

The Indonesian Government's Plan for Protecting Territorial Integrity along the Sea Border with the Philippines

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Abstract: *The Indonesian-Philippine maritime border in North Sulawesi has seen a number of issues with foreign ships, illegal inhabitants, Abu Sayyaf organisations, and the Islamic State (IS) terror network violating local laws governing land and water sovereignty. In this paper, the technique used by the Republic of Indonesian government to enforce the marine security law in Northern Sulawesi is explained. With a case study methodology, this study will employ the qualitative technique. By exploring a number of ideas, including strategic theory, territorial sovereignty, boundaries, law, security, and international relations, the research challenge will be solved. Huber man procedures are used to examine the data, which go through a variety of steps beginning with data collection via observation, interviewing, and document analysis. Following are the study's findings: First off, illicit arms and ammunition trade, human trafficking, illegal mining, illegal fishing, people smuggling, and the return of terrorists all pose challenges to the safety of the maritime environment in North Sulawesi. Additionally, it manifests itself as illegal immigration and flag-violating foreign ships. Second, this effort will assess how well the Indo-Malphi agreement, intelligence sharing, and coordinated actions have helped safeguard the sovereignty of the Indonesian-Philippine sea boundary. Thirdly, this essay will outline the Indonesian government's preventative, response, and recovery strategies for preserving the sovereignty of the sea boundary between Indonesia and the Philippines.*

Keywords: Legal, Strategic, Security, Maritime Boundary, and Territorial Sovereignty

I. INTRODUCTION

This According to the Preamble of the Republic of Indonesia's 1945 Constitution, one of the key national goals is to maintain national sovereignty. In practise, nevertheless, the protection of national border sovereignty in North Sulawesi has been severely contested and has run into difficulties. Consequently, national development goals have not been fully attained at the national level. It is evident that there are still several security issues, including violations of marine security legislation and Philippine sovereignty along the sea border with Indonesia.

The Trilateral Maritime Patrol IndoMalphi partnership or execution of the IndoMalphi agreement has not yet demonstrated the immediate results of maritime security law and territorial integrity protection on the Indonesian-Philippine boundary. As a result, there have been more instances of illicit fishing and commerce as a result of neighbouring states using the freight and transit routes that cross the border. Additionally, the unresolved maritime border conflicts outside of the Exclusive Economic Zone add to the complexity of this issue. The Res Communis zones between the Philippines and Indonesia are also included. Numerous piracy, kidnapping, and hostage scenarios frequently occur in this grey area, helping specific terrorist organisations like the Abu Sayyaf Group (ASG) by generating ransom money for logistical needs.

Due to a lack of cooperation and communication among maritime law enforcement officials along this border, the region has become a refuge for returning foreign terrorist fighters (FTF) and their families. The most remote tiny islands and peripheral regions along the Indonesia-Philippines border, such Miangas Island, Marampit Island, and

Marore Island, have not had an equal distribution of national development. The way in which retaining sovereignty is being implemented, however, is still not ideal. Each institution has several sectoral egos, which add to the complexity of the Indonesia-Philippines border issue. both internal and exterior issues, particularly when it comes to dealing with regular legal transgressions in the form of international crime.

In order to grow its oceanic area and fulfil its goal of achieving national riches, Indonesia has established the goal of being the world's maritime fulcrum. Additional coordination and communication between several ministries and institutions and the local administration of Northern Sulawesi are required for this endeavour. The current situation shows that other restrictions including a lack of weapons and ammunition, the availability of law enforcement and military personnel, security guard positions, and patrol vessels all contribute to this issue. As a result, there are still lots of foreign vessel infractions and unauthorised immigrations, which contribute to a lack of understanding about the risks posed by terrorism.

These infractions, which range from illegal fishing to various forms of smuggling, show how inadequate the strategy for enforcing the law and defending the sovereignty of the Indonesia-Philippines border region is, particularly in the case of the North Sulawesi sea. As a result, the research team is motivated to carry out this study by concentrating on how the government enforces the law against transgressions and upholds its sovereignty over anybody or anything that enters Indonesian land.

Following the background research indicated above, the research questions are as follows:

- 1) What type of breach of maritime law is occurring in Northern Sulawesi?
- 2) How is the collaboration plan for preserving the sovereignty of the marine boundary between Indonesia and the Philippines progressing?
- 3) How effective is the Indonesian government's plan for preserving territorial integrity along the maritime boundary with the Philippines?

This study uses qualitative methods and a case study approach to examine sovereignty on the sea border violations that have been observed repeatedly in the same area near the sea border between Indonesia and the Philippines, further disrupting the maritime security in the region that includes Malaysia, Indonesia, and the Philippines. The theory's benchmarks involve conducting in-depth interviews with criminals in Northern Sulawesi and employing the theory of strategy, territorial sovereignty, border, law, security, and international relations. Additionally, this research aims to improve territorial integrity planning and provide a more complete strategy against security threats.

II. MARITIME SECURITY THREATS IN NORTHERN SULAWESI IN VERBOSE FORMS

Everything that threatens national security, the unitary state of the Republic of Indonesia, and the safety of the populace is referred to as the threat. IsmonoWijayanto asserted that national sovereignty, national cohesion, and national security are at the core of the threat against national interest. If any of those dangers materialise and the state is powerless to stop them, it could have an impact on the others. There are three ways to think about the threat's centre of gravity:

- 1) The primary threat to national security is the military, which may manifest itself as annexation as a result of interstate war. This kind of threat is classified as conventional military threat.
- 2) Center of gravity against national unity: This danger targets the unity of the country and is characterised as a non-traditional military threat since it is manifested by non-state actors, state-sponsored non-state actors, or third parties.
- 3) The pivot point for national security.

2.1 The Threat Against National Sovereignty

This danger typically manifests as violations of national sovereignty and territorial integrity. The local administration of Northern Sulawesi refers to the criminals as Kelompok Pelanggar Hukum dan Wilayah (Law and Territorial Offenders), and law enforcement or military personnel will be in charge of the endeavour to combat them. The Sangihe Talaud Islands are threatened by piracy in the surrounding waters, illegal fishing by foreign boats there, illegal smuggling, and the sale of contraband items.

Threats to territorial integrity, meantime, include illegal foreign vessels violating Philippine and Indonesian waters known as the Sangir-Philippine and Philippine-Sangir Group (SaPiPiSang).

According to information from Manado Immigration, 41 Filipino immigrants who had joined the SaPi-PiSang family had been deported. unlawful fishing and the smuggling of narcotics, alcohol, and other substances are examples of breaking the law.

11 minor ports in North Sulawesi without sea border guards represented breaches of sovereignty and unlawful activity entering illegal ports.



Figure 1: List of foreign citizens who were deported in 2017

Sources: Immigration Manado Staff

According to data gathered in June 2015, the SaPi-PiSang group includes 1398 undocumented citizens (Sangihe Community - Philippines) in Bitung City; 5000 individuals are dispersed throughout the North Sulawesi islands; and 4800 people are located in the southern Philippines. Because of the tight blood links between Sangihe and the SaPi-PiSang family from the Moro Filipino people, locals frequently ignore legal infractions. As a result, the increase in illegal fishing between Filipino and North Sulawesi fishermen demonstrates how freely Filipino and Indonesian nationals may roam around the North Sulawesi territorial seas. After Immigration granted the SaPi-PiSang family a cross-border permit (PPLB), this is not advantageous.

2.2 Threats to the Territorial Integrity

Regional, ethnic, religious, national, or racial separatist are often the goals of this danger, which seeks to destabilise the nation. Islamic separatism, which still existed in North Sulawesi in the form of sleep cells supporting the Islamic movement to build an Islamic State (IS) based on sharia law, has also been effectively put an end to its menace. The Darul Islam organisation, once known as the Indonesian Islamic Army, still includes these sleep cells.

The Islamic Republic of Indonesia faces four dangers.

North Sulawesi has been moving;

To start, the Islamic State of Indonesia (NII) poses a threat.

Movement effectively extended to places like Aceh and Sulawesi, South The leader developed the principles of jihad that followed a similar philosophy to the Salafih of Jihadism. The Salafy movement was inspired by this movement.

Jihadist activity in Indonesia

The second is Jama'ahIslamiyah's threat. This new educational approach implemented by the former Afghanistan differs slightly from that used by the DI in Indonesia. Abdullah Sungkar and AjenganMasduki, the head of DI, had a falling out. Abdullah Sungkar established the Jama'ahIslamiyah in 1993. (JI). He developed the organisational structure with the aid of his friend Abu BakarBa'asyir and the majority of the previous Afghan Jama'ahIslamiyah. According to the General Guidelines for the Struggle of Jemaah Islamiyah (PUPJI), Abdullah Sungkar is in charge of the central leadership council (QiyadahMarkaziah Assembly), the Syuro Assembly, the Fatwa Council, and the Hisbah Council (Disciplinary Enforcement Council), as well as the supreme leader known as Amir Jama'ah.

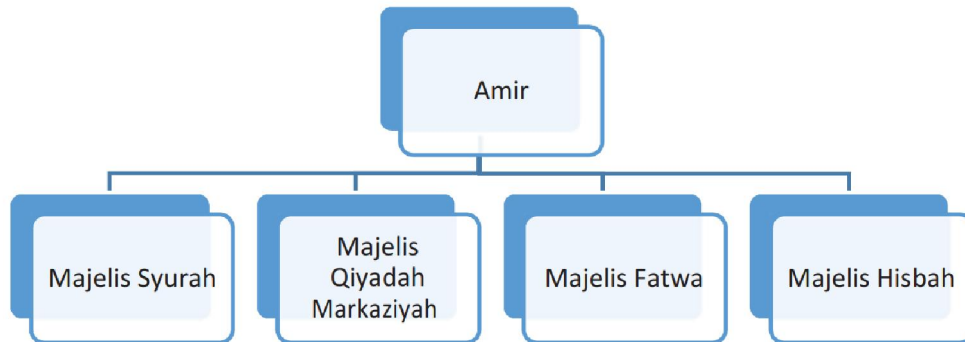


Figure 2: Organizational Structure of Jama'ah Islamiyah Sources: Abbas (2005)

The Jama'ah Islamiyah group recruits members through Islamic boarding schools and sends the top cadres to Mindanao, South Philippines, for military training. Camp Hudaibiyah is the name of JI's military training facility in the southern Philippines. JI dispatched cadres to Afghanistan in addition to Mindanao.

About 20 Jama'ahIslamiyah members, including Dr.AzahariHusein, engaged in military training in Afghanistan for two years (1999-2000). (Solahudin, 2011).

Third, refugees from North Maluku/Maluku.

Fourth, an Indonesian Foreign Terrorist Fighter (FTF).

Former participants who were given the chance to instruct and instruct the Afghan Military Academy in the Philippines also got the chance to engage in combat with regional fighting to protect their lands. When you get back to Indonesia, where some of the participants engaged in Indonesia had experienced horror. This will be quite beneficial. Concerning citizens who travelled to Syria to join the terrorists from other countries. Table 4 below has the information. year 2016 of FTF development in Indonesia

2.3 The Threat Against the National Safety

The Abu Sayyaf Group is the source of this menace.

(ASG), which was formerly called "Harakat-al al Islamiyah"which Abdul Razaq founded initially Mohammed Janjalani. Its area encompasses the provinces of Basilan, Sulu, and Zamboanga are in the southern Philippines, therefore often referred to as the Abu Sayyaf Group (ASG).

ASG gangs frequently kidnap tourists and ships as well as illicit firearms, alcohol, and drug trafficking international maritime security is compromised. Also, this group Some of its members apparently have ties to ISIS organisations. hardline opponents of the Philippine government who wish to topple the Duterte administration.



Figure 3: Threat Potential from the northern side Sources: Kodam XIII/Merdeka, 2017.

The ASG group, which is the wealthiest among armed groupings as lawbreakers conducting crimes against international security, has a strength of 300 to 400 persons and is sometimes referred to as the "Armed Lawless Group." In Basilan Province, Isnilon Totoni Hapilon (47 years old), also known as Salahuddin or Abu Mus'ab, led the ASG

group's Operations Area, while RadullanSahiron, who entered the "FBI's Most Wanted Terrorist" competition and won a prize of \$1 million USD for killing him, led the ASG group in Zamboanga Province.

III. EVALUATION OF THE COOPERATION BETWEEN MAINTAINING THE SOVEREIGNTY OF THE INDONESIAPHILIPPINES SEA BORDER

The ASEAN Defense Ministers Meeting (ADMM) is a gathering of ASEAN defence ministers where the topic of enhancing regional defence cooperation is covered in an effort to foster more openness, transparency, and trust among ASEAN member nations. Through communication and hands-on collaboration, the ASEAN Defense Ministers' Meeting (ADMM) strives to enhance Confidence Building Measures (CBM) and uphold regional peace and security stability. Planning, execution, outcomes, and assessment are all aspects of every policy. Following that, the evaluation of the collaboration between the protection of the sovereignty of the maritime boundaries between Indonesia and the Philippines in the form of information sharing and IndoMalphi cooperation is as follows:

The Indonesia-Philippines border agreement comes first.

Sangihe, Talaud, and Sitaro are the three SATAS districts that make up the boundary between the two nations (Siau, Tagulandang, and Biaro). 11 outlying islands serve as the National Strategic Area along international borders (KSN). There are two National City Strategic Activity Centers (PKSN), Melonguane and Tahuna, among these 11 islands. The three most remote islands, Miangas Island, Marampit Island, and Marore Island, are used to determine where the Indonesia-Philippines area begins and ends.

The ASEAN Concord II, which established a foundation for the "ASEAN Security Community" and featured the commitment that all crises would be addressed collectively (managed collectively), was presented during the summit conference in Bali in 2003.

As part of bilateral or multilateral security cooperation among ASEAN nations, Indonesia and the Philippines work together to protect the sovereignty of their maritime boundaries.

The Paris Treaties of 1898 and 1930 serve as the legal foundation for Indonesia's marine boundary with the Philippines. The problem is that the Philippines does not follow the international law-affirmed concept of distance from the baseline. The Permanent Arbitration Court in The Hague's 1928 ruling is what the Indonesian side follows.

Seta: UNISAPROS AL

BATAS MARITIM RI - FILIPINA

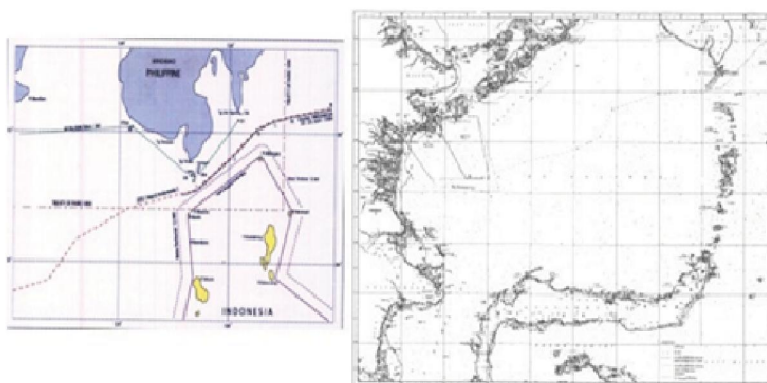


Figure 4: Maritime Border between Indonesia and the Philippines Sources: Indonesian Navy Base, 2017

Second, collaboration in information exchange.

Government decision-making depends on information.

Information is gathered in a variety of ways, not just from the Philippines to Indonesia or the other way around.

In actuality, the North Sulawesi regional administration is the primary source of this information. In the first and second level areas, there is a container called the Regional Intelligence Community (KOMINDA) where the Regional Intelligence Community may share data and information.

The relationship with the Indomalphi Maritime Security Patrol is the third. collaboration on a trilateral basis with the Philippines, Malaysia, and Indonesia, three nearby nations (Indomalphi). Singapore and Brunei are participating in this partnership as observers. This trilateral cooperation is carried out by coordinated patrols in the Sulu Sea, which implies that Sea Security Patrol Operations are coordinated in each region along the sea boundary. The collaboration aims to

safeguard the Sulu Sea from threats from international crime, including piracy, hostage-taking, and hostage ships at sea, as well as to stop the expansion of ISIS in Southeast Asia, particularly in Indonesia. Given that Indonesia and the Philippines currently cooperate in the form of coordinated patrol Philippines Indonesia (CORPAT Philindo), the form of joint patrol cooperation is inappropriate. This collaboration covers economic, sociocultural, and even transnational criminal issues in addition to the military one. 2016 (Dispenarmatim).

CorpatPhilindo XXXI-17, according to the commander of Indonesian Naval Army Base VIII Manado, has contributed to make conditions and the situation along the two-state border region secure from criminal activity at sea as well as from the persistent danger of terrorism.

"Through the CorpatPhilindo's border security operations carried out by the two countries annually, this type of cooperation can be further enhanced as a strategic effort between the two countries," (Interview Results, Commander of the Indonesian Naval Army Base VIII First Admiral TNI Suselo, 2017)

The Indonesian Navy has increased patrols along the maritime border with the Philippines in anticipation of events. Operation Benteng Tuna, formerly known as RI-Philippine Border Security Operation (Pamtas), is still carried out by the Indonesian Navy.

Defense diplomacy collaboration need not result in the formation of a defence bloc; rather, CorpatPhilindo's collaboration on military cooperation in the Philippines covers the areas of education, training, intelligence, and border security management. In light of the fact that both parties are ASEAN members, this strengthens their alliance. Furthermore, this patrol serves as a security measure for the Republic of Indonesia's remote islands that are near to the Philippines.

Marsetio argues differently about maritime defense.

"In the context of defense, the sea that connects the islands is one of the critical vulnerabilities that must be maintained and maintained in order to protect the nation's center of gravity, both in the form of government centers and specific cities/regions. For island nations, the sea is a unifying media, media resources, transportation media, media for the development of science and technology, media for building influence, and as a media for national defense. Dozens". (Marsetio, 2013)

By working together, Indonesia and the Philippines will be able to create a confidence-building measure (CBM) that will pave the way for future, more extensive defence cooperation.

Due to the fact that both nations are confronted with the same threat—insurgents and terrorist threats—cooperation between the two nations is required to combat it. The Coordinating Minister for Politics and Security's efforts in collaboration with five nations—namely, Indonesia, the Philippines, Malaysia, Brunei, Australia, and New Zealand—at the Sub-regional Meeting on Foreign Terrorist Fighters and Cross-Border Terrorism (SRM FTF-CBT) in Manado on July 29, 2017, to coordinate and cooperate in preventing the movement of Filipino insurgents to these nations, support this.

4th Joint Operations In order to respond to insurgent transgressions, the government is collaborating in this way. Both hard and soft power options are available for this action. Sending UN forces to monitor the continuing peace between the Philippine government and the MILF is requested by the Philippine government. In order to aid in conflict resolution, the UN forces and the Philippines are cooperating in the form of support. The Task Force XXXIII-E Konga to the Philippines in 2016-2017 is one of the nations that the United Nations has authorised to send its soldiers.

According to Mala Chandra & Satish Chandra (2006), observer missions and peacekeeping troops can be used to categorise peacekeeping or peacekeeping missions. The role of the unarmed staff on the observer is to monitor the negotiations for peace between the warring parties. While peacekeeping troops are often armed forces entrusted with maintaining the peace process's security and political backing. Since it is challenging to obtain information on the facts of the fight from the Philippines, the majority of the troops appointed to the UN task force had intelligence experience. In an essay titled "Multinational Intelligence Cooperation," Dewi Kurniawati adopted Tom Landsford's perspective, arguing that the majority of the UN forces supplied by other nations were intelligence-capable.

"The greatest fear for any country to share intelligence information is a country that is now considered an ally or good friend, may become an enemy and can easily destroy the country's interests in the future because basically there are no friends or opponents who are immortal, Today's Friends maybe Tomorrow's Enemy ". (Dewi Kurniawati, 2012)

With a diplomatic note from the Philippine Ministry of Foreign Affairs signed by GRP Panel C, the Government of the Philippines or the Government of the Republic of the Philippines (GRP) and the Moro Islamic Liberation Front (MILF) invited Indonesia to join the International Monitoring Team task force tasked with monitoring the peace agreement between the GRP and MILF in accordance with the UN Charter and the opening of the 1945 Constitution.

The issuing of Presidential Regulation number 47 of 2012, dated April 24, 2012, about the Indonesian Observer Team in the International Monitoring Team in the Southern Philippines, serves as proof that Indonesia has been granted permission to join the IMT. In addition, Minister of Foreign Affairs No. 6 of 2012, issued December 18, 2012, relates to the Southern Philippines' guidelines for the preparation, delivery, withdrawal, and supervision of IMT.

IV. THE GOVERNMENT'S STRATEGY IS TO PROTECT THE SOVEREIGNTY OF THE SEA BORDER BETWEEN INDIA AND THE PHILIPPINES.

The policy to uphold marine security law, protect sea sovereignty, and promote national development on the Indonesia-Philippines sea border constitutes the sovereignty of the maritime border. The government always employs a strategy of prevention, enforcement, and recovery when dealing with legal transgressions in the form of unlawful activities and violations of sovereignty.

Based on A.T.'s theory, Mahan (1866–1898) proposes five categories for sea power:

- The first is the country's location in the world.
- Second, the form of the earth's surface. Because Indonesia and the Philippines share a maritime border that is sufficiently far from the government's administrative centre to support the creation of a powerful military force, two Indonesia Naval Army Bases remain operational. The archipelago is home to several fish spawning sites where fish lay their eggs. Many Filipinos engage in illegal fishing, which the Indonesian Navy and Marine Security Agency must stop and address.
- The area is the third. The willingness to employ maritime transportation routes decreases in large ocean regions. The Indonesian government recently completed the construction of the Bitung route to General Santos with the addition of several ships. Residents of SaPi-Pisang and FTF may enter and exit the Philippines with ease as a result of this.
- Governmental organisations. The role of the government in managing marine riches is to motivate its citizens to manage the sea. Due to operational limitations such the lack of ships and staff, these institutions, especially the Marine Security Agency, nevertheless rely on the Navy and sea and air police to carry out their duties. Since this institution is not yet operating at its full potential, criminal activities like people trafficking and illegal fishing—both of which are frequently exploited by the Banana Cow family—remain prevalent.

There are five techniques to manage the seas, but Indonesia and the Philippines have not yet completely implemented them, making it difficult to closely monitor people going through immigration and products passing through customs. Determining that the security forces needed to be strengthened, the Indonesian government added mobile brigade platoons, KRI maritime security patrols, IndoMaphil patrols, and routine patrols from Indonesia Naval Army Base VIII/Manado. In a same vein, the Regional Government could help the security forces communicate by building offices and telecommunications infrastructure.

The following tactics are used by the Indonesian government to implement its policy to safeguard the waters in North Sulawesi by thinning out the land routes, which are on the outermost islands in particular and the northern islands.

By exchanging intelligence and looking for signs of Philippine rebel infiltration on the front island, the first prevention approach involves bolstering forces on the outlying islands. If the thickness of the soldiers and increased use of intelligence does not succeed, a strategic deterrent like the Bali bombing will occur. The Bali bombing organisation is connected to Al Qaeda. Since joining ISIS, of course, since Al Qaeda disbanded when Osama Bin Laden was assassinated.

The terror network in the Philippines is also regarded as an insurgent organisation that supports regional separatists.

As a result, the Tabligh Worshipers and SaPi-PiSang locals in the northern Nusa Tenggara region have intensified their approach to sea defence.

Second, the enforcement strategy prioritises the role of law, which concludes with the court (Soft Power), rather than using violence (Hard Power), unless the insurgent engages in combat and kills residents and border patrol agents while

brandishing a weapon, in which case the only option left is to execute shootings on the spot in accordance with procedures.

Third, the ownership concept is the one that has to do with a nation's borders. Possidetis Juris is a legal theory that was developed with the purpose of a newly sovereign State built on earlier colonies. According to the history of the Moro Nation, neither Spain nor America had colonised them.

This country views the fight for independence as an effort to drive invaders from P. Mindanao such that the Philippine government is viewed as a colonialist one. Cooperation with international institutions is required while dealing with separatists.

Fourth, the North Nusa Tenggara archipelago's local government is involved in developing the outlying islands, border areas, and remote places as part of the recovery strategy.

Development entails reducing border inhabitants' isolation and poverty. Additionally, citizens will support government initiatives that enhance wellbeing. However, if progress is not properly distributed, it will lead to the populace engaging in criminal activities like the trafficking of drugs and alcohol in order to obtain quick cash. In order to prevent locals from exporting their fish catches to the Philippines, this recovery will be used to construct offices, healthcare facilities, marketplaces, education centres, and health advice centres.

based on Ken Booth's idea, which first discusses the military's involvement in the navy's responsibility to secure and safeguard the sea in his book "Navies and Foreign Policy." the application of force to end hostilities and win wars. The second is the police's function. To uphold the law at sea, the navy battles. The third is diplomacy's function. The navy's part in carrying out foreign policy include using maritime power to assist the foreign ministry in carrying out its duties. Unfortunately, in the northern Nusa Tenggara archipelago, the three roles—especially the foreign surveillance squad (Team Pora)—were not doing well. Particularly, the yearly customs and immigration staff numbers were quite low, making it impossible for them to perform their duties. Only Tripika and Tripides play a significant role on the mainland. In order to increase maritime border guarding, the Regional Government must assist the building of the Indonesian Navy, water and air police, Immigration and Customs, and infrastructure.

V. CONCLUSION

The findings of this study are the first instances of illegal fishing, drugs, illegal mining, human trafficking, illegal trading, arms and ammunition, illegal human trafficking, routes used by terrorists to return home, foreign ships entering the country without authorization, illegal migration, and other forms of smuggling in North Sulawesi. The second is an assessment of the collaboration between safeguarding the sovereignty of the Indonesian and Philippine maritime border through a state boundary agreement, IndoMalphi cooperation, information exchange cooperation, and joint operations. Thirdly, there is the government's plan for preserving the integrity of the Indonesia-Philippines Sea boundary, which includes preventive, action, and recovery strategies.

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