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Indonesia-Singapore Ties: Timely Breakthrough

By Leonard C. Sebastian and Dedi Dinarto

SYNOPSIS

Indonesia and Singapore have concluded agreements aimed at strengthening bilateral cooperation on the management of airspace, extradition of fugitives, and defence cooperation. Ties are entering a new phase in which cooperative security is built with each other, not against each other.

COMMENTARY

SINGAPORE AND INDONESIA have resolved three “longstanding” bilateral issues that Prime Minister Lee Hsien Loong described as a “balanced” set of agreements, one of which is the management of airspace which has taken 50 years to settle. The other two issues are an extradition treaty, which has been equally contentious, and defence cooperation.

Speaking after their retreat in Bintan, just south of Singapore, on 25 January 2022, Prime Minister Lee, with President Joko Widodo (“Jokowi”) by his side, said both of them had decided that “it was time to decisively settle these longstanding bilateral issues”. The extradition treaty will allow both sides to pursue and deter cross-border fugitives, including for commercial crimes, something which Jakarta has been pushing for, while defence cooperation will continue to sustain the space needed for Singapore’s military training while fully respecting Indonesia’s sovereignty.



Prime Minister Lee Hsien Loong and President Joko Widodo at their Leaders' Retreat on 25 January 2022 on Bintan Island, just south of Singapore. -- Photo by MCI Singapore.

Solutions For a Generation

This package of agreements signifies a new chapter in the bilateral defence and security relationship, marked by a shared appreciation to achieve mutual security through cooperation and to nip potential problems in the bud. “These agreements take into account both parties’ interests, represent a good balance of benefits, and are durable agreements for the long haul, designed to last for at least a generation,” Mr Lee added.

The problem surrounding the management of airspace above the Riau Archipelago and the military training area in that vicinity had hamstrung the bilateral relationship between Indonesia and Singapore.

Since 1946 when British-ruled Singapore gained the authority to oversee the airspace from the International Civil Aviation Organisation (ICAO) followed by full delegation to a newly independent Singapore in 1965, Indonesia had been frustrated in its attempts to regain airspace control due to its lack of organisational capacities, human resources, and navigation facilities and infrastructure.

Upon gaining recognition over its archipelagic status in the 1982 United Nations Convention on the Law of the Sea (UNCLOS), Indonesia pushed the negotiation during the second Asia-Pacific Regional Air Navigation (ASPAC RAN) in 1983 to claim the rights – but was thwarted yet again by the ICAO.

The ICAO’s subsequent decision during the 1995 ASPAC RAN was critical as it laid the foundation for Indonesia and Singapore to figure out the bilateral solution over the dispute. Even though the two countries had reached agreement, Malaysia, which still had control over Sector B of the airspace, objected, leading the ICAO to again reject the resolution proposed by the two countries.

Between 2005 and 2007, Indonesia and Singapore again attempted to find common ground on the Defence Cooperation Agreement (DCA) and the Military Training Area (MTA) matters which were to be taken as a package with the Extradition Treaty (ET). The Indonesian House of Representatives (DPR) rejected the bilateral agreement, with some members agreeing to take on board the Extradition Treaty without recognising the DCA and the MTA.

There had also been requests to clarify the signed documents on the Indonesian side – eventually resulting in a completely disrupted negotiation process between the two countries.

Resolved: Realigning the Management of Airspace

Upon his ascent to the presidency in 2014, Jokowi set in motion an ambitious approach to resolve the airspace issue. In September 2015, he promulgated a presidential instruction to accelerate the Flight Information Region (FIR) takeover process from Singapore, setting a deadline of no later than 2019.

Coordinating Minister for Maritime Affairs and Investment Luhut Pandjaitan led the roadmap preparation team together with other relevant ministries and state institutions and came to an agreement with Singapore on the Framework for Negotiation of FIR Realignment in October 2019. Despite achieving good progress, the two countries were constrained by the COVID-19 pandemic to move forward.

With the signing of the three documents, a new arrangement to the airspace management above Riau Archipelago is in place. The Riau Islands airspace which was previously part of the Singapore's FIR will now be part of the Jakarta FIR.

Singapore will still regulate and oversee the entry and exit of flights in the airspace around Changi Airport and will also collect and hand over the Route Air Navigation Services (RANS) to Indonesia. Jakarta will evaluate the provision of flight navigation services carried out by Singapore based on the ICAO standards.

Apart from the FIR realignment and adjustment to the existing agreement, both countries also introduced a new scheme of cooperation known as the “Civil-Military Cooperation in Aviation Traffic Management” included in the DCA.

This initiative will require the stationing of Indonesian personnel at the Singapore Air Traffic Controller (ATC) Centre to facilitate Indonesia's exercise of their sovereignty in the portion of airspace where flight navigation services are overseen by Singapore. The DCA also specifies an arrangement for the Singapore Air Force to conduct military exercise in the agreed airspace.

Road Ahead: Spirit of Compromise

This latest package of agreements is a step forward for bilateral relations, though with a caveat because of two significant conundrums: ratification by the Indonesian Parliament and the approval by the ICAO.

First, ratification by parliament has been viewed with optimism as Jokowi has secured

a large pro-government coalition in the parliament. This would potentially reduce the chance of getting the signed agreement rejected by the DPR. Can we expect the ratification process to be smooth sailing?

Second, the signed agreement must be presented to the ICAO for authorisation. How will this be accomplished as Indonesia has no status as an ICAO Council Member and thereby unable to influence the decision-making process? The authorisation process is largely dependent on Indonesia's negotiation skill to present its case before the international forum.

Favouring Indonesia has been its positive image gained from the ICAO after the 2017 ICAO audit team reported the increase of Indonesia's navigation service and implementation effectiveness to 81.15% – well above the global average of 62%.

However, the road ahead may not be straightforward. It would be a mistake not to recognise this immense accomplishment on the part of Singapore and Indonesia in achieving a new milestone for bilateral relations in the field of defence and security. In turn, this also serves as a significant policy success for Jokowi when he vacates the presidency in 2024.

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