

ABSTRACT

This study is attempts to review the Malaysia and Indonesia Incidents at Sea Agreement (MALINDO INCSEA) with particular focus on the factors that mitigate to the to the non-compliance of the agreement. The MALINDO INCSEA was a bilateral agreement between the Royal Malaysia Navy (RMN) and Tentara Nasional Indonesia-Tentera Laut (TNI-TL) in 2001. This agreement was meant to navies only, to reduce the vulnerability of provocative behavior or maneuver and the risk of incidents. Pre-MALINDO INCSEA 2001, the RMN and TNI-TL seriously engaged in naval standoff, harassment and provocative maneuvers to resume their rights and sovereignty over Sipadan-Ligitan islands in Sulawesi Sea. This study uses the historical analytical approach because this is based on the document of MALINDO INCSEA. The data mainly collected from both primary and secondary sources. The primary sources include books, articles, and others. Interviews also conducted. Secondary sources include newspaper reports. This study found that the MALINDO INCSEA is lacking in terms of consultative measures that is important for confidence building, despite of several external and internal factors that caused to the impediment of effective implementation of MALINDO INCSEA and confidence building.