

**THE ENDORSEMENT OF TREATY BETWEEN  
THE REPUBLIC OF INDONESIA AND THE REPUBLIC OF  
SINGAPORE RELATING TO THE DELIMINATION OF THE  
TERRITORIAL SEAS OF THE TWO COUNTRIES IN THE  
WESTERN PART OF THE STRAIT OF SINGAPORE, 2009  
(Law No. 4/2010 dated June 22, 2010)**

BY THE GRACE OF ALMIGHTY GOD

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering :

- a. that the Unitary State of the Republic of Indonesia as a maritime state with national characteristics has sovereignty over its territory including territorial sea, to be managed and used for the greatest benefit of the welfare and prosperity for the Indonesian people as mandated by the 1945 Constitution;
- b. that pursuant to the United Nations Convention on the Law of the Sea, 1982 ratified by Indonesia through Law No. 17/1985 and pursuant to Law No. 6/1996 on Indonesian Waters, Indonesia has the obligation to determine its maritime borders through negotiations;
- c. that on March 10, 2009, Indonesia signed a Treaty between the Republic of Indonesia and the Republic of Singapore relating to the Delimitation of the Territorial Sea of the Two Countries in the Western Part of the Strait of Singapore, 2009 in Jakarta;
- d. that the Treaty relating to the Delimitation of the Territorial Sea of the Two Countries in the Western Part of the Strait of Singapore by the Government of the Republic of Indonesia is meant to affirm the sovereign territory of the Unitary State of the Republic of Indonesia, ensure legal certainty, activities of state apparatuses at sea, as well as to better affirm Nipa Island as an island which has a base point used as the basis to determine the maritime borders of the Republic of Indonesia;
- e. that the treaty between the Republic of Indonesia and the Republic of Singapore is made pursuant to the United Nations Convention on the Law of the Sea, 1982 which recognizes the territory of Maritime State which has significant meaning for the sovereignty of the Unitary State of the Republic of Indonesia and serves as a manifestation of National Outlook;
- f. that based on considerations as referred to in letter a, letter b, letter c, letter d, and letter e, it is necessary to enact a law on the Endorsement of the Treaty between the Republic of Indonesia and the Republic of Singapore relating to the Delimita-

2 (Bintan Island-South Ledge/Middle Rock/Pedra Branca).

The delimitation of territorial seas in the western part of the Strait of Singapore with the Republic of Singapore is needed by the Government of the Republic of Indonesia to give legal certainty about the sovereign territory of the Unitary State of the Republic of Indonesia. In relation to the interests of Indonesia in the area, the Strait of Singapore has very high strategic value considering that the strait serves as a quite busy international sea lane which connects the European Continent to Southeast Asia, East Asia and the Pacific. For Indonesia, the Strait of Singapore also serves as the artery of the Indonesian shipping lane to the rest of the world.

In addition, the delimitation of territorial seas of this area also confirms the use of base points in Nipa Island as the basis for the delimitation of maritime boundary lines of the Republic of Indonesia. Nipa Island which is located at a coordinate of 01°09'13" Northern Latitude and 103°39'11" Eastern Longitude, is one of the islands which have two base points of base line of the Indonesian islands (No. 175 and No. 176) under Government Regulation No. 38/2002 as already revised by Government Regulation No. 37/2008. Government Regulation No. 37/2008 has

been registered with the Secretary General of the United Nations pursuant to the United Nations Convention on the Law of the Sea, 1982).

The delimitation of territorial seas in the western part of the Strait of Singapore between the Republic of Indonesia and the Republic of Singapore has basically benefited the Republic of Indonesia in various aspects, namely :

- a. the existence of clear territorial sea boundary lines so that they ensure legal certainty;
- b. facilitating the effort to supervise and uphold state sovereignty in territorial seas;
- c. facilitating the effort made by Indonesia as a littoral state to ensure the safety of navigation lane in the Strait of Singapore; and
- d. increasing good relations between the two countries.

2. The process of negotiating on the delimitation of Territorial Seas in the Western Part of the Strait of Singapore between the Republic of Indonesia and the Republic of Singapore. Negotiations on the delimitation of territorial seas in the western part of the Strait of Singapore with the Republic of Singapore were started on February 28, 2005, and ended on March 10, 2009 when the foreign ministers

of the two countries signed a Treaty in Jakarta between the Republic of Indonesia and the Republic of Singapore relating to the Delimitation of Territorial Seas of the Two Countries in the Western Part of the Strait of Singapore.

During the process of negotiations, Indonesia has always based its position on the United Nations Convention on the Law of the Sea, 1982, rejected the use of reclamation results as the basis for delimitation, and used the reference of original map of 1973 and base points of Indonesia in Nipa Island and the base line of the Indonesian islands drawn from Nipa Island to Karimun Kecil Island.

3. The main points of the content of Treaty between the Republic of Indonesia and the Republic of Singapore relating to the Delimitation of Territorial Seas of the Two Countries in the Western Part of the Strait of Singapore.

Article 1 of the Treaty between the Republic of Indonesia and the Republic of Singapore relating to the Delimitation of Territorial Seas of the Two Countries in the Western Part of the Strait of Singapore governs coordinate points and lines linking them as the borderline of the territorial seas of the two countries. The coordinate points are calculated using the World Geodetic System 1984 Datum (WGS84) and straight lines link-

ing each coordinate line: 1(1°10'46.0"Northern Latitude, 103°40'14.6" Eastern Longitude); 1A(1°11'17.4" Northern Latitude, 103°39'38.5" Eastern Longitude); 1B(1°11'55.5"Northern Latitude, 103°34'20.4"Eastern Longitude); and 1C(1°11'43.8"Northern Latitude, 103°34'00.0"Eastern Longitude) as depicted in Attachment "A" to this Treaty.

Article 1 also stipulates that the delimitation of actual locations of the coordinate points above will be decided through a method to be jointly approved by the authorized officials of the two countries. Pursuant to the regulation prevailing in Indonesia are the National Survey and Mapping Coordinating Board and the Hydro-Oceanographic Unit of the Indonesian Naval Force.

Article 2 states that the boundary lines of the Treaty between the Republic of Indonesia and the Republic of Singapore relating to the Delimitation of Territorial Seas of the Two Countries in the Strait of Singapore signed on May 25, 1973 and the territorial sea boundary lines in the western segment of the Strait of Singapore signed on March 10, 2009 are drawn in Attachment "B" to this Treaty.

Article 3 stipulates the method of peaceful settlement through discussions or negotiations in case of dispute arising from the interpretation or implementation of the treaty between the two countries.

**GOVERNMENT REGULATIONS**

Article 4 and Article 5 stipulate that each country needs to ratify the treaty. The ratification charter will later be exchanged and the exchange date of ratification charter is declared as the date when the treaty begins to take effect.

**II. ARTICLE BY ARTICLE**

**Article 1**

Sufficiently clear.

**Article 2**

Sufficiently clear.

**SUPPLEMENT TO STATUTE BOOK OF  
THE REPUBLIC OF INDONESIA NO. 5138**

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