Settling International Maritime Boundaries:
An Indonesian Perspective

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The beginning
Outline

• Maritime zone of jurisdiction and delimitation
• Indonesia and its ten neighbours
• Settled and pending maritime boundaries
• Indonesia-Australia-Timor Leste Maritime boundaries
• Concluding Remarks

Maritime Zone of Jurisdiction pursuant to UNCLOS

Territorial Sea

Continental Shelf

Baselines
An Archipelagic State’s maritime zones pursuant to UNCLOS

Imagine, a small State in the middle of the ocean. Alone
And we know whom to blame … ;)

Locally Rooted, Globally Respected

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This presentation was developed by Made Andi Arsana (madeandi@ugm.ac.id) for the Government of Somalia and was presented before the Somali President, Prime Minister and Speaker of the Parliament.

Principles & Methods of Maritime Boundary Delimitation

The Three-stage Approach

Provisional line: equidistance
Adjusting provisional line \(\rightarrow\) relevant circumstances
Test of disproportionality

The Black Sea Case (Romania v Ukraine), 3 February 2009 \(\rightarrow\) ICJ
Bay of Bengal (Bangladesh v Myanmar), 14 March 2012 \(\rightarrow\) ITLOS
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Pending EEZ boundaries where Continental Shelf boundaries exists.
Malaysia's proposal of EEZ Boundary

Indonesia's proposal of EEZ Boundary

Why do you want to take this off? What you are doing is a crime and unethical.

You are the one who enter our water!

For illustrative purposes only. The visualisation does not reflect the real geospatial setting of Indonesia and Malaysia.

Non coincident lines for EEZ and CS: Not unprecedented!

“... organisms which, at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or subsoil” (LOSC, Art. 77(4))

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Indonesia-Timor Leste Maritime Boundaries

Issues in Indonesia-Timor Leste Maritime Boundaries

1. Land boundaries have yet to be finished (98%, according to the Indonesian Ministry of Foreign Affairs, 2015)

2. How urgent? (resources, sovereignty or sovereign rights, non-traditional issues)

3. Is it as urgent as Australia-Timor Leste? (“life or death”)
Delimitation option: Indonesia v Timor Leste

Why do you want to take this off? What you are doing is a crime and unethical.

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Concluding Remarks

- Indonesia has ten neighbours to deal with for maritime boundary delimitation
- Settled, partially or fully, with eight neighbours
- 19 agreements, 1 yet to ratify
- All agreements by negotiation
- With Australia, all settled. Boundary administration/management follows
- With Timor Leste, no agreement yet. Negotiation is on progress.
THANK YOU
Terima kasih