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Limits in the Seas

No. 141

Indonesia:

Archipelagic and other Maritime Claims and Boundaries



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INDONESIA

ARCHIPELAGIC AND OTHER MARITIME CLAIMS AND BOUNDARIES

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This study is one of a series issued by the Office of Ocean and Polar Affairs, Bureau of Oceans and International Environmental and Scientific Affairs in the Department of State. The purpose of the series is to examine a coastal State's maritime claims and/or boundaries and assess their consistency with international law. This study represents the views of the United States Government only on the specific matters discussed therein and does not necessarily reflect an acceptance of the limits claimed.

This study, and earlier studies in this series, may be downloaded from <http://www.state.gov/e/oes/ocns/opa/c16065.htm>. Comments and questions should be emailed to LimitsInTheSeas@state.gov. Principal analysts for this study are Brian Melchior and Kevin Baumert.

Introduction

This study analyzes the maritime claims and maritime boundaries of the Republic of Indonesia, including its archipelagic baselines claim. The geographic coordinates of Indonesia's archipelagic baselines are set out in its Government Regulation No. 37 of 2008 (Annex 1 to this study), which revised Government Regulation No. 38 of 2002.¹ The archipelagic baselines are shown on Map 1 to this study. Government Regulation No. 37 of 2002 sets out the rights and obligations of foreign ships and aircraft exercising the right of archipelagic sea lanes passage through designated archipelagic sea lanes (Annex 2 to this study).²

Act No. 6 of August 8, 1996, regarding Indonesian Waters established a 12-nautical mile (nm) territorial sea and addressed Indonesia's archipelagic waters (Annex 3 to this study).³ Act No. 5 of 1983 on the Indonesian exclusive economic zone established a 200-nm exclusive economic zone (EEZ) (Annex 4 to this study).⁴ Indonesian legislation on the continental shelf is contained in Act No. 1 of 1973.⁵ Indonesia ratified the 1982 United Nations Convention on the Law of the Sea (LOS Convention) on February 3, 1986, and ratified the 1994 Agreement Relating to the Implementation of Part XI of the Convention on June 2, 2000.⁶

Basis for Analysis

The LOS Convention contains certain provisions related to archipelagic States. Article 46 provides that an "archipelagic State" means "a State constituted wholly by one or more archipelagos and may include other islands." An "archipelago" is defined as "a group of islands, including parts of islands, interconnecting waters and other natural features which are so closely interrelated that such islands, waters and other natural features form an intrinsic geographical, economic and political entity, or which historically have been regarded as such."

¹ The List of Geographical Coordinates of Points of the Indonesian Archipelagic Baselines based on Government Regulation of the Republic of Indonesia No. 38 of 2002, as amended by the Government Regulation of the Republic of Indonesia No. 37 of 2008, is available from the UN Division for Ocean Affairs and the Law of the Sea (DOALOS), *Law of the Sea Bulletin* No. 69, at 81-104 (2009), at:

http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/DEPOSIT/idn_mzn67_2009.pdf. An illustrative map is available at:

http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/MAPS/idn_mzn67_2009.jpg.

² Indonesian Government Regulation No. 37 on the Rights and Obligations of Foreign Ships and Aircraft Exercising the Right of Archipelagic Sea Lanes Passage through Designated Archipelagic Sea Lanes, June 28, 2002, is available from DOALOS, *Law of the Sea Bulletin* No. 52, at 20-40 (2003) at:

http://www.un.org/Depts/los/doalos_publications/LOSBulletins/bulletinpdf/bulletin52e.pdf.

³ Act No. 6 of August 8, 1996 regarding Indonesian Waters is available from DOALOS at:

http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/IDN_1996_Act.pdf.

⁴ Act No. 5 of October 18, 1983 on the Indonesian exclusive economic zone may be found in UN, *National Legislation of the Exclusive Economic Zone, the Economic Zone and the Exclusive Fishery Zone* 150-156 (Sales No. E.85.V.10, 1986) and R.W. Smith, *Exclusive Economic Zones: An Analysis and Primary Documents* (Martinus Nijhoff Publishers, 1986), pp. 228-239, and is available from DOALOS at:

http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/IDN_1983_Act.pdf.

⁵ No English translation of Act No. 1 of 1973 appears to be available.

⁶ United Nations Convention on the Law of the Sea, Montego Bay, opened for signature Dec. 10, 1982, entered into force Nov. 16, 1994, 1833 UNTS 397, available from DOALOS, at:

http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm.

Only an “archipelagic State” may draw archipelagic baselines (Article 47.1). Article 47 sets out geographic criteria to which archipelagic States must adhere when establishing archipelagic baselines (Annex 5 to this study).

Under Article 47.1, an archipelagic State may draw straight archipelagic baselines joining the outermost points of the outermost islands and drying reefs of the archipelago, provided that within such baselines are included the main islands and an area in which the ratio of the area of the water to the area of the land, including atolls, is between 1 to 1 and 9 to 1. In addition, the length of any baseline segment shall not exceed 100 nm except that up to 3 percent of the total number of baselines may have a length up to 125 nm (Article 47.2).

Additional provisions of Article 47 state that such baselines shall not depart to any appreciable extent from the general configuration of the archipelago; that such baselines shall not be drawn, with noted exceptions, using low-tide elevations; and that the system of such baselines shall not be applied in such a manner as to cut off from the high seas or exclusive economic zone (EEZ) the territorial sea of another State (Article 47.3 - 47.5).

The LOS Convention further reflects the specific rights and duties given to archipelagic States over their land and water territory. Article 53 allows the archipelagic State to “designate sea lanes . . . suitable for the continuous and expeditious passage of foreign ships . . . through . . . its archipelagic waters and the adjacent territorial sea.” Also, Article 53.12 provides that “[i]f an archipelagic State does not designate sea lanes . . . , the right of archipelagic sea lanes passage may be exercised through the routes normally used for international navigation.”

Analysis⁷

The Republic of Indonesia is an archipelagic State located in Southeast Asia between the Indian Ocean and the Pacific Ocean, south of the Philippines and north of Australia. Indonesia is composed of a reported 17,508 islands (approximately 6,000 inhabited), some of which are used for drawing Indonesia’s archipelagic baselines.⁸

Archipelagic Baselines

The archipelagic baseline system of Indonesia is composed of 192 baseline segments, of which 160 are straight archipelagic baselines and 32 are normal baseline segments.⁹ The straight archipelagic baselines range in length from 0.51 nm (segment 97-98) to 122.75 nm (segment 44-45), with a total length of 6,920 nm.

The archipelagic baseline system of Indonesia meets the water-to-land area ratio set forth in Article 47.1:

Total Area = 4,986,325 square kilometers

⁷ The analysis was conducted in ESRI ArcMap 10, using equal area and equidistant conic projections.

⁸ World Factbook entry for Indonesia at: <https://www.cia.gov/library/publications/the-world-factbook/geos/id.html>.

⁹ Government Regulation No. 37 of 2008 (Annex 1 to this study), lists 195 baseline segments. However, three of them are land boundaries.

Water Area = 3,081,756 square kilometers
 Land Area = 1,904,569 square kilometers¹⁰
 Water-to-land area ratio = 1.61:1

Consistent with Article 47.2 of the LOS Convention, five baseline segments (20-21, 44-45, 54-55, 142-143 and 155-156), which comprise 2.6 percent of the total number of segments, exceed 100 nm in length; none of the segments exceed 125 nm. Annex 1 to this study (Regulation No. 37 of 2008) lists the lengths of each segment. The results of a separate analysis of the baseline segments conducted for the purposes of this study confirms what is listed in Regulation No. 37 of 2008.

The configuration of the baselines does not appear to depart to any appreciable extent from the general configuration of the archipelago (Article 47.3). None of the baselines appear to be drawn using low-tide elevations (Article 47.4). With one exception, the baselines are not drawn in a way that would cut off from the high seas or EEZ the territorial sea of another State (Article 47.5). In 2012 Timor-Leste objected to two of Indonesia's archipelagic baseline segments on the basis of their cut-off effect.¹¹ These two segments—TD112A-TD113 and TD113B-TD114—can be seen on Map 2.

In conclusion, Indonesia's archipelagic baseline system set forth in Regulation No. 37 of 2008 appears to be generally consistent with Article 47 of the LOS Convention. However, it appears as though Indonesia needs to address with Timor-Leste the effect that its archipelagic baselines have on Timor-Leste's maritime claims.

Territorial Sea, Exclusive Economic Zone and Continental Shelf

By Article 3(3) of Act No. 6 of 1996, the archipelagic waters of Indonesia are those waters enclosed by the archipelagic baselines. Indonesia's 12-nm territorial sea, established in Article 3(2) of Act No. 6, is measured from the baselines. Article 2 of Act No. 5 of 1983 established a 200-nm EEZ measured from the baselines. Indonesia's legislation and regulations do not address the contiguous zone.

With respect to the continental shelf of Indonesia, Article 4(2) of Act No. 5 of 1983 states that "as far as it concerns the sea-bed and the subsoil thereof, the sovereign rights and other rights, jurisdiction and duties of Indonesia [pertaining to the EEZ], shall be exercised in accordance with the legislative provisions on the Indonesian continental shelf, agreements concluded between the Republic of Indonesia and neighbouring States and the rules of international law in

¹⁰ World Factbook, *supra* note 8.

¹¹ Timor-Leste stated that "The first archipelagic straight baseline [TD112A-TD113] does not take in consideration the median line between the territorial sea of Timor-Leste's island of Atauro and the territorial seas of Indonesia's island of Lirang and Alor. The second archipelagic straight baseline [TD113B –TD114] does not conform with Article 47(5) of the Convention as it encompasses the territorial sea of the Timor-Leste enclave of Oecussi [labeled "Oikusi" on Map 2], thus excluding the enclave of Oecussi from access to the high seas and to its exclusive economic zone." Diplomatic note NV/MIS/85/2012 of Feb. 6, 2012, available from DOALOS at: http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/DEPOSIT/communicationsredeposit/mz_n67_2009_tls.pdf.

force.” Indonesia’s continental shelf is also the subject of legislation enacted in 1973.¹² On June 16, 2008, Indonesia made a partial submission to the Commission on the Limits of the Continental Shelf (CLCS) concerning the area beyond 200 nm North West of Sumatra.¹³ The CLCS made its recommendations with respect to this submission in March 2011.¹⁴ In addition to the area northwest of Sumatra, there are two other areas where Indonesia may have continental shelf beyond 200 nm: to the north of Papua and to the south of Sumba.¹⁵ Indonesia has indicated that it intends to make additional submissions to the CLCS at a later date.¹⁶

Navigation

Articles 11 to 17 of Act No. 6 of 1996 recognize the right of innocent passage (referred to in the Act as “crossing” rights) in Indonesia’s archipelagic waters and territorial sea. Article 18 of the Act recognizes the right of archipelagic sea lanes passage through waters of the Indonesian archipelago. Article 19 provides that Indonesia may designate sea lanes or air routes through or over archipelagic waters and territorial seas and may also prescribe traffic separation schemes.¹⁷

An archipelagic State may designate such sea lanes, as well as traffic separation schemes, provided that “an archipelagic State shall refer [such] proposals to the competent international organization with a view to their adoption” (LOS Convention, Article 53, paragraphs 1 and 9). As the competent international organization, the International Maritime Organization (IMO) may “adopt only such sea lanes and traffic separation schemes as may be agreed with the archipelagic State, after which the archipelagic State may designate, prescribe, or substitute them” (Article 53.9).¹⁸ Indonesia has proposed and the IMO has adopted three archipelagic sea lanes, which the government of Indonesia designated in its Regulation No. 37 of 2002¹⁹ These archipelagic sea lanes run in the north-south direction; no east-west routes have been submitted to the IMO for adoption.

¹² Act No. 1 of 1973, *supra* note 5.

¹³ Continental Shelf Submission of Indonesia: Partial Submission in respect of the area of North West of Sumatra, June 16, 2008, Executive Summary available from DOALOS at: http://www.un.org/depts/los/clcs_new/submissions_files/submission_idn.htm.

¹⁴ The summary of the Commission’s recommendations is available from DOALOS at: http://www.un.org/depts/los/clcs_new/submissions_files/idn08/Summary_Recommendations_for_Indonesia.pdf.

¹⁵ See S. Sutisna et al., “Indonesian Searching for its Continental Shelf Outer Limits,” 5th ABLOS Conference: Difficulties in Implementing the Provisions of UNCLOS, Oct. 15-17, 2008, International Hydrographic Bureau, Monaco, available at: <http://www.gmat.unsw.edu.au/ablos/ABLOS05Folder/SutisnaPaper.pdf>.

¹⁶ Submission at 4, *supra* note 13.

¹⁷ The legislation uses different terminology for sea lanes (“sea channels”), air routes (“flight routes”), and traffic separation scheme (“traffic dividing scheme”).

¹⁸ The IMO rules and procedures for the adoption, designation and substitution of archipelagic sea lanes, were adopted by the Maritime Safety Committee in resolution MSC 71(69) of May 19, 1998, pursuant to regulation V/8 of the International Convention for the Safety of Life at Sea, 1974, and are set forth in Part H of the IMO publication, *Ships’ Routeing*. The MSC resolution may be found at: http://www.imo.org/blast/blastData.asp?doc_id=6793&filename=71%2869%29.pdf.

¹⁹ See Articles 11 and 12 and Annexes IV-VI of Annex 2 of this study. The IMO Maritime Safety Committee adopted in resolution MSC 72(69) of May 19, 1998, the partial system of archipelagic sea lanes in Indonesian archipelagic waters. The MSC resolution may be found at: http://www.imo.org/blast/blastData.asp?doc_id=6794&filename=72%2869%29.pdf.

In addition to designating three archipelagic sea lanes, Regulation No. 37 of 2002 prescribes in detail the rights and obligations of foreign ships and aircraft exercising the right of archipelagic sea lanes passage.²⁰ For the most part, the Regulation conforms to the provisions of Articles 52-54 of the LOS Convention (Annex 5 to this study). However, Article 3 of Regulation No. 37 appears to limit impermissibly the exercise of archipelagic sea lanes passage to designated sea lanes:

1. The exercise of the right of archipelagic sea lane passage as described in article 2 [of the Regulation] is conducted through a sea lane or air route above the sea lane designated as an archipelagic sea lane for the purpose of transit in such sea lanes, as stipulated in article 11 [of the Regulation].
2. Pursuant to this regulation, to exercise the right of archipelagic sea lane passage in other parts of Indonesian waters can be conducted after such a sea lane has been designated in those waters for the purpose of this transit.²¹

Considering that Indonesia has designated only three north-south routes, such a restriction is not permitted by Article 53 of the LOS Convention. Article 53.4 states that “[archipelagic] sea lanes and air routes . . . shall include all normal passage routes used as routes for international navigation or overflight through or over archipelagic waters . . . provided that duplication of routes of similar convenience between the same entry and exit points shall not be necessary.” In adopting three north-south routes, the IMO stipulated, and Indonesia confirmed at the time of adoption by the IMO, that this was a *partial* designation and that the provisions of Article 53.12 of the LOS Convention continued to apply pending adoption of designations for all normal passage routes.²² Therefore, the right of archipelagic sea lanes passage may be exercised within the three designated routes, and also within other routes normally used for international navigation.²³ The Indonesian government has, on occasion, attempted to restrict the exercise of the right of archipelagic sea lanes by U.S. military aircraft through east-west routes normally used for international navigation. Such attempts are inconsistent with the navigational rights reflected in the LOS Convention.

Exclusive Economic Zone Jurisdiction

Article 4(3) of Act No. 5 of 1983 provides that in the Indonesian EEZ “the freedom of international navigation and overflight, as well as the freedom of laying submarine cables and pipelines, shall be respected in accordance with the principles of the international law of the

²⁰ Regulation No. 37, *supra* note 2 and Annex 2 to this study.

²¹ Article 15 similarly appears to limit the right of archipelagic sea lanes passage. *See* Annex 2 of this study.

²² Report of the Maritime Safety Committee on its 69th Session, MSC 69/22, May 29, 1998, paragraphs 5.22-5.29; resolution MSC 72(69). *See also*, Maritime Safety Committee, *supra* note 19.

²³ The United States communicated its view on this matter to Indonesia in a diplomatic note dated August 8, 2003. *Digest of United States Practice in International Law 2003*, pp. 760-762 (2004), available at: <http://www.state.gov/s/l/c8183.htm>. In 1999, the IMO issued guidance for ships transiting archipelagic waters, SN circular SN/Circ.206, Jan. 8, 1999, and SN/Circ.206/Corr.1, March 1, 1999 (Annex 6 to this study). *See also* A. Havas, “Archipelagic Sea Lanes Passage Designation: The Indonesian Experience,” in Nordquist et al. (eds.), *Freedom of the Seas, Passage Rights and the 1982 Law of the Sea Convention* (Martinus Nijhoff, 2009), pp. 385-391, 455-457. SN circulars may be found at: <http://www.imo.org/OurWork/Circulars/Pages/IMODOCS.aspx>.

sea.” The provisions of international law to which the Act refers are reflected in the LOS Convention, Parts V (pertaining to the EEZ); VI (pertaining to the continental shelf, including Article 79 pertaining to submarine cables and pipelines); and VII (pertaining to the high seas).

Existing agreements, traditional fishing rights and existing submarine cables

Article 51 of the LOS Convention (Annex 5 to this study), requires an archipelagic State to “respect existing agreements with other States” and “recognize traditional fishing rights and other legitimate activities of the immediately adjacent neighbouring States in certain areas falling within archipelagic waters. . . .” These traditional fishing rights and other legitimate activities are to be “regulated by bilateral agreements.” Such an agreement between Indonesia and Malaysia, concluded in 1982, addresses a wide range of issues to account for the fact that “part of the archipelagic waters of the Republic of Indonesia lies between East and West Malaysia.”²⁴

Article 51 also provides that the archipelagic State shall respect existing submarine cables, including for their maintenance and replacement, laid by other States and passing through its waters without making landfall. This requirement is reflected in Article 22(2) of Indonesia’s Act No. 6 of 1996. Article 2(2) of the 1982 Treaty between Indonesia and Malaysia, referred to above, also provides that Indonesia shall continue to respect existing rights and other legitimate interests of Malaysia, including those “relating to the existence, protection, inspection, maintenance, repair and replacement of submarine cables and pipelines which are already in position and the laying of other submarine cables and pipelines in the territorial sea and archipelagic waters of the Republic of Indonesia lying between East and West Malaysia and the seabed and subsoil thereof.”²⁵

Maritime Boundaries

Indonesia has established maritime boundaries with Australia, India, Malaysia, Papua New Guinea, the Philippines, Singapore, Thailand, and Vietnam. These boundaries are depicted on Map 1.

Indonesia has undelimited maritime boundaries with India (EEZ in the Andaman Sea), Malaysia (territorial sea and EEZ in the Strait of Malacca; territorial sea in the Singapore Strait; EEZ in the Natuna Sea portion of the South China Sea; all maritime zones in the Celebes Sea), Palau (EEZ and continental shelf in the Pacific Ocean), Philippines (continental shelf in the Celebes Sea), Thailand (EEZ in the Andaman Sea), Timor-Leste (Timor Sea and Savu Sea), and Vietnam (EEZ in the Natuna Sea). Indonesia may also have other undelimited maritime boundaries, including with the Federated States of Micronesia (continental shelf beyond 200 nm). A number of boundary tri-points (where the boundaries between three coastal States converge) with Indonesia’s neighbors are also not yet agreed.

²⁴ Treaty between Malaysia and the Republic of Indonesia relating to the Legal Regime of Archipelagic State and the Rights of Malaysia in the Territorial Sea and Archipelagic Waters as well as in the Airspace above the Territorial Sea, Archipelagic Waters and the Territory of the Republic of Indonesia lying between East and West Malaysia, Jakarta, Feb. 25, 1982, entered into force May 25, 1984, UN, *Law of the Sea: Practice of Archipelagic States* 144-155 (UN Sales No. E.92.V.3, 1992). See preambular para. 5. See also, Article 9 of Indonesia’s Act No. 6 of 1996 (Annex 3 to this study).

²⁵ Treaty, *supra* note 24.

Indonesia-Australia

Indonesia has six maritime boundary-related agreements with Australia. The first, concluded in 1971, established two seabed boundaries on the basis of equidistance.²⁶ The first boundary begins at the northern terminus of Indonesia's land boundary with Papua New Guinea (at the time an Australian territory) and extends north approximately 27 nm. The second boundary divides the seabed between Australia and Indonesia in the Arafura Sea; it begins approximately 20 nm south of the terminus of the Indonesia-Papua New Guinea land boundary and extends approximately 528 nm. A supplementary agreement, concluded in 1972, extended this seabed boundary in the Arafura Sea a further 327 nm to the west.²⁷ The 1972 supplementary agreement also created a 188 nm boundary in the Timor Sea dividing the seabed jurisdiction of Indonesia and Australia. These two boundaries are separated by a gap that accounts for the then-Portuguese territory of Timor.

The third boundary agreement between Indonesia and Australia, concluded in 1973, established an all-purpose equidistance boundary of approximately 21 nm that connected the southern terminus of the Indonesia-Papua New Guinea land boundary with the 1971 seabed boundary.²⁸ It also transformed the 1971 seabed boundary north of the Indonesia-Papua New Guinea land boundary into an all-purpose maritime boundary.

A fourth agreement, concluded in 1981, established understandings between the two countries regarding fisheries surveillance and enforcement in areas where their fisheries zones overlapped.²⁹ A fifth agreement, concluded in 1989, established a zone of cooperation for the exploration and exploitation of petroleum resources in the area of the Timor Gap (between the then-Indonesian province of Timor Timur (East Timor) and northern Australia) created by the 1972 seabed boundary agreement.³⁰

²⁶ Agreement between the Government of the Commonwealth of Australia and the Government of the Republic of Indonesia Establishing Certain Seabed Boundaries, Canberra, May 18, 1971, entered into force Nov. 8, 1973, 974 UNTS 307, II *International Maritime Boundaries* 1195 (Rpt. 6-2(1), 1993), *Limits in the Seas* No. 87 (1979), 10 *International Legal Materials* 830 (1971). Available from DOALOS at:

<http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/AUS-IDN1971SB.pdf>.

²⁷ Agreement Between the Government of the Commonwealth of Australia and the Government of the Republic of Indonesia Establishing Certain Seabed Boundaries in the Area of the Timor and Arafura Seas, Supplementary to the Agreement of 18 May 1971, Jakarta, Oct. 9, 1972, entered into force Nov. 8, 1973, 974 UNTS 319, II *International Maritime Boundaries* 1207 (Rpt. 6-2(2), 1993), *Limits in the Seas* No. 87 (1979), 11 ILM 1272 (1972). Available from DOALOS at: <http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/AUS-IDN1972TA.pdf>.

²⁸ Agreement between Australia and Indonesia Concerning certain Boundaries between Papua New Guinea and Indonesia, Jakarta, Feb. 12, 1973, entered into force Nov. 26, 1974, 975 UNTS 3, II *International Maritime Boundaries* 1219 (Rpt. 6-2(3), 1993), *Limits in the Seas* No. 87 (1979). Available from DOALOS at:

<http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/AUS-IDN1973PNG.pdf>.

²⁹ Memorandum of Understanding between the Government of the Republic of Indonesia and the Government of Australia Concerning the Implementation of a Provisional Fisheries Surveillance and Enforcement Arrangement, Jakarta, Oct. 29, 1981, entered into force Feb. 1, 1982, II *International Maritime Boundaries* 1229 (Rpt. 6-2(4), 1993).

³⁰ Treaty between Australia and the Republic of Indonesia on the Zone of Cooperation in an Area between the Indonesian Province of East Timor and Northern Australia, Dec. 11, 1989, entered into force Feb. 9, 1991, II *International Maritime Boundaries* 1245 (Rpt. 6-2(5), 1993), 29 ILM 469 (1990).

The sixth agreement between Indonesia and Australia, concluded in 1997 but not yet in force, delimited three additional boundaries between the two countries: (1) an extension of the existing seabed boundary further west; (2) a new EEZ boundary in the Arafura and Timor Seas; and (3) a new seabed and EEZ boundary between Australia's Christmas Island and the Indonesian island of Java.³¹

Indonesia-Papua New Guinea

Indonesia's maritime boundary agreement with Papua New Guinea, concluded in 1980, extended the 1971 seabed boundary (referred to above) with an all-purpose equidistance boundary ending 200 nm from their baselines.³²

Indonesia-India

Indonesia's first maritime boundary agreement with India, concluded in 1974, delimited the continental shelf between Sumatra (Indonesia) and Great Nicobar Island (India) in the Andaman Sea with a three segment line approximately 48 nm in length.³³ A second boundary agreement, concluded in 1977, extended the 1974 continental shelf boundary in both directions: (1) in a northeast direction within the Andaman Sea to a tri-point with the Indonesia-Thailand boundary (see below) and (2) in a southwest direction in the Indian Ocean.³⁴ The total length of the maritime boundary between India and Indonesia measures approximately 294 nm.

Indonesia-Thailand

Indonesia's first maritime boundary agreement with Thailand, concluded in 1971, delimited the continental shelf in the northern part of the Strait of Malacca and in the Andaman Sea by an equidistant line approximately 89 nm in length.³⁵ A second boundary agreement, concluded in

³¹ Treaty between the Government of Australia and the Government of the Republic of Indonesia Establishing an Exclusive Economic Zone Boundary and Certain Seabed Boundaries, Perth March 14, 1997, not in force, IV *International Maritime Boundaries* 2697 (Rpt. 6-2(6), 2002), 36 ILM 1053 (1997). Available from DOALOS at: <http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/AUS-IDN1997EEZ.pdf>.

³² Agreement between the Government of the Republic of Indonesia and the Government of Papua New Guinea Concerning the Maritime Boundary between the Republic of Indonesia and Papua New Guinea and Cooperation on Related Matters, Jakarta, Dec. 13, 1980, entered into force July 10, 1982, I *International Maritime Boundaries* 1039 (Rpt. 5-10, 1993).

³³ Agreement between the Government of the Republic of India and the Government of the Republic of Indonesia Relating to the Delimitation of the Continental Shelf Boundary between the Two Countries, Jakarta, Aug. 8, 1974, entered into force Dec. 17, 1974, 1208 UNTS 156, II *International Maritime Boundaries* 1363 (Rpt. 6-6(1), 1993). Available from DOALOS at:

<http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/IND-IDN1974CS.PDF>.

³⁴ Agreement between the Government of the Republic of India and the Government of the Republic of Indonesia on the Extension of the 1974 Continental Shelf Boundary between the Two Countries in the Andaman Sea and the Indian Ocean, New Delhi, Jan. 14, 1977, entered into force Dec. 22, 1980, 1208 UNTS 168, II *International Maritime Boundaries* 1371 (Rpt. 6-6(2), 1993). Available from DOALOS at:

<http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/IND-IDN1977CS.PDF>.

³⁵ Agreement between the Government of the Kingdom of Thailand and the Government of the Republic of Indonesia relating to the Delimitation of a Continental Shelf Boundary between the Two Countries in the Northern Part of the Strait of Malacca and in the Andaman Sea, Bangkok, Dec. 17, 1971, entered into force Apr. 7, 1973,

1975, extended their seabed boundary in the Andaman Sea by an additional 75 nm.³⁶ A trilateral agreement between Indonesia, India, and Thailand, concluded in 1978, established a tri-point for the seabed boundaries of the three countries in the Andaman Sea and also included short segments that joined Indonesia's boundary with India (described above) and its boundary with Thailand (described above) to the tri-point.³⁷

Indonesia-Malaysia

Indonesia's first maritime boundary agreement with Malaysia, concluded in 1969, delimited the continental shelf in the southern portion of the South China Sea (two boundary lines) and also in the Strait of Malacca (one boundary line).³⁸ In the Natuna Sea portion of the South China Sea, the first boundary divides the continental shelf between Indonesia's Natuna Sea islands and the east coast of the Malaya peninsula; the second boundary extends northward from the Indonesian-Malaysian land boundary on the island of Borneo, separating the continental shelf between Indonesia's Natuna Sea islands and Malaysia's northern shore of Borneo. In the Strait of Malacca, the boundary line is approximately 330 nm in length (later extended by the 1971 Indonesia-Malaysia-Thailand agreement, discussed below).

A trilateral agreement between Indonesia, Thailand, and Malaysia, concluded in 1971, established a tri-point for the seabed boundaries of the northern part of the Strait of Malacca and also connected Indonesia's shelf boundary with Malaysia (referred to above) and its 1971 boundary with Thailand (described above) to the tri-point.³⁹ The segment connecting the Indonesian-Malaysian boundary to the tri-point is approximately 36 nm in length; the segment connecting the Indonesian-Thai boundary to the tri-point is approximately 59 nm.

1103 UNTS 198, II *International Maritime Boundaries* 1455 (Rpt. 6-13(1), 1993), *Limits in the Seas* No. 81 (1978). Available from DOALOS at:

<http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/THA-IDN1971CS.PDF>.

³⁶ Agreement between the Government of the Republic of Indonesia and the Government of the Kingdom of Thailand Relating to the Delimitation of the Sea-Bed Boundary between the Two Countries in the Andaman Sea, Jakarta, Dec. 11, 1975, entered into force Feb. 18, 1978, 1103 UNTS 214, II *International Maritime Boundaries* 1465 (Rpt. 6-13(2), 1993). Available from DOALOS at:

<http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/THA-IDN1975SB.PDF>.

³⁷ Agreement between the Government of the Republic of India, the Government of the Republic of Indonesia and the Government of the Kingdom of Thailand Concerning the Determination of the Trijunction Point and the Delimitation of the Related Boundaries of the Three Countries in the Andaman Sea, New Delhi, June 22, 1978, entered into force Mar. 2, 1979, 1208 UNTS 185, *Limits in the Seas* No. 87 (1979), II *International Maritime Boundaries* 1379 (Rpt. 6-7, 1993). Available from DOALOS at: <http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/THA-IND-IDN1978TP.PDF>.

³⁸ Agreement between the Government of Malaysia and the Government of Indonesia on the Delimitation of the Continental Shelves between the Two Countries, Kuala Lumpur, Oct. 27, 1969, entered into force Nov. 7, 1969, I *International Maritime Boundaries* 1019 (Rpt. 5-9(1), 1993), *Limits in the Seas* No. 1 (1970), 9 ILM 1173 (1970). Available from DOALOS at:

<http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/MYS-IDN1969CS.PDF>.

³⁹ Agreement between the Government of the Republic of Indonesia, The Government of Malaysia and the Government of the Kingdom of Thailand Relating to the Delimitation of the Continental Shelf Boundaries in the Northern Part of the Strait of Malacca, Kuala Lumpur, Dec. 21, 1971, entered into force July 16, 1973, II *International Maritime Boundaries* 1443 (Rpt. 6-12, 1993), *Limits in the Seas* No. 81 (Encl. 1, 1978).

Indonesia's second maritime boundary agreement with Malaysia, concluded in 1970, delimited the territorial sea in the narrowest (southeastern) portion of the Strait of Malacca.⁴⁰ It is almost coincident with the two countries' continental shelf boundary in that part of the Strait.

Indonesia-Vietnam

Indonesia's maritime boundary agreement with Vietnam, concluded in 2003, delimited their continental shelf with a line approximately 250 nm in length that connects the northern terminus points of the two Indonesia-Malaysia continental shelf boundaries, discussed above, in the southern portion of the South China Sea.⁴¹

Indonesia-Singapore

Indonesia's first maritime boundary agreement with Singapore, concluded in 1973, delimited the territorial sea in the eastern part of the Singapore Strait with a five-segment equidistant line of 24.5 nm in length.⁴² A second agreement with Singapore, concluded in 2009, extended this territorial sea boundary by an additional 6.5 nm in the western part of the Singapore Strait.⁴³

Indonesia-Philippines

Indonesia's maritime boundary with the Philippines, concluded in May 2014 and not yet in force, establishes an EEZ boundary and is without prejudice to the delimitation of the continental shelf boundary between the two countries.⁴⁴ The EEZ boundary provided for in the agreement is approximately 627 nm in length composed of geodesic lines connecting eight points.

Undelimited Maritime Boundaries

As noted above, Indonesia has undelimited maritime boundaries with some of its neighbors. Act No. 6 of 1996 addresses the situation of undelimited territorial sea boundaries. Article 10 of the Act provides in part that, in such situations, "the borderline of the territorial sea between

⁴⁰ Treaty between the Republic of Indonesia and Malaysia Relating to the Delimitation of the Territorial Seas of the Two Countries in the Strait of Malacca, Kuala Lumpur, Mar. 17, 1970, entered into force Oct. 8, 1971, I *International Maritime Boundaries* 1029 (Rpt. 5-9(2), 1993), *Limits in the Seas* No. 50 (1973).

⁴¹ Agreement between the Government of the Socialist Republic of Vietnam and the Government of the Republic of Indonesia concerning the Delimitation of the Continental Shelf Boundary, Hanoi, June 26, 2003, entered into force May 29, 2007; 2457 UNTS 155, *Law of the Sea Bulletin* No. 67, pp. 39-41, VI *International Maritime Boundaries* 4301-4315 (Rpt. 5-27, 2011).

⁴² Agreement Stipulating the Territorial Sea Boundary Lines Between Indonesia and the Republic of Singapore in the Strait of Singapore, Jakarta, May 25, 1973, entered into force Aug. 29, 1974, 2578 UNTS 3, *Law of the Sea Bulletin* No. 68, at 17-19, *Limits in the Seas* No. 60 (1974), I *International Maritime Boundaries* 1049 (Rpt. 5-27, 1993).

⁴³ Treaty between the Republic of Singapore and the Republic of Indonesia relating to the Delimitation of the Territorial Seas of the Two Countries in the Western Part of the Strait of Singapore, Jakarta, Mar. 10, 2009, entered into force Aug. 30, 2010, *Law of the Sea Bulletin* No. 75, pp. 21-26 (2011), *International Maritime Boundaries* (Rpt. 5-11(2), 2012).

⁴⁴ Agreement between the Government of the Republic of the Philippines and the Government of the Republic of Indonesia concerning the delimitation of the Exclusive Economic Zone boundary, Manila, May 23, 2014, available at: <http://www.gov.ph/2014/05/23/agreement-between-the-government-of-the-republic-of-the-philippines-and-the-government-of-the-republic-indonesia-concerning-the-delimitation-of-the-exclusive-economic-zone-boundary/>.

Indonesia and said [neighboring] country shall be the centre line of which the points are of equal distance from the closest points at the baseline from where the width of the territorial sea of the respective countries is measured.” Act No. 5 of 1983 addresses the situation of undelimited EEZ boundaries. Article 3 of that Act provides that “so long as . . . no special conditions need to be considered, the boundary line between the exclusive economic zone of Indonesia and that of the other State shall be the median line or a line that is equidistant from the baselines of Indonesian territorial sea or the outermost points of Indonesia and the baselines of the territorial sea or outermost points of the other State, except if an agreement has been reached with the said State on a provisional arrangement of the boundaries of the Indonesian exclusive economic zone.”

Conclusion

Indonesia’s archipelagic baseline system set forth in Regulation No. 37 of 2008 appears to be generally consistent with Article 47 of the LOS Convention. However, it appears as though Indonesia needs to address with Timor-Leste the effect that its archipelagic baselines have on Timor-Leste’s maritime claims. Indonesia has proposed and the IMO has adopted three archipelagic sea lanes, which the government of Indonesia later formally designated in its Regulation No. 37 of 2002. This is a partial designation of archipelagic sea lanes; accordingly, the right of archipelagic sea lanes passage may be exercised within the three designated routes, and also within other routes normally used for international navigation. The Indonesian government has, on occasion, attempted to restrict the exercise of this right by U.S. military aircraft, attempts which are inconsistent with the navigational rights reflected in the LOS Convention.

Map 2
Illustrative Map of Indonesia's Claimed Baseline Segments around Timor-Leste



Source: Map 2 extracted from Indonesia's illustrative map. See footnote 1.

Annex 1

**THE LIST OF GEOGRAPHICAL COORDINATES OF POINTS
OF THE INDONESIAN ARCHIPELAGIC BASELINES
BASED ON
THE GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA NUMBER
38 OF 2002
AS AMENDED BY
THE GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA NUMBER
37 OF 2008**

<i>No.</i>	<i>Latitude Longitude</i>	<i>Type of Baseline, Distance</i>	<i>Chart Number, Scale, Reference</i>
1	Sea : Natuna 01°14'27"N 104°34'32"E / 1.24083°N 104.57556°E	Tg. Berakit Basepoint No. TD.001 Reference Point No. TR.001 Distance TD.001-TD.001A = 19.19 M Straight Archipelagic Baseline	No. 431 1 : 200.000 WGS'84
2	Sea : Natuna 01°02'52"N 104°49'50"E / 1.04778°N 104.83056°E	P. Sentut Basepoint No. TD.001A Reference Point No. TR.001A Distance TD.001A-TD.022 = 88.06M Straight Archipelagic Baseline	No. 430, 431 1 : 200.000 WGS'84
3	Sea : Natuna 02°18'00"N 105°35'47"E / 2.3°N 105.59639°E	P.Tokong Malang Biru Basepoint No. TD.022 Reference Point No. TR.022 Distance TD.022-TD.023 = 29.50 M Straight Archipelagic Baseline	No. 430 1 : 200.000 WGS'84
4	Sea : Natuna 02°44'29"N 105°22'46"E / 2.74139°N 105.37944°E	P. Damar Basepoint No. TD.023 Reference Point No. TR.023 Distance TD.023-TD.024 = 24.34 M Straight Archipelagic Baseline	No. 423 1 : 200.000 WGS'84
5	Sea : Natuna 03°05'32"N 105°35'00"E / 3.09222°N 105.5833333°E	P. Mangkai Basepoint No. TD.024 Reference Point No. TR.024 Distance TD.024-TD.025 = 26.28 M Straight Archipelagic Baseline	No. 423 1 : 200.000 WGS'84
6	Sea : Natuna 03°19'52"N 105°57'04"E / 3.33111°N 105.95111°E	P. Tokong Nanas Basepoint No. TD.025 Reference Point No. TR.025 Distance TD.025-TD.026 = 20.35 M Straight Archipelagic Baseline	No. 423 1 : 200.000 WGS'84
7	Sea : Natuna 03°27'04"N 106°16'08"E / 3.45111°N 106.26889°E	P. Tokongbelayar Basepoint No. TD.026	No. 423 1 : 200.000 WGS'84

		Reference Point No. TR.026 Distance TD.026-TD.028 = 79.03 M Straight Archipelagic Baseline	
8	Sea : Natuna 04°04'01"N 107°26'09"E / 4.06694°N 107.43583°E	P. Tokongboro Basepoint No. TD.028 Reference Point No. TR.028 Distance TD.028-TD.029 = 32.06 M Straight Archipelagic Baseline	No. 422 1 : 200.000 WGS'84
9	Sea : Natuna 04°31'09"N 107°43'17"E / 4.51917°N 107.72139°E	P. Semiun Basepoint No. TD.029 Reference Point No. TR.029 Distance TD.029-TD.030A = 15.76 M Straight Archipelagic Baseline	No. 421, 422 1 : 200.000 WGS'84
10	Sea : South China 04°42'25"N 107°54'20"E / 4.70694°N 107.90556°E	P. Sebetul Basepoint No. TD.030A Reference Point No. TR.030A Distance TD.030A-TD.030B = 8.18 M Straight Archipelagic Baseline	No. 421 1 : 200.000 WGS'84
11	Sea : South China 04°47'38"N 108°00'39"E / 4.79389°N 108.01083°E	P. Sekatung Basepoint No. TD.030B Reference Point No. TR.030A Between TD.030B-TD.030D Straight Archipelagic Baseline	No. 421 1 : 200.000 WGS'84
12	Sea : South China 04°47'45"N 108°01'19"E / 4.79583°N 108.02194°E	P. Sekatung Basepoint No. TD.030D Reference Point No. TR.030 Distance TD.030D-TD.031 = 52.58 M Straight Archipelagic Baseline	No. 421 1 : 200.000 WGS'84
13	Sea : South China 04°00'48"N 108°25'04"E / 4.01333°N 108.41778°E	P. Senua Basepoint No. TD.031 Reference Point No. TR.031 Distance TD.031-TD.032 = 66.03 M Straight Archipelagic Baseline	No. 421 1 : 200.000 WGS'84
14	Sea : Natuna 03°01'51"N 108°54'52"E / 3.03083°N 108.91444°E	P. Subi Kecil Basepoint No. TD.032 Reference Point No. TR.032 Distance TD.032-TD.033 = 27.67 M Straight Archipelagic Baseline	No. 420 1 : 200.000 WGS'84
15	Sea : Natuna 02°38'43"N 109°10'04"E / 2.64528°N 109.16778°E	P. Kepala Basepoint No. TD.033 Reference Point No. TR.033 Distance TD.033-TD.035 = 44.10 M Straight Archipelagic Baseline	No. 420 1 : 200.000 WGS'84
16	Sea : Natuna 02°05'10"N 109°38'43"E / 2.08611°N 109.64528°E	Tg. Datu Basepoint No. TD.035 Reference Point No. TR.035	No. 420 1 : 200.000 WGS'84

		Between TD.035 -TD.036C Kalimantan [Normal Baseline]	
		P. Sebatik	
17	Sea : Sulawesi 04°10'10"N 117°54'29"E / 4.16944°N 117.90806°E	Basepoint No. TD.036 Reference Point No. TR.036 Distance TD.036-TD.036A = 1.27 M Straight Archipelagic Baseline	No. 489 and 59 1 : 200.000 WGS'84
18	Sea : Sulawesi 04°09'58"N 117°55'44"E / 4.16611°N 117.92889°E	P. Sebatik Basepoint No. TD.036A Reference Point No. TR.036 Distance TD.036A-TD.036B = 0.82 M Straight Archipelagic Baseline	No. 489 and 59 1 : 200.000 WGS'84
19	Sea : Sulawesi 04°09'34"N 117°56'27"E / 4.15944°N 117.94083°E	P. Sebatik Basepoint No. TD.036B Reference Point No. TR.036 Distance TD.036B-TD.037 = 12.22 M Straight Archipelagic Baseline	No. 489 and 59 1 : 200.000 WGS'84
20	Sea : Sulawesi 04°00'38"N 118°04'58"E / 4.01056°N 118.08278°E	Karang Unarang Basepoint No. TD.037 Reference Point No. TR.036 Distance TD.037-TD.039 = 110.27M Straight Archipelagic Baseline	No. 489 and 59 1 : 200.000 WGS'84
21	Sea : Sulawesi 02°15'12"N 118°38'41"E / 2.25333°N 118.64472°E	P. Maratua Basepoint No. TD.039 Reference Point No. TR.039 Distance TD.039-TD.040 = 36.95 M Straight Archipelagic Baseline	No. No. 488 1 : 200.000 WGS'84
22	Sea : Sulawesi 01°46'53"N 119°02'26"E / 1.78139°N 119.04056°E	P. Sambit Basepoint No. TD.040 Reference Point No. TR.040 Distance TD.040-TD.043 = 84.61 M Straight Archipelagic Baseline	No. 488 1 : 200.000 WGS'84
23	Sea : Sulawesi 00°59'55"N 120°12'50"E / 0.99861°N 120.21389°E	P. Lingian Basepoint No. TD.043 Reference Point No. TR.043 Distance TD.043-TD.044 = 40.21 M Straight Archipelagic Baseline	No. 487 1 : 200.000 WGS'84
24	Sea : Sulawesi 01°20'16"N 120°47'31"E / 1.33778°N 120.79194°E	P. Salando Basepoint No. TD.044 Reference Point No. TR.044 Distance TD.044-TD.044A = 6.05 M Straight Archipelagic Baseline	No. 487 1 : 200.000 WGS'84
25	Sea : Sulawesi 01°22'40"N 120°53'04"E / 1.37778°N 120.88444°E	P. Dolangan Basepoint No. TD.044A	No. 486, 487 1 : 200.000 WGS'84

		Reference Point No. TR.044A Between TD.044A-TD.044B Normal Baseline	
		P. Dolangan	
26	Sea : Sulawesi 01°22'41"N 120°53'07"E / 1.37806°N 120.88528°E	Basepoint No. TD.044B Reference Point No. TR.044A Distance TD.044B-TD.045 = 33.70 M Straight Archipelagic Baseline	No. 486, 487 1 : 200.000 WGS'84
		Tg. Kramat	
27	Sea : Sulawesi 01°18'48"N 121°26'36"E / 1.31333°N 121.44333°E	Basepoint No. TD.045 Reference Point No. TR.045 Distance TD.045-TD.046A = 60.10 M Straight Archipelagic Baseline	No. 486 1 : 200.000 WGS'84
		Kr. Boliogut	
28	Sea : Sulawesi 01°08'17"N 122°25'47"E / 1.13806°N 122.42972°E	Basepoint No. TD.046A Reference Point No. TR.046A Distance TD.046A-TD.047 = 41.32 M Straight Archipelagic Baseline	No. 486 1 : 200.000 WGS'84
		P. Bangkit	
29	Sea : Sulawesi 01°02'52"N 123°06'45"E / 1.04778°N 123.1125°E	Basepoint No. TD.047 Reference Point No. TR.047 Distance TD.047-TD.048 = 74.17 M Straight Archipelagic Baseline	No. 485 1 : 200.000 WGS'84
		Tg. Laimpangi	
30	Sea : Sulawesi 01°09'29"N 124°20'38"E / 1.15806°N 124.34389°E	Basepoint No. TD.048 Reference Point No. TR.048 Distance TD.048-TD.049A = 43.09 M Straight Archipelagic Baseline	No. 485 1 : 200.000 WGS'84
		P. Manterawu	
31	Sea : Sulawesi 01°45'47"N 124°43'51"E / 1.76306°N 124.73083°E	Basepoint No. TD.049A Reference Point No. TR.049A Distance TD.049A-TD.051A = 63.82 M Straight Archipelagic Baseline	No. 484 1 : 200.000 WGS'84
		P. Makalehi	
32	Sea : Sulawesi 02°44'15"N 125°09'28"E / 2.7375°N 125.15778°E	Basepoint No. TD.051A Reference Point No. TR.051 Distance TD.051A-TD.053A = 90.35 M Straight Archipelagic Baseline	No. 484 1 : 200.000 WGS'84
		P. Kawalusu	
33	Sea : Sulawesi 04°14'06"N 125°18'59"E / 4.235°N 125.31639°E	Basepoint No. TD.053A Reference Point No. TR.053 Distance TD.053A-TD.054 = 27.01 M Straight Archipelagic Baseline	No. 483 1 : 200.000 WGS'84

34	Sea : Mindanau 04°40'16"N 125°25'41"E / 4.67111°N 125.42806°E	P. Kawio Base Point No. TD.054 Reference Point No.TR.054 Distance TD.054-TD.055 = 4.98 M Straight Archipelagic Baseline	No. 482 1 : 200.000 WGS'84
35	Sea : Mindanau 04°44'14"N 125°28'42"E / 4.73722°N 125.47833°E	P. Marore Base Point No. TD.055 Reference Point No.TR.055 Between TD. 055-TD.055A Normal Baseline	No. 482 1 : 200.000 WGS'84
36	Sea : Mindanau 04°44'25"N 125°28'56"E / 4.74028°N 125.48222°E	P. Marore Base Point No. TD.055A Reference Point No.TR.055 Distance TD.055A-TD.055B = 0.58 M Straight Archipelagic Baseline	No. 482 1 : 200.000 WGS'84
37	Sea : Mindanau 04°44'46"N 125°29'24"E / 4.74611°N 125.49°E	P. Batubawaikang Base Point No. TD.055B Reference Point No.TR.055 Distance TD.055B-TD.056 = 81.75 M Straight Archipelagic Baseline	No. 482 1 : 200.000 WGS'84
38	Sea : Philipina 05°34'02"N 126°34'54"E / 5.56722°N 126.58167°E	P. Miangas Base Point No. TD.056 Reference Point No.TR.056 Between TD.056-TD.056A Normal Baseline	No. 481,482 1 : 200.000 WGS'84
39	Sea : Philipina 05°33'57"N 126°35'29"E / 5.56583°N 126.59139°E	P. Miangas Base Point No. TD.056A Reference Point No.TR.056 Distance TD.056A-TD.057A=57.91 M Straight Archipelagic Baseline	No. 481, 482 1 : 200.000 WGS'84
40	Sea : Philipina 04°46'18"N 127°08'32"E / 4.77167°N 127.14222°E	P. Marampit Base Point No. TD.057A Reference Point No.TR.057 Between TD.057A-TD.057 Normal Baseline	No. 481 1 : 200.000 WGS'84
41	Sea : Philipina 04°45'39"N 127°08'44"E / 4.76083°N 127.14556°E	P. Marampit Base Point No. TD.057 Reference Point No.TR.057 Distance TD.057-TD.058A = 7.10 M Straight Archipelagic Baseline	No. 481 1 : 200.000 WGS'84
42	Sea : Philipina 04°38'38"N 127°09'49"E / 4.64389°N 127.16361°E	P. Intata Base Point No. TD.058A Reference Point No.TR.058A BetweenTD.058A-TD.058 Normal Baseline	No. 481 1 : 200.000 WGS'84

43	Sea : Philipina 04°37'36"N 127°09'53"E / 4.62667°N 127.16472°E	P. Kakarutan Base Point No. TD.058 Reference Point No.TR.058 Distance TD.058-TD.059 = 55.63 M Straight Archipelagic Baseline	No. 481 1 : 200.000 WGS'84
44	Sea : Halmahera 03°45'13"N 126°51'06"E / 3.75361°N 126.85167°E	Tg. Tampida Base Point No. TD.059 Reference Point No.TR.059 Distance TD.059-TD.060 = 122.75 M Straight Archipelagic Baseline	No. 480 1 : 200.000 WGS'84
45	Sea : Halmahera 02°38'44"N 128°34'27"E / 2.64556°N 128.57417°E	Tg. Sopi Base Point No. TD.060 Reference Point No.TR.060 Between TD.060-TD.061A Normal Baseline	No. 479 1 : 200.000 WGS'84
46	Sea : Halmahera 02°25'39"N 128°41'57"E / 2.4275°N 128.69917°E	Tg. Gorua Base Point No. TD.061A Reference Point No.TR.061 Distance TD.061A-TD.062 = 50.97 M Straight Archipelagic Baseline	No. 482 1 : 200.000 WGS'84
47	Sea : Halmahera 01°34'44"N 128°44'14"E / 1.57889°N 128.73722°E	Tg. Lelai Base Point No. TD.062 Reference Point No.TR.062 Distance TD.062-TD.063 = 56.55 M Straight Archipelagic Baseline	No. 479 1 : 200.000 WGS'84
48	Sea : Halmahera 00°43'39"N 129°08'30"E / 0.7275°N 129.14167°E	P. Jiew Base Point No. TD.063 Reference Point No.TR.063 Distance TD.063-TD.065 = 96.05 M Straight Archipelagic Baseline	No. 478 1 : 200.000 WGS'84
49	Ocean : Pacific 00°32'08"N 130°43'52"E / 0.53556°N 130.73111°E	P. Budd Base Point No. TD.065 Reference Point No.TR.065 Distance TD.065-TD.066= 45.91 M Straight Archipelagic Baseline	No. 477 1 : 200.000 WGS'84
50	Ocean : Pacific 01°05'20"N 131°15'35"E / 1.08889°N 131.25972°E	P. Fani Base Point No. TD.066 Reference Point No.TR.066 Between TD.066-TD.066A Normal Baseline	No. 477 1 : 200.000 WGS'84
51	Ocean : Pacific 01°04'28"N 131°16'49"E / 1.07444°N 131.28028°E	P. Fani Base Point No. TD.066A Reference Point No.TR.066 Distance TD.066A-TD.070 = 99.81 M Straight Archipelagic Baseline	No. 477 1 : 200.000 WGS'84

52	Ocean : Pacific 00°20'16"S 132°09'34"E / 0.33778°S 132.15944°E	P. Miossu Base Point No. TD.070 Reference Point No. TR.070 Distance TD.070-TD.070A = 15.77 M Straight Archipelagic Baseline	No. 476 1 : 200.000 WGS'84
53	Ocean : Pacific 00°20'34"S 132°25'20"E / 0.34278°S 132.42222°E	Tg. Yamursba Base Point No. TD.070A Reference Point No. TR.070A Distance TD.070A-TD.071 = 17.72 M Straight Archipelagic Baseline	No. 476 1 : 200.000 WGS'84
54	Ocean : Pacific 00°21'42"S 132°43'01"E / 0.36167°S 132.71694°E	Tg. Wasio Base Point No. TD.071 Reference Point No. TR.071 Distance TD.071-TD.072 = 122.74 M Straight Archipelagic Baseline	No. 476 1 : 200.000 WGS'84
55	Ocean : Pacific 00°56'22"N 134°17'44"E / 0.93944°N 134.29556°E	P. Fanildo Base Point No. TD.072 Reference Point No. TR.072 Between TD.072-TD.072A Normal Baseline	No. 475 1 : 200.000 WGS'84
56	Ocean : Pacific 00°55'57"N 134°20'30"E / 0.9325°N 134.34167°E	P. Bras Base Point No. TD.072A Reference Point No. TR.072 Distance TD.072A-TD.074 = 97.28 M Straight Archipelagic Baseline	No. 475 1 : 200.000 WGS'84
57	Ocean : Pacific 00°23'38"S 135°16'27"E / 0.39389°S 135.27417°E	P. Bepondi Base Point No. TD.074 Reference Point No. TR.074 Distance TD.074-TD.076B = 39.41 M Straight Archipelagic Baseline	No. 474 1 : 200.000 WGS'84
58	Ocean : Pacific 00°41'56"S 135°51'21"E / 0.69889°S 135.85583°E	Tg. Wasanbari Base Point No. TD.076B Reference Point No. TR.077 Distance TD.076B-TD.077 = 38.90 M Straight Archipelagic Baseline	No. 474 1 : 200.000 WGS'84
59	Ocean : Pacific 01°04'13"S 136°23'14"E / 1.07028°S 136.38722°E	Tg. Basari Base Point No. TD.077 Reference Point No. TR.077 Distance TD.077 -TD.078 = 95.45 M Straight Archipelagic Baseline	No. 473 1 : 200.000 WGS'84
60	Ocean : Pacific 01°27'23"S 137°55'51"E / 1.45639°S 137.93083°E	Tg. Narwaku Base Point No. TD.078 Reference Point No. TR.078 Distance TD.078-TD.079 = 47.61 M Straight Archipelagic Baseline	No. 472 1 : 200.000 WGS'84

61	Ocean : Pacific 01°34'26"S 138°42'57"E / 1.57389°S 138.71583°E	P. Liki Base Point No. TD.079 Reference Point No. TR.079 Distance TD.079-TD.080 = 97.06 M Straight Archipelagic Baseline	No. 472 1 : 200.000 WGS'84
62	Ocean : Pacific 02°19'12"S 140°09'07"E / 2.32°S 140.15194°E	Tg. Kamdara Base Point No. TD.080 Reference Point No. TR.080 Distance TD.080-TD.080A = 28.56 M Straight Archipelagic Baseline	No. 471 1 : 200.000 WGS'84
63	Ocean : Pacific 02°26'22"S 140°36'47"E / 2.43944°S 140.61306°E	Tg. Kelapa Base Point No. TD.080A Reference Point No. TR.080A Distance TD.080A-TD.081 = 25.22 M Straight Archipelagic Baseline	No. 471 1 : 200.000 WGS'84
64	Ocean : Pacific 02°36'16"S 141°00'00"E / 2.60444°S 141°E	Tg. Oinake Base Point No. TD.081 Reference Point No. TR.081 Between TD.081-TD.082 Irian Jaya [Normal Baseline]	No. 471 1 : 200.000 WGS'84
65	Sea : Arafuru 09°07'40"S 141°01'10"E / 9.12778°S 141.01944°E	S.Torasi Base Point No. TD.082 Reference Point No. TR.082 Between TD.082-TD.082A Normal Baseline	No. 470 1 : 200.000 WGS'84
66	Sea : Arafuru 09°10'53"S 140°59'07"E / 9.18139°S 140.98528°E	S.Torasi Base Point No. TD.082A Reference Point No. TR.082 Between TD.082A-TD.082B Normal Baseline	No. 470 1 : 200.000 WGS'84
67	Sea : Arafuru 09°12'13"S 140°57'27"E / 9.20361°S 140.9575°E	S.Torasi Base Point No. TD.082B Reference Point No. TR.082 Between TD.082B-TD.082C Normal Baseline	No. 470 1 : 200.000 WGS'84
68	Sea : Arafuru 09°12'00"S 140°56'08"E / 9.2°S 140.93556°E	S.Torasi Base Point No. TD.082C Reference Point No. TR.082 Between TD.082C-TD.083 Normal Baseline	No. 470 1 : 200.000 WGS'84
69	Sea : Arafuru 09° 05' 42" S 140° 50' 58" E / 1.07444°N 131.28028°E	S. Blatar Base Point No. TD.083 Reference Point No. TR.083 Distance TD.083-TD.085 = 97.35 M	No. 470 1 : 200.000 WGS'84

Straight Archipelagic Baseline

70	Sea : Arafuru 08°16'11"S 139°26'11"E / 8.26972°S 139.43639°E	Kr. Sametinke Base Point No. TD.085 Reference Point No. TR.085 Distance TD.085-TD.086 = 33.00 M Straight Archipelagic Baseline	No. 470 1 : 200.000 WGS'84
71	Sea : Arafuru 08°26'09"S 138°54'23"E / 8.43583°S 138.90639°E	Ug. Komoran Base Point No. TD.086 Reference Point No. TR.086 Distance TD.086-TD.088A = 74.11 M Straight Archipelagic Baseline	No. 469 1 : 200.000 WGS'84
72	Sea : Aru 08°26'44"S 137°39'28"E / 8.44556°S 137.65778°E	Ug. Salah Base Point No. TD.088A Reference Point No. TR.088 Between TD.088A-TD.088E Normal Baseline	No. 469 1 : 200.000 WGS'84
73	Sea : Aru 08°12'49"S 137°41'24"E / 8.21361°S 137.69°E	P. Kolepon Base Point No. TD.088E Reference Point No. TR.088 Distance TD.088E-TD.088F=25.15 M Straight Archipelagic Baseline	No. 469 1 : 200.000 WGS'84
74	Sea : Aru 07°49'28"S 137°50'50"E / 7.82444°S 137.84722°E	S. Korima Base Point No. TD.088F Reference Point No. TR.088 Distance TD.088F-TD.090 = 93.90 M Straight Archipelagic Baseline	No. 469 1 : 200.000 WGS'84
75	Sea : Aru 06°21'31"S 138°23'59"E / 6.35861°S 138.39972°E	S. Cook Base Point No. TD.090 Reference Point No. TR.090 Distance TD.090-TD.091 = 30.63 M Straight Archipelagic Baseline	No. 468 1 : 200.000 WGS'84
76	Sea : Aru 05°58'45"S 138°03'22"E / 5.97917°S 138.05611°E	Gosong Triton Base Point No. TD.091 Reference Point No. TR.091 Distance TD.091-TD.092 = 40.83 M Straight Archipelagic Baseline	No. 467, 468 1 : 200.000 WGS'84
77	Sea : Aru 05°23'14"S 137°43'07"E / 5.38722°S 137.71861°E	P. Laag Base Point No. TD.092 Reference Point No. TR.092 Distance TD.092-TD.093 = 64.15 M Straight Archipelagic Baseline	No. 467 1 : 200.000 WGS'84
78	Sea : Aru 04°54'24"S 136°45'35"E / 4.90667°S 136.75972°E	Tg. Pahonbatu Base Point No. TD.093 Reference Point No. TR.093 Distance TD.093-TD.094 = 41.32 M Straight Archipelagic Baseline	No. 467 1 : 200.000 WGS'84

79	Sea : Aru 04°38'41"N 136°07'14"E / 4.64472°N 136.12056°E	Amarapya Base Point No. TD.094 Reference Point No. TR.094 Distance TD.094-TD.097A = 96.49 M Straight Archipelagic Baseline	No. 466 1 : 200.000 WGS'84
80	Sea : Aru 05°35'42"S 134°49'05"E / 5.595°S 134.81806°E	P. Ararkula Base Point No. TD.097A Reference Point No. TR.097 Distance TD.097A-TD.098 = 25.02 M Straight Archipelagic Baseline	No. 466 1 : 200.000 WGS'84
81	Sea : Aru 06°00'09"S 134°54'26"E / 6.0025°S 134.90722°E	P. Karaweira Br Base Point No. TD.098 Reference Point No. TR.098 Distance TD.098-TD.099 = 19.29 M Straight Archipelagic Baseline	No. 465 1 : 200.000 WGS'84
82	Sea : Aru 06°19'26"S 134°54'53"E / 6.32389°S 134.91472°E	P. Panambulai Base Point No. TD.099 Reference Point No. TR.099 Distance TD.099-TD.099A = 19.95 M Straight Archipelagic Baseline	No. 465 1 : 200.000 WGS'84
83	Sea : Aru 06°38'50"S 134°50'12"E / 6.64722°S 134.83667°E	P. Kultubai Utara Base Point No. TD.099A Reference Point No. TR.099 Distance TD.099A-TD.100 = 11.45 M Straight Archipelagic Baseline	No. 465 1 : 200.000 WGS'84
84	Sea : Aru 06°49'54"S 134°47'14"E / 6.83167°S 134.78722°E	P. Kultubai Selatan Base Point No. TD.100 Reference Point No. TR.100 Distance TD.100-TD.100A = 12.62 M Straight Archipelagic Baseline	No. 465 1 : 200.000 WGS'84
85	Sea : Aru 07°01'08"S 134°41'26"E / 7.01889°S 134.69056°E	P. Karang Base Point No. TD.100A Reference Point No. TR.100A Between TD.100A-TD.100B Normal Baseline	No. 465, 468 1 : 200.000 WGS'84
86	Sea : Aru 07°01'48"S 134°40'38"E / 7.03°S 134.67722°E	P. Karang Base Point No. TD.100B Reference Point No. TR.100B Distance TD.100B-TD.101 = 10.25 M Straight Archipelagic Baseline	No. 465 1 : 200.000 WGS'84
87	Sea : Aru 07°06'14"S 134°31'19"E / 7.10389°S 134.52194°E	P. Enu Base Point No. TD.101 Reference Point No. TR.100B Between TD.101-TD.101A Normal Baseline	No. 465 1 : 200.000 WGS'84

88	Sea : Aru 07°05'23"N 134°28'18"E / 7.08972°N 134.47167°E	P. Enu Base Point No. TD.101A Reference Point No. TR.100B Distance TD.101A-TD.102 = 18.54 M Straight Archipelagic Baseline	No. 465 1 : 200.000 WGS'84
89	Sea : Aru 06°57'01"S 134°11'38"E / 6.95028°S 134.19389°E	P. Batugoyang Base Point No. TD.102 Reference Point No. TR.102 Distance TD.102-TD.103 = 98.34 M Straight Archipelagic Baseline	No. 464, 465 1 : 200.000 WGS'84
90	Sea : Aru 06°00'25"S 132°50'42"E / 6.00694°S 132.845°E	Tg. Weduar Base Point No. TD.103 Reference Point No. TR.103 Distance TD.103-TD.104 = 90.19 M Straight Archipelagic Baseline	No. 464 1 : 200.000 WGS'84
91	Sea : Aru 07°14'26"S 131°58'49"E / 7.24056°S 131.98028°E	P. Larat Base Point No. TD.104 Reference Point No. TR.104 Distance TD.104-TD.105B = 29.55 M Straight Archipelagic Baseline	No. 463 1 : 200.000 WGS'84
92	Sea : Aru 07°39'49"S 131°43'33"E / 7.66361°S 131.72583°E	Kr. Sarikilmasa Base Point No. TD.105B Reference Point No. TR.104 Distance TD.105B-TD.105 = 34.38 M Straight Archipelagic Baseline	No. 463 1 : 200.000 WGS'84
93	Sea : Timor 08°03'07"S 131°18'02"E / 8.05194°S 131.30056°E	P. Asutubun Base Point No. TD.105 Reference Point No. TR.105 Between TD.105-TD.105C Normal Baseline	No. 463 1 : 200.000 WGS'84
94	Sea : Timor 08°03'57"S 131°16'55"E / 8.06583°S 131.28194°E	P. Asutubun Base Point No. TD.105C Reference Point No. TR.105 Distance TD.105C-TD.106 = 11.26 M Straight Archipelagic Baseline	No. 463, 468 1 : 200.000 WGS'84
95	Sea : Timor 08°10'17"S 131°07'31"E / 8.17139°S 131.12528°E	P. Selaru Timur Base Point No. TD.106 Reference Point No. TR.106 Distance TD.106-TD.106A = 16.24 M Straight Archipelagic Baseline	No. 462, 463 1 : 200.000 WGS'84
96	Sea : Timor 08°18'27"S 130°53'20"E / 8.3075°S 130.88889°E	P. Selaru Barat Base Point No. TD.106A Reference Point No. TR.106 Distance TD.106A-TD.107 = 4.52 M Straight Archipelagic Baseline	No. 462, 463 1 : 200.000 WGS'84

97	Sea : Timor 08°20'30"S 130°49'16"E / 8.34167°S 130.82111°E	P. Batarkusu Base Point No. TD.107 Reference Point No. TR.107 Distance TD.107-TD.107A = 0.51 M Straight Archipelagic Baseline	No. 462 1 : 200.000 WGS'84
98	Sea : Timor 08°20'41"S 130°48'47"E / 8.34472°S 130.81306°E	Fursey Base Point No. TD.107A Reference Point No. TR.107 Between TD.107A-TD.107C Normal Baseline	No. 462 1 : 200.000 WGS'84
99	Sea : Timor 08°20'54"S 130°45'21"E / 8.34833°S 130.75583°E	Tg. Arousu Base Point No. TD.107C Reference Point No. TR.107 Distance TD.107C-TD.108 = 55.73 M Straight Archipelagic Baseline	No. 462 1 : 200.000 WGS'84
100	Sea : Timor 08°13'29"S 129°49'32"E / 8.22472°S 129.82556°E	P. Masela Base Point No. TD.108 Reference Point No. TR.108 Distance TD.108-TD.109 = 78.22 M Straight Archipelagic Baseline	No. 462 1 : 200.000 WGS'84
101	Sea : Timor 08°21'09"S 128°30'52"E / 8.3525°S 128.51444°E	P. Meatimiarang Basepoint No. TD.109 Reference Point No. TR.109 Distance TD.109-TD.110 = 52.29 M Straight Archipelagic Baseline	No. 375 and 461 1 : 200.000 WGS'84
101A	Sea : Timor 08°14'20"S 127°38'34"E / 8.23889°S 127.64278°E	Tg. Karang, P. Leti Basepoint No. TD.110 Reference Point No. TR.196 Between TD.110-TD.110A Normal Baseline	No. 375 and 461 1 : 200.000 WGS'84
101B	Sea : Timor 08°14'17"S 127°38'04"E / 8.23806°S 127.63444°E	Tg. Kesioh, P. Leti Basepoint No. TD.110A Reference Point No. TR.196 Distance TD.110A-TD.111 = 30.08 M Straight Archipelagic Baseline	No. 463, 468 1 : 200.000 WGS'84
101C	Strait : Wetar 08°06'07"S 127°08'52"E / 8.10194°S 127.14778°E	Tutun Yen, P. Kisar Basepoint No. TD.111 Reference Point No. TR.198 Distance TD.111-TD.112 = 41.24 M Straight Archipelagic Baseline	No. 375 and 461 1 : 200.000 WGS'84
101D	Strait : Wetar 07°58'31"S 126°27'59"E / 7.97528°S 126.46639°E	Tutun Eden, P. Wetar Basepoint No. TD.112 Reference Point No. TR.112 Distance TD.112-TD.112A = 43.85 M Straight Archipelagic Baseline	No. 459A 1 : 200.000 WGS'84

101E	Strait : Wetar 08°03'44"S 125°44'06"E / 8.06222°S 125.735°E	P. Lirang Basepoint No. TD.112A ⁴⁵ Reference Point No. TR.112A Distance TD.112A-TD.113 = 38.69 M Straight Archipelagic Baseline	No. 459A 1 : 200.000 WGS'84
101F	Strait : Ombai 08°19'04"S 125°08'25"E / 8.31778°S 125.14028°E	Tg. Lisomu, P. Alor Basepoint No. TD.113 Reference Point No. TR.113 Between TD.113-TD.113A Normal Baseline	No. 459A 1 : 200.000 WGS'84
101G	Strait : Ombai 08°21'26"S 125°03'37"E / 8.35722°S 125.06028°E	Tg. Seromu, P. Alor Basepoint No. TD.113A Reference Point No. TR.113A Distance TD.113A-TD.113B = 16.49 M Straight Archipelagic Baseline	No. 459A 1 : 200.000 WGS'84
101H	Strait : Ombai 08°23'58"S 124°47'10"E / 8.39944°S 124.78611°E	Tg. Sibera, P. Alor Basepoint No. TD.113B Reference Point No. TR.205 Distance TD.113B-TD.114 = 34.69 M Straight Archipelagic Baseline	No. 459A 1 : 200.000 WGS'84
101I	Strait : Ombai 08°57'26"S 124°56'57"E / 8.95722°S 124.94917°E	Mota Biku, P. Timor Basepoint No. TD.114 Between TD.114-TD.114A P. Timor [Normal Baseline]	No. 459A 1 : 200.000 WGS'84
101J	Sea : Timor 09°27'37"S 125°05'20"E / 9.46028°S 125.08889°E	Mota Talas, P. Timor Basepoint No. TD.114A Distance TD.114A-TD.115 = 11.89 M Straight Archipelagic Baseline	No. 459 1 : 200.000 WGS'84
102	Sea : Timor 09°38'09"S 124°59'39"E / 9.63583°S 124.99417°E	Tg. Wetoh Base Point No. TD.115 Reference Point No. TR.115 Distance TD.115-TD.116 = 20.69 M Straight Archipelagic Baseline	No. 459 1 : 200.000 WGS'84
103	Sea : Timor 09°52'58"S 124°45'00"E / 9.88278°S 124.75°E	Tg. Batu Merah Base Point No. TD.116 Reference Point No. TR.116 Distance TD.116-TD.117 = 21.27 M Straight Archipelagic Baseline	No. 459 1 : 200.000 WGS'84
104	Sea : Timor 10°07'14"S 124°28'59"E / 10.12056°S 124.48306°E	Tg. Haikmeo Base Point No. TD.117 Reference Point No. TR.117	No. 459 1 : 200.000 WGS'84

⁴⁵ Timor-Leste has protested segments 101E-101F and 101H-101I, by note verbale NV/MIS/85/2012, Feb. 6, 2012. See *supra* note 11. See also Article 14 of Government Regulation No. 37 of 2002 (Annex 2 to this study, below).

		Distance TD.117-TD.118 = 6.02 M Straight Archipelagic Baseline	
105	Sea: Timor 10°10'19"S 124°23'44"E / 10.17194°S 124.39556°E	Tg. Tunfano Base Point No. TD.118 Reference Point No. TR.118 Distance TD.118-TD.120 = 79.65 M Straight Archipelagic Baseline	No. 459 1 : 200.000 WGS'84
106	Ocean: Hindia 10°49'47"S 123°13'22"E / 10.82972°S 123.22278°E	Tg. Puleh Base Point No. TD.120 Reference Point No. TR.120 Distance TD.120-TD.121 = 23.07 M Straight Archipelagic Baseline	No. 458 1 : 200.000 WGS'84
107	Ocean: Hindia 11°00'36"S 122°52'37"E / 11.01°S 122.87694°E	P. Dana Base Point No. TD.121 Reference Point No. TR.121 Distance TD.121-TD.122 = 65.43 M Straight Archipelagic Baseline	No. 458 1 : 200.000 WGS'84
108	Ocean: Hindia 10°37'37"S 121°50'15"E / 10.62694°S 121.8375°E	Tg. Merebu Base Point No. TD.122 Reference Point No. TR.122 Distance TD.122-TD.123 = 34.98 M Straight Archipelagic Baseline	No. 457 1 : 200.000 WGS'84
109	Ocean: Hindia 10°50'00"S 121°16'57"E / 10.8333333°S 121.2825°E	P. Dana Base Point No. TD.123 Reference Point No. TR.123 Between TD.123-TD.123A Normal Baseline	No. 457 1 : 200.000 WGS'84
110	Ocean: Hindia 10°49'54"S 121°16'38"E / 10.83167°S 121.27722°E	P. Dana Base Point No. TD.123A Reference Point No. TR.123 Distance TD.123A-TD.124 = 57.55 M Straight Archipelagic Baseline	No. 457 1 : 200.000 WGS'84
111	Ocean: Hindia 10°19'02"S 120°27'13"E / 10.31722°S 120.45361°E	Tg. Ngunju Base Point No. TD.124 Reference Point No. TR.124 Distance TD.124-TD.125 = 19.90 M Straight Archipelagic Baseline	No. 456 1 : 200.000 WGS'84
112	Ocean: Hindia 10°20'22"S 120°07'02"E / 10.33944°S 120.11722°E	P. Mangudu Base Point No. TD.125 Reference Point No. TR.125 Between TD.125-TD.125A Normal Baseline	No. 456 1 : 200.000 WGS'84
113	Ocean: Hindia 10°20'08"S 120°05'56"E / 10.33556°S 120.09889°E	P. Mangudu Base Point No. TD.125A Reference Point No. TR.125	No. 456 1 : 200.000 WGS'84

		Distance TD.125A-TD.128B=72.43 M Straight Archipelagic Baseline	
114	Ocean: Hindia 09°41'55"S 119°03'27"E / 9.69861°S 119.0575°E	Tg. Merapu Base Point No. TD.128B Reference Point No. TR.128B Between TD.128B-TD.128 Normal Baseline	No. 455, 456 1 : 200.000 WGS'84
115	Ocean: Hindia 09°33'46"S 118°55'29"E / 9.56278°S 118.92472°E	Tg. Karoso Base Point No. TD.128 Reference Point No. TR.128 Distance TD.128-TD.129 = 48.64 M Straight Archipelagic Baseline	No. 455, 456 1 : 200.000 WGS'84
116	Ocean: Hindia 08°53'22"S 118°28'02"E / 8.88944°S 118.46722°E	Toro Doro Base Point No. TD.129 Reference Point No. TR.129 Distance TD.129-TD.130A = 84.56 M Straight Archipelagic Baseline	No. 458 1 : 200.000 WGS'84
117	Ocean: Hindia 09°06'15"S 117°03'25"E / 9.10417°S 117.05694°E	Tg. Talonan Base Point No. TD.130A Reference Point No. TR.130 Distance TD.130A-TD.130 = 2.64 M Straight Archipelagic Baseline	No. 454 1 : 200.000 WGS'84
118	Ocean: Hindia 09°06'37"S 117°00'46"E / 9.11028°S 117.01278°E	Tg. Talonan Base Point No. TD.130 Reference Point No. TR.130 Distance TD.130-TD.131 = 60.94 M Straight Archipelagic Baseline	No. 454 1 : 200.000 WGS'84
119	Ocean: Hindia 08°55'20"S 116°00'08"E / 8.92222°S 116.00222°E	P. Sophialouisa Base Point No. TD.131 Reference Point No. TR.131 Distance TD.131-TD.133 = 25.38 M Straight Archipelagic Baseline	No. 454 1 : 200.000 WGS'84
120	Ocean: Hindia 08°49'11"S 115°35'13"E / 8.81972°S 115.58694°E	Tg. Sedihing Base Point No. TD.133 Reference Point No. TR.133 Distance TD.133-TD.134A = 24.47 M Straight Archipelagic Baseline	No. 454 1 : 200.000 WGS'84
121	Ocean: Hindia 08°51'06"S 115°10'32"E / 8.85167°S 115.17556°E	Tg. Ungasan Base Point No. TD.134A Reference Point No. TR.134A Between TD.134A-TD.134 Normal Baseline	No. 453 1 : 200.000 WGS'84
122	Ocean: Hindia 08°50'56"S 115°06'31"E / 8.84889°S 115.10861°E	Tg. Mebulu Base Point No. TD.134 Reference Point No. TR.134	No. 453 1 : 200.000 WGS'84

		Distance TD.134-TD.135 = 34.75 M Straight Archipelagic Baseline	
123	Ocean: Hindia 09°41'55"S 119°03'27"E / 9.69861°S 119.0575°E	Tg. Bantenan Base Point No. TD.135 Reference Point No. TR.135 Distance TD.135-TD.138 = 74.98 M Straight Archipelagic Baseline	No. 453 1 : 200.000 WGS'84
124	Ocean: Hindia 08°30'30"S 113°17'37"E / 8.50833°S 113.29361°E	P. Barung Base Point No. TD.138 Reference Point No. TR.138 Distance TD.138-TD.139 = 94.26 M Straight Archipelagic Baseline	No. 452 1 : 200.000 WGS'84
125	Ocean: Hindia 08°24'24"S 111°42'31"E / 8.40667°S 111.70861°E	P. Sekel Base Point No. TD.139 Reference Point No. TR.139 Distance TD.139-TD.139A = 11.90 M Straight Archipelagic Baseline	No. 451 1 : 200.000 WGS'84
126	Ocean: Hindia 08°22'17"S 111°20'41"E / 8.37139°S 111.34472°E	P. Panehan Base Point No. TD.139A Reference Point No. TR.139 Distance TD.139A-TD.140 = 48.75 M Straight Archipelagic Baseline	No. 454 1 : 200.000 WGS'84
127	Ocean : Hindia 08°12'03"S 110°42'31"E / 8.20083°S 110.70861°E	Tg. Batur Basepoint No. TD.140 Reference No. TR 140 Distance TD.140-TD.141 = 17.11 M Straight Archipelagic Baseline	No. 451 1 : 200.000 WGS'84
127A	Ocean : Hindia 08°06'05"S 110°26'20"E / 8.10139°S 110.43889°E	Tg. Ngeres Langu Basepoint No. TD.141 Reference Point No. TR 141 Distance TD.141-TD.142 = 63.04 M Straight Archipelagic Baseline	No. 451 1 : 200.000 WGS'84
127B	Ocean : Hindia 08°46'39"S 109°25'52"E / 8.7775°S 109.43111°E	Batu Tugur Basepoint No. TD.142 Reference Point No. TR 142 Distance TD.142-TD.143 = 23.13 M Straight Archipelagic Baseline	No. 451 1 : 200.000 WGS'84
128	Ocean: Hindia 07°47'07"S 109°02'34"E / 7.78528°S 109.04278°E	P. Nusakambangan Base Point No. TD.143 Reference Point No. TR.143 Distance TD.143-TD.144A = 36.34 M Straight Archipelagic Baseline	No. 450 1 : 200.000 WGS'84
129	Ocean: Hindia 07°49'17"S 108°25'57"E / 7.82139°S 108.4325°E	Tg. Legokjawa Base Point No. TD.144A Reference Point No. TR.144A	No. 449 1 : 200.000 WGS'84

		Distance TD.144A-TD.144C = 6.59 M Straight Archipelagic Baseline	
130	Ocean: Hindia 07°49'11"S 108°19'18"E / 7.81972°S 108.32167°E	P. Manuk Base Point No. TD.144C Reference Point No. TR.144 Distance TD.144C-TD.144 = 1.38 M Straight Archipelagic Baseline	No. 449 1 : 200.000 WGS'84
131	Ocean: Hindia 07°49'03"S 108°17'55"E / 7.8175°S 108.29861°E	Tg. Tawulan Base Point No. TD.144 Reference Point No. TR.144 Distance TD.144-TD.145 = 27.50 M Straight Archipelagic Baseline	No. 449 1 : 200.000 WGS'84
132	Ocean: Hindia 07°44'32"S 107°50'32"E / 7.74222°S 107.84222°E	Tg. Gedeh Base Point No. TD.145 Reference Point No. TR.145 Distance TD.145-TD.146 = 88.14 M Straight Archipelagic Baseline	No. 449 1 : 200.000 WGS'84
133	Ocean: Hindia 07°23'20"S 106°24'14"E / 7.38889°S 106.40389°E	Ug. Genteng Base Point No. TD.146 Reference Point No. TR.146 Distance TD.146-TD.147 = 56.96 M Straight Archipelagic Baseline	No. 448 1 : 200.000 WGS'84
134	Ocean: Hindia 07°01'00"S 105°31'25"E / 7.016667°S 105.52361°E	P. Deli Base Point No. TD.147 Reference Point No. TR.147 Distance TD.147-TD.148A = 18.35 M Straight Archipelagic Baseline	No. 448 1 : 200.000 WGS'84
135	Ocean: Hindia 06°51'17"S 105°15'44"E / 6.85472°S 105.26222°E	Kr. Pabayang Base Point No. TD.148A Reference Point No. TR.148 Distance TD.148A-TD.148 = 1.67 M Straight Archipelagic Baseline	No. 447, 448 1 : 200.000 WGS'84
136	Ocean: Hindia 06°50'22"S 105°14'20"E / 6.83944°S 105.23889°E	Tg. Guhakolak Base Point No. TD.148 Reference Point No. TR.148 Distance TD.148-TD.151 = 73.97 M Straight Archipelagic Baseline	No. 447, 448 1 : 200.000 WGS'84
137	Ocean: Hindia 05°53'45"S 104°26'26"E / 5.89583°S 104.44056°E	P. Batu kecil Base Point No. TD.151 Reference Point No. TR.151 Distance TD.151-TD.152 = 50.33 M Straight Archipelagic Baseline	No. 447 1 : 200.000 WGS'84
138	Ocean: Hindia 05°14'22"S 103°54'57"E / 5.23944°S 103.91583°E	Ug. Walor Base Point No. TD.152 Reference Point No. TR.152	No. 446 1 : 200.000 WGS'84

		Distance TD.152-TD.154A = 94.80 M Straight Archipelagic Baseline	
139	Ocean : Hindia 05°30'50"S 102°21'11"E / 5.51389°S 102.35306°E	Tg. Kahoabi Base Point No. TD.154A Reference Point No.TR.154A Distance TD.154A-TD.154 = 5.17 M Straight Archipelagic Baseline	No. 445, 446 1 : 200.000 WGS'84
140	Ocean : Hindia 05°31'13"S 102°16'00"E / 5.52028°S 102.266667°E	Tg. Labuho Base Point No. TD.154 Reference Point No.TR.154 Between TD.154-TD.154B Normal Baseline	No. 445 1 : 200.000 WGS'84
141	Ocean : Hindia 05°30'30"S 102°14'42"E / 5.50833°S 102.245°E	Tg. Labuho Base Point No. TD.154B Reference Point No.TR.154 Distance TD.154B-TD.155 = 13.09 M Straight Archipelagic Baseline	No. 445 1 : 200.000 WGS'84
142	Ocean: Hindia 07°23'20"S 106°24'14"E / 7.38889°S 106.40389°E	Tg. Kooma Base Point No. TD.155 Reference Point No.TR.155 Distance TD.155-TD.156 = 102.15 M Straight Archipelagic Baseline	No. 445 1 : 200.000 WGS'84
143	Ocean : Hindia 04°01'12"S 101°01'49"E / 4.02°S 101.03028°E	P. Mega Base Point No. TD.156 Reference Point No.TR.156 Distance TD.156-TD.158 = 60.36 M Straight Archipelagic Baseline	No. 444 1 : 200.000 WGS'84
144	Ocean : Hindia 03°17'48"S 100°19'47"E / 3.29667°S 100.32972°E	P. Sibarubaru Base Point No. TD.158 Reference Point No.TR.158 Distance TD.158-TD.159 = 33.96 M Straight Archipelagic Baseline	No. 443, 444 1 : 200.000 WGS'84
145	Ocean : Hindia 02°50'14"S 99°59'55"E / 2.83722°S 99.99861°E	Tg. Betumonga Base Point No. TD.159 Reference Point No.TR.159 Distance TD.159-TD.161 = 80.33 M Straight Archipelagic Baseline	No. 443, 448 1 : 200.000 WGS'84
146	Ocean : Hindia 01°51'58"S 99°04'34"E / 1.86611°S 99.07611°E	P. Sinyaunyau Base Point No. TD.161 Reference Point No.TR.161 Distance TD.161-TD.161B = 16.43 M Straight Archipelagic Baseline	No. 442 1 : 200.000 WGS'84
147	Ocean : Hindia 01°40'43"S 98°52'35"E / 1.67861°S 98.87639°E	Tg. Simansih Base Point No. TD.161B Reference Point No.TR.161	No. 442 1 : 200.000 WGS'84

		Between TD.161B-TD.162 Normal Baseline	
148	Ocean : Hindia 01°13'32"S 98°36'07"E / 1.22556°S 98.60194°E	Tg. Sakaladat Base Point No. TD.162 Reference Point No.TR.162 Distance TD.162-TD.164B = 81.46 M Straight Archipelagic Baseline	No. 442, 446 1 : 200.000 WGS'84
149	Ocean : Hindia 00°05'33"S 97°51'14"E / 0.0925°S 97.85389°E	P. Simuk Base Point No. TD.164B Reference Point No.TR.164 Between TD.164B-TD.164 Normal Baseline	No. 441 1 : 200.000 WGS'84
150	Ocean : Hindia 00°04'05"S 97°50'07"E / 0.06806°S 97.83528°E	P. Simuk Base Point No. TD.164 Reference Point No.TR.164 Distance TD.164-TD.167 = 89.23 M Straight Archipelagic Baseline	No. 441 1 : 200.000 WGS'84
151	Ocean : Hindia 01°12'47"N 97°04'48"E / 1.21306°N 97.08°E	P. Wunga Base Point No. TD.167 Reference Point No.TR.167 Distance TD.167-TD.168 = 11.59 M Straight Archipelagic Baseline	No. 440 1 : 200.000 WGS'84
152	Ocean : Hindia 01°24'19"N 97°03'38"E / 1.40528°N 97.06056°E	Tg. Toyolawa Base Point No. TD.168 Reference Point No.TR.168 Distance TD.168-TD.170 = 96.15 M Straight Archipelagic Baseline	No. 440 1 : 200.000 WGS'84
153	Ocean : Hindia 02°31'47"N 95°55'05"E / 2.52972°N 95.91806°E	P. Simeulucut Base Point No. TD.170 Reference Point No.TR.170 Distance TD.170-TD.171 = 40.87 M Straight Archipelagic Baseline	No. 439, 448 1 : 200.000 WGS'84
154	Ocean : Hindia 02°57'51"N 95°23'34"E / 2.96417°N 95.39278°E	P. Salaut Besar Base Point No. TD.171 Reference Point No.TR.171 Between TD.171-TD.171C Normal Baseline	No. 439, 448 1 : 200.000 WGS'84
155	Ocean : Hindia 02°58'57"N 95°23'06"E / 2.9825°N 95.385°E	P. Salaut Besar Base Point No. TD.171C Reference Point No.TR.171A Distance TD.171C-TD.174=113.61 M Straight Archipelagic Baseline	No. 438,439 1 : 200.000 WGS'84
156	Ocean : Hindia 04°52'33"N 95°21'46"E / 4.87583°N 95.36278°E	P. Raya Base Point No. TD.174 Reference Point No.TR.174	No. 437 1 : 200.000 WGS'84

		Distance TD.174-TD.175 = 25.87 M Straight Archipelagic Baseline	
157	Ocean : Hindia 05°16'34"N 95°12'07"E / 5.27611°N 95.20194°E	P. Rusa Base Point No. TD.175 Reference Point No. TR.175 Distance TD.175-TD.176A = 33.89 M Straight Archipelagic Baseline	No. 437 1 : 200.000 WGS'84
158	Ocean : Hindia 05°47'34"N 94°58'21"E / 5.79278°N 94.9725°E	P. Benggala Base Point No. TD.176A Reference Point No. TR.176A Distance TD.176A-TD.177 = 18.88 M Straight Archipelagic Baseline	No. 437 1 : 200.000 WGS'84
159	Ocean : Hindia 06°04'30"N 95°06'45"E / 6.075°N 95.1125°E	P. Rondo Base Point No. TD.177 Reference Point No. TR.177 Between TD.177-TD.177A Normal Baseline	No. 437 1 : 200.000 WGS'84
160	Ocean : Hindia 06°04'30"N 95°07'11"E / 6.075°N 95.11972°E	P. Rondo Base Point No. TD.177A Reference Point No. TR.177 Distance TD.177A-TD.178 = 16.66 M Straight Archipelagic Baseline	No. 437 1 : 200.000 WGS'84
161	Strait : Malacca 05°53'50"N 95°20'03"E / 5.89722°N 95.33417°E	Ug. Le Meule Base Point No. TD.178 Reference Point No. TR.178 Distance TD.178-TD.179 = 40.63 M Straight Archipelagic Baseline	No. 437 1 : 200.000 WGS'84
162	Strait : Malacca 05°30'12"N 95°53'16"E / 5.50333°N 95.88778°E	Ug. Pidie Base Point No. TD.179 Reference Point No. TR.179 Distance TD.179-TD.180 = 58.07 M Straight Archipelagic Baseline	No. 436,437 1 : 200.000 WGS'84
163	Strait : Malacca 05°16'31"N 96°49'5"E / 5.27528°N 96.81806°E	Ug. Peusangan Base Point No. TD.180 Reference Point No. TR.180 Distance TD.180-TD.181 = 39.58 M Straight Archipelagic Baseline	No. 436, 448 1 : 200.000 WGS'84
164	Strait : Malacca 05°15'04"N 97°29'40"E / 5.25111°N 97.49444°E	Tg. Jamboaye Base Point No. TD.181 Reference Point No. TR.181 Between TD.181-TD.181A Normal Baseline	No. 435,436 1 : 200.000 WGS'84
165	Strait : Malacca 05°13'01"N 97°32'54"E / 5.21694°N 97.54833°E	P. Paru Buso Base Point No. TD.181A Reference Point No. TR.181	No. 435 1 : 200.000 WGS'84

		Distance TD.181A-TD.182 = 29.19 M Straight Archipelagic Baseline	
166	Strait : Malacca 04°53'38"N 97°54'49"E / 4.89389°N 97.91361°E	Ug. Peureula Base Point No. TD.182 Reference Point No. TR.182 Distance TD.182-TD.183 = 35.86 M Straight Archipelagic Baseline	No. 435, 446 1 : 200.000 WGS'84
167	Strait : Malacca 04°25'36"N 98°17'15"E / 4.42667°N 98.2875°E	Ug. Tamiang Base Point No. TD.183 Reference Point No. TR.183 Distance TD.183-TD.184 = 82.41 M Straight Archipelagic Baseline	No. 435 1 : 200.000 WGS'84
168	Strait : Malacca 03°46'38"N 99°30'03"E / 3.77722°N 99.50083°E	P. Berhala Base Point No. TD.184 Reference Point No. TR.184 Distance TD.184-TD.185 = 89.42 M Straight Archipelagic Baseline	No. 434 1 : 200.000 WGS'84
169	Strait : Malacca 02°52'10"N 100°41'05"E / 2.86944°N 100.68472°E	P. Batu Mandi Base Point No. TD.185 Reference Point No. TR.185 Distance TD.185-TD.186 = 76.97 M Straight Archipelagic Baseline	No. 433 1 : 200.000 WGS'84
170	Strait : Malacca 02°05'42"N 101°42'30"E / 2.095°N 101.70833°E	Tg. Puhah Base Point No. TD.186 Reference Point No. TR.186 Distance TD.186-TD.186A = 57.08 M Straight Archipelagic Baseline	No. 432,433 1 : 200.000 WGS'84
171	Strait : Malacca 01°31'29"N 102°28'13"E / 1.52472°N 102.47028°E	Tg. Parit Base Point No. TD.186A Reference Point No. TR.186A Distance TD.186A-TD.187 = 39.29 M Straight Archipelagic Baseline	No. 432 1 : 200.000 WGS'84
172	Strait : Malacca 01°06'04"N 102°58'11"E / 1.10111°N 102.96972°E	Tg. Kedabu Base Point No. TD.187 Reference Point No. TR.187 Distance TD.187-TD.188 = 23.58 M Straight Archipelagic Baseline	No. 432 1 : 200.000 WGS'84
173	Strait : Malacca 01°11'30"N 103°21'08"E / 1.19167°N 103.35222°E	P. Iyu Kecil Base Point No. TD.188 Reference Point No. TR.188 Distance TD.188-TD.189 = 2.67 M Straight Archipelagic Baseline	No. 432 1 : 200.000 WGS'84
174	Strait : Malacca 01°09'59"N 103°23'20"E / 1.16639°N 103.38889°E	P. Karimun Kecil Base Point No. TD.189 Reference Point No. TR.189	No. 431,432 1 : 200.000 WGS'84

		Distance TD.189-TD.190 = 15.87 M Straight Archipelagic Baseline	
175	Strait : Main 01°09'13"N 103°39'11"E / 1.15361°N 103.65306°E	P. Nipa Base Point No. TD.190 Reference Point No. TR.190 Between TD.190-TD.190A Normal Baseline	No. 431 1 : 200.000 WGS'84
176	Strait : Main 01°09'12"N 103°39'21"E / 1.15333°N 103.65583°E	P. Nipa Base Point No. TD.190A Reference Point No. TR.190 Distance TD.190A-TD.191 = 3.00 M Straight Archipelagic Baseline	No. 431 1 : 200.000 WGS'84
177	Strait : Main 01°07'44"N 103°41'58"E / 1.12889°N 103.69944°E	P. Pelampong Base Point No. TD.191 Reference Point No. TR.191 Distance TD.191-TD.191A = 4.54 M Straight Archipelagic Baseline	No. 431, 422 1 : 200.000 WGS'84
178	Strait : Main 01°07'27"N 103°46'30"E / 1.12417°N 103.775°E	Kr. Helen Mars Base Point No. TD.191A Reference Point No. TR.191A Distance TD.191A-TD.191B = 3.06 M Straight Archipelagic Baseline	No. 431 1 : 200.000 WGS'84
179	Strait : Main 01°09'26"N 103°48'50"E / 1.15722°N 103.81389°E	Kr. Benteng Base Point No. TD.191B Reference Point No. TR.191B Distance TD.191B-TD.192 = 4.44 M Straight Archipelagic Baseline	No. 431 1 : 200.000 WGS'84
180	Strait : Singapore 01°11'06"N 103°52'57"E / 1.185°N 103.8825°E	Batu Berhanti Base Point No. TD.192 Reference Point No. TR.192 Distance TD.192-TD.193 = 11.91 M Straight Archipelagic Baseline	No. 431 1 : 200.000 WGS'84
181	Strait : Singapore 01°12'29"N 104°04'47"E / 1.20806°N 104.07972°E	P. Senua Basepoint No. TD.031 Reference Point No. TR.031 Distance TD.031-TD.032 = 66.03 M Straight Archipelagic Baseline	No. 421 1 : 200.000 WGS'84
182	Strait : Singapore 01°12'16"N 104°23'37"E / 1.20444°N 104.39361°E	Tg. Sading Base Point No. TD.194 Reference Point No. TR.194 Distance TD.194-TD.195 = 10.02 M Straight Archipelagic Baseline	No. 431 1 : 200.000 WGS'84
183	Sea : Natuna 01°14'35"N 104°33'22"E / 1.24306°N 104.55611°E	Tg. Berakit Base Point No. TD.195 Reference Point No. TR.001	No. 431 1 : 200.000 WGS'84

Between TD.195-TD.001
Normal Baseline

LIST OF ABBREVIATIONS

Kr. = Karang (Reef)
M = Nautical Mile
P. = Pulau (Island)
S. = Sungai (River)
Tg. = Tanjung
Ug. = Ujung

Note

WGS'84 = World Geodetic System 1984

Annex 2

Indonesian Government Regulation No. 37 on the Rights and Obligations of Foreign Ships and Aircraft Exercising the Right of Archipelagic Sea Lane Passage through Designated Archipelagic Sea Lanes, 28 June 2002

The President of the Republic of Indonesia,

To consider:

- a. that the provisions of Law Number 6, 1996, on Indonesian waters, which constitutes the implementation of the United Nations Convention on the Law of the Sea 1982, stipulates, amongst others, that the rights and obligations of foreign ships and aircraft exercising the right of archipelagic sea lane passage will be further determined by government regulation;
- b. that Law Number 6, 1996, on Indonesian Waters, also stipulates that the Government determines the most suitable sea lanes, including the air routes above the sea lanes through the designation of the axis lines, as published on nautical charts;
- c. that at the 69th session of the International Maritime Organization in 1998, the Maritime Safety Committee, with resolution MSC.72 (69), adopted the Indonesian submission concerning Indonesian Archipelagic Sea Lanes;
- d. that based on the considerations in points a, b and c, there is a requirement for the establishment of government regulations concerning the rights and obligations of foreign ships and aircraft exercising the Right of Archipelagic Sea Lane Passage through designated sea lanes;

In view of:

1. Article 5 paragraph (2) of the 1945 Constitution as amended in the Third Amendment of the 1945 Constitution;
2. Law Number 6, 1996, on Indonesian Waters (State Gazette 1996 Number 73, Supplementary State Gazette Number 3647) [Annex 3 to this study];

HAS DECIDED

To enact:

GOVERNMENT REGULATION ON THE RIGHTS AND OBLIGATIONS OF FOREIGN SHIPS AND AIRCRAFT EXERCISING THE RIGHT OF ARCHIPELAGIC SEA LANE PASSAGE THROUGH DESIGNATED ARCHIPELAGIC SEA LANES.

CHAPTER 1 GENERAL PROVISIONS

Article 1

For the purpose of this Government Regulation:

1. An archipelagic sea lane is a sea lane as defined in article 1 paragraph 8 of the Law in which it is described as a lane for exercising the right of archipelagic sea lane passage.
2. The Law is Law Number 6, 1996, on Indonesian Waters.

3. The right of archipelagic sea lane passage is the right of foreign ships and aircraft to transit as defined in article 18 paragraph (1) and paragraph (2) of the Law.
4. The right of innocent passage is the right of foreign ships to transit as defined in article 11 of the Law.
5. Territorial sea means territorial sea as defined in article 3 paragraph (2) of the Law.
6. Archipelagic waters means waters as described in article 3 paragraph (3) of the Law.
7. Convention means the convention as defined in article 1 point 9 of the Law.

CHAPTER II
THE RIGHTS AND OBLIGATIONS OF FOREIGN SHIPS AND AIRCRAFT
EXERCISING THE RIGHT OF ARCHIPELAGIC SEA LANE PASSAGE

Article 2

Foreign ships and aircraft may exercise the right of Archipelagic Sea Lane Passage for the purposes of navigation and overflight from one part of the high seas or an exclusive economic zone to another part of the high seas or an exclusive economic zone through the territorial sea and archipelagic waters of Indonesia.

Article 3

1. The exercise of the right of archipelagic sea lane passage as described in article 2 is conducted through a sea lane or air route above the sea lane designated as an archipelagic sea lane for the purpose of transit in such sea lanes, as stipulated in article 11.
2. Pursuant to this regulation, to exercise the right of archipelagic sea lane passage in other parts of Indonesian waters can be conducted after such a sea lane has been designated in those waters for the purpose of this transit.

Article 4

1. Foreign ships and aircraft exercising the right of archipelagic sea lane passage must transit without delay through or above the archipelagic sea lane in normal mode solely for the purpose of continuous, expeditious and unobstructed transit.
2. Foreign ships and aircraft that exercise the right of archipelagic sea lane passage shall not deviate more than 25 nautical miles to either side of the axis lines during passage, provided that such ships and aircraft shall not navigate or fly over closer to the coast than 10 per cent of the distance between the nearest points on islands bordering the sea lane.
3. Foreign ships and aircraft exercising the right of archipelagic sea lane passage must refrain from any threat or use of force against the sovereignty, territorial integrity, or political independence of the Republic of Indonesia or in any other manner in violation of the principle of international law embodied in the Charter of the United Nations.
4. Foreign military warships and aircraft when exercising the right of archipelagic sea lane passage are not allowed to conduct war exercises or exercises using any kind of weapons with ammunition.
5. Except for a situation involving a *force majeure* or distress, aircraft exercising the right of archipelagic sea lane passage shall not land on Indonesian territory.
6. All foreign ships when exercising the right of archipelagic sea lane passage are not allowed to stop or anchor or to move back and forth while passing, except in the case of a *force majeure* or in distress or for the purpose of rendering assistance to persons or ships in distress.

7. Foreign ships and aircraft exercising the right of archipelagic sea lane passage are prohibited from carrying out unauthorized broadcasting or interfere with telecommunications systems and are prohibited from establishing direct communications with unauthorized persons or groups within the territory of Indonesia.

Article 5

Foreign ships or aircraft, including research or hydrographic vessels whilst exercising the right of archipelagic sea lane passage shall not conduct marine scientific research or hydrographic surveys either with the use of detection equipments or sample gathering equipments, unless granted permission to do so.

Article 6

1. Foreign ships, including fishing vessels exercising the right of archipelagic sea lane passage are prohibited from carrying out fishing activities.
2. Foreign fishing vessels exercising the right of archipelagic sea lane passage whilst required to fulfill the obligations stipulated in paragraph (1) must also keep their fishing gear stowed.
3. Foreign ships and aircraft exercising the right of archipelagic sea lane passage shall not embark or disembark persons, goods or currency in contravention of customs, immigration, fiscal and health laws except in the situation of a *force majeure* or distress.

Article 7

1. Foreign ships when exercising the Right of Archipelagic Sea Lane Passage shall observe the generally accepted regulations, procedures and international practices for the safety of navigation, including the regulations relating to collision prevention at sea.
2. Transiting ships in the traffic separation scheme established in the archipelagic sea lanes are obliged to observe the said scheme.
3. Foreign ships exercising the Right of Archipelagic Sea Lane Passage shall not damage or disrupt navigation facilities and submarine cables and pipelines.
4. Foreign ships exercising the right of archipelagic sea lane passage in the area where facilities for the exploitation or exploration of natural resources are located shall not sail within 500 meters of the prohibited zone around the installation.

Article 8

1. Foreign civil aircraft exercising the Right of Archipelagic Sea Lane Passage shall:
 - a. comply with the aviation regulations as established by the International Civil Aviation Organization concerning flight safety;
 - b. continuously monitor the radio frequencies as directed by the air traffic control authority or the appropriate international emergency radio frequency.
2. Foreign national aircraft exercising the Right of Archipelagic Sea Lane Passage shall:
 - a. respect the aviation regulations concerning flight safety as stipulated in paragraph (1)a;
 - b. observe the obligations as stipulated in paragraph (1)b.

Article 9

1. Foreign ships exercising the right of archipelagic sea lane passage are prohibited from discharging oil, oily waste and other dangerous materials into the marine environment, and or conducting other activities in contravention of international standards and regulations to prevent, reduce and control marine pollution originating from the ship.
2. Foreign ships exercising the right of archipelagic sea lane passage are prohibited from dumping waste into Indonesian waters.
3. Foreign nuclear-powered ships or ships carrying nuclear materials, or other inherently dangerous or noxious substances exercising the right of archipelagic sea lane passage, must bring documents and observe special precautionary measures as determined by international agreements for such vessels.

Article 10

1. Persons or legal personalities responsible for the operation of foreign cargo ships, aircraft or government-owned ships and aircraft used for commercial purposes exercising the right of archipelagic sea lane passage shall take responsibility for any loss or damage suffered by Indonesia as a result of non-compliance with the provisions in articles 7, 8 and 9.
2. The flag state of a ship or the state of registry of an aircraft shall bear international responsibility for any loss or damage suffered by Indonesia as a result of non-compliance with the provisions in articles 7, 8 and 9, by warships or foreign aircraft when exercising the right of archipelagic sea lane passage.

CHAPTER III DESIGNATION OF ARCHIPELAGIC SEA LANES TO BE USED FOR EXERCISING THE RIGHT OF ARCHIPELAGIC SEA LANE PASSAGE

Article 11

1. Archipelagic sea lane that is used to exercise the right of archipelagic sea lane passage for navigation between the South China Sea and the Indian Ocean or in the opposite direction, for traversing the Natuna Sea, the Karimata Strait, the Java Sea and the Sunda Strait is the Archipelagic Sea Lane I which constitutes the axis connecting points I-1 to I-15 as described in the List of Coordinates and explained in Article 12 paragraph (2).
2. Archipelagic Sea Lane I as outlined in paragraph (1) contains the Archipelagic Sea Lane Spurs IA joining Archipelagic Sea Lane I at point I-3 for navigation from the Singapore Strait through the Natuna Sea or in the opposite direction, constitutes the axis lines connecting points IA-1 and I-3 as detailed in the List of Co-ordinates and explained in Article 12 paragraph (2).
3. Archipelagic sea lane that is used to exercise the right of archipelagic sea lane passage for navigation from the Sulawesi Sea to the Indian Ocean or in the opposite direction, for traversing the Makassar Strait, the Flores Sea and the Lombok Strait is the Archipelagic Sea Lane II which constitutes the axis lines connecting points II-1 through to II-8 as detailed in the List of Coordinates and explained in Article 12 paragraph (2).
4. Archipelagic sea lane that is used to exercise the right of archipelagic sea lane passage for navigation from the Pacific Ocean to the Indian Ocean or in the opposite direction, for traversing the Maluku Sea, the Seram Sea, the Banda Sea, the Ombai Strait and the Sawu Sea is the Archipelagic Sea Lane III.A which constitutes the axis lines connecting points III.A-1 to III.A-13 as detailed in the List of Coordinates and explained in Article 12 paragraph (2).
5. Archipelagic Sea Lane III.A as outlined in paragraph (4) includes:

- a. Archipelagic Sea Lane Spurs III.B that joins Archipelagic Sea Lane III.A at point III.A-8 for navigation from the Pacific Ocean to the Indian Ocean and in the opposite direction through the Maluku Sea, the Seram Sea, the Banda Sea and the Leti Strait, constitutes the axis lines connecting points III.A-8, III.B-1 and III.B-2 as detailed in the List of Coordinates and explained in Article 12, paragraph (2).
- b. Archipelagic Sea Lane Spurs III.C that joins Archipelagic Sea Lane Spurs III.B at point III.B-1 for navigation from the Pacific Ocean to the Arafura Sea or in the opposite direction through the Maluku Sea, the Seram Sea and the Banda Sea, constitutes the axis lines connecting points III.B-1, III.C-1 and III.C-2 as detailed in the List of Coordinates and explained in Article 12 paragraph (2).
- c. Archipelagic Sea Lane Spurs III.D that joins Archipelagic Sea Lane III.A at point III.A-11 for navigation from the Pacific Ocean to the Indian Ocean or in the opposite direction through the Maluku Sea, the Seram Sea, the Banda Sea, the Ombai Strait and the Sawu Sea, constitutes the axis lines connecting points III.A-11 and III.D-1 as detailed in the List of Coordinates Table and explained in Article 12, paragraph (2).
- d. Archipelagic Sea Lane Spurs III.E that joins Archipelagic Sea Lane III.A at point III.A-2 for navigation from the Indian Ocean to the Sulawesi Sea or in the opposite direction through the Sawu Sea, the Ombai Strait, the Banda Sea, the Seram Sea and the Maluku Sea, or for navigation from the Timor Sea to the Sulawesi Sea or in the opposite direction through the Leti Strait, the Banda Sea, the Seram Sea and the Maluku Sea or for navigation from the Arafura Sea to the Sulawesi Sea or in the opposite direction through the Banda Strait, the Seram Sea and the Maluku Sea, constitutes the axis lines connecting points III.A-2, III.E-1 and III.E-2 as detailed in the List of Coordinates and explained in Article 12, paragraph (2).

Article 12

1. The axis lines of the archipelagic sea lanes and connecting points of such sea lanes as stipulated in article 11 above are depicted on nautical charts for publication as required.
2. The geographical coordinates of the connecting points of the archipelagic sea lanes as stipulated in article 11 are listed in the Geographical Coordinates Table in Annex I, Annex II, Annex III, Annex III.A and Annex III.B.
3. The positions of the connecting points of the archipelagic sea lanes at I-1, I-15, I.A-1, II-1, II-8, III.A-1, III.A-13, III.B-2, III.C-2, III.D-1 and III.E-2 as the outermost of such connecting points listed in the Geographical Coordinates Table in article 12 paragraph (2) are situated at the intersection of the axis lines of the archipelagic sea lanes and the territorial sea boundaries.
4. In circumstances where, as result of natural change, the outermost of the connecting points are not identical with the Geographical Coordinates Table as stipulated in article 12 paragraph (2), the geographic position of such points shall be determined in the exact location.
5. An illustrated map depicting the axis lines and the connecting points as stipulated in article 11 is attached in Annex IV, Annex V, Annex VI and Annex VII.

CHAPTER IV OTHER PROVISIONS

Article 13

The provisions in this government regulation shall not derogate the right of foreign ships to exercise the right of innocent passage within the archipelagic sea lanes.

Article 14

The provisions in this government regulation concerning Indonesian Archipelagic Sea Lane Passage shall not be effective for the Leti Strait and part of the Ombai Strait bordering East Timor, which due to the changing status of East Timor, such straits are no longer part of the Indonesian archipelagic waters.

Article 15

Six months after this government regulation was enforced, foreign ships and aircraft can exercise the right of archipelagic sea lane passage only through the designated Indonesian archipelagic sea lanes as stipulated in this government regulation.

CHAPTER V
FINAL PROVISIONS

Article 16

This Government Regulation shall enter into force on the date of its promulgation.

So as to be known by any person, it is hereby ordered that this Government Regulation shall be published in the State Gazette of the Republic of Indonesia.

Ratified in Jakarta,
On 28th June, 2002

President of the Republic of Indonesia
Megawati Soekarnoputri

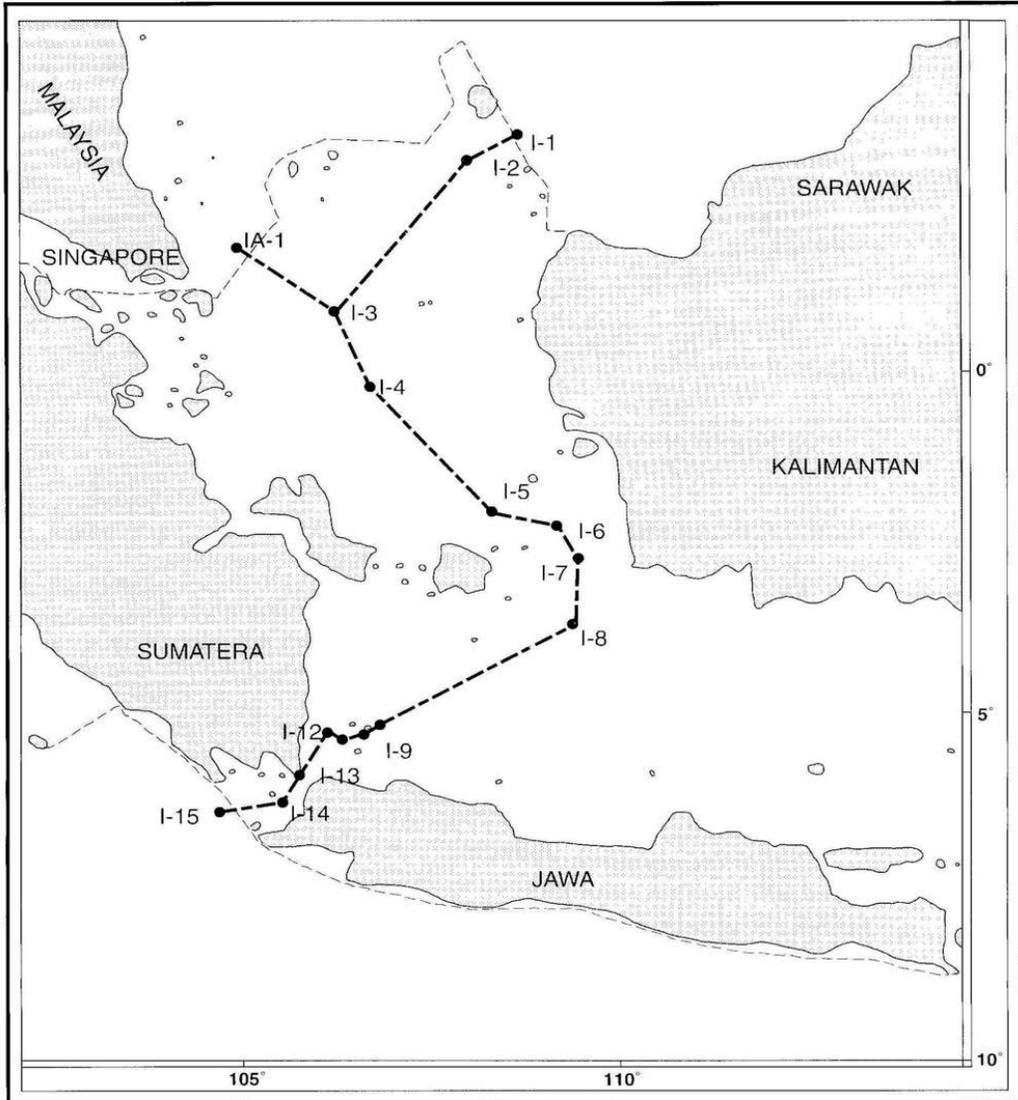
Promulgated in Jakarta
On 28th June, 2002

Minister for the State Secretariat
Republic of Indonesia
Bambang Kesowo

[Elucidation on Government Regulation Number 37, 2002 on the Rights and Obligations of Foreign Ships and Aircraft Exercising the Right of Archipelagic Sea Lane Passage through Designated Archipelagic Sea Lanes, omitted. Annexes I-III B also omitted.]

ANNEX IV

INDONESIAN GOVERNMENT REGULATION NUMBER 37 2002, JUNE 28, 2002



**INDONESIAN ARCHIPELAGIC SEA LANE I
WITH ARCHIPELAGIC SEA LANE BRANCH 1A**

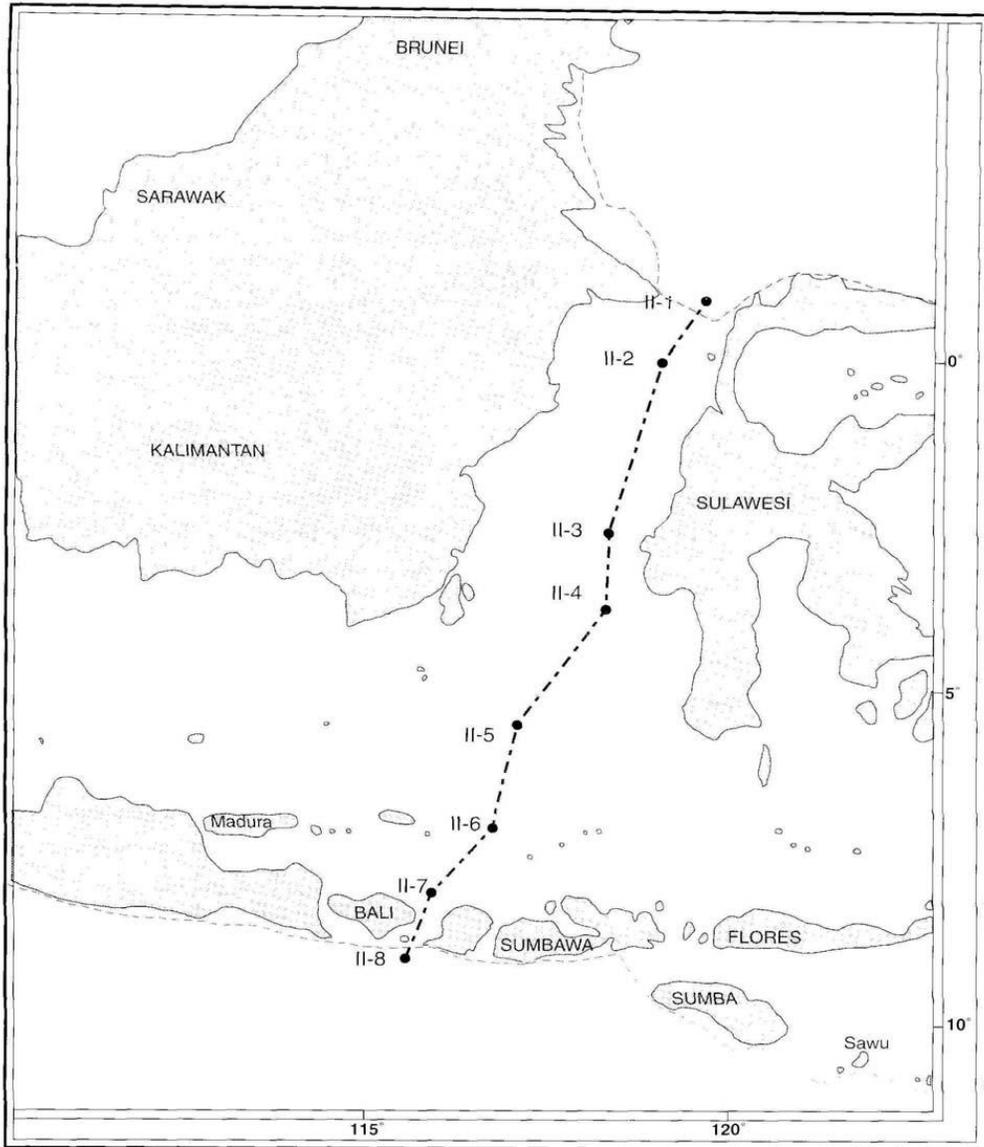
PRESIDENT OF THE REPUBLIC OF INDONESIA
Signed
MEGAWATI SOEKARNOPUTRI

This is a true copy of the original
Deputy Secretary of Cabinet
Law and Legislation Section
Signed

Lambock V. Nahattands

ANNEX V

INDONESIAN GOVERNMENT REGULATION NUMBER 37 2002, JUNE 28, 2002



INDONESIAN ARCHIPELAGIC SEA LANE II

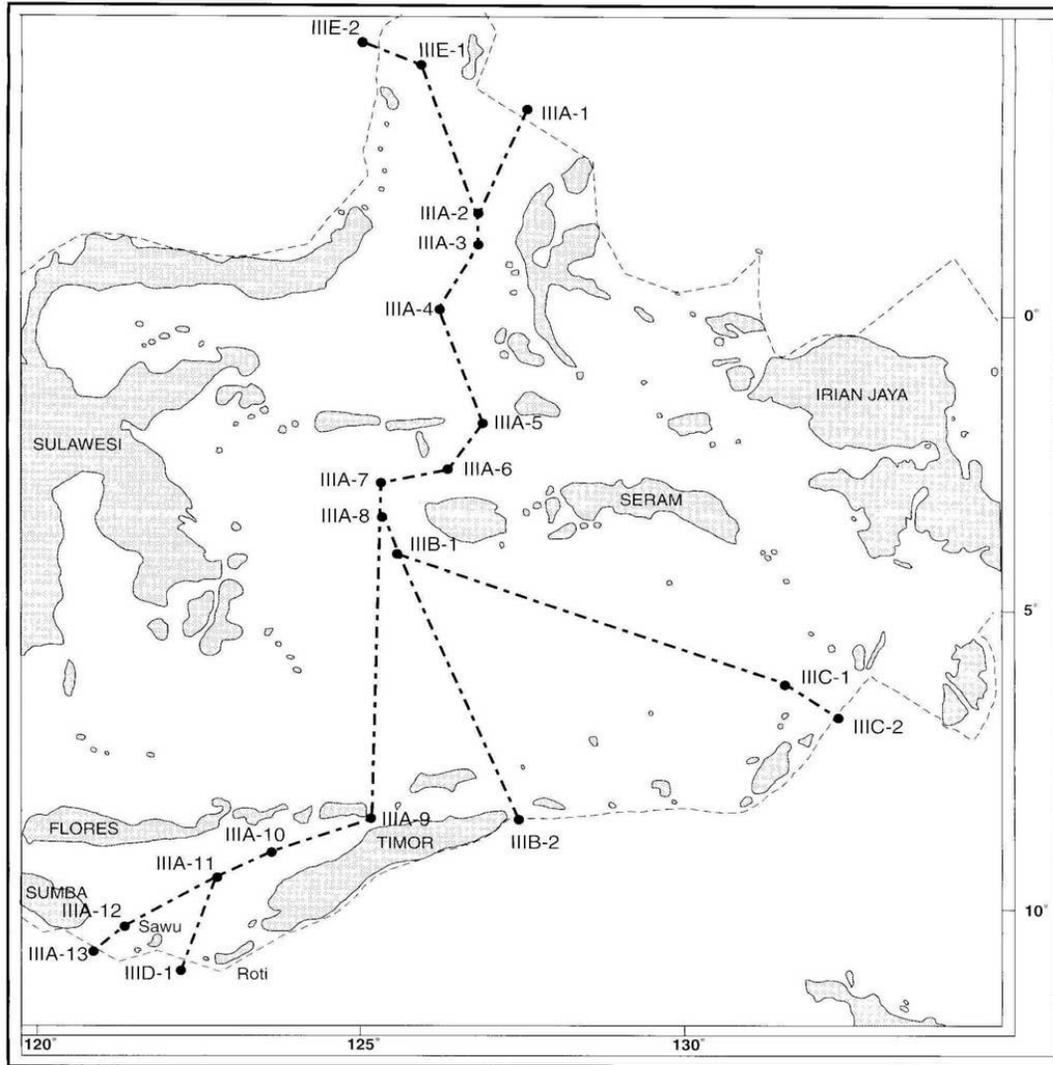
PRESIDENT OF THE REPUBLIC OF INDONESIA
Signed

MEGAWATI SOEKARNOPUTRI

This is a true copy of the original
Deputy Secretary of Cabinet
Law and Legislation Section
Signed
Lambock V. Nahattands

ANNEX VI

INDONESIAN GOVERNMENT REGULATION NUMBER 37 2002, JUNE 28, 2002



**INDONESIAN ARCHIPELAGIC SEA LANE III
WITH ARCHIPELAGIC SEA LANE BRANCHES IIIA, IIIB, IIIC, IIID AND IIIE**

PRESIDENT OF THE REPUBLIC OF INDONESIA
Signed

MEGAWATI SOEKARNOPUTRI

This is a true copy of the original
Deputy Secretary of Cabinet
Law and Legislation Section
Signed

Lambock V. Nahattands

Annex 3

Act No. 6 of 8 August 1996 regarding Indonesian Archipelagic Waters

The President of the Republic of Indonesia,

Considering:

(a) That based on the historical facts and the viewpoint of the Indonesian nation, the State of the Republic of Indonesia, which was proclaimed on 13 August 1945, as an archipelagic State with the Declaration dated 17 December 1957 and Act No. 4 Prp. of 1960 on Indonesian Waters,^[46] has stipulated the waters territory of the State of the Republic of Indonesia;

(b) That the Indonesian nation has succeeded in striving for the legal concept of archipelagic State, by the inclusion of provisions on legal principles and regime of archipelagic State in Chapter IV of the United Nations Convention on the Law of the Sea, which was ratified by Act No. 17 of 1985 on ratification of the United Nations Convention on the Law of the Sea;

(c) That the regulation of the archipelagic State law as stipulated in Act No. Prp. of 1960 on Indonesian Waters is not suitable anymore with the development of the archipelagic State law regime as contained in Chapter IV of the Convention as referred to in letter (b);

(d) That in connection therewith, and to confirm the legal basis regulating the Indonesian waters, the sovereignty, jurisdiction, rights and obligations as well as activities in Indonesian waters, in the framework of national development, based on the archipelago principle, it is necessary to revoke Act No. 4 Prp. of 1960 on Indonesian Waters, and replace it with a new act;

Bearing in mind:

1. Article 5, paragraph 1, article 20, paragraph 1, and article 33, paragraph 3, of the 1945 Constitution;
2. Act No. 17 of 1985 on Ratification of the United Nations Convention on the Law of the Sea (State Gazette of 1985 No. 76, Supplementary State Gazette No. 3319);

With the approval of:

The House of Representatives of the Republic of Indonesia

Has decided to stipulate:

Act on Indonesian Waters

CHAPTER I GENERAL PROVISIONS

Article 1

In this Act,

1. "Archipelagic State" means a State which entirely consists of one or more islands and can cover other islands;

⁴⁶ Act No. 4 Concerning Indonesian Waters, Feb. 18, 1960, may be found in UN, Practice of Archipelagic States 45-53 (UN Sales No. E.92.V.3, 1992) and extracted in UN, National Legislation on the Territorial Sea, the Right of Innocent Passage and the Contiguous Zone 164 (Sales No. E.95.V.7, 1995). The straight baselines established by this Act were examined in *Limits in the Seas* No. 35 (1971).

2. "Island" means a land area, formed in a natural way, surrounded by water, and located on the water surface at flood tide;
3. "Archipelago" means a group of islands, including parts of islands and water between said islands, and other natural manifestations, of which the reciprocal relationship is so close that the said islands, waters and other natural manifestations constitute one geographical, economic, security and defence and political unity of intrinsic nature, or which is historically regarded as such;
4. "Indonesian waters" means the Indonesian territorial sea with the archipelagic waters and the inland waters thereof;
5. "Low-water line" means the fixed water line at a certain place indicating the sea-water surface level at the lowest ebb tide;
6. "Ebb tide elevation" means a land area, formed in a natural way, surrounded [by] and above the sea surface at ebb tide, but below the sea surface at flood tide;
7. "Gulf/bay" means a clear concavity of which the penetration is proportional in such a way with the width of its mouth that it contains closed waters, which is more than just a coastal curve, but a concavity, not constituting a gulf/bay, except if the extent thereof is as wide as or is more extensive than the extent of a half-circle, of which the diameter is drawn, crossing the relative concavity mouth;
8. "The archipelago's sea channel" means the channel of the sea through which vessels sail or foreign aircraft fly to conduct their sailing and flying in a normal way merely for continuous transits, directly and as rapidly as possible, not obstructed through or over the waters of the archipelago and adjacent territorial sea between one part of the open sea or the Indonesian exclusive economic zone and part of the open sea or other Indonesian exclusive economic zones;
9. "Convention" shall be the United Nations Convention on the Law of the Sea.

Article 2

1. The State of the Republic of Indonesia is an archipelago.
2. All waters in the surroundings, in between and those which connect the islands or part of the islands included in the land area of the State of the Republic of Indonesia, without regard to the extent and width thereof, constitute an integral part of the territories of the land area of the State of the Republic of Indonesian waters existing under the sovereignty of the State of the Republic of Indonesia.

CHAPTER II THE TERRITORIES OF THE INDONESIAN WATERS

Article 3

1. The territories of the Indonesian waters comprise the Indonesian territorial sea, the archipelagic waters and the inland waters.
2. The Indonesian territorial sea is the sea channel of a width of twelve (12) sea miles measured from the Indonesian archipelagic baseline as referred to in article 5.
3. The Indonesian archipelagic waters are all the waters located on the inner side of the straight baseline of the archipelago without regard to the depth or the distance from the coast.
4. The Indonesian inland waters are all waters located on the land side of the low-water line from the coasts of Indonesia, including therein all parts of the waters located on the land side of a closing line as referred to in article 7.

Article 4

The sovereignty of the State of the Republic of Indonesia in the Indonesian waters comprises the territorial sea, the archipelagic waters and the inland waters as well as the airspace above the territorial sea, the archipelagic waters and the inland waters as well as the sea bottom and land thereunder including the sources of natural wealth contained therein.

Article 5

1. The baseline of the Indonesian Archipelago is drawn using the archipelago's straight baseline.
2. In case the archipelago's straight baseline as referred to in paragraph 1 cannot be used, then the common baseline or the straight baseline is used.
3. The straight baseline of the archipelago as referred to in paragraph 1 shall be the straight lines which connect the most outside points of the low-water line of the islands and the most outside dry rocks of the Indonesian Archipelago.
4. The archipelago's straight baseline as referred to in paragraph 3 shall not be drawn from and to the ebb-tide elevation, except if a lighthouse or a similar installation has already been built thereon, which exists permanently on the sea surface or if said ebb-tide elevation is located entirely or partly at a distance not more than the width of the territorial sea from the closest island.
5. The normal baseline as referred to in paragraph 2 is the lowest-water line along the coast.
6. The straight baseline as referred to in paragraph 2 shall be the straight line connecting the most outside points on the coastal line protruding far forward and turning landwards or a range of islands found close by and along the coast.

Article 6

1. The baseline of the Indonesian Archipelago drawn as referred to in article 5 is set forth in maps of adequate scale or scales to confirm the position thereof, or a list of geographic coordinate points can also be made which clearly specifies the geodetic data.
2. The maps with adequate scale or scales illustrating the Indonesian territorial waters or the list of geographic coordinate points of the baselines of the Indonesian Archipelago as referred to in paragraph 1 are further regulated by Government Regulation.
3. The Indonesian Government publishes as appropriate the maps with adequate scale or scales or the list of geographic coordinate points as referred to in paragraph 1, and shall deposit a copy of said list of geographic coordinate points with the Secretary-General of the United Nations.

Article 7

1. In the archipelagic waters, to stipulate the borders of the inland waters, the Indonesian Government can draw closing lines at the river mouth, estuary, bay, inland sea and harbours.
2. The inland waters consist of:
 - (a) Inland sea, and
 - (b) Land waters.

3. The inland sea as referred to in paragraph 2, letter (a), shall be part of the sea located at the land side of the closing line, at the sea side of the low-water line.

4. The land waters as referred to in paragraph 2, letter (b), shall be all waters located at the land side of the low-water line, except at a river mouth of land waters, [where they] shall be all waters located at the land side of the closing line of a river mouth.

Article 8

The outside border of the Indonesian territorial sea is measured from the baseline, drawn according to the provisions as referred to in article 5.

Article 9

1. Without prejudice to the provisions of article 4, the Indonesian Government shall respect and honour the existing approvals and agreements with other countries which concern the part of the waters which constitutes its archipelagic waters.

2. The terms and conditions for the implementation of the rights and activities as referred to in paragraph 1, including the nature, the scope and the region in which said rights and activities are effective, at the request of one of the countries concerned, shall be regulated by bilateral agreement.

3. The rights as referred to in paragraph 2 shall not be transferred or partly given to a third country or its nationals.

4. The submarine telecommunication cable already installed by a foreign country or legal entity crossing the Indonesian waters without entering the land side shall be respected/honoured

5. The Indonesian Government shall allow the maintenance and replacement of cables as referred to in paragraph 4, after a notification has been received as appropriate concerning the location and the intention to repair and replace said cables.

Article 10

1. In the matter of the location of the Indonesian coast which is confronting or adjacent to another country, provided that there is no agreement to the contrary, the borderline of the territorial sea between Indonesia and said country shall be the centre line of which the points are of equal distance from the closest points at the baseline from where the width of the territorial sea of the respective countries is measured.

2. The provisions as referred to in paragraph 1 are not valid if there is a reason of historical right or another special condition, causing the necessity to stipulate the borders of the territorial sea between both countries according to a different way from said provisions

CHAPTER III CROSSING RIGHTS FOR FOREIGN VESSELS First Part Peaceful crossing rights

Article 11

1. Vessels of all countries, coastal as well as non-coastal countries, enjoy peaceful crossing rights through the territorial sea and waters of the Indonesian archipelago

2. Crossing means navigation through the territorial sea and waters of the Indonesian Archipelago for the purpose of:

(a) Crossing said sea without entering the inland waters or making a call at an anchoring place mid-sea or at harbor facilities outside the inland waters, or

(b) Passing by or from the inland waters or making a call at mid-sea or at said harbour facilities.

3. The peaceful crossing as referred to in paragraph 1, shall be continuous, direct and as quickly as possible, including stopping or riding anchor as far as this is in connection with normal navigation, or shall be conducted because of a forced condition, difficulties experienced, the provision of assistance to another person, a ship or aircraft in danger or difficulties.

Article 12

1. A crossing is considered as peaceful if it is not harmful to the peace, order or security of Indonesia and is conducted according to the provisions of the Convention and other international laws.

2. Crossing by a foreign vessel shall be considered as endangering the peace, order or security of Indonesia, if said vessel when being at territorial sea and or at archipelagic waters, conducts one of the activities prohibited by the Convention and/or by another international law.

3. Further provisions concerning the peaceful crossing as referred to in paragraph 1 and paragraph 2 shall be regulated by Government Regulation.

Article 13

1. The Government of Indonesia can temporarily postpone the peaceful crossing of all kinds of foreign ships in certain regions of the territorial sea or the archipelagic waters if such a postponement is necessary for the protection of its security, including the purpose of arms/weapons training

2. The postponement as referred to in paragraph 1 is only effective after an announcement has been made according to the provisions in force.

3. Further provisions on the temporary postponement as referred to in paragraph 1 and paragraph 2 shall be regulated by Government Regulation.

Article 14

1. As required with due observance of the safety of navigation, the Government of Indonesia shall stipulate the sea channel and traffic dividing scheme safety of the territorial sea and archipelagic waters.

2. Further provisions on the use of the sea channel and the traffic dividing scheme at the territorial sea and the archipelagic waters as referred to in paragraph 1 shall be regulated by Government Regulation.

Article 15

In the implementation of the right of peaceful crossing at territorial sea and archipelagic waters, a submarine and other submarine vehicles shall conduct navigation above the water surface and show the national flag.

Article 16

A nuclear-powered foreign vessel and a foreign vessel carrying nuclear or other material which, because of the dangerous or toxic nature, if they have to use their peaceful crossing right, they have to carry documents and adhere to the special preventive measures stipulated by international agreement.

Article 17

The further provisions concerning the rights and obligations of foreign merchant ships, warships and Government vessels operated for commercial and non-commercial purposes in conducting a peaceful crossing right through the Indonesian waters, shall be regulated by Government Regulation.

SECOND PART ARCHIPELAGIC SEA CHANNEL CROSSING RIGHTS

Article 18

1. Archipelagic sea channel crossing at specially stipulated sea channels is the implementation of shipping and aviation rights in accordance with the provisions of the Convention in a normal way, is conducted only to conduct continuous and direct transits as quickly as possible and shall not be obstructed.
2. All kinds of vessels and aircraft of foreign countries, coastal and non-coastal countries, shall enjoy crossing rights over the archipelagic sea channels through the waters of the Indonesian Archipelago between one part of the open sea or the Indonesian exclusive economic zone with part of the open sea or another Indonesian exclusive economic zone.
3. Further provisions concerning the rights and obligations of vessels and aircraft of foreign countries which are using their crossing rights over an archipelagic sea channel, as referred to in paragraphs 1 and 2, shall be regulated by Government Regulation.

Article 19

1. The Indonesian Government shall determine the sea channels, including the flight routes above them, which are suitable to be used for the implementation of the crossing rights over archipelagic sea channels by foreign ships and aircraft, as referred to in article 18, and may also stipulate the traffic dividing scheme as referred to article 14 for the purpose of a safe ship crossing over the sea channel.
2. The sea channels and flight routes as referred to in paragraph 1 are determined by a range of interconnected axis lines starting from the route's entrance place up to the exit place through the archipelagic waters and territorial sea adjacent thereto.
3. If required, after an announcement has been made as appropriate, the sea channel and the traffic separation scheme already stipulated beforehand can be replaced with another sea channel and a traffic separation scheme.
4. In determining or substituting the sea channel or the traffic separation scheme, the Indonesian Government shall forward a proposal to the competent international organization to reach mutual agreement.
5. The Government determines the sea channel axes and the traffic separation schemes and sets them forth in maps to be published.
6. Foreign vessels conducting a crossing of an archipelagic sea channel shall adhere to the sea channels and the traffic separation scheme already stipulated.
7. Further provisions on sea channels and traffic separation schemes, as referred to in paragraph 1, shall be regulated by Government Regulation.

THIRD PART| TRANSIT CROSSING RIGHTS

Article 20

1. All foreign vessels and aircraft are free to sail or fly merely for the purpose of continuous transits, directly and as quickly as possible through Indonesian territorial sea in a strait between one part of an open sea or the Indonesian exclusive economic zone and another part of an open sea or the Indonesian exclusive economic zone.

2. The transit crossing right shall be conducted in accordance with the provisions of the Convention, other international laws and/or the legislative regulations in force.

Article 21

1. If required, with due observance of the safety of navigation, the Indonesian Government can stipulate a sea channel and a traffic separating scheme for shipping at a transit crossing as referred to in article 20.

2. The further provisions on the use of the sea channel and transit traffic separation scheme, as referred to in paragraph 1, shall be regulated by Government Regulation.

FOURTH PART ACCESS AND COMMUNICATION RIGHTS

Article 22

1. If a part of the waters of the Indonesian Archipelago is located between two territorial parts of a neighbouring country which is directly adjacent, Indonesia shall respect/honour the existing rights and other legal interests conducted traditionally by the country concerned in said waters through a bilateral agreement.

2. The Indonesian Government respects/honours the installation of a sea cable and shall permit the maintenance and replacement of already existing cables by prior appropriate notification.

CHAPTER IV UTILIZATION, MANAGEMENT, PROTECTION AND PRESERVATION OF THE ENVIRONMENT OF THE INDONESIAN WATERS

Article 23

1. The utilization, management, protection and preservation of the environments of the Indonesian waters are conducted based on the national legislative regulations in force and on the international law.

2. The administration and jurisdiction, protection and environmental preservation of the Indonesian waters are implemented based on the prevailing legislative regulations.

3. If required, to increase the utilization, management protection and preservation of the environment of the Indonesian waters as referred to in paragraph 1, a coordination agency can be established, to be stipulated by Presidential Decree.

CHAPTER V UPHOLDING OF THE SOVEREIGNTY AND LAW IN THE INDONESIA WATERS

Article 24

1. The upholding of the sovereignty and law in the Indonesian waters, the airspace above them, the sea bottom and the land accordance with the provisions of other international law conventions and the prevailing legislative regulations.

2. The jurisdiction in the upholding of the sovereignty and law towards foreign ships crossing the Indonesian territorial sea and the archipelagic waters shall be conducted in accordance with the provisions of the Convention, other international laws and the prevailing legislative regulation.

3. If required, for the implementation of the upholding of the law as referred to in paragraph 1 and paragraph 2, a coordinating agency can be established, stipulated by Presidential Decree.

**CHAPTER VI
TRANSITIONAL PROVISIONS**

Article 25

1. As long as the Government Regulation as referred to in article 6, paragraph 2, has not yet been stipulated, to this Act shall be attached an illustrative map with a scale or scales illustrating the Indonesian water territories of the list of geographic coordinate points of the baselines of the Indonesian Archipelago.
2. The implementation regulation of Act No. 4 Prp. of 1960 on the Indonesian Waters shall continue to be effective provided that it is not contradictory to or not yet replaced with a new implementation regulation based on this Act.

**CHAPTER VII
CONCLUDING PROVISIONS**

Article 26

With the effectiveness of this Act, Act No. 4 Prp. of 1960 concerning the Indonesian Waters (State Gazette of 1960 No. 22, Supplementary State Gazette Number 1942) is declared as no longer effective.

Article 27

This Act shall be effective as of the date of promulgation.

For the information of the public, it is instructed to promulgate this Act by inserting it in the State Gazette of the Republic of Indonesia.

Annex 4**Act No. 5 of 1983 on the Indonesian exclusive economic zone, October 18, 1983****Chapter I
General provision****Article 1**

For the purposes of this Act,

- a. "Living natural resources" means all species of animals and plants, including their divisions, found on the sea-bed and in the water area of the Indonesian exclusive economic zone;
- b. "Non-living natural resources" means natural substances being non-living natural resources, found on the sea-bed and in the subsoil thereof as well as in the water area of the Indonesian exclusive economic zone;
- c. "Scientific research" means any activity in connection with the research on any maritime aspects on the water surface, in the water column, on the sea-bed and in the subsoil thereof the sea floor in the Indonesian exclusive economic zone;
- d. "Conservation of natural resources" means all efforts aimed at protecting and preserving the natural resources in the Indonesian exclusive economic zone;
- e. "Marine environmental protection and conservation" means any effort aimed at preserving and maintaining the whole of the marine ecosystem within the Indonesian exclusive economic zone.

**Chapter II
Indonesia's exclusive economic zone****Article 2**

The Indonesian exclusive economic zone is the outer strip bordering the Indonesian territorial sea as determined by the law applicable to the Indonesian waters, covering the sea-bed, the subsoil thereof and the water above it with an outermost limit of 200 (two hundred) nautical miles, measured from the baseline of the Indonesian territorial sea.

Article 3

(1) In the event that the Indonesian exclusive economic zone overlaps the exclusive economic zone of another State whose coastline is opposite or adjacent to that of Indonesia, then the boundary line between the economic zone of Indonesia and that of the other State shall be established by agreement between the Republic of Indonesia and the State concerned.

(2) So long as such agreement as referred to in paragraph (1) does not exist, and no special conditions need to be considered, the boundary line between the exclusive economic zone of Indonesia and that of the other State shall be the median line or a line that is equidistant from the baselines of Indonesian territorial sea or the outermost points of Indonesia and the baselines of the territorial sea or outermost points of the other State, except if an agreement has been reached with the said State on a provisional arrangement of the boundaries of the Indonesian exclusive economic zone.

**Chapter III
Sovereign rights, other rights, jurisdiction and duties**

Article 4

- (1) Within the Indonesian Exclusive Economic Zone, the Republic of Indonesia shall have and exercise:
- a Its sovereign rights to conduct the exploration, exploitation, management and conservation of the living and non-living resources on the sea-bed and in the subsoil thereof, as well as the water above it, including other activities for the purpose of economic exploration and exploitation of said zone, such as the generation of power by means of water, current and wind;
 - b. Its jurisdiction in connection with:
 1. The construction and use of artificial islands, installations and other structures;
 2. Marine scientific research;
 3. The protection and conservation of the marine environment;
 - c. Other rights and duties, based on the applicable provisions of the Convention on the Law of the Sea.
- (2) As far as it concerns the sea-bed and the subsoil thereof, the sovereign rights and other rights, jurisdiction and duties of Indonesia as referred to in paragraph (1), shall be exercised in accordance with the legislative provisions on the Indonesian continental shelf, agreements concluded between the Republic of Indonesia and neighbouring States and the rules of international law in force.
- (3) Within the Indonesian exclusive economic zone, the freedom of international navigation and overflight, as well as the freedom of laying submarine cables and pipelines, shall be respected in accordance with the principles of the international law of the sea.

Chapter IV

Activities within the Indonesian exclusive economic zone

Article 5

- (1) Without prejudice to the provision in article 4, paragraph (2), the exploration and/or exploitation of natural resources or any other activities for the purpose of the economic exploration or exploitation of said natural resources, such as generation of power by means of water, current or wind within the Indonesian exclusive economic zone, may only be conducted on the permission of the Government of the Republic of Indonesia, or on the basis of an international agreement concluded with the Government of the Republic of Indonesia. Such activity has to be carried out under the conditions of such permit or such international agreement.
- (2) Without prejudice to the provision in paragraph (1), any exploration and/or exploitation of the living natural resources shall comply with the provisions on management and conservation as stipulated by the Government of the Republic of Indonesia.
- (3) Without prejudice to the provision in article 4, paragraph (2), any exploration and/or exploitation of the living resources in a certain area within the Indonesian exclusive economic zone, conducted by any person, a corporate body or Government of a foreign State, may be permitted provided that the catch as allowed by the Government of the Republic of Indonesia of the species in question is in excess of Indonesia's capacity to harvest the allowable catch.

Article 6

Whoever constructs and/or uses any artificial island or installations or other structures within the Indonesian exclusive economic zone, may do so based on the permission of the Government of the Republic of Indonesia. Such activities have to be carried out under the conditions of such permit.

Article 7

Whoever intends to conduct any scientific research activity in the Indonesian exclusive economic zone has to ensure that such activity shall obtain the prior consent of, and such activity shall be carried out under the conditions as determined by, the Government of the Republic of Indonesia.

Article 8

(1) Whoever conducts any activity within the Indonesian Exclusive Economic Zone has the duty to take steps towards preventing, minimizing, controlling and surmounting the pollution of the environment.

(2) Discharge of waste in the Indonesian exclusive economic zone may be effected only after having obtained the permission of the Government of the Republic of Indonesia.

**Chapter V
Indemnity****Article 9**

Whoever conducts any activity in violation of the provisions of the statutory regulations of the Republic of Indonesia and international law in relation to artificial islands, installations or other structures within the Indonesian exclusive economic zone and causes loss shall be liable for such loss and shall pay indemnity to the owner of such artificial islands, installations and/or other structures.

Article 10

Without prejudice to the provision in article 7, whoever conducts any activity within the Indonesian exclusive economic zone in violation of the provisions of the statutory regulations of the Republic of Indonesia and the rules of international law, as applicable to the field of marine scientific research, and causes loss shall be held responsible for such loss and shall pay indemnity to the Republic of Indonesia.

Article 11

(1) Without prejudice to the provision in article 8 and with due observance to a fixed maximum of indemnity, whoever causes pollution of the marine environment and/or damage to the natural resources within the Indonesian exclusive economic zone shall be held fully responsible for such pollution or damage and shall pay immediately a reasonable amount of the rehabilitation costs for the marine environment and/or natural resource.

(2) Exempted from the full responsibility as provided for in paragraph (1) are those who can prove that such pollution of the marine environment and/or damage to the natural resources was the result of:

a. A natural calamity, being beyond one's power;

b. A damage which wholly or partly was caused by an act or negligence of a third party.

(3) The form, type and size of the loss resulting from the pollution of the marine environment and/or damage to the natural resources shall be fixed on the basis of the outcome of an ecological investigation.

Article 12

The regulation pertaining to the limit of maximum indemnity, method of ecological investigation and claim for damages, as referred to in article/11, shall be dealt with by statutory regulations as referred to in article 20.

**Chapter VI
Law enforcement**

Article 13

In exercising the sovereign rights and other rights, jurisdiction and duties, as specified in article 4, paragraph (1), the competent law-enforcement agency of the Republic of Indonesia may take law-enforcement measures in accordance with Act No. 8 of 1981 on the Code of Criminal Procedure with the following exceptions:

- (a) In the case of any ship and/or persons deemed to have committed an offence within the Indonesian exclusive economic zone, such measures shall include the detention of the ship until the handing over of such ship and/or persons at the port, where the said case can be further prosecuted.
- (b) The handing over of such ship and/or persons shall take place as soon as possible, not exceeding a period of 7 (seven) days, except in case of a force majeure.
- (c) For the purpose of detention, the criminal act as referred to in article 16 and article 17, shall come under the category of criminal acts as referred to in article 21, paragraph (4), letter b, Act No. 8 of 1981 on the Code of Criminal Procedure.

Article 14

- (1) The law-enforcement agency in the field of investigation within the Indonesian exclusive economic zone is a Navy Officer of the Indonesian Armed Forces, so assigned by the Commander-in-Chief of the Armed Forces of the Republic of Indonesia.
- (2) The plaintiff is the public prosecutor attached to the court of first instance as referred to in paragraph (3).
- (3) The court of justice authorized to try offences arising from violation of the provisions of this Act is the court of first instance whose jurisdiction covers the port where the detention of such ship and/or persons as referred to in article 13, letter a, has taken place.

Article 15

- (1) Any request for the release of such ship and/or persons arrested on the ground of being accused of having committed a violation of this act or any legislative provision issued on the basis of this act may be filed at any time prior to the verdict of the competent court of first instance.
- (2) Any request for such release as provided for in paragraph (1) may be complied with after the claimant has handed over a reasonable amount of bail as fixed by the competent court of first instance.

Penal provisions**Article 16**

- (1) Whoever commits a violation of the provisions in article 5, paragraph (1), article 6 or article 7 shall be punished by a fine to a maximum of Rp 225,000,000 (two hundred and twenty-five million rupiahs).
- (2) The court in its verdict may decide to confiscate the products of activity, the ship and/or the equipment used in committing the criminal act as referred in paragraph (1).
- (3) Whoever deliberately commits an act causing damage to the life environment or the pollution of the life environment within the Indonesian exclusive economic zone shall be threatened with punishment in accordance with the legislative provisions applicable to the field of life environment.

Article 17

Whoever damages or destroys the evidences used in committing a criminal act referred to in article 16, paragraph (1), with the purpose of avoiding the confiscation of said evidences during the investigation, shall be punished by a fine to a maximum of Rp 75,000,000 (seventy-five million rupiahs).

Article 18

The criminal act referred to in article 16 and article 17 shall be regarded as a crime.

Chapter VIII Transitional provision

Article 19

Any provisions on the exploration and/or exploitation of the living resources enacted before the promulgation of this act shall remain in force until changes are made by virtue of legislative provisions issued on the basis of this Act.

Chapter IX Closing provisions

Article 20

- (1) Other statutory regulations shall be adopted to implement further the provisions of this Act.
- (2) The government regulation in implementing the provisions of this Act may stipulate a maximum fine of Rp/75,000,000 (seventy-five million rupiahs) against any violation of its provisions.

Article 21

This Act shall come into force as from the date of its promulgation. In order that everybody may have knowledge of it, the promulgation of this act is hereby ordered through its placing in the State Gazette of the Republic of Indonesia.

STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 1983, No. 44.

[Annex, Elucidation of Act No. 5 of 1983, omitted.]

Annex 5**United Nations Convention on the Law of the Sea*****Article 47***
Archipelagic Baselines

1. An archipelagic State may draw straight archipelagic baselines joining the outermost points of the outermost islands and drying reefs of the archipelago provided that within such baselines are included the main islands and an area in which the ratio of the area of the water to the area of the land, including atolls, is between 1 to 1 and 9 to 1.
2. The length of such baselines shall not exceed 100 nautical miles, except that up to 3 per cent of the total number of baselines enclosing any archipelago may exceed that length, up to a maximum length of 125 nautical miles.
3. The drawing of such baselines shall not depart to any appreciable extent from the general configuration of the archipelago.
4. Such baselines shall not be drawn to and from low-tide elevations, unless lighthouses or similar installations which are permanently above sea level have been built on them or where a low-tide elevation is situated wholly or partly at a distance not exceeding the breadth of the territorial sea from the nearest island.
5. The system of such baselines shall not be applied by an archipelagic State in such a manner as to cut off from the high seas or the exclusive economic zone the territorial sea of another State.
6. If a part of the archipelagic waters of an archipelagic State lies between two parts of an immediately adjacent neighbouring State, existing rights and all other legitimate interests which the latter State has traditionally exercised in such waters and all rights stipulated by agreement between those States shall continue and be respected.
7. For the purpose of computing the ratio of water to land under paragraph 1, land areas may include waters lying within the fringing reefs of islands and atolls, including that part of a steep-sided oceanic plateau which is enclosed or nearly enclosed by a chain of limestone islands and drying reefs lying on the perimeter of the plateau.
8. The baselines drawn in accordance with this article shall be shown on charts of a scale or scales adequate for ascertaining their position. Alternatively, lists of geographical coordinates of points, specifying the geodetic datum, may be substituted.
9. The archipelagic State shall give due publicity to such charts or lists of geographical coordinates and shall deposit a copy of each such chart or list with the Secretary-General of the United Nations.

Article 51***Existing agreements, traditional fishing rights and existing submarine cables***

1. Without prejudice to article 49 [concerning the legal status of archipelagic waters, of the air space over archipelagic waters and of their bed and subsoil], an archipelagic State shall respect existing agreements with other States and shall recognize traditional fishing rights and other legitimate activities of the immediately adjacent neighbouring States in certain areas falling within archipelagic waters. The terms and conditions for the exercise of such rights and activities, including the nature, the extent and the areas to which they apply, shall, at the request of any of the States concerned, be regulated by bilateral agreements between them. Such rights shall not be transferred to or shared with third States or their nationals.

2. An archipelagic State shall respect existing submarine cables laid by other States and passing through its waters without making a landfall. An archipelagic State shall permit the maintenance and replacement of such cables upon receiving due notice of their location and the intention to repair or replace them.

Article 52
Right of innocent passage

1. Subject to article 53 and without prejudice to article 50, ships of all States enjoy the right of innocent passage through archipelagic waters, in accordance with Part II, section 3.

2. The archipelagic State may, without discrimination in form or in fact among foreign ships, suspend temporarily in specified areas of its archipelagic waters the innocent passage of foreign ships if such suspension is essential for the protection of its security. Such suspension shall take effect only after having been duly published.

Article 53
Right of archipelagic sea lanes passage

1. An archipelagic State may designate sea lanes and air routes thereabove, suitable for the continuous and expeditious passage of foreign ships and aircraft through or over its archipelagic waters and the adjacent territorial sea.

2. All ships and aircraft enjoy the right of archipelagic sea lanes passage in such sea lanes and air routes.

3. Archipelagic sea lanes passage means the exercise in accordance with this Convention of the rights of navigation and overflight in the normal mode solely for the purpose of continuous, expeditious and unobstructed transit between one part of the high seas or an exclusive economic zone and another part of the high seas or an exclusive economic zone.

4. Such sea lanes and air routes shall traverse the archipelagic waters and the adjacent territorial sea and shall include all normal passage routes used as routes for international navigation or overflight through or over archipelagic waters and, within such routes, so far as ships are concerned, all normal navigational channels, provided that duplication of routes of similar convenience between the same entry and exit points shall not be necessary.

5. Such sea lanes and air routes shall be defined by a series of continuous axis lines from the entry points of passage routes to the exit points. Ships and aircraft in archipelagic sea lanes passage shall not deviate more than 25 nautical miles to either side of such axis lines during passage, provided that such ships and aircraft shall not navigate closer to the coasts than 10 per cent of the distance between the nearest points on islands bordering the sea lane.

6. An archipelagic State which designates sea lanes under this article may also prescribe traffic separation schemes for the safe passage of ships through narrow channels in such sea lanes.

7. An archipelagic State may, when circumstances require, after giving due publicity thereto, substitute other sea lanes or traffic separation schemes for any sea lanes or traffic separation schemes previously designated or prescribed by it.

8. Such sea lanes and traffic separation schemes shall conform to generally accepted international regulations.

9. In designating or substituting sea lanes or prescribing or substituting traffic separation schemes, an archipelagic State shall refer proposals to the competent international organization with a view to their adoption. The organization may adopt only such sea lanes and traffic separation schemes as may be agreed with the archipelagic State, after which the archipelagic State may designate, prescribe or substitute them.

10. The archipelagic State shall clearly indicate the axis of the sea lanes and the traffic separation schemes designated or prescribed by it on charts to which due publicity shall be given.

11. Ships in archipelagic sea lanes passage shall respect applicable sea lanes and traffic separation schemes established in accordance with this article.

12. If an archipelagic State does not designate sea lanes or air routes, the right of archipelagic sea lanes passage may be exercised through the routes normally used for international navigation.

Article 54

***Duties of ships and aircraft during their passage,
research and survey activities, duties of the archipelagic State
and laws and regulations of the archipelagic State
relating to archipelagic sea lanes passage***

Articles 39, 40, 42 and 44 apply *mutatis mutandis* to archipelagic sea lanes passage.

Annex 6

GUIDANCE TO SHIPS TRANSITING ARCHIPELAGIC WATERS

Annexes to IMO SN circular SN/Circ.206, Jan. 8, 1999 (text)
and SN/Circ.206/Corr.1, March 1, 1999 (chartlet)

1 This circular provides guidance for ships transiting archipelagic waters of archipelagic States.

Navigation Rights Within Archipelagic Waters

2 Except for internal waters within archipelagic waters, all ships enjoy the right of *innocent passage* through archipelagic waters and the territorial sea of an archipelagic State.

2.1 In addition, all ships, including submarines, also enjoy the right of *archipelagic sea lanes passage* in sea lanes adopted by the International Maritime Organization (IMO) and designated by the archipelagic State or, if sea lanes have not been adopted and designated, through all normal passage routes used as routes for international navigation.

2.1.1 Additionally, if the IMO has adopted a sea lane proposal as a **partial system** of archipelagic sea lanes, the right of archipelagic sea lanes passage may continue to be exercised through all normal passage routes used as routes for international navigation in other parts of archipelagic waters. Any future proposals in regard to other normal passage routes (as with substitute sea lanes) are to be submitted to the IMO.

2.1.2 *Archipelagic sea lanes passage* means the exercise in accordance with the United Nations Convention on the Law of the Sea of the right of navigation in the normal mode solely for the purpose of continuous, expeditious and unobstructed transit between one part of the high seas or an exclusive economic zone and another part of the high seas or an exclusive economic zone. While the right of innocent passage may be suspended in certain circumstances, the right of archipelagic sea lanes passage cannot be suspended by an archipelagic State.

Representation of Archipelagic Sea Lanes on Charts

3 Archipelagic sea lanes are defined by a series of continuous axis lines from the entry points of passage routes to the exit points.

3.1 Axis lines of archipelagic sea lanes are shown on charts for the purpose of defining sea lanes and are not intended to indicate the deepest water, or any routes or recommended tracks as defined in Part A of the IMO Publication on Ships' Routeing.

3.2 The axis of designated archipelagic sea lanes, including a listing of geographical coordinates with geodetic datum that define axis turning points, and any prescribed traffic separation schemes, will be clearly shown on all appropriate scale charts, to which due publicity is to be given, and referred to in complementary hydrographic publications.

3.3 The outer limits of an archipelagic sea lane are not required to be depicted on charts. In areas where the 10 per cent rule applies as referred to in paragraph 4.5 below, the outer limits of the sea lane should, so far as practicable, be clearly indicated on the charts.

3.4 The legends, symbols and notes for the representation and details of archipelagic sea lanes and associated measures on nautical charts can be found in the new Part H of the IMO publication on Ships' Routeing.

Navigation within Archipelagic Sea Lanes

4 Use of an archipelagic sea lane is not mandatory. However, ships exercising the right of *archipelagic sea lanes passage* (in lieu of the right of *innocent passage*) must use applicable sea lanes (or normal passage routes, if sea lanes have not been adopted or only a partial system of archipelagic sea lanes has been adopted). Outside sea lanes or normal routes, ships must transit archipelagic waters in innocent passage.

- 4.1 Ships may exercise archipelagic sea lanes passage in their *normal mode of operation*. This means, for example, that submarines may transit submerged and surface ships may engage in normal operations, such as replenishment-at-sea and the operation of embarked aircraft, where consistent with the safety of navigation.
- 4.2 Ships are required to respect any traffic separation schemes in archipelagic sea lanes established in accordance with Part A of the IMO Publication on Ships' Routeing.
- 4.3 Within archipelagic sea lanes, traffic is not separated, except in traffic separation schemes.
- 4.4 If there are no islands bordering the sea lane, ships in archipelagic sea lanes passage are required to not deviate more than 25 nautical miles to either side of the axis line defining the archipelagic sea lane. Innocent passage may be exercised in sea areas beyond 25 nautical miles of the axis line.
- 4.5 Where an island borders the sea lane, ships in archipelagic sea lanes passage may not navigate closer to the coast than 10 per cent of the distance between the nearest point on the island and the axis line of the sea lane. Ships may still transit within this area in innocent passage. A diagram depicting the composition of an archipelagic sea lane and application of the 10 per cent rule is attached.

5 Member Governments are invited to bring this guidance and the attached explanatory chartlet to the attention of all concerned.

