

# **CHAPTER I**

## ***INTRODUCTION***

### **A. BACKGROUND**

Every state in this world has a right to rule its own territory, whether it is in land, sea, or airspace. It is supported by UN Charter which states the principle of sovereign equality among its member. It means that every UN member has a right to enforce its authority through all its territory. Based on the premises above, Indonesia certainly has a right to authorize its own territory fully without intervention from any party.

Unfortunately, in a part of Indonesia, there is an area which belongs to Indonesia but controlled by other state. An airspace area which lies along Natuna and Riau Islands is controlled by Singapore. It has become the control of Singapore since 1946.

In international aviation terminology, there is an agreement called Flight Information Region (FIR). Flight Information Region is an airspace region which provides flight information and Alerting Service (ALRS). Every airspace in this world is controlled by certain FIR. Some small states or neighbor state are controlled in one FIR. FIR itself is agreed by two neighbor states and acknowledged by International Civil Aviation Organization.

As regulated in Flight Information Region (FIR) between Indonesia and Singapore which was signed by two states in 1946, approximately one year after Indonesia independence, under the reason that Indonesia had not ready yet to oversee that area because of lack of technology in radar aspects. Singapore itself, at that time still became British Air Base and

regulated under British occupation. Indonesia agreed to give away Riau and Natuna Islands air control to Singapore under British occupation.

This FIR itself was re-negotiated under the new independent government of Singapore and Indonesia in 1973<sup>1</sup>. Singapore was afraid of black flight above that area could threat the security of Singapore. Thus, Singapore had an intention to control that area to prevent black flights go to its area.

Indonesia agreed with that agreement because at that time sea among Riau and Natuna islands still as international seas. But after UNCLOS 1982 it became a problem. As the archipelagic state concept was accepted by UN, sea among Riau and Natuna islands became Indonesia territory. Of course it was a good chance for Indonesia getting the sea among that area. However, it became a bad decision letting other state rule inside Indonesia territory.

Some negotiations about FIR were conducted after UNCLOS 1982. But again, lack of radar technology and the unavailability of independent air traffic control institution became the main reason letting Singapore to control that area. Through some RANs<sup>2</sup>, Indonesia tried to take over airspace control over Riau and Natuna Islands to integrate the authority of Indonesia. Unfortunately, Indonesia always failed to take over that area to Indonesia's control by RAN or ICAO<sup>3</sup> negotiation.

In brief, Indonesia has territory in Riau and Natuna Islands but never control it. Indonesia has an authorization on this area but never authorizing in this area. Airplane which want to

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<sup>1</sup>MiftachunNiam, Muh; Flight Information region (FIR) Diatas Kepulauan Riau;Solo;Universitas Slame tRiyadi; 2011.

<sup>2</sup>Regional Air Navigation.

<sup>3</sup> International Civil Aviation Organization, an organization which organizes and integrates the civil aviation system over the world.

take off from airport around Riau and Natuna Islands has to wait the clearance from ATC in Singapore. It makes bureaucracy become longer in transportation governance.

Although according to ICAO, FIR is not breaking the authorization of a state, but Indonesia still can feel the 'indirect' effect of FIR itself. There are so many black flights fly in this area. Even the losing of MH370 could not be tracked by Indonesian radar although it passed over Indonesian sky. It was because MH 30 passed over the area which were controlled by Singapore ATC. Indonesia could not speak too much although some Air Force officers claimed that Indonesian radar caught the flight path of MH 370. It was because Indonesia did not have the authorization to control that area.

The condition goes worse since, in South East Asia, the nationality in each state is strong. Unlike, European people who claim that they are European citizens, the nationality in South East Asia is based on nation, not region. If it is noticed by Indonesian citizens, they will demand to get back the border to Indonesia.

Although, the government claimed that they already re-claimed this area to Indonesia's authority, it needs 10 years to get this region back to Indonesian authority.

One question arose why Indonesia cannot take over authority in this area, area above Riau and Natuna Islands, an area which is given code ABC by Indonesian ATC. Is it because of technical reason. Or there is a political interest why Indonesia cannot take over authority in this area from Singapore. This undergraduate thesis will discuss the reason why Indonesia cannot take over this area from Singapore.

## **B. Research Question**

Based on those backgrounds and problems that are found above, thus to ease solving the problems and as a guide for advance discussion, it can be concluded the research question as it follows:

Why Indonesia cannot take over Air Traffic Control in Riau and Natuna Islands from Singapore?

## **C. Theoretical Framework**

For answering the question above, this thesis tries to use concept as a theoretical framework. The concepts will be used to answer the question above are Security concept in realism perspective and asymmetric warfare concept.

### **National Power**

In international relations, there is a very popular concept, it is power. Power gives very big impact to a subject of international relations. Power can control over a mind and action to other men. It is undeniable that men always look for a power to achieve the goal. The source of power itself is various. There are some sources of power which can determine the result of power and those are tangible.

Unfortunately, if talking about nation, it is impossible to measure the power of a nation. Nation is non-empiric thing, nation is intangible, abstract. Nation cannot be observed directly. The only thing that can be done is by observing every person inside the nation itself. Nation uses human to do the activity.

Morgenthau, a very famous thinker in international relation, declared a way to measure the power of a nation, national power. National power can give an advantage to a nation,

become a bargaining power in international affairs. In his book, *Politics Among Nations*, Morgenthau made an analogy to describe the nation behavior. He said that every state action is like human action. Nation needs power to achieve its goal. Thus, Morgenthau developed some sources of power of a state that can measure the power activity of a nation. Those are geography, natural resources, industrial ability, military, population, national character, diplomacy quality, and government quality<sup>4</sup>.

In this case, this undergraduate thesis will use diplomacy quality factor and military factor. Diplomacy was derived from ancient Greek word *diploun* means to fold. It was called *diploun* because at that time, the diplomats folded their official letter into two. In sum, diplomacy is an activity which has an obligation to conduct a negotiation with other states and results to an arrangement or agreement. In this undergraduate thesis, diplomacy means any foreign political activity which is done from any level of governance, from the lowest level of government until the highest level of government.

Of course, diplomacy needs a good quality and good skills of negotiation to achieve the goal of a state. The process of negotiation itself also needs some bargaining power which gives the diplomat an opportunity to achieve the goal. The bargaining power itself is various. Military, technology, industry, economy, natural resources, population are some examples of aspects that can become bargaining power of a state.

The process of diplomacy is very important in interstate relationship. The process of diplomacy can prevent a war, trigger a war, or gain an area of a state, like in Sipadan and

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<sup>4</sup> Morgenthau, Hans J. *Politics Among Nation: The Struggle for Power and Peace*. Trans. S. Maimoen. Yayasan Pustaka Obor Indonesia, 1985.

Ligitan case. Thus, the quality of diplomacy become one of the main factors of national power.

While, military aspect itself is very important to a state. Military is a reflection of power of a state. A state needs military to defend and to sustain the existence. Military protects a state from any intervention whether symmetric or asymmetric, like terrorism. In certain condition, military is needed to keep the peace in this world.

In the term of national power, military can be divided into three main aspect. The first is technology. It is undeniable that military needs advanced technology, more advance technology that military of a state has, more powerful the military itself. Technology can be used in various aspects in military, like weaponry system, military aircraft, missile, weapon, tank, ship, battleship, and how those weaponry system can be integrated. In armament aspect, as example, how far the range of a military radar.

The second aspect is the quality of leadership in military. As example is the quality of military leadership of Napoleon Bonaparte. It is well-known that Napoleon Bonaparte was a good leader. How Napoleon managed his personnel, how Napoleon created strategy in a war, how he motivated his personnel.

The third aspect is the quantity and quality of military armament. Big amount of military personnel is also very important in a war. However, the big amount of military personnel itself does not give a guarantee, as example, in civil war in Somalia in 1992 when US Army ambushed the Bakara Market, about 70 personnel of US Army had to face 1000 Somalian rebellion. In the end of the ambush, about 20 personnel of US Army was KIA<sup>5</sup> and more than

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<sup>5</sup> Killed in Action

400 Somalian was dead. Another case is when 2012 Sukhoi SU-27 Indonesian Air Force defeated F-18 belong Australian RAF<sup>6</sup> in a joint training. It gives the example how the quality of military armament, especially personnel and weaponry system, gives massive impact.

In this topic, the quality of diplomacy and military will be integrated to answer the research. Military, from those aspects mentioned above, can become a good bargaining power for diplomacy or international negotiation. Better military force can implicitly affect other state to be afraid. As example, technology in military can become a justification to take over other area. More specific example, state A can take over the control of an area in state B because of the reason of limited radar coverage.

### **National Interest**

National interest is one of the most popular concept in international relations. Moregenthau said that the concept of interest is relating to power. A state always tries to chase power in inter-state interactions. It is undeniable that in inter-state relations, unintentionally, makes a state to use the power to control or at least influence other state to get its goal or needs. The needs of a state can be to defend the exoistence of the state itself, to gain the national power, and/or to broader the national power itslef.

Jack C Plano and Ray Olton stated that national interest is “*the fundamental objective and utimate determinant that guides the decision makers of a state in making foreign policy. The interest is typically a highly generalized conception of those elements that constitute the state’s most vital needs. These include self preservation, independence, territorial integrity, military, security, and economic well-being.*”<sup>7</sup>

From those points that are mentioned above, it is said that independence and territorial integrity are important to maintain the national interest of a state. Independence is a condition

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<sup>6</sup> Royal Air Force

<sup>7</sup> Plano, Jack C., Olton Roy. The International Relaitons Dictionary. ABC – Clio,1982 p. 128

where a state is free from any form of control that is done by other state. If a state has its independence, the sovereignty will come along. As example, Indonesia finally got the independence in 1945 and after that, Indonesia was free to decide which way to go by its own way. It is proven by the foreign policy that has been done by Indonesia.

Next important aspect of national interest, according to Jack C. Plano is territorial integrity. Territory is one of the main requirement of a state in international politics to become a state. It is obvious that there are air, land, and sea territory, although some states do not have sea within their territory and it is important to integrate those territories to make them secure. To integrate the territory, of course good military is needed which secure all the territory of a state. As example, TNI tries to secure every inch of Indonesian territory from air, land, and sea and integrate them into one single command.

This territorial integrity faces a very serious obstacle. Above Riau and Natuna Islands, there is an area which is controlled by Singapore. This area belongs to Indonesia but is controlled by Singapore. In civil aviation, it is called FIR. FIR allows Singapore to control civil flights which pass through that area, although the flight is Indonesian domestic flight. Singapore also has a right to conduct military training over that area. This agreement was called MTA Agreement<sup>8</sup> and was conducted during Soeharto' regime.

For Singapore, FIR and MTA Agreement are very important. Singapore realizes the limited space that it has. Different condition happens in economy. Singapore, as one of the richest state in the world has big income to spend in its national income and expenditure. In military, Singapore has various military equipment, including aircraft. Unfortunately, due to

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<sup>8</sup> Military Training Area Agreement



the limited space, Singapore cannot use these military equipment in maximum condition. Thus, Singapore needs FIR and MTA to use its military equipment.

The next aspect is security. It is obvious that all states need security. Security, which derives from word *secures* means free from threat. The term threat itself is changing from traditional meaning, which only emphasizes on war and tangible conflict, to conventional meaning. Security, in general, is not seen as a condition of no war anymore but more than a condition where threat is not detected or in a simple word is a situation without any risk. The term and shape of risk is also developing. Threat can come from any aspect; from internal or external aspect, not only tangible object but also intangible object. What it seems not dangerous can be dangerous, what it seem powerless can become powerful.

Unfortunately, nowadays, security is a complex term. What it seems not dangerous can be dangerous as the development of technology. Few years ago, it was impossible to jam a radar and it was impossible to manipulate any data in flight information. Yet, it is easy to manipulate radar or flight data. As the example; the amount of stealth aircrafts are many in recent years. Those aircraft can be used to intelligent mission. This is a very serious threat to other state.

Another example of security is the Singaporean Military Training Area that is located along Riau and Natuna Islands. It is very harmful to Indonesia. Singaporean Air Force easily flies along Riau and Natuna Islands for practicing. However, if it is seen from the perspective of security, it can harm the flight in Indonesia, especially civil flight. Although in Singaporean perspective, if Singapore cannot use that area, Singapore cannot do military exercise, especially in Air Force.

#### **D. Hypothesis**

Based on the background and analysis with theoretical framework above, we can make a hypothesis on the reason why Indonesia cannot take over the Air Traffic Control above Riau and Natuna Islands because first is historical and geographical factor. Second is because institution factor. Third is technological factor. And fourth is military factor

#### **E. Research Method**

Research method is to guide the researcher about how this research is done. This research is done by using qualitative method. While, the type of this research is analysis, which is to collect, analyze, and predict the phenomena regarding to the case. Of course the predictions are based on evidences and data that are collected.

Data collection of this research uses library research and secondary source which are coming from books, newspaper, journal, etc. The sources are relevant with the topic above and support each other.

#### **F. Range of Research**

Range of research is used to border the research in hope that the research will be specific focusing on certain points and minimize the useless point related to topic above. Range of research in this research focuses on the reason why Indonesia cannot take over the Air Traffic Control over Riau and Natuna Islands from Singapore since 1949.

#### **G. Writing System**

This writing will be divided into 5 (five) chapters, where each chapter will discuss detail things that are related to this topic to make the readers understand easily, which as it follows:

Chapter I is introduction which includes background, research question, theoretical framework, hypothesis, research method, range of research, and writing system.

Chapter II will explain the Indonesian aviation. It will discuss the history of Indonesian aviation. This chapter will also explain about the process of identifying a threat in airspace by KOHANUDNAS, the process of intercepting and forcing down a black flight by TNI AU.

Chapter III will explain the general information of Singapore. The history of Singapore, the government of Singapore, how is the decision making process in Singapore, the dilemma of Singapore living in Malay Peninsula but being dominated by Chinese, the economy of Singapore, and the Singapore's military and defense system. This chapter will lead the instruments that Singapore has to control this area.

Chapter IV will analyze the reason why Indonesia cannot overtake the ATC over Riau and Natuna Islands from Singapore. This chapter will seek for the problem from the previous chapters. There must be any security reason why former KASAU (Chief of Indonesia National Airforce), Air Chief Marshall (ret) Ida Bagus Putu Dunia and Air Chief Marshall (ret) Chappy Hakim put this issue on a surface.

Chapter V, which is the last chapter of this writing, will decide the conclusion about this problem on why Indonesia cannot control this area and will Indonesia re-take this area back to Indonesia ATC. The conclusion will be taken from the previous data and analysis in this writing.