

ANALISIS PENERAPAN TEORI *BOUNDARY MAKING* DALAM PENYELESAIAN BATAS ZONA EKONOMI EKSKLUSIF INDONESIA- VIETNAM BERDASARKAN UNCLOS 1982

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ABSTRAK

Penyelesaian sengketa batas Zona Ekonomi Eksklusif (ZEE) antara Indonesia dan Vietnam di Laut Natuna Utara merupakan bagian penting dari penerapan hukum laut internasional sebagaimana diatur dalam *United Nations Convention on the Law of the Sea* (UNCLOS) 1982. Sengketa ini muncul akibat tumpang tindih klaim ZEE kedua negara yang disebabkan oleh perbedaan metode penarikan garis batas, sehingga menimbulkan ketidakpastian yurisdiksi dan maraknya pelanggaran hak berdaulat, khususnya praktik *illegal fishing*. Penandatanganan Perjanjian Delimitasi ZEE Indonesia-Vietnam pada tahun 2022 menjadi tonggak penting dalam penyelesaian sengketa tersebut, namun implementasinya masih menyisakan persoalan hukum di tingkat operasional. Penelitian ini bertujuan untuk menganalisis penyelesaian sengketa batas ZEE Indonesia-Vietnam dengan menggunakan teori *Boundary Making* sebagai pisau analisis utama, serta menempatkan UNCLOS 1982 sebagai sumber hukum pendukung. Metode penelitian yang digunakan adalah penelitian hukum normatif dengan pendekatan peraturan perundang-undangan dan pendekatan kasus. Data diperoleh melalui studi kepustakaan terhadap bahan hukum primer, sekunder, dan tersier yang relevan. Hasil penelitian menunjukkan bahwa penyelesaian sengketa ZEE Indonesia-Vietnam baru mencapai tahap *delimitation*, sementara tahapan *demarcation* dan *administration* belum dilaksanakan secara optimal. Belum adanya publikasi peta batas resmi, pendaftaran perjanjian ke Sekretariat Perserikatan Bangsa-Bangsa, serta lemahnya koordinasi kelembagaan menyebabkan masih adanya potensi *grey zone* di Laut Natuna Utara. Kondisi ini berdampak pada belum optimalnya penegakan hukum dan perlindungan hak berdaulat Indonesia. Penelitian ini menyimpulkan bahwa teori *Boundary Making* memiliki relevansi penting sebagai kerangka evaluatif dalam menilai efektivitas penyelesaian sengketa batas maritim. Implementasi yang menyeluruh terhadap seluruh tahapan *Boundary Making* merupakan prasyarat bagi terwujudnya kepastian hukum, stabilitas maritim, dan perlindungan kepentingan nasional Indonesia dalam kerangka hukum laut internasional.

Kata Kunci: Zona Ekonomi Eksklusif, Sengketa Batas Maritim, *Boundary Making*.

**ANALYSIS OF THE APPLICATION OF BOUNDARY MAKING THEORY
IN SETTLEMENT OF THE INDONESIA-VIETNAM EXCLUSIVE
ECONOMIC ZONE BOUNDARIES BASED ON UNCLOS 1982**

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ABSTRACT

The settlement of the Exclusive Economic Zone (EEZ) boundary dispute between Indonesia and Vietnam in the North Natuna Sea constitutes an important application of international law of the sea as regulated under the United Nations Convention on the Law of the Sea (UNCLOS) 1982. This dispute arose from overlapping EEZ claims caused by differing methods of maritime boundary delimitation, which led to jurisdictional uncertainty and recurrent violations of sovereign rights, particularly illegal fishing activities. The signing of the Indonesia–Vietnam EEZ Delimitation Agreement in 2022 marked a significant milestone in resolving the dispute; however, its implementation continues to raise legal and operational challenges. This research aims to analyze the settlement of the Indonesia–Vietnam EEZ boundary dispute by employing the Boundary Making theory as the primary analytical framework, with UNCLOS 1982 serving as the supporting legal basis. The research adopts a normative legal research method using a statutory approach and a case approach. Data were obtained through library research of primary, secondary, and tertiary legal materials relevant to the subject matter. The findings indicate that the settlement process has only reached the delimitation stage, while the demarcation and administration stages have not yet been effectively implemented. The absence of officially published maritime boundary maps, the lack of registration of the agreement with the United Nations Secretariat, and weak institutional coordination have resulted in the persistence of potential grey zones in the North Natuna Sea. These conditions undermine effective law enforcement and the protection of Indonesia’s sovereign rights. This study concludes that the Boundary Making theory is highly relevant as an evaluative framework for assessing the effectiveness of maritime boundary dispute settlement. Comprehensive implementation of all stages of Boundary Making is a prerequisite for achieving legal certainty, maritime stability, and the protection of Indonesia’s national interests within the framework of international law of the sea.

Keywords: Exclusive Economic Zone, Maritime Boundary Dispute, Boundary Making.