among US and India cannot be ignored. In April 2019, the country has added a Romeo Submarine Chopper helicopter described as one of the best in world's artilleries.⁴¹ The intentions of New Delhi are quite uncertain and circumstances are likely to result in severe clashes.

Who is fulfilling Morgen's Resource amassment criterion?

Hans Morgenthau with his eccentric presumption pursued the states in international system to control the most resources on earth to ensure their national

³⁹ Prमित Mitra and Drew Thompson, "China and India: Rivals or Partners?," *Far Eastern Economic Review* 168, no. 4 (2005): 30-33.

⁴⁰ Lowell Dittmer, *South Asia's Nuclear Security Dilemma: India, Pakistan, and China: India, Pakistan, and China* (Routledge, 2015).

⁴¹ Lean Collin, "China-India Rivalry at Sea: Capability, trends and challenges," *Asian Security* 15, no. 1 (2019): 5-24.

security.⁴² He realized well that the staying in power for a state will persistently require it good amount of resources and their utility. Either it is the military accrual today or the economies of states all is ongoing on the resources. China is satisfying the classical notion of Morgenthau with its rational utility and control of IO region.⁴³ It is not only bourgeoning its military with the resources obtained from it but also is widely expanding its soft power through routine commerce via the SLOCs. On one hand it is ensuring its peaceful transportation of business and goods from the precious chokepoints of Malacca strait and Strait of Hormuz while on the other is also obtaining the oils from Middle East that are rigged out from the same ocean. As added above, the commerce ships particularly CSCL initiative, in most of the hours of day are on routes of Indian Ocean, guarded by the Chinese submarines surveilling in the rimland. The Naval Chief of China, Admiral Sunil Lanba has counterchecked the presence of six to eight Chinese naval ships in the northern section of Indian Ocean at any given time as well as submarines. During his visit to United Kingdom, UK in March 2019, he told Britain that 'no nation has invested as much as China in shipbuilding'.⁴⁴ That's not all, Beijing itself has been a long range regulator of Indian Ocean in the South China Sea where it is largely exploiting the islands. The underwater wealth, exclusive economic zone is used by China since the 20th century. The fishery in the water is not only a means of employment, trade, and a protein diet for Sinos. Almost the entire South China Sea is home to Chinese navy, under the claimed draft of nine dash line which declares the entire sea as Chinese sea. There exists other

contending countries who call upon Beijing for their share in the area. Philippines took the petition to International Court of Justice and the decision was made against China. However, PLA navy never stepped back from the furthering its influence in the resource-rich region. Moreover its base policy in almost every Asian country is aiding it largely against India and to sit close to more important assets in world. Hambantota Port project in Sri Lanka, Gwadar Port from Pakistan under the China Pakistan Economic Corridor and the new bond with Maldives, the two states drilling and military exercise in Eastern Indian Ocean is now ringing bell for a new pearl as iHaven Project.⁴⁵

Formerly India had ravishing relation to Male however since 2015 the ties seem to loosen with growing intimacy with Beijing. The red dragon being too giant is wiping the unwanted entities with its long pointed tail making space for its sitting in the entire region of Asia.⁴⁶ The whole behaviorism of China in this time span of 21th century is quite favorable in presumption of Morgenthau. China today resides closest to most of the world resources and US being a non-participatory in IOR is only dependent of alliances. India is trying staunch to overshadow the entity but the resource control of China is quite cumbersome and commanding to counter in any small time to come. Afterall the British Colonialism also lasted for a span of hundred years. The dragon following the footsteps of brits is no ready to back its progress.

⁴² Vassilios Paipais, "Political Realism in Apocalyptic times," *Contemporary Political Theory* 18, no. 1 (2019): 45-48.

⁴³ Michael Klare, "New Geography of Conflict," *Foreign Affairs* 80 (2001): 49.

⁴⁴ Lean Collin, "China-India Rivalry at Sea: Capability, trends and challenges," *Asian Security* 15, no. 1 (2019): 5-24.

⁴⁵ Zhengyu Wu, "Towards Naval Normalcy: 'Open Seas Protection' and Sino-US Maritime Relations," *The Pacific Review* (2019): 1-28.

⁴⁶ Ramla Khan, "Maritime Realpolitik in the Indian Ocean Region," *Centre for Strategic and Contemporary Research*, November 21, 2017, , accessed December 03, 2018, <https://cscr.pk/explore/themes/politics-governance/maritime-realpolitik-indian-ocean-region/>.

Conclusion

The seabed resources have the potential to provide infinite comforts to 'global commons' by facilitating tremendous economic growth and prosperity. The "highway of the world" as is the massive Indian Ocean SLOCs has been dubbed provides access points to and from the Asia-Pacific to the Europe onwards to the Americas. States should conform their foreign policies with the realization that the conversion of IOR to a hotbed would not be favorable to either parties, the stability and security of SLOC provides a 'win-win situation' to all compatriots.

The paper suggests that freedom of navigation remains to be essential for the growth of the region. It is recommended that regional organization must be utilized to address the perceived threats of littoral states who in the wake of "freedom of navigation" fall prey to great power agenda. For this purpose the auspicious offices of

organizations such as the ASEAN and Indian Ocean Rim Association (IORA) maybe recognized for the purpose of providing diplomatic impetus. Indian Ocean is declared to be troublesome of all the oceans because of presence of nuclear powers, notably India and Pakistan. The international community needs to step in to resolve the mutual animosities which remains to be the main hurdle to regions prodigious destiny.

It is concluded that resource amassment has become a reality where competing strategies of major power are interplaying to augment their interests and authority. Regional states such as Pakistan, India and China which long neglected their maritime sector are investing in capabilities to enhance sea exploration for mineral resources. Despite the predominance of geopolitics in the realm of state affairs, geo-economics continues to have an important standing in the strategic calculations.

REFERENCES

- Brewster, David, *India's Ocean: The Story of India's Bid for Regional Leadership*, Routledge, New York, 2014.
- Nadir Mir, *Gwadar on Global Chessboard*, Ferozsons Publishers, 2012.
- Anderson, Ewan W., *Global Geopolitical Flashpoints: An Atlas of Conflict*, Routledge, New York, 2013.
- Armstrong, Benjamin F., *21st Century Mahan: Sound Military Conclusions for the Modern Era*. Annapolis, MD: Naval Institute Press, 2013.
- Ashraf, Sajjad. "India-Pakistan Relations: Common Ground and Points of Discord." *Emirates Lecture Series 88* (2011): 1–58. ProQuest document ID: 1527294407.
- Bergenwall, Samuel. "Assessing India's Rise and the Road Ahead." *Strategic Analysis* 40, no. 5 (2016) 386–404. doi: 10.1080/09700161.2016.1209905.
- Berlin, Donald. "India in the Indian Ocean." *Naval War College Review* 59, no. 2 (Spring 2006): 58-89. ProQuest document ID: 205937435.
- Bhaskar, C. Uday, "The Navy as an Instrument of Foreign Policy: The Indian Experience," in Harsh V. Pant, ed., *The Rise of the Indian Navy: Internal Vulnerabilities, External Challenges*, pp. 48-72.
- Booth, Ken, *Navies and Foreign Policy*, Routledge Revivals, London, 1977.
- Businessline. "Delhi to Beijing: Give Indian Goods Greater Market Access." 13 October 2016. ProQuest document ID: 1828411669.
- Buzan, Barry and Ole Waever, *Regions and Powers: Structure of International Security*,

Cheema, Pervaiz Iqbal. "Indian Ambitions in the Indian Ocean and the Pacific Rim: The Response of Global and Regional Powers." *Journal of European Studies* 28, no. 2 (December 2012): 10–26. ProQuest document ID: 1317166047.

DeSilva-Ranasinghe, Sergei. "Why the Indian Ocean Matters." *Diplomat*. 2 March 2011. <http://thediplomat.com/2011/03/why-the-indian-ocean-matters/>.

Emerson, Sarah, and Vivek Mathur. "The Indian Ocean: Geographic Center of the Global Oil Market." In *Deep Currents and Rising Tides: The Indian Ocean and*

Fatima, Qamar, and Asma Jamshed. "The Political and Economic Significance of Indian

Forbes, Andrew, ed., *Protecting the Ability to Trade in the Indian Ocean Maritime Economy*, Sea Power Centre – Australia, Canberra, 2014.

Garver, John. "Diverging Perceptions of China's Emergence as an Indian Ocean Power." *Asia Policy* 22 (July 2016): 56–60. doi: <https://doi.org/10.1353/asp.2016.0033>.

Green, Michael, and Andrew Shearer. "Defining U.S. Indian Ocean Strategy." *Washington Quarterly* 35, no.2 (Spring 2012): 175–189. doi: 10.1080/0163660X.2012.666925.

Grove, Eric, "The Ranking of Smaller Navies Revisited," in Michael Mulqueen , Deborah Sanders, and Ian Speller, eds., *Corbett Centre for Maritime Policy Studies Series, Small Navies: Strategy and Policy for Small Navies in War and Peace*, pp. 8-20.

Herbert-Burns, Rupert, Sam Bateman and Peter Lehr, eds., *Lloyd's MIU Handbook of Maritime Security*, CRC Press, Boca Raton, FL, 2008.

Hill, Richard, *Maritime Strategy for Medium Powers*, Croom Helm, New York, 1986.

Hiranandini, G.M., *Transition to Guardianship: Indian Navy 1991-2000*, Lancer Publications, New Delhi, 2009.

Ho, Joshua and Sam Bateman, eds., *Maritime Challenges and Priorities in Asia: Implications for Regional Security*, Routledge, London, 2012.

Holmes, James R. and Toshi Yoshihara, *Chinese Naval Strategy in the 21st Century: The Turn to Mahan*, Routledge, London and New York, 2008.

Jones, Walter S. *The Logic of International Relations*. New York: Longman, 1997.

Kaplan, D. Robert, *Monsoon: The Indian Ocean and the Future of American Power*, Random House, New York, 2011.

Kaplan, D. Robert, *The Revenge of Geography: What the Map Tells Us About Coming Conflicts and the Battle Against Fate*, Random House, New York, 2013.

Kemp, Geoffrey, *Asia: East Moves West*, Working Paper No: 6, H.H. Sheikh Naseer al Mohammad al-Sabah Research, Abu Dhabi, February 2013.

Kennedy, P.M. *The Rise and Fall of Great Powers: Economic Change and Military Conflict from 1500 to 2000*. Harper Collins, 1989.

Khurana, Gurpreet. "China as an Indian Ocean Power: Trends and Implications." *Maritime Affairs: Journal of the National Maritime Foundation of India* 12, no. 1 (2016): 13–24. doi: 10.1080/09733159.2016.1175127.

Kissinger, Henry, *World Order*, Penguin Press, New York, 2014.

Komiss, William and La Var Huntzinger, *The Economic Implications of Disruptions to Maritime Oil Chokepoints*, Centre for Naval Analysis Study Report, Washington D.C., March 2011.

Kostecka, Daniel. "Places and Bases: The Chinese Navy's Emerging Support Network in the Indian Ocean." *Naval War College Review* 64, no. 1 (Winter 2011): 59–78. ProQuest document ID: 865741799.

Li, Zhu. "The Maritime Silk Road and India: The Challenge of Overcoming Cognitive Divergence." *Asia Policy* 22 (July 2016): 20–26. doi: <https://doi.org/10.1353/asp.2016.0040>.

Lou, Chunhao. "U.S.-India-China Relations in the Indian Ocean: A Chinese Perspective." *Strategic Analysis* 36, no. 4 (2012): 624–639. doi: 10.1080/09700161.2012.689532.

Lowe, J. *Rivalry and Accord: International Relations, 1870-1914*. Access to Advanced Level History. Hodder & Stoughton, 1995.

Mahan, A.T., *The Influence of Sea Power Upon History 1660-1783*, Dover Publications (altered republication of original work published in 1890), New York, 1987.

Malik, Mohan, *China and India: Great Power Rivals*, First Forum Press, Hawaii, 2011.

Marschall, Christin. *Iran's Persian Gulf Policy: From Khomeini to Khatami*. London: RoutledgeCurzon, 2003.

Michel David and Russell Sticklor, eds., *Indian Ocean Rising: Maritime Security and Policy Challenges*, Stimson, Washington D.C., 2012.

Muni, S.D. and Chadha, eds., *Asian Strategic Review 2015: India as a Security Provider*, Institute of Defence Studies and Analyses, Pentagon Press, New Delhi, 2015.

Palmer, Norman. "South Asia and the Indian Ocean." In *The Indian Ocean: Its Political, Economic and Military Importance*, edited by Alvin Cottrell and R.M. Burrell, 235–255. New York: Praeger, 1972.

Pandya, Amit A., Rupert Herbert-Burns and Junko Kobayashi, *Maritime Commerce and Security: The Indian Ocean*, Henry L. Stimson Centre Study Report, Washington D.C., February 2011.

Panigrahi, Jitendra, and Ajay Pradhan. "Competitive Maritime Policies and Strategic Dimensions for Commercial Seaports in India." *Ocean and Coastal Management* 62 (2012): 54–76. doi: <http://dx.doi.org/10.1016/j.ocecoaman.2012.03.008>.

Panikkar, K.M. *India and the Indian Ocean: An Essay on the Influence of Sea Power on Indian History*. Bombay: Allen & Unwin, 1971.

Pant, Harsh. "India in the Indian Ocean: Growing Mismatch Between Ambitions and Capabilities." *Pacific Affairs* 82, no. 2 (Summer 2009): 279–297. ProQuest document ID: 217682789.

Sempa, F.P. *Geopolitics: From the Cold War to the 21st Century*. Transaction Publishers, 2007.

Till, Geoffrey, *Seapower: A Guide for the Twenty-First Century*, Second Edition, Routledge, New York, 2009.

Váli, Ferenc. *Politics of the Indian Ocean Region: The Balances of Power*. New York: The Free Press, a Division of Macmillan Publishing Co., Inc., 1976.

Yu, Andrew. "Immanuel Kant's Perpetual Peace and Contemporary Peacekeeping." *Peacekeeping & International Relations* 27, no. 2 (March/April 1998): 14–7. ProQuest document ID: 234400860.

Weimar, Niclas D. "Sino-Indian power preponderance in maritime Asia: a (re-) source of conflict in the Indian Ocean and South China Sea." *Global Change, Peace & Security* 25, no. 1 (2013): 5-26.

Yoshihara, Toshi. "China's "soft" naval power in the Indian Ocean." *Pacific Focus* 25, no. 1 (2010): 59-88.

Humayun, Asaf, and Naghmana Zafar. "Pakistan's 'Blue Economy': Potential and Prospects." *Policy Perspectives: The Journal of the Institute of Policy Studies* 11, no. 1 (2014): 57-76.

Bhatti, Naghmana Zafar. "Policy Development and Regulatory Framework: Navy's Contribution towards Maritime Sector." *Defence Journal* 18, no. 3 (2014): 26.

Ramla Khan | Resource Amassment In The Indian Ocean: Revisiting Hans Joachim Morgenthau

Azmie, Sohail Ahmed. "Maritime Awareness In Pakistan." *CISS Insight Journal* 5, no. 4 (2017): 62-85.

Decreasing Demand Of Indonesia Palm Oil By India And Strategy Of Indonesia Government to Maintain Palm Oil Market In India

Glory Yolanda Yahya¹, Desri Gunawan²

¹International Relations, Universitas Maritim Raja Ali Haji, Indonesia

²International Relations, Universitas Maritim Raja Ali Haji, Indonesia

ARTICLE INFORMATION

SUBMISSION TRACK

Received : 03, March, 2019

Final Revision : 16, May, 2019

Available Online: 30, May, 2019

KEYWORD

India, Export Palm Oil, Competitive Advantage, Development State, Crude Palm Oil (CPO) Supporting Fund (CSF), Indonesian Trade Promotion Center (ITPC) Chennai, Palm Oil Industry Cluster (POIC)

KATA KUNCI

India, Ekspor Minyak Sawit, Keunggulan Kompetitif, Development State, Crude Palm Oil (CPO) Supporting Fund (CSF), Indonesian Trade Promotion Center (ITPC) Chennai, Klaster Industri Kelapa Sawit (KIKS)

CORRESPONDENCE

E-mail: gloryyolanda@umrah.ac.id

ABSTRACT

This study aims to find out the factors that led to a decline in the market share of Indonesian palm oil in India and to know the Indonesian government's strategy to maintain the palm oil market in India. The method used is descriptive analysis using the theory of competitive advantage diamond models from Michael Porter and Development state. The scope of the research was between 2010 and 2015. The results showed that the cause of the decline in the market share of Indonesian palm oil in India was due to the application of Higher Crude Palm Oil (CPO) from its derivative products in Indonesia, increasing demand for Malaysian palm oil by India and the development of the palm oil industry in India. The strategy carried out by the Indonesian government is implementing the Crude Palm Oil (CPO) Supporting Fund (CSF), Chennai Indonesian Trade Promotion Center (ITPC) and Palm Oil Industry Cluster (OPIC).

ABSTRAK

Penelitian ini bertujuan untuk mengetahui faktor-faktor yang menyebabkan penurunan pangsa pasar minyak sawit Indonesia di India dan mengetahui strategi pemerintah Indonesia mempertahankan pasar minyak sawit di India. Metode yang digunakan adalah deskriptif analisis dengan menggunakan teori keunggulan kompetitif model berlian dari Michael Porter dan Development state. Ruang lingkup penelitian antara tahun 2010 hingga 2015. Hasil penelitian menunjukkan bahwa penyebab penurunan pangsa pasar minyak sawit Indonesia di India karena penerapan Bea Keluar (BK) Crude Palm Oil (CPO) yang lebih tinggi dari produk turunannya di Indonesia, Peningkatan permintaan minyak sawit Malaysia oleh India dan pengembangan industri kelapa sawit di India.. Strategi yang dilakukan pemerintah Indonesia yaitu menerapkan Crude Palm Oil (CPO) Supporting Fund (CSF), Indonesian Trade Promotion Center (ITPC) Chennai dan Klaster Industri Kelapa Sawit (KIKS)

Introduction

India is the main destination of Indonesia palm oil export with total volume in 2010 attain 5,5 million ton from 17,58 million ton of total export with the value US \$ 4,57 billion.¹ Palm oil is one of the main export commodity of Indonesia, where it is the biggest palm oil exporter by producing 27,31 million ton in 2010 and possesses planting areas approximately 8,5 million Ha. Indonesia is the biggest palm oil exporter for India by dominating 83% of palm oil market in 2010. However, there was unfortunately a decrease of Indonesia palm oil export in 2014 to 60%.

Table 1, Palm Oil Exporting Countries to India by Percent

Source: Comtrade. processed

Country	2010	2011	2012	2013	2014
Indonesia	83%	73%	67%	71%	60%
Malaysia	16%	22%	31%	26%	38%
Papua Nugini	0%	1%	1%	0%	0%
Thailand	0%	1%	0%	2%	1%
lain-lain	1%	4%	2%	0%	1%
Total	100%	100%	100%	100%	100%

The implication of this decline in market share is the huge potential to increase the volume of palm oil exports to India. In addition, the potential tax generated from this export will be lost and in general it will disrupt the development of the Indonesian palm oil industry which has been developing. So that the Indonesian government has an interest in maintaining its market share of

¹ Tim Penyusun Badan Pusat Statistik (BPS) Indonesia, *Statistik Kelapa Sawit Indonesia 2014*, Jakarta, 2015.

palm oil in India. Based on the background above, it will be examined. How does the Indonesian Government's strategy maintain the palm oil market in India?

Based on literature review, there are a number of the previous researches regarding with this topic. Ira Kristina Br. Lumbantobing in their research entitled "*Identifikasi Faktor Sukses Kunci Strategi Memasuki Pasar India Bagi Produk Minyak Goreng Kelapa Sawit dari Indonesia Dengan Analisis PEST (Politik, Ekonomi, Sosial dan Teknologi)*"² revealed that to undertake the strategy to enter India market, Indonesia palm oil producer have utterly the potency to enter where the market is more open than before. The producers entail to build the partnership (networking) with local producers. Hence, supporting factors can hopefully be intensive, such as communication line, distribution line, and marketing resources to bolster the strategy to enter India market.

In addition, an article written by bambang Drajat and hamzah Bustomi entitles "*Alternatif Strategi Pengembangan Ekspor Minyak Sawit Indonesia*"³ by using Analytical Hierarchy Process (AHP) method. It states that palm oil development strategy concerning with competitiveness comprise: resources optimalization, institution improvement, and policy implementation. Herein, the actors involved

² Ira Kristina Br. Lumbantobing, *Identifikasi Faktor Sukses Kunci Strategi Memasuki Pasar India Bagi Produk Minyak Goreng Kelapa Sawit dari Indonesia Dengan Analisis PEST (Politik, Ekonomi, Sosial dan Teknologi)*, Fakultas Ekonomika dan Bisnis (UGM), Yogyakarta, 2014.

³ Bambang Drajat dan Hamzah Bustomi, *Alternatif Strategi Pengembangan Ekspor Minyak Sawit Indonesia*, Jurnal Manajemen & Agribisnis, vol 6 No. 1 Maret 2009.

consist of government, State Owned-Enterprises, private and cooperative enterprise/Small and Medium Enterprises.

Moreover, paper written by The Ministry of Trade entitled *Analisis Kebijakan Bea Keluar (BK) CPO dan produk turunanannya*⁴ scrutinize that the impact of The Regulation from Misnitry of Finance No. 67/PMK.011/2010 about the exit tax for Crude Palm Oil (CPO) and its related products is aimed to manage excessive CPO export which is intrusive to domestic oil needs. Furthermore, it is aimed to boost Indonesia palm oil industry. In contrast, this policy decreases Indonesia export value to main importer countries, such as India, Netherland, Germany, Italy, and Singapore.

Andi Alatas asserted in his research "*Trend Produksi dan Eksport Minyak Sawit (CPO) Indonesia*"⁵ that palm oil production trend averagely experience the rise. Furthermore, production value trend, export volume trend, and export value trend of Indonesia palm oil also experience the increase from year to year. The factors generally influence export to India are palm oil international price, Rupiah exchange rate, percapita income, population, and substitution price.

Tuti Ernawati and Yeni Septia in journal entitles *Kinerja Ekspor Minyak Kelapa Sawit Indonesia*⁶ stated that *Revealed Comparative Advantage* (RCA) of CPO export and Indonesia PKO is lower than Malaysia and Thailand, but similarly with Colombia. Analysis of Constant Market

Share (CMS) of Indonesian CPO and PKO tend to decrease comparing with the growth of global export.

A number of literatures above were analyzed using one or several similar variables either economy or politic. Therefore, in this research the author will examine the challenges and obstacles of this issue by using the international political economy paradigm with focusing on several dissimilar variables yet still substantial correlated. Hence, the government as economic driving force has substantially roles in boosting the oil industry in Indonesia, but keep enforcing the partnership with private sector. The competitiveness improvement is the pivotal key of Indonesian palm oil industry to maintain its market in India.

Research Method

The research method uses a type of descriptive analysis research that is research that aims to make a description of a situation or event systematically and factually. Data processing methods used are qualitative methods, namely research that seeks to understand the meaning of events that occur and their relation to certain situations (phenomenal approach). The commodity data used is palm oil data including 4 pieces of the Harmony System (HS) code, namely:

1. HS 1511 10000 (Crude Palm Oil)
2. HS 1511 90000 (Other Palm Oil)
3. HS 1513 21000 (Crude Oil of Palm Kernel)
4. HS 151329000 (Other Palm Kernel Oil)

However, some data only uses HS 1511 10000, namely CPO because of the limitations of the author in obtaining other HS data. In order to collect the required data, which has to do with this research, the authors use library techniques (bibliography research), namely in the form of secondary data arranged in the form of books, journals, related documents, websites and newspapers.

4. *Analisis Kebijakan Bea Keluar (BK) CPO dan produk turunanannya*. Diterbitkan oleh Badan Pengkajian dan Pengembangan Kebijakan Perdagangan, Pusat Kebijakan Perdagangan Luar Negeri, Kementrian Perdagangan, Jakarta. 2013

⁵ Andi Alatas, *Trend Produksi Dan Eksport Minyak Sawit (CPO) Indonesia*, tesis pascasarjana studi manajemen agribisnis UGM, Yogyakarta, 2015.

⁶ Tuti Ernawati dan Yeni Septia, "Kinerja Ekspor Minyak Kelapa Sawit Indonesia", dalam Buletin Ilmiah Litbang Perdagangan, Vol 7. No 2, Desember 2013.

Glory Yolanda Yahya, Desri Gunawan | Decreasing Demand Of Indonesia Palm Oil
By India And Strategy Of Indonesia
Government to Maintain Palm Oil Market
In India

The author seeks to limit the time period and the research area to limit the problem only to the trade in palm oil between Indonesia and India. While in limiting the duration of the study, researchers tried to limit the time between 2010 and 2015. Given the availability of data within the range of that year, some data outside of that time period was used while supporting the research. There are 2 theories used to explain this phenomenon, namely the Diamond Model Excellence Theory from Michael Porter and Development State.

1. Competitive Advantage Theory of Berlian Model from Michael Porter

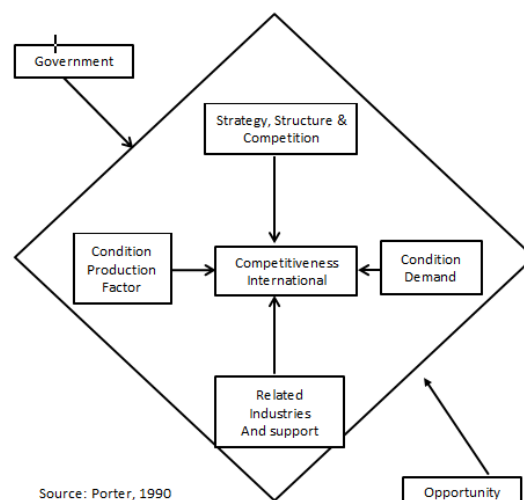
In simple terms, competitiveness can be used to determine the position of a commodity in a competitive market. According to Martin et al, one indicator of competitiveness is market share. If the market share of a commodity increases, it can generally be done using a market share and market growth approach. Competitiveness is the ability of a producer to produce a commodity at a fairly low cost so that production activities are profitable at the price level that occurs in the international market. . The approach that can be used to measure the competitiveness of a commodity is the level of profit generated and the efficiency of the exploitation of the commodity. The level of profit can be seen from private benefits and social benefits, while the efficiency of commodity exploitation can be seen from the level of comparative advantage and competitive advantage.

The theory used in this study is the theory of competitive advantage with international competitiveness diamond models proposed by Michael Porter in his book *The Competitive Advantage of Nation* (1990) starting from the explanation of aspects of national competitive advantage to the formation and development of competitive industries. Competitiveness is the activity of the ability of a commodity to

enter the international market and the ability to survive in the market, which means that if a product has competitiveness it means that the product is in great demand by the public.

According to the porter there is no correlation between the two factors of production (abundant natural resources and cheap resources) owned by a country, which is utilized as a competitive advantage in international trade. Many countries in the world have huge amounts of natural resources that are proportional to the width of their country, but are underdeveloped in the competitiveness of international trade. Likewise, the level of wages that are relatively cheap compared to other countries, precisely correlates closely with the low motivation of hard work and achievement. National prosperity was created, not inherited. Here is a picture of the porter's international competitiveness diamond model:

Chart 1. Porter's International Competitiveness Diamond Model



Results and Discussion

Decreasing Market Share of Indonesian Palm Oil in India

The cause of the decline in the market share of Indonesian palm oil in India is complex, ranging from fluctuations in world palm oil prices, prices of palm oil

substitute goods and other factors. But in this study discuss three factors that the author considers to be a substance. These factors include:

A. Application of Export Duty (ED) for CPO Exports and Derivative Products in Indonesia

ED policy for CPO and its derivatives has been adjusted to the downstream spirit. The first time is through the Minister of Finance Regulation No. 128 / PMK.011 / 2011 concerning changes to the Regulation of the Minister of Finance No. 67 / PMK.011 / 2010 concerning Determination of Exported Goods subject to Export Levy and Customs Tariffs. The regulation was promulgated on August 15, 2011 and entered into force 30 days after the regulation was promulgated (September 15, 2011). At present the applicable regulation concerning BK is the Minister of Finance Regulation No. 75 / PMK.011 / 2012 concerning the stipulation of Exported Goods subject to Export Levy and Customs Tariff. In this regulation there is no change in the amount of Export Levy for CPO and its derivative products.

Based on the Minister of Finance Finance Regulation namely PMK No.75 / KMK 11/2012 Export Levy is not a tax and is more a definition of state levies. Determination of the amount of levies is determined by the Minister of Finance at the proposal of the Minister of Trade, with consideration:

1. To guarantee the fulfillment of domestic needs for goods or commodities because of the nature, number and type are goods needed by the community in their daily lives. This scarcity of goods can disrupt national stability and economic distortions. For example domestic demand for cooking oil, when the price of cooking oil (CPO) increases in the international market as a result of rising demand.

2. Protect the preservation of natural resources, for goods that are of limited nature and if exported will cause environmental damage and natural sustainability. For example round wood or wood that has been processed into sawn timber.

3. Goods limited by their exports, because their own national needs need to be fulfilled. For example natural gas or other mining products

4. Anticipate a fairly drastic price increase from certain export commodities on the international market and maintain the stability of prices of certain commodities in the country.

The implementation of Export Levy has resulted in a decline in the market share of Indonesian palm oil in India. From 2007 to 2011 the volume of Indonesian palm oil exports to India continued to increase. However, the Export Duty policy at the end of 2011 reduced the export volume of Indonesian palm oil by about 7%, while in the same year Malaysian CPO exports to India experienced a 106% increase. This is because the selling price of Indonesian CPO is more expensive than Malaysia.

B. Increasing Indian Demand for Malaysian Palm Oil

□ Export Duty (ED) Malaysian CPO is lower than Indonesia

The structure of the Indonesian and Malaysian BK CPO is not much different from the threshold side (the lower limit) and the level of the BK imposition price level. The threshold of CPO prices for imposition of BK on the tariff structure of the Malaysian and Indonesian BK is not much different. Up to the price of RM 2,250 / ton (USD 745.88 / ton) is not subject to BK (0%) on the structure of the Malaysian BK. Meanwhile, BK is also not charged up to the price of USD 750 / ton in the structure of the Indonesian BK. The BK imposition interval in Malaysia is RM 150 / ton (USD 49.4 / ton), while in Indonesia it is USD 50 / ton.

Glory Yolanda Yahya, Desri Gunawan | Decreasing Demand Of Indonesia Palm Oil By India And Strategy Of Indonesia Government to Maintain Palm Oil Market In India

However, the two structures are far different in the BK tariff rates at each level of CPO prices

Table 2, Comparison of Malaysian and Indonesian ED CPOs

ED CPO Malaysia			ED CPO Indonesia	
CPO Market Price (FOB RM/Ton)	CPO Market Price (FOB USD/Ton)	Amount ED (%)	CPO Market Price (FOB USD/Ton)	Amount ED (%)
< RM 2,250	< USD 745,88	0	≤ USD 750	0
2,250 – 2,400	745,88 – 795,6	4,5	>750 – 800	7,5
2,401 – 2,550	795,93 – 845,33	5	>800 – 850	9
2,551 – 2,700	845,66 – 895,05	5,5	>850 – 900	10,5
2,701 – 2,850	895,38 – 944,5	6	>900 – 950	12,5
2,851 – 3,000	945,11 – 994,5	6,5	>950 – 1.000	13,5
3,001 – 3,150	944,83 – 1.044,23	7	>1.000 – 1.050	15
3,151 – 3,300	1.044,56 – 1.093,95	7,5	>1.050 – 1.100	16,5
3,301 – 3,450	1.094,28 – 1.143,68	8	>1.100 – 1.150	18
>RM 3,450	>USD 1.143,68	8,5	>1.150 – 1.200	19,5
			>1.200 – 1.250	21
			>USD 1.250	22,5

Source: Malaysia Palm Oil Board (MPOB) dan PMK No 75 years 2012

Since January 1, 2013, the Malaysian Government has made changes to the BK imposition policy for CPO in its country. Quota is abolished and if export of CPO is imposed by BK according to the price in the table above. What deserves attention is that the policy of the palm oil downstream industry in Malaysia remains the same as before, namely the downstream product BK of 0%. Therefore, basically the Malaysian Government has also imposed a downstream policy on the palm oil industry and its derivatives as is being developed by the

Indonesian Government which came into force in September 2011.

Portions Malaysian CPO exports to India have continued to increase since 2008, but a dramatic increase from 2011 to 2012 has almost doubled, from 19% to 34%. While the portion of Indonesia's CPO export portion continued to decline in 2008, which in 2007 amounted to 87% to 86% in 2008. There was a drastic decline in 2011 to 2012 of 13%. If you see this trend, in the not too distant future Malaysia can overtake Indonesia as the largest CPO exporter to India

✓ *Malaysia-India Comprehensive Economic Cooperation (MICECA)*

Another factor supporting the increase in Malaysian palm oil exports is the existence of economic cooperation, especially in trade and investment between Malaysia and India, namely Malaysia-India Comprehensive Economic Cooperation (MICECA) which was agreed on September 24, 2010 in Kuala Lumpur, Malaysia and entered into force on July 1 2011 Under MICECA, Malaysia and India will further reduce or eliminate tariffs on their respective industrial and agricultural products.

In the palm oil sector, which is Malaysia's main export to India, where the export value in 2010 was US \$ 19.92 billion. India's commitment in reducing palm oil tariffs is quite large. Tariff reduction occurred in the enactment of this collaboration in 2011 and continues to fall every year down to 2019. An example is the decline in CPO tariffs which initially before the cooperation at 80% rate, when MICECA applied to 72% in 2011 and 2012 fell to 68% and continues to fall every year 4% until 2019 to 37.5%

While from the Malaysian side it also reduced tariffs. In general, the rates imposed by Malaysia are already low, but with this collaboration the tariff is 0%. However, for RPO and Margarine products it

Glory Yolanda Yahya, Desri Gunawan | Decreasing Demand Of Indonesia Palm Oil By India And Strategy Of Indonesia Government to Maintain Palm Oil Market In India

dropped to 0% in 2013 even though at the beginning it was applied at a rate of 3% and dropped to 2% in 2012. The bilateral cooperation between Malaysia and India further facilitated and facilitated trade in palm oil between countries. This is seen as a significant increase in Malaysian palm oil

exports to India in 2012. A similar thing is expected to be done between Indonesia and India, given that both countries have good diplomatic and economic relations, so that they can be mutually beneficial between countries.

Table 3, Commitment to Palm Oil Entry Rates by India in MICECA

Products	Base Rate (%)	MICECA Preferential Tariffs (%)									
		EIF**	Implementasi								
			2012	2013	2014	2015	2016	2017	2018	2019	
CPO	80	72	68	64	60	56	52	48	44	37,5	
RPO	90	82	78	74	70	66	62	58	54	45	
CPKO	100	94	88	82	76	70	64	58	52	45	
PKO and its fractions	100	94	88	82	76	70	64	58	52	45	
Processed PKO	100	94	88	82	76	70	64	58	52	45	
Margarine (Vegetable origin)	80	76	72	68	64	60	56	52	48	45	

*300% Bound Rate Under WTO is still applicable to other countries

** EIF = Entry Into Force of this Agreement

CPO = Crude Palm Oil

RPO = Refined Palm Oil

CPKO = Crude Palm Kernel Oil

PKO = Palm Kernel Oil

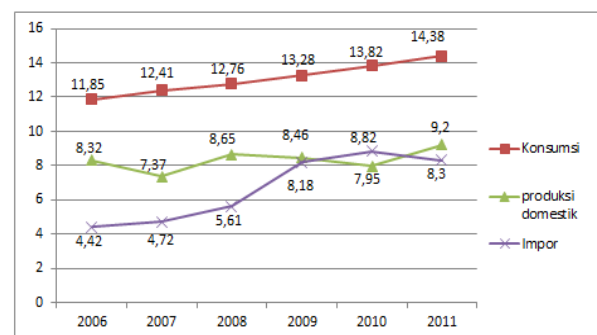
Sourcer: Malaysia-India Comprehensive Economic Cooperation (MICECA)

Graph 1, Vegetable Oil in India 2006-2011

(million tons)

C. Development of the Indian Palm Oil Industry

The increasing demand for vegetable oils from the Indian community and the inability of Indian domestic producers to fulfill these demands has made the import step the best solution. Consumption is always up while domestic production fluctuates, making imports high, even in 2010, 2012 and 2013 the volume of imports was higher than domestic production. The Indian government is aware that imports are a short-term solution and if it continues it will make India dependent on imports. Large and long-term development needs to be done to develop the vegetable oil industry to meet domestic demand



Source: Ministry of Agriculture of India & MOP

The Indian government introduced oil palm to its people during the period 1985-1986, with plantation ownership under the Technology Mission on Oil seeds (TMO)

Glory Yolanda Yahya, Desri Gunawan | Decreasing Demand Of Indonesia Palm Oil
By India And Strategy Of Indonesia
Government to Maintain Palm Oil Market
In India

program. Then continued with the development of large-scale oil palm plantations under the Oil Palm Development Program (OPDP) in 1991-1992 where this activity was under the Technology Mission on Oilseed and Pulses (TMOP) program of the Ministry of Agriculture and Work, Ministry of Agriculture of India during the VIII annual plan (1992-1997) with a target of 80 thousand ha. Its development areas are in Andhra Pradesh, Karnataka, Tamil Nadu, Orissa, Gujarat and Goa provinces.

The results of the OPDP program resulted in 8,585 hectares, then in the following years continued expansion of the oil palm plantation area to 173 thousand hectares in 2011. The expansion period of this plantation was divided into the five-year plan of the Indian government (see Table 12). The potential for developing oil palm plantations in India according to the Indian Ministry of Agriculture is around 1 million ha.

Table 4, Expansion Period of Palm Oil Gardens

No	Period	Addition of Area (ha)
1	XII (1991-1992)	8,585
2	IX (2001-2002)	62,730
3	X (2002-2003 to 2006-2007)	47,070
4	XI (2007-2008)	81,270
5	Total pada 2011	199,655

Source: Ministry of Agriculture of India

The latest policy from the Indian government to boost domestic palm oil production is the National Mission Oil Seeds & Oil Palm (NMOOP). It is part of India's 12th five-year plan for 2012-2017 where the mission has several objectives, namely:

1. Increase Seed Replacement Ratio (SRR) / Seed replacement ratio, focusing on replacing varieties
2. Expand the irrigation cover on oilseeds from 26% to 36%

3. Substitution of land areas from grain gardens including rice and potatoes to be oilseeds
4. Expansion of oil palm plantations and TBOs from water / swamp areas and unused land
5. Improve the quality and productivity of Oilseeds, Palm Oil and TBOs

The scheme included in NMOOP is

1. Integrated Scheme on Oilseeds, Pulses, Palm Oil and Maize (ISOPOM) for Oilseeds and palm oil commodities
 2. Oil Palm Area Expansion Program (OPEA) for palm oil commodities
 3. Integrated Development of TBOs for commodity Tree Borne Oilseeds
1. The target of this NMOOP generally wants to increase land and vegetable oil production. NMOOP is divided into 3 Mini Mision (MM) where each mission focuses on the types of vegetable oil producing plants, namely:

- a) MM-I is Oilseeds. Includes Soybean, Rapeseed & Mustard, Safflower, Sesame, Linseed, Groundnut, Sunflower, Niger and Castor with Production targets from 28.93 to 35.51 million tons, Productivity from 1,081 to 1,328 Kg / ha and Oil production from 6.8 to 8.5 million tons
- b) MM-II, namely Palm Oil. Covering oil palm has a garden target of 200 thousand to 330 thousand ha, FFB from 0.7 million to 37.9 million tons and oil production from 100 to 700 tons
- c) MM-III, namely (Tree Borne Oilseeds) TBOs. Including Jatropha, Neem, Mahua, Tung, Jojoba, Olive, Karanja, Simarouba, Kokum, Wild Apricot and Cheura having a production target of 0.8 to 1.4 million tons and oil production from 120 to 300 tons

NMOOP is an incentive given by the government through the Ministry of Agriculture. The cost source of NMOOP comes from 75% of the central government

Glory Yolanda Yahya, Desri Gunawan | Decreasing Demand Of Indonesia Palm Oil
By India And Strategy Of Indonesia
Government to Maintain Palm Oil Market
In India

and 25% of the provincial government. The amount of incentives is given based on proposals submitted by each province. For oil palm, the incentives include

D. Implications for Decreasing Indonesian Palm Oil Market Share in India

The ups and downs of exporters in international trade are common. In general, the volume of Indonesian palm oil exports to India is increasing, but if we are keen to see, the highest portion of Indonesia is in 2007 with 87% of the total imports of Indian palm oil. Then in 2008 the portion began to decline until 2014 to 60%. The missing portion moved to Malaysia, which in 2007 controlled 10%, to 38% in 2014. While Indonesian exporters were the first to feel this impact. At least 12 companies export CPO and PKO to India. Most of these companies are domiciled in Sumatra. The need for the Indonesian Government to maintain the market share of palm oil in India includes:

1. There is great potential to increase the volume of palm oil exports to India through the palm oil exporter company above. The increase in demand for Indian palm oil is greater than the percentage increase in exports of Indonesian palm oil. The difference from this percentage was taken by Malaysia.
2. The potential tax generated from this export will be lost
3. In general, it will disturb the development of the Indonesian palm oil industry which has been developing.

The Indonesian Government Strategy to Maintain the Palm Oil Market in India

The common thread of the cause decline market share of Indonesia palm oil in India is competitiveness. Malaysia has a higher competitiveness than Indonesia so normal that India increase their purchases to Malaysia. India saw the condition of

Indonesia palm oil industry which incidentally is largest exporter in the world today could be pusued, at least can be applied in India. Needed to increase competitiveness of Indonesia palm oil products to maintain market share of Indonesia palm oil in India.

Economic cooperation between two countries about new renewable energy⁷ though not as big as palm oil trade. It also shwos the economic cooperation between Indonesia-India like cooperation Malaysia-India not will happen in near future. So that Indonesia government's effot to focus on increasing competitiveness among Research and Development (R&D) of palm oil, promotion and improvement of service and trading facilities palm oil industry. Concrete forms of these efforts include:

A. Crude Palm Oil (CPO) Supporting Fund (CSF)

Crude Palm Oil (CPO) Supporting Fund (CSF) is a levy on export of Crude Palm Oil (CPO) and its derivatives. CSF was established pursuant to Presidential Decree (Decree) No. 61 year 2015 concerning the fund of collection and use of palm Oil on 18 May 2015. The proceeds are not entered into the state budget (APBN). CSF fund managed by The Fund Management Board, which was established by Treasury through The Ministry Finance regulation No.13/PMK.01/2015 dated 11 June 2015. The use of CSF fund to encourage development of sustainable palm oil. The funds collected are used for the benefit as follows:

1. Development of Human Resources (HR) oil palm plantation.

⁷ Indonesia dan India jalin kerja sama energi terbarukan dan kebudayaan dalam <http://www.republika.co.id/berita/nasional/umum/15/11/02/nx6ejs335-indonesiaindia-jalin-kerja-sama-energi-terbarukan-dan-kebudayaan> diakses pada 18 Mei 2016.

Glory Yolanda Yahya, Desri Gunawan | Decreasing Demand Of Indonesia Palm Oil
By India And Strategy Of Indonesia
Government to Maintain Palm Oil Market
In India

2. Research and Development of oil palm plantation. In 2015 ago has disbursed Rp 62 bilion to support 46 research.
3. Facilities and infrastructure for oil palm plantations. Subsudies replating of oil palm plantations to small farmers through cooperatives amounting to Rp 25 million per hectare.
4. Subsidies Biofuel increased mandatory biodiesel from 10% to 15% applied by the government through B15. Price biofuel biodiesel is more expensive than the price of diesel with difference Rp 1000/liter and to cover difference is taken from contribution CSF⁸. In 2015, no budget from the state budget to subsidize biofuel biodiesel.

B. Indonesia Trade Promotion Center (ITPC) Chennai, India

Indonesia Trade Promotion Center (ITPC) Chennai was established in 2011. The main task of ITPC is promoting exports, facilitating business meeting, market studies, organizing trade fairs remain in ITPC and help Indonesia businesses to follow international trade fairs, trade information service, organizing a trade mission to Indonesia, make regular visit to companies/market and market inteligenci as well as other tasks⁹. The exhibition followed and held ITPC Chennai is:

1. Aahar International Food & Hospitality 31 th, 15-19 March 2016¹⁰

⁸ Rafika Sari, *Rencana kebijakan Crude Palm Oil Supporting Fund*, Info Singkat Ekonomi dan Kebijakan Publik Vol.VII, 07/I/P3DI/April/2015, Jakarta, 2015.

⁹ ITPC dalam http://eximjatim.com/index.php?option=com_ckforms&view=ckformsdata&layout=data&id=f3&controller=ckdata&Itemid=64 diakses pada 25 April 2016.

¹⁰ 31 st Aahar International Food & Hospitality Fair 2016 dalam <http://itpcchennai.com/member/31st->

Is one of the largest exhibitions in south asia with an area of 45 thousand square meters. Foliowed by 872 participants from 22 countries with an averange of 44.650 visitorss. Attended by foreign business delegation from United States, Europe Union, Singapore, Bangladesh, Nepal and others. Then the representatives of foreign companies fom australia, Afganistan, Canada, Denmar, Germany, Japan, South Korea, Poland, Saudi Arabia, Turkey, and others. With 98% satisfaction rate of participants to participate in next exhibition.

2. Remark ndonesia EXPO 2015¹¹

A trade show created by the Indonesia embassy in India and ITPC Chennai to promote various products Indonesia to India. The exhibition was held in Chennai on 19-21 June 2015.

C. Palm Oil Industrial Cluster (POIC)

Palm oil industrial is a concrete action of The Masterpalm for Acceleration and Expansion of Indonesia Economic Development (MP3EI). Vision of MP3E1 is to make Indonesia into developed contries and including ten major countries in the world by 2025. The main contribution to the improvement of industrial clusters is not a purely economic scale, but rather on creation of solutions to externalities factors, such a ecology, infrastructure and other factor external that are usually not handle properly in developing countries due to failure of coordination. Based on experience of industrial clusters in developed countries, increased competitiveness can be done through locally based organizations effeciency of quality, design, speed of innovation and speed of response. According

aahar-international-food-hospitality-fair-2016-2/ diakses pada 18 Mei 2016.

¹¹ Remarkable Indonesia EXPO 2015 dalam <http://itpcchennai.com/member/remarkable-indonesia-expo-2015/> diakses pada 18 Mei 2016.

Glory Yolanda Yahya, Desri Gunawan | Decreasing Demand Of Indonesia Palm Oil
By India And Strategy Of Indonesia
Government to Maintain Palm Oil Market
In India

Cheney, the benefits that be can be gained from development of clusters is¹²:

1. The atmosphere of competition between certain compenies in the cluster will spread and lead to competition between other companies in cluster that spurred accretion diversify new products.
2. Newcomers in cluster cause increased (upgrading).
3. Information flows freely and spread rapidly.
4. Interconnection within cluster generates new ways to compete and new opportunities for diversification.
5. Cluster will encourage growth and play a role in the stimulation of differentiation and help to overcome attitude that only focuses inward, not flexible and fast attitude are satisfied with what has been achieved, which is characteristic of companies that were nearing the end of its growth curve (naturing industries).

Clustering is applied to the palm oil industry in Indonesia basically want to improve competitiveness and increase value of palm oil production. It is a concern in construction of the Palm Oil Industrial Cluster (KIKS) beginning with commitment of central and local government, and then look at the factors that both industrial and nrastructure (roads, ports, etc) as well as public facilities. The determination of palm oil industrial cluster have some consideration. Some of the factorss include is availability of land, conditions, position of location of raw materials, ports and other infrastructure as well as regulation and incentives provided by local government. However, these requirement are not rigid due to different locations depending supporting factors and limaitations. Here are some of

the locations designated as palm oil industrial clusters, is:

- a. Sei Mangkei (North Sumatra)
Sei mangkei administratively located in Simalungun regency, North Sumatra province, but is fuctional in the area of oil palm plantation owned by PT. Perkebunan Nusantara III (PTPN III). Developed land area of 2002 Hectare.
- b. Dumai (Riau)
Dumai is a municipality in the province of Riau. Land development of palm oil industrial cluster located in Bukit Kapur district with total area of 15,433 hectares, village of Lubuk Echoes of the spacious 2100 hectares and Basilam village with an area of 132 hectares.
- c. Maloy (East Kalimantan)
Maloy is located in East Kutai regency, East Kalimantan province. The total area of the region in Maloy is 577 hectares.

Conclusion

Effort by the Indonesia government has not felt significant because it is relatively new, or in refinement stage. CSF came into force in May 2015 in the first year the new enactment provides support short term research and subsidies given to oil palm replating still touches a small part of farmrs. The limited budget and have not socialized widely constraint. *Indonesia Trade Promotion Center (ITPC) Chennai* executed based on the amount of funds received from state or private voluntary donations. So make a plan that is implemented in accordance with existing funds. Palm Oil Industrial Cluster (KIKS) in Sei Mangkei was inagurated by president jokowi in 2015 is not yet operating optimally. KIKS Dumai and Maloy in refinement stage. KIKS Maloy is planned to start operating in 2018.

Result of this research is the strategy of Indonesia government maintanins palm oil market in India through three steps above demonstrate positive impact. Although some parts are not running perfectly. The

¹² Cheney, *Policy Lessons from Trade Focussed, Two Sector models*, Journals of Policy Modeling, 12 (4), 2002. Hal 625-657

Glory Yolanda Yahya, Desri Gunawan | Decreasing Demand Of Indonesia Palm Oil
By India And Strategy Of Indonesia
Government to Maintain Palm Oil Market
In India

government as a stimulant to increase competitiveness of Indonesia palm oil is felt has done its job as it should. Government agencies directly involved in this strategy also provides maximum performance. In the future this strategy can be continued with evaluation of continuous improvement

considering Malaysia as a major competitor of Indonesia palm oil exporters to India also has a strategy to continue to improve their competitiveness to take on position of Indonesia as the largest exporter of palm oil to India.

REFERENCES

- 31st Aahar International Food & Hospitality Fair 2016 at <http://itpcchennai.com/member/31st-aahar-international-food-hospitality-fair-2016-2/> accessed on 18 May 2016.
- Analysis of CPO Export Policy and its derivative products. Published by the Trade Policy Research and Development Agency, Center for Foreign Trade Policy, Ministry of Trade, Jakarta. 2013
- Ashok Vishandass & Ashok Gulati, Oil Palm: Pricing for Growth, Efficiency & Equity, Ministry of Agriculture & Cooperation, Ministry of Agriculture (India), New Delhi, 2012.
- Andi Alatas, Indonesian Palm Oil (CPO) Production and Export Trend, postgraduate thesis of UGM agribusiness management study, Yogyakarta, 2015.
- Background. In <http://fta.miti.gov.my/index.php/pages/view/Malaysia-India> accessed on May 12, 2016.
- Bambang Drajat and Hamzah Bustomi, Alternative Strategies for the Development of Indonesian Palm Oil Exports, Management Journal & Agribusiness, vol 6 No. March 1, 2009
- Chalemers Johnson, MITI and Japanese Miracle: The Growth Industrial Policy 1925-1975, Stranford University Press, Standfor, 1982.
- Cheney, Policy Lessons from Trade Focussed, Two Sector Models, Journals of Policy Modeling, 12 (4), 2002.
- Indonesia and India collaborate on renewable energy and culture in <http://www.republika.co.id/berita/nasional/umum/15/11/02/nx6ejs335-indonesiaindia-jalin-kerja-sama-energi-terbarukan-dan-culture> accessed on May 18, 2016.
- Ira Kristina Br. Lumbantobing, Identification of Success Factors Key to Entering the Indian Market for Palm Oil Edible Products from Indonesia with Analysis of PEST (Politics, Economy, Social and Technology), Faculty of Economics and Business (UGM), Yogyakarta, 2014.
- The ITPC in http://eximjatim.com/index.php?option=com_ckforms&view=ckformsdata&layout=data&id=f3&controller=ckdata&Itemid=64 accessed on April 25, 2016.
- Martin, L. Westgren and Van Duren, E. Agribusiness Competitiveness Across National Boundaries, in American Journal of Agricultural Economics, December 1991.
- Purwito M, Ali. Customs and Excise (Goods Traffic Tax) Concept and Application, FHUI Fiscal Study Center Collaborates with University of Indonesia Law Faculty Publishers. Jakarta. 2010

Glory Yolanda Yahya, Desri Gunawan | Decreasing Demand Of Indonesia Palm Oil
By India And Strategy Of Indonesia
Government to Maintain Palm Oil Market
In India

Rafika Sari, Crude Palm Oil Supporting Fund policy plan, Economic and Public Policy Brief
Vol.VII, 07 / I / P3DI / April / 2015, Jakarta, 2015.

Remarkable Indonesia EXPO 2015 at <http://itpcchennai.com/member/remarkable-indonesia-expo-2015/> accessed on May 18, 2016.

Team for the Compilation of Indonesian Central Statistics Agency (BPS), 2014 Indonesian
Palm Oil Statistics, Jakarta, 2015.

Tuti Ermawati and Yeni Saptia, "Performance of Indonesian Palm Oil Exports", in the
Research and Development Scientific Bulletin, Vol. 7 No. 2, December 2013.

Weiss, L. The Myth of The Poweless State. Cornell University Press, New York. 1998

Penanganan Penyelundupan Manusia di Wilayah Pesisir Provinsi Lampung

Dwi Wahyu Handayani¹, I Gede Sidemen², Yuni Ratnasari³

¹Department of Government Science, Faculty of Social and Political Sciences, University of Lampung

²Department of Sociology, Faculty of Social and Political Sciences, University of Lampung

³Department of Sociology, Faculty of Social and Political Sciences, University of Lampung

ARTICLE INFORMATION

SUBMISSION TRACK

Received : 30, April 2019

Final Revision : 10, May 2019

Available Online: 30, May 2019

KEYWORD

People Smuggling, Vulnerability, Intention,
State Capabilities, Local Government

KATA KUNCI

Penyelundupan Manusia, Kerentanan, Tujuan,
Kapabilitas Negara, Pemerintah Daerah

CORRESPONDENCE

E-mail: dwi.wahyu@fisip.unila.id.

ABSTRACT

Lampung Coastal Area is an area that is visited by immigrants who seek asylum and refugees before heading to the destination country, because of conflict and they want to get a better life from their home countries. While maritime development must pay attention to social security. The purpose of this study is to get a development model for cooperation in handling human smuggling issue in Lampung Coastal Area. The researcher used the Lani Kass formula regarding non traditional security threats. The researcher explained with qualitative descriptive methods about three aspects, such as the vulnerability of the country, the purpose of the entry of foreigners, and the capability of the state. The results of this study show there are local government security vulnerabilities due to illegal migrants and human smuggling issues. However, the handling of human smuggling issue in the regions highly depends on the policies, budgets, central government programs, and international cooperation networks

ABSTRAK

Pesisir Lampung adalah wilayah yang disinggahi para imigran pencari suaka dan pengungsi sebelum menuju negara tujuan, karena konflik dan ingin mendapat kehidupan lebih baik dari negara asal. Sementara pembangunan maritim harus memperhatikan keamanan sosial. Tujuan penelitian ini adalah mendapatkan pengembangan model kerjasama penanganan penyelundupan manusia di Wilayah Pesisir Lampung. Peneliti menggunakan formula Lani Kass mengenai ancaman keamanan non tradisional. Peneliti menjelaskan dengan metode kualitatif deskriptif mengenai tiga aspek yaitu kerentanan negara, tujuan masuknya orang asing dan kapabilitas negara. Hasil penelitian ini bahwa ada kerentanan keamanan pemerintah daerah akibat migran ilegal dan penyelundupan manusia. Namun penanganan penyelundupan manusia di daerah sangat tergantung pada kebijakan, anggaran, program pemerintah pusat, hingga jaringan kerjasama internasionalnya.

Pendahuluan

Kebijakan pembangunan tidak lepas dari aspek keamanan sosial, salah satunya adalah arus migran ilegal yang datang dari negara lain dengan tujuan memperoleh perlindungan. Kecenderungan peningkatan arus migran ilegal diiringi dengan tuntutan dunia internasional bahwa pemerintah harus tetap memberikan perlindungan atas dasar kemanusiaan. Kantor Imigrasi Kelas I Bandar Lampung mencatat sejak tahun 2012 hingga 2015 telah menahan 108 imigran gelap di Ruang Detensi

Imigrasi. Kepala Kantor Imigrasi Kelas I Bandar Lampung menjelaskan sejak 2012 hingga akhir 2014 sebanyak 99 orang imigran ilegal, pencari suaka, dan pengungsi pernah mendekam di Ruang Detensi. Mereka berkebangsaan Afganistan (20 orang), Bangladesh (20), Myanmar (35 orang), Pakistan (6 orang), Sudan (7 orang), dan Somalia (11 orang). November 2013 sebanyak 50 imigran gelap asal negara Myanmar, Bangladesh, Pakistan, Nepal, Sudan diamankan di Bakauheni. Pada tabel 1 menunjukkan distribusi keberadaan imigran ilegal di Indonesia.

Tabel 1. Distribusi Imigran Ilegal di Indonesia

No.	Regional Police Headquarters	Year				
		2008	2009	2010	2011	2012
1.	West Java	-	25	239	82	790
2.	Banten	20	289	217	101	762
3.	East Java	-	112	347	213	469
4.	West Nusa Tenggara	79	195	192	41	359
5.	Criminal Investigation Bureau	-	-	-	-	320
6.	East Nusa Tenggara	12	213	604	258	221
7.	Metro Jaya	-	-	1	21	195
8.	Lampung	-	22	293	122	185
21.	Papua	6	-	-	-	-
	Total	116	996	2.352	2.470	3.801

Sumber: Case Management Intelligent System (CMIS) PS the Unit of Criminal Investigation Bureau, Indonesia Police Headquarters. *Penanganan Penyelundupan Manusia di Indonesia*. The Handling of People Smuggling in Indonesia. 2012 (Rizkan Zulya, Geetha Subramaniam, Tan Kamello: 2014).

Berdasarkan data Badan Reserse Kriminal Polri Direktorat Tindak Pidana Umum Sub Direktorat III Unit *People Smuggling* bahwa Riau, Kepulauan Riau, Kalimantan Barat, Kalimantan Timur, Banten, Jawa Timur, Bali dan Sulawesi Selatan sebagai lokasi masuknya para imigran gelap ke Indonesia. Sedangkan Lampung sebagai salah satu lokasi keluar atau pemberangkatan para imigran gelap menuju Australia, lainnya adalah Sumatera Utara, Riau, Kepulauan Riau, Sumatera Barat, Banten, Jawa Barat, Jawa Timur, Sulawesi Selatan, Sulawesi Tenggara, Madura, Nusa Tenggara Barat dan

Nusa Tenggara Timur.¹ Oleh sebab itu, perlu ada penelitian mengenai bagaimana penanganan penyelundupan manusia di Provinsi Lampung, Lampung memiliki perairan yang terbuka dari arah barat dan juga merupakan lintas yang paling mudah dilalui dari satu pulau ke pulau lainnya. Tujuan khusus adalah peneliti mendapatkan

¹ Netanyahu, Kurniawan. 2018. Upaya Penanganan *People Smuggling Oleh Sekretariat NCB-INTERPOL Indonesia Dan Australian Federal Police Tahun 2015 – 2017*. Skripsi, Program Studi Hubungan Internasional Fakultas Ilmu Sosial dan Ilmu Komunikasi, Universitas Satyawacana.

pengembangan model kerjasama penanganan penyelundupan manusia di Wilayah Provinsi Lampung.

Metode Penelitian

Penelitian ini menggunakan metode kualitatif dengan pendekatan deskriptif. Tujuannya agar dapat mendeskripsikan beberapa hal terkait analisa ancaman, modus operandi dan jaringan, serta tantangan kebijakan dari berbagai stakeholder. Selanjutnya dari semua data-data yang telah dipilah peruntukannya bagi masing-masing analisa akan disusun kembali, sehingga menghasilkan model penanganan penyelundupan manusia melalui wilayah Provinsi Lampung.

Barry Buzan menjelaskan konsep keamanan berada di dua interaksi perdebatan. Argumen pertama diusung oleh pemikiran tradisional yang mengatakan bahwa ancaman keamanan negara diindikasikan dengan adanya kompetisi dan masalah keamanan antar negara, misal adanya perlombaan senjata (arm race) dan pembangunan kekuatan militer (military build-up) sehingga berdampak pada ancaman keamanan nasionalnya. Kelompok non-tradisional mengatakan bahwa masalah keamanan suatu negara harus memasukkan masalah keamanan intra-negara dan masalah keamanan transnasional. Masalah keamanan intra-negara adalah misalnya terjadinya kekacauan (disorder) di dalam negara oleh masyarakat atau penduduk karena etnik, ras (warna kulit), agama, linguistik atau strata ekonomi. Sedangkan masalah keamanan transnasional misalnya munculnya ancaman yang disebabkan oleh arus migrasi, kerusakan lingkungan hidup dan masalah kependudukan seperti besarnya jumlah penduduk (over population).

Buzan memahami keamanan sebagai persoalan yang berkaitan dengan nasib manusia sebagai kolektivitas. Keamanan menurutnya mencakup ancaman yang berasal dari luar maupun ancaman yang

berasal dari dalam (negeri) sendiri. Bagi negara yang memiliki banyak akses lintas negara semakin memperbesar peluang terhadap terjadinya tindakan kejahatan transnasional. Semakin meningkatnya keberadaan orang asing secara ilegal di suatu negara memberikan kerugian bagi negara tersebut, baik secara finansial dan material.

Sejalan dengan ide Buzan tentang ancaman keamanan non-tradisional, Lani Kass, seorang doktor di bidang ahli strategis dari National War College AS juga pernah menulis dalam artikel ilmiahnya yang berjudul "Strategic Review" yang membagi ancaman ke dalam tiga bagian yaitu ancaman internal, ancaman eksternal dan ancaman intraeksternal. Ancaman internal adalah ancaman yang berasal dari dalam negara, seperti adanya terorisme dan konflik komunal yang dapat menghasilkan ancaman keamanan non-tradisional. Ancaman eksternal adalah ancaman yang berasal dari luar negara, yang seringkali diidentikan dengan ancaman dari negara lain atau negara musuh. Sementara ancaman internal-eksternal merupakan ancaman yang tidak dapat dipastikan secara tepat sumbernya, seperti serangan terorisme global.

Pada ancaman keamanan non-tradisional, khususnya masalah keamanan transnasional dari aktifitas migrasi ilegal, dikategorikan dengan formula berikut:

Gambar 1. Formula Terjadinya Ancaman Dari Lani Kass²

$$Vulnerabilities \times Intention \times Capabilities = Threat$$

Dari formula di atas dapat dijelaskan bahwa terdapat tiga aspek yaitu kerentanan negara (vulnerabilities), tujuan masuknya orang asing (intention) dan kapabilitas negara (capabilities). Jika ketiga aspek

² Kass, Lani. *Homeland Defense: Assumption First, Strategy Second. Journal of Homeland Security. Vol. 1, 2004: 187-200.*

tersebut dikolaborasikan menjadi berpengaruh terhadap tingkat ancaman. Perubahan tingkat pada satu aspek yang terdapat di dalam formula tersebut dapat langsung berpengaruh pada tingkat ancaman. Misal suatu negara memiliki tingkat kerentanan yang tinggi dalam isu kedaulatan atau isu konflik suku, ras dan antar golongan (SARA), ditambah dengan banyaknya orang asing yang memasuki negara tersebut namun ia memiliki kapabilitas yang baik dalam hal keamanan ekonomi dan militer sebagai penangkal atas kerentanan dan masuknya orang asing, maka terjadi penurunan pada tingkat ancaman. Kass mengatakan tentang pengukuran penurunan kerentanan dengan meningkatkan perlindungan tanah air dengan aspek-aspek seperti kesiapan, kesiagaan dan prioritas.

Kejahatan transnasional terkait migrasi adalah penyelundupan manusia (people smuggling). Pasal 3 Protokol PBB Tahun 2000 tentang kejahatan transnasional terorganisasi memberikan definisi smuggling of migrants sebagai sebuah usaha pengadaan secara sengaja untuk sebuah keuntungan bagi masuknya seseorang secara ilegal ke dalam suatu negara dan/atau tempat tinggal yang ilegal dalam suatu negara, dimana orang tersebut bukan merupakan warga negara atau penduduk tetap dari negara yang dimasuki.

Penyelundupan (smuggling) merupakan suatu istilah yang biasanya diperuntukkan bagi individu atau kelompok, demi keuntungan, memindahkan orang-orang secara tidak resmi (melanggar ketentuan undang-undang) untuk melewati perbatasan suatu negara. Penyelundupan orang (people smuggling) dapat terjadi dengan persetujuan dari orang atau kelompok yang berkeinginan untuk diselundupkan dengan berbagai alasan yang melatarbelakanginya. Sedangkan Imigran gelap (illegal migration) diartikan sebagai salah satu usaha untuk memasuki suatu wilayah tanpa izin. Imigran gelap diartikan pula seseorang atau sekelompok orang yang

menetap di suatu wilayah melebihi batas waktu berlakunya izin tinggal yang sah atau tidak memenuhi persyaratan untuk masuk ke suatu wilayah secara sah. Illegal migration diartikan sebagai suatu usaha untuk memasuki suatu wilayah tanpa izin. Imigran gelap dapat pula berarti bahwa menetap di suatu wilayah melebihi batas waktu berlakunya izin tinggal yang sah atau melanggar atau tidak memenuhi persyaratan untuk masuk ke suatu wilayah secara sah. Terdapat tiga bentuk dasar dari imigran gelap. Yang pertama adalah yang melintasi perbatasan secara ilegal (tidak resmi). Yang kedua adalah yang melintasi perbatasan dengan cara, yang secara sepintas adalah resmi (dengan cara yang resmi), tetapi sesungguhnya menggunakan dokumen yang dipalsukan atau menggunakan dokumen resmi milik seseorang yang bukan haknya, atau dengan menggunakan dokumen resmi dengan tujuan yang ilegal. Dan yang ketiga adalah yang tetap tinggal setelah habis masa berlakunya status resmi sebagai imigran resmi.

Hasil Pembahasan

1. Analisa Ancaman Kerentanan Negara

Secara geografis, letak Indonesia yang berada di antara dua samudera dan dua benua yang menjadikan Indonesia sebagai penghubung antara benua Asia dan benua Australia. Hal tersebut pula yang mendasari Indonesia sebagai negara transit utama oleh para imigran untuk menuju ke Australia sebagai negara tujuan mereka. Sehingga hal tersebut pula yang mendasari Indonesia sebagai negara transit utama oleh para imigran untuk menuju ke Australia sebagai negara tujuan mereka. Selain itu, Indonesia yang merupakan negara kepulauan tentu memiliki banyak celah yang dapat dimanfaatkan oleh para imigran gelap yang tidak serta merta mempunyai tujuan yang sama, ada yang menjadikan Indonesia sebagai negara transit sebelum menuju ke Australia, namun banyak pula yang memang ingin tinggal guna mendapatkan

penghidupan yang lebih layak daripada di negara asalnya.

Selain itu, ketidaktahuan masyarakat setempat akan kejahatan penyelundupan manusia serta kebutuhan ekonomi juga menjadi faktor penyebab peningkatan kasus penyelundupan manusia. Masyarakat setempat terlibat dalam penampungan sementara dan menyeberangkan para imigran tersebut dengan diberi imbalan. Alasan yang kerap kali diberikan oleh para imigran yang diselundupkan adalah untuk mendapatkan pekerjaan atau memperbaiki status ekonomi, harapan untuk mendapatkan penghidupan yang lebih baik, dan rasa aman dari konflik di negaranya.

Pelaku penyelundupan manusia dapat berasal dari warganegara asing dan warganegara Indonesia. Baik warganegara asing dan warganegara Indonesia dapat masuk dalam kategori otak pelaku penyelundupan maupun memiliki keterlibatan. Keterlibatan warganegara Indonesia sebagai otak pelaku dapat dengan merekrut korban dari negara setempat yang sama kewarganegaraannya, dengan alasan mendapatkan kehidupan yang lebih layak. Keterlibatan warganegara Indonesia sebagai bagian dari pelaku penyelundupan dapat berperan pada negara transit, untuk tujuan penampungan sementara, menguruskan dokumen palsu keimigrasian berupa paspor dan visa menuju negara penempatan. Kemudian memberikan penyewaan fasilitas pemberangkatan seperti perahu (apabila tanpa dokumen) dan kendaraannya.

Bersamaan dengan masuknya irregular migration akan diikuti dengan masuknya isu lainnya seperti penyakit menular, penyelundupan barang, narkoba dan manusia, bahkan terkait dengan kelompok teroris. Secara historis, sebagai negara transit, Indonesia telah mengakomodasi keberadaan pengungsi untuk sementara berada dalam wilayah yurisdiksi Indonesia. Masuknya irregular migrant ke Indonesia bersamaan juga dengan adanya ancaman terhadap keamanan negara.

Pencari suaka yang singgah di Indonesia rawan menjadi kurir kejahatan transnasional seperti kejahatan perdagangan narkoba dan terorisme.

2. Tujuan Masuk (Intention)

Lokasi rentan penyelundupan manusia di Provinsi Lampung adalah di Pelabuhan Bakauheni, Pelabuhan Panjang (yang merupakan terminal peti kemas), area Lempasing, Pantai Labuhan Maringgai, Ujung Bom, Pulau Sebesi, Legundi, Rimau Balak, dan juga desa-desa yang terletak di jalur garis pantai. Pelabuhan Panjang bisa menjadi target penyelundupan manusia karena sangat sulit untuk memantau siapa di kapal. Migran nonreguler bisa datang melalui jalur darat, misal darat dari Medan, Riau atau melalui jalur laut dengan kapal di Selat Sunda.

Dalam konteks Indonesia, yang menjadi faktor penarik untuk terjadinya praktik kejahatan ini antara lain adalah keadaan geografis Indonesia yang luas, tetapi kekurangan satuan tugas pengamanan wilayah. Indonesia adalah negara yang strategis sebagai tempat transit sebelum sampai ke negara tujuan, seperti Australia.

Migrasi ilegal yang terjadi di Indonesia khususnya di pulau-pulau perbatasan Indonesia berimplikasi pada munculnya masalah keamanan berupa aksi-aksi (transnational crime), juga kejahatan transnasional yang terorganisir (transnational organized crime).

Seperti yang terjadi di daerah lain, visibilitas rute penyelundupan di Asia Tenggara tidak merata - beberapa rute sangat terlihat, sementara yang lain tetap ada sebagian besar tidak diketahui. Rute yang paling terlihat cenderung menjadi penyelundupan rute maritim di wilayah ini, terutama yang berasal dari Bangladesh dan Myanmar melintasi Teluk Benggala dan Laut Andaman ke Thailand, Malaysia dan Indonesia, dan juga dari Indonesia (dan Sri Lanka) ke Australia – keduanya terutama terdiri dari pencari suaka. Rute

penyelundupan lain diketahui didominasi antara Indonesia dan Malaysia, misalnya).
oleh pekerja illegal migran (pada tabel 2).

Tabel 2. Resiko Populasi Kawasan: Pengungsi, Pencari Suaka, Pengungsi Internal dan Orang Tanpa Kewarganegaraan, 2014

	As a receiving country			Internal at risk populations			As an origin country		
	Refugees (1)	Asylum seekers	Total	Internally displaced	Stateless	Total	Refugees (1)	Asylum seekers	Total
Australia	55,598	22,745	78,343	-	-	-	25,000	6,000	31,000
Brunei Darussalam	-	-	-	-	20,524	20,524	1,000	1,000	2,000
Cambodia	63,000	40,000	103,000	-	-	-	13,062	263,000	13,325
Indonesia	4,270	6,916	11,186	-	-	-	14,408	1,773	16,181
Lao People's Democratic Republic	-	-	-	-	-	-	7,482	117,000	7,599
Malaysia (2)	99,381	51,240	150,621	-	40,000	40,000	468,000	957,000	1,425
Myanmar	-	-	-	376,500	810,000	1,186,500	479,001	51,347	530,348
Philippines (2)	222,000	109,000	331,000	142,430	6,370	148,800	668,000	1,118	1,786
Singapore	3,000	-	3,000	-	-	-	59,000	38,000	97,000
Thailand	130,238	7,931	138,169	-	506,197	506,197	231,000	413,000	644,000
Timor Leste	-	-	-	-	-	-	13,000	10,000	23,000
Vietnam	-	-	-	-	11,000	11,000	313,418	3,140	316,558
	378,756			1,913,021			888,019		

Source: UNHCR, 2015.

Notes: (1) Refugees include persons in refugee-like situations.

(2) Figures do not include 80,000 Filipino Muslims currently in Malaysia without status, and as reported in the "other" category in UNHCR's *Global Trends 2014*.

Anne Gallagher and Marie McAuliffe. 2016. *South-East Asia and Australia* dalam Migrant Smuggling Data and Research: A global review of the emerging evidence base, International Organization for Migration hal 225.

Pengungsi Internasional yang terkenal antara lain adalah mengenai *boat people* (manusia perahu), julukan yang dulu juga diberikan kepada orang-orang Vietnam yang lari dari negaranya menggunakan perahu karena perang. Para pencari suaka menggunakan perahu untuk mencapai negara

tujuan yaitu Australia, dengan melintasi daerah teritorial Indonesia. Tidak sedikit dari "*boat people*" ini yang tidak mempunyai surat-surat dan dokumen resmi, sehingga termasuk dalam kategori imigran gelap dan dimasukkan ke panti imigrasi adapula yang berkeliaran dan hidup membaur dengan

masyarakat (menunggu saat yang tepat untuk berangkat menuju Australia). Ada bahkan yang akhirnya menikah dengan penduduk Indonesia supaya lebih “aman”. Bagi yang belum tertangkap ini, sebelum menginjakkan kaki ke Indonesia mereka sudah mengantongi nama-nama sindikat/caló yang siap dihubungi. Sindikat ini (biasanya ada yang aparat militer dan cukong kapal) akan mengatur orang-orang yang akan diberangkatkan menggunakan perahu nelayan seadanya. Sindikat ini akan mengatur dan mengusahakan agar perjalanan perahu ini bisa mencapai Christmas Island yang merupakan salah satu titik terluar Australia yang dekat dengan Indonesia (jaraknya kira-kira 400 km) dari pantai selatan Jawa Barat, atau kira-kira berjarak antara Jakarta-Semarang.³ Penyelundupan manusia juga menyelundupkan para imigran ilegal ke Ashmore Reef (Australia). Australia menjadi negara tujuan para imigran ilegal karena Australia meratifikasi konvensi pengungsi, sehingga mereka menganggap Australia akan memberikan perlindungan sesuai dengan kewajiban yang diatur oleh konvensi, walaupun para imigran tersebut masuk ke wilayah Australia secara ilegal.⁴

3. Kapabilitas Pemerintah

a. Kebijakan dan Jaringan Kerjasama

Indonesia belum meratifikasi Konvensi 1951 tentang Status Pengungsi dan Protokol 1967, sehingga tidak ada hukum nasional khusus yang mengatur tentang status dan keberadaan para pencari suaka di Indonesia.

³ Septia Anggrainy, Vindy, *Perlindungan Pengungsi Lintas Batas Negara di Indonesia Menurut Hukum Internasional, Lex et Societatis*, Vol. II, No. 1, Januari 2014.

⁴ Kristin, Debby dan Chloryne Trie Isana Dewi, *Tindak Pidana Kejahatan Penyelundupan Manusia (People Smuggling) di Indonesia: Tanggung Jawab Indonesia dan Australia*. *Padjadjaran Journal of International Law*, Volume 1, Number 1, Januari 2017.

Selama ini penanganan atas pencari suaka dan pengungsi di Indonesia dilaksanakan oleh Direktorat Jenderal Imigrasi sebagai lembaga pengawas orang asing. Indonesia menyerahkan kewenangan penentuan status pencari suaka pada UNHCR, dengan dibantu oleh IOM yang selama ini memberikan bantuan materi untuk kebutuhan pangan dan medis para pencari suaka yang tinggal di rudenim.⁵

Namun demikian, Indonesia sebagai negara pihak *United Nations Convention Against Transnational Organized Crime* (UNTOC) dan *Palermo Protocol*, Indonesia mempunyai kewajiban dalam rangka pencegahan dan pemberantasan tindak pidana penyelundupan manusia.⁶

Indonesia meratifikasi konvensi tersebut melalui Undang-Undang No. 5 tahun 2009. Seiring perkembangannya pada tahun 2004 dibentuk protokol tambahan dari UNTOC tahun 2000 tersebut yaitu Protokol Menentang Penyelundupan Migran Melalui Darat, Laut, dan Udara melengkapi Konvensi Perserikatan Bangsa-Bangsa Menentang Tindak Pidana Transnasional yang Terorganisir. Protokol tambahan ini sudah diratifikasi oleh Indonesia melalui Undang-Undang No. 15 Tahun 2009.

Selanjutnya hak untuk mencari suaka dijamin di dalam UUD RI Tahun 1945, pasal 28G ayat (2) yang berbunyi: “Setiap orang berhak untuk bebas dari penyiksaan atau perlakuan yang merendahkan derajat manusia dan berhak memperoleh suaka politik dari negara lain”. UU No 39 Tahun 1999 tentang HAM juga menjamin bahwa “Setiap orang berhak mencari suaka untuk memperoleh perlindungan politik dari negara lain. Selanjutnya UU No 37 Tahun 1999

⁵ *MoU Komnas HAM dan UNHCR Dorong Perlindungan Pengungsi dan Pencari Suaka*, <https://www.komnasham.go.id/index.php/news/2015/07/28/173/mou-komnas-ham-dan-unhcr-dorong-perlindungan-pengungsi-dan-pencari-suaka.html>. Selasa, 28 Juli 2015. Akses pada Senin 30 Oktober 2017.

⁶ Op. Cit. Debby Kristin dan Chloryne Trie Isana Dewi: 2017.

tentang Hubungan Luar Negeri, menyatakan bahwa pengungsi dan pencari suaka secara khusus diatur oleh Keppres (Keputusan Presiden), meski hingga saat ini keppres belum dibuat. Satu-satunya aturan hukum yang digunakan oleh pemerintah Indonesia, khususnya pejabat imigrasi untuk mengatur soal pencari suaka dan pengungsi adalah surat edaran IMI-1489.UM.08.05 yang dikeluarkan oleh Dirjen Imigrasi pada tahun 2010. Surat edaran tersebut mengetahui bahwa setiap imigran yang mencari suaka tidak akan dideportasi, mereka akan dirujuk ke UNHCR.

Dipertegas dengan adanya UU No.15 Tahun 2009 tentang Pengesahan Protokol Menentang Penyelundupan Migran melalui Darat, Laut dan Udara, melengkapi konvensi Perserikatan Bangsa-Bangsa menentang Tindak Pidana Transnasional yang Terorganisasi. Dalam UU No.15 Tahun 2009 tentang ratifikasi protokol menentang penyelundupan, namun belum ada undang-undang khusus tentang tindak pidana penyelundupan manusia/imigran di Indonesia. Fenomena masuknya imigran gelap ke Indonesia tersebut sudah memenuhi syarat sebagai *people smuggling*, namun karena ketiadaan undang-undang khusus, Polri hanya menggunakan Undang-Undang Imigrasi dalam proses penyidikan. Hal ini yang menyebabkan masalah bahwa yang menjadi tersangka kemudian hanyalah warga negara Indonesia, sedangkan para imigran gelap berlindung di bawah konsel *people smuggling* dan lepas dari tuntutan hukum Indonesia.⁷

Indonesia memiliki kebijakan-kebijakan dalam penanganan imigran yang telah diatur dalam Undang-Undang Nomor 6 Tahun 2011 tentang Keimigrasian dan Peraturan Pemerintah Republik Indonesia

Nomor 31 Tahun 2013 Tentang Peraturan Pelaksanaan Undang-Undang Nomor 6 Tahun 2011 Tentang Keimigrasian.

Lalu lintas keluar dan masuk orang dari dan ke dalam Indonesia telah diatur dalam Undang-Undang Imigrasi No 6/2011. Namun permasalahan yang muncul adalah banyak dari imigran yang masuk secara ilegal dan berlindung di balik status pengungsi atau pencari suaka belum dapat dipastikan bisa mendapatkan status tersebut dari UNHCR sehingga hukum di Indonesia terabaikan. Selain itu, imigran gelap yang masuk ke Indonesia dianggap sebagai korban penyelundupan orang, padahal undang-undang tentang *people smuggling* tidak ada di Indonesia, mengakibatkan para imigran gelap merasa sangat aman di Indonesia, merasa bebas tanpa dikenakan hukum Indonesia. Yang terjerat hukum Indonesia hanyalah WNI yang juga ikut terlibat (terhasut oleh para penyelundup) dalam penyelundupan manusia, dan mereka juga terjerat oleh hukum Australia.⁸

Selanjutnya permasalahan arus pengungsi lintas batas di Indonesia memerlukan kerjasama antara lembaga pemerintah Indonesia serta perangkatnya. Atas prakarsa kerjasama IOM, Dirjen Imigrasi dan Mabes Polri dibentuklah suatu mekanisme antar lembaga penegak hukum (Imigrasi, The Indonesian National Police (INP), TNI, pemerintah daerah setempat) dengan masyarakat untuk mengidentifikasi para imigran illegal di daerahnya masing-masing. Juga melibatkan Komnas HAM dalam rangka meningkatkan advokasi dan perlindungan terhadap hak asasi manusia para pengungsi. Penanganan penyelundupan manusia di Indonesia dikoordinasikan melalui jaringan lembaga Badan Koordinasi Utama adalah Kementerian Koordinasi Politik, Hukum, dan Keamanan. Melalui Desk Penyelundupan Manusia-badan nasional antardepartemen untuk Pengungsi, Pencari Suaka, dan Penyelundupan Manusia

⁷ Zikri, Manshur, *Permasalahan Imigran Gelap Dan People Smuggling Dan Usaha-Usaha Serta Rekomendasi Kebijakan dalam Menanggulangnya*. Tugas Akhir Mata Kuliah Kebijakan Kriminal, Fakultas Ilmu Sosial Dan Ilmu Politik, Universitas Indonesia, 2010.

⁸ Ibid.

terjalin kerjasama dengan Kepolisian RI, Kementerian Luar Negeri dan Imigrasi.⁹

Penanganan penyelundupan manusia di Lampung yang dilakukan oleh pihak kepolisian daerah dengan membentuk Satgasda *People Smuggling*, merupakan kelanjutan dari terbentuknya Satgas People Smuggling di pusat yaitu Bareskrim Polri atau dikenal sebagai Satgaspus People Smuggling tahun 2009.

Dalam penelitian Kurniawan Netanyahu, menjelaskan bahwa Satgas *People Smuggling* memiliki masa jabatan selama satu tahun dan dapat diperpanjang dengan berdasarkan keputusan Pimpinan Polri. Satgas *People Smuggling* pada bulan Juni 2015 tidak diperpanjang dan penanganan kasus *People Smuggling* berada di tangan Unit III Sub Direktorat III Tindak Pidana Umum. Dukungan anggaran diperoleh dari DIPA Polri.

Bila sebelumnya pihak AFP (*Australian Federal Police*) memberikan hibah berupa sarana dan prasarana kini dialihkan kepada Satgas TPPO (Tindak Pidana Perdagangan Orang). Selanjutnya terdapat juga Sekretariat National Central Bureau (NCB) Interpol Indonesia yang menginduk pada International Criminal Police (ICPO)-Interpol yang berpusat di Lyon Perancis. Terbentuk dari adanya persamaan kepentingan dalam memberantas kejahatan transnasional dan internasional yang terjadi di negara-negara di dunia. NCB Interpol memiliki peranan yang sangat penting yaitu terkait dengan pembuatan MoU (*Memorandum of Understanding*) dan *agreement* dengan pihak-pihak yang memiliki permasalahan yang sama terkait tindak kejahatan *People Smuggling*.¹⁰

⁹Upaya Memerangi Penyelundupan Manusia Pada Tahun 2013. 2014. Report IOM Indonesia Januari 2014: 3.

¹⁰ Netanyahu, Kurniawan. 2018. Upaya Penanganan *People Smuggling* Oleh Sekretariat NCB-INTERPOL Indonesia Dan *Australian Federal Police* Tahun 2015 – 2017, Skripsi, Program Studi Hubungan Internasional Fakultas Ilmu Sosial dan Ilmu Komunikasi, Universitas Satyawacana.

Penanganan migran ilegal di Provinsi Lampung menurut pihak Kantor Imigrasi Kelas 1 Bandar Lampung menggunakan UU Keimigrasian, ada tim khusus yang melibatkan antarlembaga, Imigrasi, Polda, Dinas Sosial, Dinas Pendidikan, Dinas Kependudukan, unsur masyarakat, IOM dan UNHCR. Sejak perubahan kebijakan Australia yang menutup pintu bagi pengungsi tahun 2014, Polda Lampung mengaku tidak ada kerjasama antara Polda dan Kepolisian Australia, dan kegiatan khusus pengamanan indikasi *people smuggling*. Pihak Imigrasi juga mengaku penanganan *people smuggling* menjadi masuk ke tim pengawasan orang asing.

Lampung dalam penanganan penyelundupan manusia telah melaksanakan Public Information Campaign (PIC) sejak tahun 2008. Permasalahan dalam penanganan adalah sebagian besar aparatur terkait di level pemerintah daerah kabupaten belum memahami persoalan migran ilegal. Demikian juga dengan staf administrasi pelabuhan hanya memiliki sedikit pemahaman tentang masalah penyelundupan manusia.¹¹ Dari sisi penjagaan keamanan, menurut Polda Lampung dalam wawancara Oktober tahun 2017, tidak ada pintu keluar masuk khusus orang asing di pelabuhan laut khususnya di Bakauheni Lampung.

Polda Lampung pada tahun 2012 meresmikan gedung penampungan korban penyelundupan manusia. Pendirian gedung tersebut dilatarbelakangi Provinsi Lampung sebagai salah satu provinsi dengan tingkat penyelundupan imigran gelap terbanyak di Pulau Sumatera. Penyelundupan imigran gelap tersebut karena faktor Lampung memiliki perairan yang terbuka dari arah barat dan juga merupakan lintas yang paling mudah dilalui dari satu pulau ke pulau lainnya. Dengan diresmikannya gedung

¹¹ IOM Indonesia Irregular Migrant People Smuggling Public Information Campaign (PIC). Market Research Report Klirkom. Released Under The FOI Act 1982: 32-38).

penampungan imigran gelap, diharapkan tingkat monitoring lalu lintas penyelundupan manusia dapat teratasi. Gedung penampungan imigran gelap yang terdapat di markas Polda Lampung terdiri atas dua lantai dan memiliki daya tampung sebanyak 100 orang.¹² Saat bulan Oktober 2017 diwawancarai peneliti, Polda Lampung menjelaskan bahwa gedung tersebut sudah tidak berfungsi sebagai penampungan imigran gelap seiring tidak berjalannya lagi Satgasda *People Smuggling*. Penanganan *people smuggling* di Lampung stagnan sejak tahun 2014, yang sebelumnya gencar tahun 2009-2013.

b. Kebijakan Internasional

Perjanjian Internasional Mengenai Pencari Suaka yang Melibatkan Indonesia

Bali Process

Permasalahan *irregular migration* diantaranya *people smuggling*, *trafficking in person*, pengungsi, pencari suaka serta imigran ilegal di kawasan Asia-Pasifik, telah mendorong negara-negara di kawasan untuk membentuk sebuah mekanisme *intra-regional* guna mengatasi permasalahan yang bersifat lintas negara tersebut. Menyikapi fenomena tersebut, Indonesia dan Australia menggagas penyelenggaraan *Bali Regional Ministerial Meeting on People Smuggling, Trafficking in Person and Related Transnational Crime* (BRMC I dan BRMC II), masing-masing pada tahun 2002 dan 2003.¹³ Kedua pertemuan tersebut menghasilkan sebuah *Regional Consultative*

Process (RCP) yang dikenal sebagai *Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime* (*Bali Process*) dengan Indonesia dan Australia bertindak sebagai *Co-chairs*.¹⁴ Sebagai suatu RCP, *Bali Process* memiliki kekhususan dibandingkan RCP lainnya yaitu sebagai forum dialog dan kerja sama yang mempertemukan negara asal, transit dan tujuan *irregular migration*. Saat ini keanggotaan *Bali Process* terdiri atas 45 negara anggota dan 3 organisasi internasional yaitu IOM, UNHCR dan UNODC.

Jakarta Declaration

Berangkat dari semangat dalam *Bali Process*, Indonesia menginisiasi Konferensi Regional tingkat Menteri “*Special Conference on Irregular Movement of Persons*” atau dikenal dengan *Jakarta Declaration* pada tanggal 20 Agustus 2013 di Jakarta. Sebanyak 12 negara berkumpul di Kementerian Luar Negeri Republik Indonesia untuk membicarakan mengenai isu penyelundupan dan perdagangan manusia dimana pencari suaka adalah salah satu korbannya.¹⁵

Lombok Treaty

Lombok Treaty adalah dokumen kesepakatan antara Republik Indonesia dan Australia tentang kerjasama keamanan yang ditandatangani oleh Menteri Luar Negeri Indonesia dan Australia di Lombok pada Tanggal 3 November 2006. Traktat ini mengatur kerjasama dalam sepuluh bidang, yaitu: kerjasama bidang pertahanan, penegakan hukum, anti-terorisme, kerjasama intelijen, keamanan maritim, keselamatan dan keamanan penerbangan, pencegahan

¹² *Penyelundupan Imigran Gelap, Lampung Tertinggi di Sumatera*. <http://www.bandarlampungnews.com/m/index.php?ctn=1&k=hukum&i=12166>. 10 Juli 2012. Akses pada 10 Oktober 2017).

¹³ *Satu Dekade: Bali Process Gagasan Langkah Maju*, 13 November 2012, http://theglobal-review.com/lama/content_detail.php?lang=id&id=10149&type=15#.XRTmYFZS9dg. Akses pada 17 Oktober 2017.

¹⁴ *Ibid.*

¹⁵ *Deklarasi Jakarta Kerjasama Multilateral Terhadap Penanggulangan Pencari Suaka dan Manusia Perahu*, www.vivanews.com, 24-5-2017. Diakses pada 4 Maret 2017.

perluasan (*non-proliferasi*) senjata pemusnah massal, kerjasama tanggap darurat, organisasi multilateral dan peningkatan saling pengertian dan saling kontak antar masyarakat dan antar perseorangan.¹⁶

Pasal 3 ayat 7 poin a dalam traktat tersebut menyebutkan bahwa dalam penegakan hukum, salah satu kerjasama yang dijalin adalah dalam bidang penyelundupan dan perdagangan manusia, yang mengacu pada imigran ilegal serta pencari suaka (*Agreement Between the Republic of Indonesia and Australia on the Framework for Security Cooperation*. Pasal 3 ayat 7 dan ayat 9). Sebagai tindak lanjut dari *Lombok Treaty*, Australia seringkali memberikan bantuan dana kepada pihak Indonesia untuk mendukung fungsi Indonesia sebagai “benteng pencegah” bagi masuknya imigran ilegal ke Australia. Kerja sama ini lebih kepada pemberantasan pelintas batas negara yang tidak memiliki ijin dan berpeluang dalam terjadinya kejahatan lintas negara dan agenda yang paling penting adalah membuka kerja sama antar institusi kepolisian kedua negara yaitu AFP dan POLRI dalam memberantas kejahatan lintas batas negara seperti terorisme, penyelundupan, *human trafficking*, dan narkoba.

c. Kerjasama Internasional Penanganan *People Smuggling*

UNHCR

UNHCR (United Nations High Commissioner for Refugees) dibentuk oleh Majelis Umum PBB pada tahun 1949 untuk menjalankan *1951 Convention Relating to the Status of Refugees* (Konvensi Pengungsi) serta *1967 Protocol Relating to the Status of Refugees* (Protokol Pengungsi). Mandat UNHCR adalah menyediakan perlindungan internasional kepada pengungsi yang jatuh di

dalam cakupan Konvensi dan Protokol Pengungsi, serta mencari solusi tetap pada masalah pengungsi dengan membantu pemerintah dan organisasi-organisasi yang lain untuk memudahkan repatriasi sukarela pengungsi tersebut atau asimilasinya di dalam masyarakat baru.

Pencari suaka merupakan orang yang mencari perlindungan di negara lain tapi status pengungsinya belum ditentukan bahkan mereka sudah terdaftar atau belum di UNHCR. Biasanya, terpaksa meninggalkan negara asalnya secara cepat dan sebelum dapat mengumpulkan semua surat-surat resminya dan karena itu belum menyelesaikan proses Penentuan Status Pengungsi (PSP). Akibatnya, mereka mengalami situasi yang rentan sekali, baik di negara asalnya, di perjalanan serta jika sudah sampai negara tujuannya karena belum diberikan perlindungan lengkap oleh UNHCR. Pada akhir proses PSP, jika para pencari suaka memenuhi semua kriteria-kriteria UNHCR maka mereka disebut pengungsi.¹⁷

Untuk bisa disebut pengungsi, pencari suaka harus memenuhi kriteria-kriteria dari UNHCR. Jadi kriteria utama merupakan:

- 1) Mereka berada di luar negara asalnya atau mantan negara yang biasa ditinggali;
- 2) mereka akan menghadapi penganiayaan jika mereka pulang. Penganiayaan tersebut harus atas alasan ras, agama, kewarganegaraan atau keanggotaan pada kelompok atau pendapat politik tertentu dan harus nyata;
- 3) mereka tidak dapat atau tidak ingin dilindungi oleh negaranya.

¹⁶*Lombok Treaty Merupakan Kerangka Kerja Sama RI - Australia* <http://www.dmcindonesia.web.id>. Diakses pada 4 Maret 2017.

¹⁷ Houston, Angus, Paris Aristotle, Michael L'Estrange, *Report of the Expert Panel on Asylum Seekers*, Canberra: Commonwealth of Australia, 2012: 157.

Namun, jika di dalam mandat *United Nations Relief and Works Agency for Palestinian Refugees in the Near East*, sudah melakukan kejahatan serius atau negara penerimanya percaya secara layak mereka akan menjadi ancaman keamanan nasional, mereka tidak akan menerima bantuan UNHCR.¹⁸

IOM

IOM memulai operasinya di Indonesia dengan memproses migran Vietnam di Tanjung Pinang, Riau pada 1979 dilanjutkan penanganan para pengungsi Timor Timur. Hubungan IOM dengan pemerintah Indonesia dimulai pada 1999 ketika Indonesia resmi menjadi pengamat dalam dewan IOM. Proyek Penanganan dan Perawatan Imigran Non Reguler (Management and Care of Irregular Immigrants Project - MCIIP) diluncurkan pada 2007 dan selesai pada pertengahan 2009. MCIIP berupaya untuk meningkatkan kapasitas Direktorat Jenderal Imigrasi untuk merawat dan menangani imigran non-reguler di Indonesia melalui pengembangan prosedur operasional standar yang memasukkan instrumen-instrumen HAM; peningkatan fungsi pemulangan Imigrasi Indonesia; serta renovasi dan pelengkapan fasilitas detensi.

d. Kebijakan Negara Tujuan (Australia, Eropa Barat, dan AS)

Uni Eropa

Uni Eropa memiliki kompleksitas rezim yang melibatkan rezim *freedom of movement*, rezim internasional mengenai perlindungan pengungsi, rezim hak asasi manusia, dan rezim keamanan Eropa..

¹⁸ Taylor, Savitri dan Brynna Rafferty-Brown, *Difficult Journeys: Accessing Refugee Protection in Indonesia*, *Monash University Law Review* 36:3, 2010: 142.

Absennya solidaritas bersama antar negara-negara Uni Eropa dalam menghadapi isu pengungsi dan pencari suaka menjadi dorongan bagi Jerman untuk menjalankan *strategic inconsistency*.¹⁹

Jerman menggunakan kekuatan politik-ekonomi tersebut, Jerman menjadi perantara bagi Uni Eropa dan Turki dalam skema perjanjian dalam menangani gelombang pengungsi dan pencari suaka. Jerman sepakat untuk memindahkan pengungsi dan pencari suaka yang mendarat di Italia dan Yunani ke Turki. Di sini terlihat inkonsistensi Jerman terhadap rezim hak asasi manusia. Jerman juga memaksimalkan *individual situation*-nya untuk meminta bantuan pasukan koalisi NATO agar ikut mengawasi proses pemindahan pengungsi dan pencari suaka yang dikirim dari Italia dan Yunani ke Turki melalui jalur laut. Kebijakan ini dikategorikan sebagai bentuk militerisasi dan tindakan represif terhadap pengungsi dan pencari suaka, yang bertentangan dengan hak asasi. Selain itu, Jerman melakukan tindakan yang bertentangan dengan rezim *freedom of movement* melalui pemberlakuan cek dan kontrol di wilayah perbatasan dengan Austria dan Italia.²⁰

Amerika Serikat

Presiden Amerika Serikat Donald Trump meneguhkan program pengungsi AS selama 120 hari. Ia juga melarang imigran dari tujuh negara muslim masuk ke AS, yaitu Suriah, Irak, Iran, Libya, Somalia, Sudan, dan Yaman. Ia memerintahkan peningkatan pemeriksaan untuk setiap imigran agar menjaga masuknya kelompok teroris dan radikal di Amerika Serikat.

¹⁹ Adelina Pertiwi, Lunyka, *Kompleksitas Rezim di Uni Eropa: Upaya Penanganan Pengungsi dan Pencari Suaka*, *Jurnal Ilmu Sosial dan Ilmu Politik*, Volume 19, Nomor 3, Maret 2016: 218-233.

²⁰ Ibid.

Australia

Pada tanggal 18 November 2014, Menteri Imigrasi Australia, Scott Morrison, mengumumkan pemerintah Australia tidak akan menerima pengungsi lagi dari kantor UNHCR di Jakarta yang mendaftar setelah tanggal 1 Juli 2014. Dari Indonesia, Australia hanya menerima pengungsi yang sudah bersertifikasi. Para pencari suaka dan pengungsi yang tercatat di UNHCR Jakarta sebelum tanggal tersebut dan sudah atau akan, serta memenuhi kriteria pengungsi UNHCR, masih ada kesempatan diterima Australia dalam *Humanitarian Programme*. Namun, ada kebijakan asupan pengungsi yang melalui wilayah Indonesia ke Australia setiap tahun 600 orang dikurangi hingga 450 orang pada tahun 2014-2015. Tujuan perubahan ini, menurut Australia adalah mengurangi penyelundupan manusia dari wilayah Indonesia ke Australia. Berhenti mengambil pengungsi dari UNHCR Indonesia tidak akan menghentikan semua pencari suaka yang datang dari Timur Tengah dan negara-negara di Asia Tenggara menuju kawasan Australia.²¹

Diskusi

Masalah *people smuggling* merupakan ancaman yang tinggi bagi Indonesia. Hal itu dinilai dari aspek kerentanan negara (*vulnerabilities*), tujuan masuknya orang asing (*intention*) dan kapabilitas negara (*capabilities*). Peningkatan jumlah temuan kasus, dengan varian tujuan migrasi non reguler ke Indonesia, belum direspon oleh Pemerintah dengan regulasi memadai dan upaya penanganan.

²¹ Snailham, Kate, *Australia Tutup Pintu Pengungsi Kebijakan Suaka Australia yang Baru di Indonesia*. Australian Consortium for In-Country Indonesian Studies (ACICIS) Fakultas Ilmu Sosial dan Ilmu Politik, Universitas Katolik Parahyangan, Bandung Desember 2014.

Pada aspek regulasi, kelemahan Indonesia belum menandatangani Konvensi Jenewa Tahun 1951 dan Protokol Tahun 1967, posisinya sangat lemah dalam mengatasi masalah para pencari suaka dan pengungsi dari negara lain karena tidak memiliki peraturan nasional yang secara khusus membahas masalah tersebut. Selain itu, keberadaan UNHCR di Jakarta membuat Pemerintah Republik Indonesia merujuk setiap orang asing yang masuk dengan alasan mencari suaka ke UNHCR untuk melaksanakan penentuan status pengungsi. Pemerintah Indonesia mengizinkan para imigran untuk menetap di Indonesia hingga didapatkan suatu solusi. Indonesia menyerahkan kewenangan penentuan status pencari suaka pada UNHCR, dengan dibantu oleh IOM yang selama ini memberikan bantuan materi untuk kebutuhan pangan dan medis para pencari suaka yang tinggal di rudenim.

Pada aspek penanganan, secara internal telah ada tim penanganan dari pemerintah pusat yang dikoordinasikan melalui jaringan lembaga. Badan Koordinasi Utama adalah Kementerian Koordinasi Politik, Hukum, dan Keamanan. Melalui Desk Penyelundupan Manusia, badan nasional antardepartemen untuk Pengungsi, Pencari Suaka, dan Penyelundupan Manusia terjalin kerjasama dengan Kepolisian RI, Kementerian Luar Negeri, Imigrasi, Kejaksaan RI, TNI, pemerintah daerah, IOM, dan UNHCR. Namun dalam pelaksanaannya, beberapa kendala adalah Indonesia yang secara geografis merupakan negara kepulauan, kekurangan satuan tugas dan sistem pengamanan wilayah serta aparatur perbatasan yang minim pemahaman tentang *people smuggling*. Beban pemerintah Indonesia ketika migrasi non reguler meningkat sementara penantian status pengungsi membutuhkan waktu lama, dan pengungsi yang tidak tertampung di rudenim dengan fasilitas terbatas. Selanjutnya anggaran yang terbatas untuk penanganan khusus *people smuggling*. Bentuk kegiatan

dan anggaran juga masih tergantung kepada jalinan kerjasama dengan IOM, UNHCR, dan negara-negara maju tujuan para migran. Penanganan juga dipengaruhi faktor eksternal, yaitu keterbatasan IOM dan UNHCR sebagai organisasi internasional yang menangani pengungsi, dan perubahan kebijakan negara tujuan yang cenderung mengurangi penerimaan terhadap pengungsi. Perubahan kebijakan Australia yang menutup pintu bagi pengungsi sejak tahun 2014, diikuti perubahan kebijakan yang ketat dalam penerimaan pengungsi oleh Uni Eropa dan Amerika Serikat.

Penanganan *people smuggling* di Lampung, gencar sekitar tahun 2008 dan meredup sekitar tahun 2015. Ada ketergantungan pemda terhadap anggaran dan program pemerintah pusat, termasuk terhadap jaringan kerjasama yang terbangun oleh pemerintah pusat dengan organisasi internasional dan negara tujuan para pengungsi.

Indonesia juga melibatkan diri dalam perjanjian internasional mengenai pencari suaka sebagai forum dialog dan kerja sama yang mempertemukan negara asal, transit dan tujuan *irregular migration*, pembahasan isu penyelundupan dan perdagangan manusia dimana pencari suaka adalah salah satu korbannya. Selanjutnya kesepakatan antara Republik Indonesia dan Australia tentang kerjasama keamanan.

Kesimpulan dan Rekomendasi

Penanganan kejahatan penyelundupan manusia yang masuk dan keluar melintasi

wilayah provinsi termasuk Provinsi Lampung adalah tetap tergantung kepada kebijakan pemerintah pusat. Indonesia yang belum meratifikasi Konvensi Internasional 1951 dan Protokol 1967 tentang status pengungsi. Hal penting meratifikasi adalah pemerintah bisa langsung menetapkan sebagai pencari suaka atau pengungsi sesuai dengan kepentingan nasional Indonesia dan pertimbangan faktor keamanan negara. Selain itu juga mendapat bantuan kerjasama internasional terkait penguatan kapasitas nasional dalam penanganan pengungsi dan pencari suaka. Apabila ratifikasi konvensi terabaikan maka menjadi peluang ancaman bagi keamanan pemerintah daerah. Akibat dari kedatangan para ilegal migran, diantaranya adalah pengaruh ilegal migran terhadap persebaran ideologi radikalisme, kejahatan narkoba, human trafficking, dan sebagainya. Pemerintah daerah seperti Provinsi Lampung tidak menyediakan khusus anggaran mengenai penjagaan keamanan wilayahnya terkait penyelundupan manusia. Selama belum ada peraturan hukum nasional mengenai kejahatan penyelundupan manusia, Pemerintah menggunakan UU Keimigrasian, yang dalam implementasinya menimbulkan persoalan peningkatan beban pemerintah dengan rumah detensi migrannya dan implementasi HAM untuk para pengungsi. Peneliti, karena mempertimbangkan masih lemahnya aspek hukum dan pelaksanaan penanganan penyelundupan manusia, merekomendasikan kepada pemerintah daerah Provinsi Lampung untuk memberikan pemahaman kepada ada.

DAFTAR PUSTAKA

Buzan, Barry, *Security: A New Framework for Analysis*, Boulder: Lynne Rienner Publishers, 1998.

Buzan, Barry, Marianne Stone, *Security According to Buzan: A Comprehensive Security Analysis*, New York: Columbia University, 2009.

Houston, Angus, Paris Aristotle, Michael L'Estrange, *Report of the Expert Panel on Asylum Seekers*, Canberra: Commonwealth of Australia, 2012.

Imigrasi Lampung Amankan Ratusan Imigran dalam 3 tahun. Diakses dari <http://www.cendananews.com/2015/04/imigrasi-lampung-amankan-ratus-an.html>. 18 April 2015, pada 17 Oktober 2017.

_____, *Lombok Treaty Merupakan Kerangka Kerja Sama RI - Australia* <http://www.dmcindonesia.web.id>, 4 Maret 2017.

_____, *Imigrasi Nasional dan Problem Pencari Suaka*, Badan Penanganan Sumber Daya Manusia dan HAM Kementerian Hukum dan Hak Asasi Manusia Republik Indonesia, <http://bpsdm.kemenkumham.go.id/artikel-bpsdm/130-imigrasi-nasional-dan-problempencari-suaka>, 5 Agustus 2017.

_____, *MoU Komnas HAM dan UNHCR Dorong Perlindungan Pengungsi dan Pencari Suaka*, <https://www.komnasham.go.id/index.php/news/2015/07/28/173/mou-komnas-ham-dan-unhcr-dorong-perlindungan-pengungsi-dan-pencari-suaka.html>. Selasa, 28 Juli 2015.

_____. www.kemlu.co.id pada Direktorat Keamanan Internasional Dan Pelucutan Senjata, 29 April 2017.

_____. *Deklarasi Jakarta Kerjasama Multilateral Terhadap Penanggulangan Pencari Suaka dan Manusia Perahu*, www.vivanews.com, 24-5-2017.

_____. *Penyelundupan Imigran Gelap, Lampung Tertinggi di Sumatera*. <http://www.bandarlampungnews.com/m/index.php?ctn=1&k=hukum&i=12166>, 10 Juli 2012.

Satu Dekade: Bali Process Gagasan Langkah Maju, 13 November 2012, http://theglobal-review.com/lama/content_detail.php?lang=id&id=10149&type=15#.XRTmYFZS9dg. Akses pada 17 Oktober 2017.

Gallagher, Anne and Marie McAuliffe, *South-East Asia and Australia dalam Migrant Smuggling Data and Research: A Global Review of The Emerging Evidence Base*, International Organization for Migration, 2016.

Hanson, Gordon H., *The Economic Logic of Illegal Migration*, Council Special Reports (CSR) No.26, April, USA: Council on Foreign Relations, 2007.

Taylor, Savitri dan Brynna Rafferty-Brown, *Difficult Journeys: Accessing Refugee Protection in Indonesia*, *Monash University Law Review* 36:3, 2010.

_____. 2014. *Upaya Memerangi Penyelundupan Manusia Pada Tahun 2013*. 2014. Report IOM Indonesia Januari 2014.

_____. *IOM Indonesia Irregular Migrant People Smuggling Public Information Campaign (PIC)*. Market Research Report Klirkom. Released Under The FOI Act 1982.

Snailham, Kate, *Australia Tutup Pintu Pengungsi Kebijakan Suaka Australia yang Baru di Indonesia*. Australian Consortium for In-Country Indonesian Studies (ACICIS) Fakultas Ilmu Sosial dan Ilmu Politik, Universitas Katolik Parahyangan, Bandung Desember 2014.

Zikri, Manshur, *Permasalahan Imigran Gelap Dan People Smuggling Dan Usaha-Usaha Serta Rekomendasi Kebijakan dalam Menanggulanginya*. Tugas Akhir Mata Kuliah Kebijakan Kriminal, Fakultas Ilmu Sosial Dan Ilmu Politik, Universitas Indonesia, 2010.

Netanyahu, Kurniawan. 2018. *Upaya Penanganan People Smuggling Oleh Sekretariat NCB-INTERPOL Indonesia Dan Australian Federal Police Tahun 2015 – 2017*, Skripsi, Program Studi Hubungan Internasional Fakultas Ilmu Sosial dan Ilmu Komunikasi, Universitas Satyawacana.

Adelina Pertiwi, Lunya, *Kompleksitas Rezim di Uni Eropa: Upaya Penanganan Pengungsi dan Pencari Suaka*, *Jurnal Ilmu Sosial dan Ilmu Politik*, Volume 19, Nomor 3, Maret 2016.

Heckmann, Friedrich, *Illegal Migration: What Can We Know and What Can We Explain? The Case of Germany*. *International Migration Review*, Vol.38 No.3, 2004, hlm. 1103-1125.

Kass, Lani, *Homeland Defense: Assumption First, Strategy Second*, *Journal of Homeland Security*. Vol. 1, 2004.

Kristin, Debby dan Chloryne Trie Isana Dewi, *Tindak Pidana Kejahatan Penyelundupan Manusia (People Smuggling) di Indonesia: Tanggung Jawab Indonesia dan Australia*. *Padjadjaran Journal of International Law*, Volume 1, Number 1, Januari 2017.

Martin, Philip & Mark Miller, *Smuggling and Trafficking: A Migration Review*, Vol.34, No.3, Autumn, 2000, hlm 969.

Septia Anggrainy, Vindy, *Perlindungan Pengungsi Lintas Batas Negara di Indonesia Menurut Hukum Internasional, Lex et Societatis*, Vol. II, No. 1, Januari 2014.

Zulya, Rizkan, Geetha Subramaniam, Tan Kamello. 2014. *People Smuggling In Indonesia*. *International Journal of Asian Social Science*. ISSN(e): 2224-4441/ISSN(p): 2226-5139. AESS Publications, Journal homepage: <http://www.aessweb.com/journals/5007>, 2014.