



THE FACT IS: SOME CONTENTIOUS ISSUES STILL DO MATTER

By:

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INDONESIA

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on "Contentious Issues in UNCLOS - Surely Not?
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INTRODUCTION

- LOSC entered into force on 16 November 1994
- LOSC has proven its unique role
- LOSC contains both legal and technical aspects
- In the technical aspects, several issues still dictate.

The Implementation of Article 46 & 47

- “... a State constituted wholly by one or more archipelagos and may include other islands”
- → Status of States claiming the archipelagic status but geographically can not comply Article 47?

The Implementation of Article 46 & 47

- the archipelagic baselines must not be drawn in such a way as to cut off the territorial sea of another State from the high seas or its EEZ
- → raise complexity such as when an island, part of a State claiming archipelagic status, situated closer to EEZ of another State rather than to its main archipelago

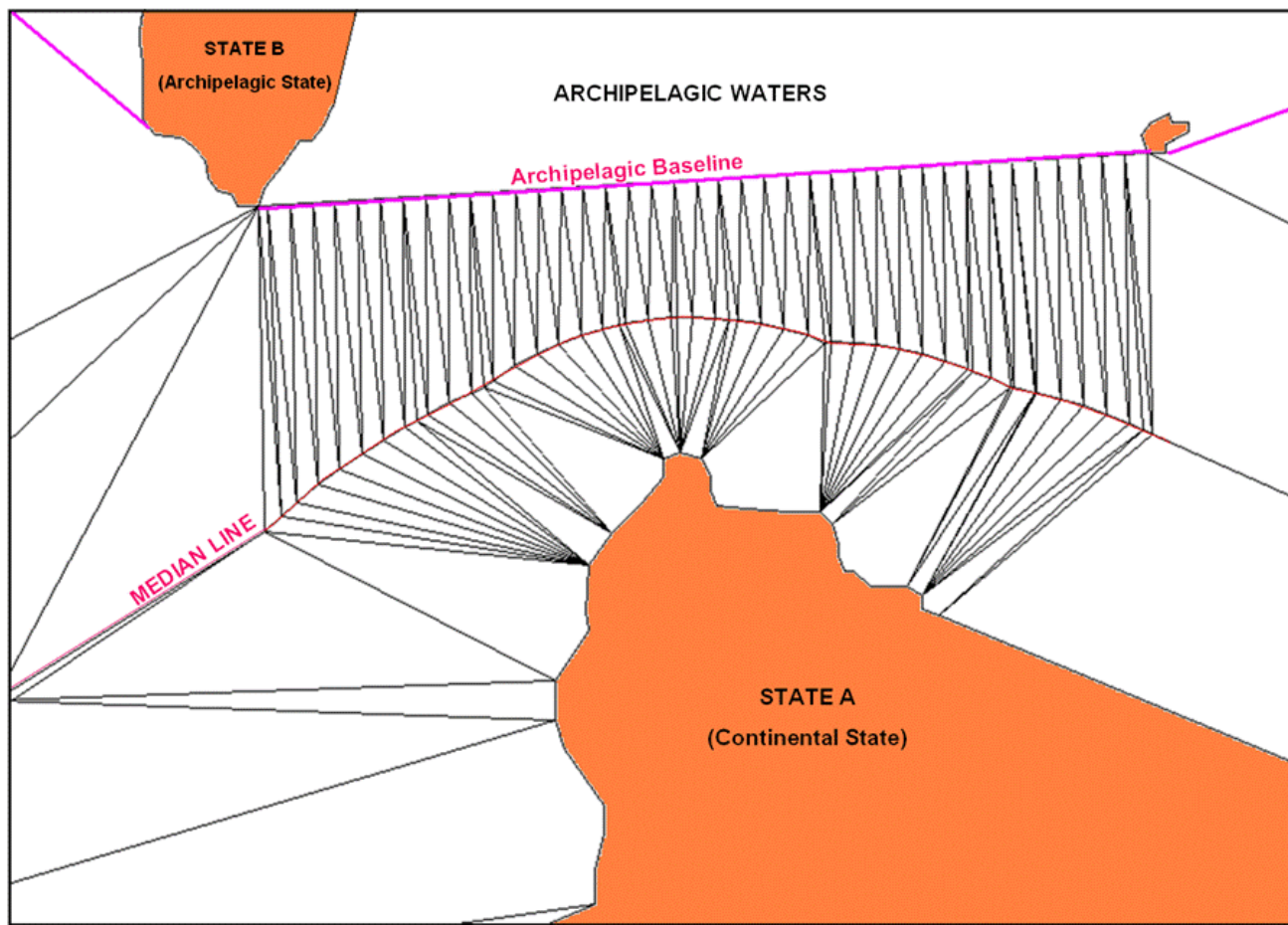
The Implementation of Article 46 & 47

- Defining base points requires large scale charts → not all area are already covered by large scale charts → high cost of producing large scale.
- remote sensing techniques ?

Questions on the Role of Baselines in Maritime Boundary Delimitation

- It is the question of archipelagic state that when it is facing continental states in maritime delimitation, their archipelagic baselines seems to be disregarded. Even though during the construction of the baselines, the coastal state had followed and fulfilled the requirements stipulated in article 47 of the LOSC

Questions on the Role of Baselines in Maritime Boundary Delimitation



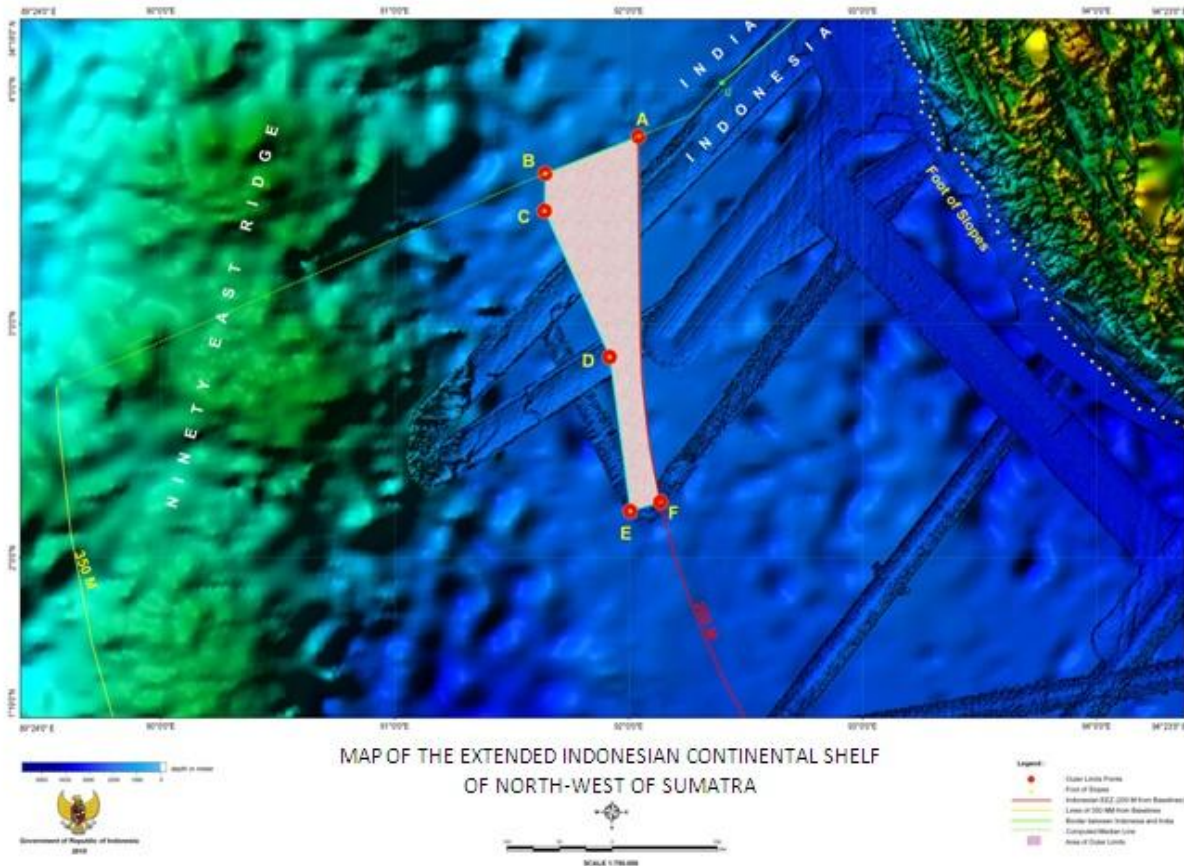
Articles 76 and Its Implementation

● Indonesian ECS partial submission accepted

The geographical coordinates of the six fixed points of the extended Indonesian continental shelf of North-West of Sumatra*

Fixed Points	Latitude (°N)	Longitude (°E)
A	3.798494	92.039533
B	3.640470	91.643231
C	3.481772	91.640431
D	2.857803	91.918864
E	2.205316	92.017360
F	2.237555	92.135960

*As agreed by Indonesia and the Subcommission of CLCS on 16 August 2010.



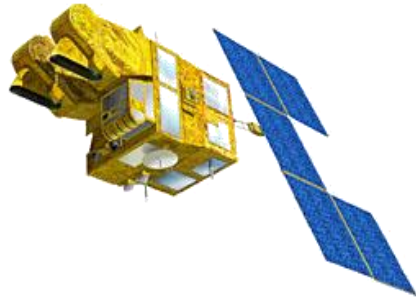
Articles 76 and Its Implementation

- Lesson learned:
 - the establishment of SPLOS 183
 - funding and capacities of developing States
 - the role of ABLOS

Concluding Remarks

- Indonesia has succeeded in implementing the LOSC:
 - Completion of the provisions of archipelagic state definition, rights and obligation.
 - Depositing its list of geographical coordinates of points of its archipelagic baselines.
 - Partial submission of its extended continental shelf.
 - Hosting the 16th ABLOS business meeting and an International Seminar on the Technical Aspects on the Law of the Sea in 2009.

Indonesia is more than ready to take part in and contribute more in the development of TALOS.



THANK YOU