



UNIVERSITY
OF WOLLONGONG
AUSTRALIA

University of Wollongong
Research Online

University of Wollongong Thesis Collection
1954-2016

University of Wollongong Thesis Collections

2010

An analysis of legal issues relating to navigational rights and freedoms through and over Indonesian waters

Kresno Buntoro
University of Wollongong

UNIVERSITY OF WOLLONGONG

COPYRIGHT WARNING

You may print or download ONE copy of this document for the purpose of your own research or study. The University does not authorise you to copy, communicate or otherwise make available electronically to any other person any copyright material contained on this site. You are reminded of the following:

This work is copyright. Apart from any use permitted under the Copyright Act 1968, no part of this work may be reproduced by any process, nor may any other exclusive right be exercised, without the permission of the author.

Copyright owners are entitled to take legal action against persons who infringe their copyright. A reproduction of material that is protected by copyright may be a copyright infringement. A court may impose penalties and award damages in relation to offences and infringements relating to copyright material. Higher penalties may apply, and higher damages may be awarded, for offences and infringements involving the conversion of material into digital or electronic form.

Recommended Citation

Buntoro, Kresno, An analysis of legal issues relating to navigational rights and freedoms through and over Indonesian waters, Doctor of Philosophy thesis, Australian National Centre for Ocean Resources and Security (ANCORS) - Faculty of Law, University of Wollongong, 2010. <http://ro.uow.edu.au/theses/3091>

Research Online is the open access institutional repository for the University of Wollongong. For further information contact the UOW Library:
research-pubs@uow.edu.au

NOTE

This online version of the thesis may have different page formatting and pagination from the paper copy held in the University of Wollongong Library.

UNIVERSITY OF WOLLONGONG

COPYRIGHT WARNING

You may print or download ONE copy of this document for the purpose of your own research or study. The University does not authorise you to copy, communicate or otherwise make available electronically to any other person any copyright material contained on this site. You are reminded of the following:

Copyright owners are entitled to take legal action against persons who infringe their copyright. A reproduction of material that is protected by copyright may be a copyright infringement. A court may impose penalties and award damages in relation to offences and infringements relating to copyright material. Higher penalties may apply, and higher damages may be awarded, for offences and infringements involving the conversion of material into digital or electronic form.

**AN ANALYSIS OF LEGAL ISSUES RELATING TO NAVIGATIONAL
RIGHTS AND FREEDOMS THROUGH AND OVER INDONESIAN WATERS**

A thesis submitted in fulfilment of the
requirements for the award of the degree

Doctor of Philosophy

From

University of Wollongong

by

Kresno Buntoro, SH (Diponegoro, Indonesia), LLM (Nottingham, UK)

**Australian National Centre for
Ocean Resources and Security (ANCORS)**

Faculty of Law

University of Wollongong

2010

CERTIFICATION

I, Kresno Buntoro, declare that this thesis, submitted in fulfilment of the requirements for the award of Doctor of Philosophy, in the Australian National Centre for Ocean Resources and Security, Faculty of Law, University of Wollongong, is wholly my own work unless otherwise referenced or acknowledged. The Document has not been submitted for qualifications at any other academic institution.

Kresno Buntoro

3 May 2010

ABSTRACT

The United Nations Convention on the Law of the Sea (LOSC) provides a delicate balance between the interests of archipelagic States such as Indonesia and the international community with respect to navigation. Indonesia recognises three navigation rights and freedoms within Indonesian waters: innocent passage, transit passage and archipelagic sea lanes passage. In addition, Indonesia and Malaysia have negotiated an additional passage right not mentioned in the LOSC called access and communication passage.

The vagueness and ambiguity of the LOSC provisions on navigational rights and freedoms, as well as the absence of further guidance on their interpretation and implementation, have resulted in conflicting claims between Indonesia on one hand and the international community on the other.

This thesis aims to provide an analysis of the legal issues relating to navigation through and over Indonesian waters. In particular, it aims to examine inconsistencies between Indonesian navigational regimes and those permitted by the LOSC to ascertain if Indonesia has applied the LOSC correctly and, if necessary, to propose reforms to harmonise national legislation with international law. Specifically, the thesis will first, explain the extent, historical development and concept of navigational regimes in the LOSC and international law in general. Second, it will analyse the implementation of the navigational provisions of the LOSC by Indonesia. Finally, it will provide recommendations concerning the harmonisation of the Indonesian domestic legal framework with international law.

ACKNOWLEDGMENTS

This work is a reflection of my many years of work as an Indonesian Naval Officer, and the product of my long years of study and research as a law of the sea scholar. This thesis could not have been written without the help and support of others. The past three years have been more than about writing this thesis. Living in Australia was a good opportunity for my family and I to understand what family life really is all about. It was an important learning experience for all of us. The chance to gain knowledge from some of the most brilliant minds in the field, in a conducive academic environment, and to live in a place with such a diverse culture, is just some of the most valuable things out of this experience. I will always be grateful to all the people who have made this journey an excellent opportunity for growth, both academically and personally.

To Professor Martin Tsamenyi, my sincere gratitude for walking me through my thesis, for his encouraging words, the way he understands my background, and how he never fails to always give more than sufficient time for my work. There is not enough space on this page to list how he has shown his guidance, generosity, and concern for me and my family's well-being over the years. Without him, I would not have finished my thesis and gained the research experience I need for my work. My thanks to Associate Professor Clive Schofield, for his supervision and his constructive suggestions. To Ms. Myree Mitchell, thank you for assisting me with everything. To Dr Chris Rahman and Dr Mary Ann Palma, thank you for your kind words of support and helpful comments; and to Mr Lowell Bautista, I thank you for all your help. I also wish to express my gratitude to the Australian Government through its Australian

Leadership Awards without which, living and studying in Australia would have been just a dream.

My sincere thanks to First Admiral (Ret) Adi Sumardiman (former member of Indonesian Delegation to some bilateral and multilateral negotiations), for helping me better understand the LOSC and its implementation in Indonesian laws and regulations, and providing me with valuable material which could have been difficult for me to gain access to. He is truly one of the few experts on the LOSC in the Indonesian Navy. He always supported and encouraged me to undertake PhD studies, for which I am grateful. I thank Rear Admiral (Ret) Sunaryo, former Chief of Legal Division of the Indonesian Navy Headquarters, for allowing and supporting me in taking this study. I say thank you to Professor Hasjim Djalal, for sharing his precious time to lecture me on the LOSC. To Professor Etty R Agoes, my gratitude for giving me a better perspective of the LOSC. I am grateful to my associates in the Indonesian Navy, my friends in the Indonesian Foreign Affairs for allowing me to have in-depth discussions on the LOSC.

To my fellow students at the Centre -- those who struggled writing their theses as I wrote mine, those who have already finished their degrees, and those who have just started their research. I admire your enthusiasm and diligence and I have been inspired by them. To my Indonesian friends in the Indonesian Community in Wollongong who have all made me and my family feel at home, I am very indebted to you.

Lastly, my family deserves more than what can possibly be mentioned here. I owe everything to Jussie Pawestri Krisnawati, my lovely wife, who lived with me through this challenging time. She always supported and encouraged me when I am down through her thoughtfulness and calm composure. My daughters, Agnianditya

Kresno Dewantari, Farahana Kresno Dewayanti, and FeresytheGilba Kresno Dewaratri, for their cheerfulness and also for providing me with constant distractions from my work. They have encouraged me to finish this thesis on schedule. I do hope that one day they will understand why their father had to sit in front of the computer for such a long time and had to read such thick books and sometimes get a little grouchy. I personally dedicate this thesis to them. Lastly, my mother, my parents-in-law, my brothers, and my extended family, who have given me the strength to make this happen, I say a big thank you.

TABLE OF CONTENTS

CERTIFICATION	III
ABSTRACT	V
ACKNOWLEDGMENTS	VII
TABLE OF CONTENTS.....	X
LIST OF FIGURES	XV
LIST OF TABLES	XVI
LIST OF ACRONYMS.....	XVII
LIST OF CASES	XIX
LIST OF CONVENTIONS AND AGREEMENTS	XX
LIST OF INDONESIAN LAWS AND REGULATIONS.....	XXI
CHAPTER ONE.....	1
INTRODUCTION.....	1
1.1. Background.....	1
1.1.1. Economic Importance of Indonesian Waters	5
1.1.2. Importance of Indonesian Waters to Naval Movements.....	8
1.2. Objective of the Thesis.....	11
1.3. Significance of the Thesis.....	12
1.4. Research Questions	13
1.5. Methodology	16
1.6. Structure of the Thesis.....	18
CHAPTER TWO	19
INDONESIA AND THE LAW OF THE SEA CONVENTION: AN HISTORICAL PERSPECTIVE	19
2.1. Introduction	19
2.2. The Geography of Indonesia	21
2.3. The Indonesian Archipelagic Outlook	24
2.4. Development of the Indonesian Maritime Policy	29

2.5	Development of the Archipelagic State Concept of Indonesia	33
2.6.	The United Nations Convention on the Law of the Sea	39
2.7.	Conclusion	41
CHAPTER THREE		43
THE CONCEPT OF INDONESIAN WATERS		43
3.1.	Introduction	43
3.2.	Legal Status of Indonesian Waters	45
3.2.1.	Internal waters of Indonesia	45
3.2.2.	Archipelagic Waters of Indonesia.....	47
3.2.3.	Territorial Sea of Indonesia.....	50
3.2.4.	Outer Limit of Internal Waters, Archipelagic Waters, and Territorial Sea.....	51
3.3.	Indonesian Archipelagic Baselines	52
3.3.1.	Normal Baselines	55
3.3.2.	Archipelagic Straight Baselines	56
3.3.3.	Development of Government Regulation Number 38 of 2002	60
3.3.4.	Changes to Government Regulation Number 38 of 2002.....	63
3.3.5.	Difficulties in Determining the Archipelagic Baseline.....	63
3.4.	Conclusion	65
CHAPTER FOUR		67
INNOCENT PASSAGE IN INDONESIAN WATERS		67
4.1.	Introduction	67
4.2.	Right of Innocent Passage	69
4.2.1.	Definition of the Right of Innocent Passage	71
4.2.2.	Components of the Passage.....	76
4.2.3.	Scope of the Right of Innocent Passage.....	80
4.3.	Rights and Obligation of Coastal States with regard to the Right of Innocent Passage	82
4.3.1.	Rights of a Coastal State	83
4.3.2.	Obligations of Coastal States	87
4.4.	Rights and Duties of Passing Ships on Innocent Passage	90
4.4.1.	Rights of Passing Ships.....	90
4.4.2.	Duties of Passing Ships.....	91
4.4.3.	Innocent Passage of Warships or Submarines	93
4.4.4.	Non-Compliance with Obligations	98
4.5.	Analysis of Indonesian Laws and Regulations on Innocent Passage	102
4.5.1.	Act Number 6 of 1996	103

4.5.2.	Government Regulation Number 36 of 2002.....	109
4.5.3.	Other Laws and Regulations	116
4.6.	Conclusion.....	120
CHAPTER FIVE.....		123
ARCHIPELAGIC SEA LANES PASSAGE IN INDONESIAN WATERS		123
5.1.	Introduction.....	123
5.2.	Definition, Function, and Differences of the Regimes	126
5.2.1.	Definition and Function of the Archipelagic Sea Lanes Passage	127
5.2.2.	The Differences between Archipelagic Sea Lanes Passage and other Passage Regimes	131
5.3.	Designation of Archipelagic Sea Lane Passage in Indonesian Waters.....	132
5.3.1.	Preparation for Designation	133
5.3.2.	Informal Consultations.....	135
5.3.3.	IMO Meetings	139
5.3.4.	Post-IMO adoption.....	144
5.4.	Rights and Duties of Archipelagic State, Ships and Aircraft on Archipelagic Sea Lanes Passage	146
5.4.1.	Rights and Duties of Ships and Aircraft	146
5.4.2.	Rights and Duties of the Archipelagic State	149
5.5.	Legal Analysis of Indonesian Laws and Regulations on Archipelagic Sea Lanes Passage	151
5.5.1.	Rights and Duties of Indonesia, Ships, and Aircraft.....	152
5.5.2.	Consequences of the Independence of Timor Leste on Archipelagic Sea Lanes Passage.....	157
5.5.3.	Non-Compliance Rules	159
5.5.4.	Issues Arising from Archipelagic Sea Lane Passage	160
5.5.5.	Case Study on Archipelagic Sea Lane Passage.....	186
5.6.	Conclusion.....	192
CHAPTER SIX.....		195
TRANSIT PASSAGE RIGHTS IN INDONESIAN WATERS.....		195
6.1.	Introduction	195
6.2.	Straits Used for International Navigation.....	196
6.3.	Regime of Transit Passage.....	201
6.3.1.	Rights and Duties of Ships and Aircraft Exercising Transit Passage	201
6.3.2.	Elements of Transit Passage.....	202
6.3.3.	Relationship between Transit Passage and Innocent Passage.....	203
6.3.4.	Relationship between Archipelagic Sea Lanes and Transit Passage	203

6.3.5.	Straits Used for International Navigation in Indonesian Waters	205
6.3.5.	Issue on Passage through Straits within Indonesian Waters	213
6.4.	Legal Analysis of Transit Passage in Indonesia	216
6.4.1.	Rights of Indonesia on Transit Passage	216
6.4.2.	Duties of Indonesia	223
6.5.	Conclusion.....	225
CHAPTER SEVEN.....		227
ACCESS AND COMMUNICATION PASSAGE IN INDONESIAN WATERS		227
7.1.	Introduction	227
7.2.	Regime of Access and Communication Passage.....	229
7.2.1.	Historical Background of Access and Communication Passage.....	230
7.2.2.	Elements of the Access and Communication Passage	236
7.2.3.	Corridors for Access and Communications Passage.....	237
7.3.	Rights and Duties of Indonesia on Access and Communication Passage	239
7.3.1.	Rights of Indonesia based on the Treaty	240
7.3.2.	Obligations of Indonesia based on the LOSC and the Treaty	243
7.3.3.	Rights and Obligations of Indonesia based on Indonesian Laws and Regulations.....	245
7.4.	Rights and Duties of Malaysian Ships and Aircraft on Access and Communication Passage.....	246
7.4.1.	Right of Ships to Access and Communication Passage	247
7.4.2.	Obligations of Ships Exercising Access and Communication Passage ..	251
7.4.3.	Rights and Obligations of Aircraft on Access and Communication	253
7.4.4.	Submarines and Other Underwater Vehicles	256
7.5.	Relationships between Archipelagic Sea Lanes Passage and Access and Communication Passage.....	257
7.6.	Conclusion.....	260
CHAPTER EIGHT		261
CONCLUSIONS		261
8.1.	Introduction	261
8.2.	Summary of Findings.....	262
8.3.	Reforms Needed Within National Legal, Policy and Institutional Frameworks	269
8.3.1.	Reforms Needed to Legal and Policy Frameworks.....	270
8.3.2.	Reform Needed to Institutional Frameworks in Indonesia	277
8.4.	Alternative Solutions to Legal and Institutional Reforms	284

8.4.1. Legal Reforms.....284
8.4.2. Institutional Reforms.....287
8.4.3. Some Final Remarks289
8.5. Reflections.....290
BIBLIOGRAPHY293

LIST OF FIGURES

Figure 1. Routes of Iron and Ore Carrier and Tankers in the Asia-Pacific.....	7
Figure 2. Illustrative Maps of the Indonesian Territory Based on the TZMKO 1939 ..	31
Figure 3. Baselines Adjustment in the Natuna Sea	58
Figure 4. Horsburg Lighthouse in the Straits of Singapore	59
Figure 5. Illustrative Map on Proposed Archipelagic Sea Lanes based on the 1996 National Meeting.....	135
Figure 6. Archipelagic Sea Lanes Passage Proposed by the United States in Bandung Meeting, March 1996	137
Figure 7. Archipelagic Sea Lanes Passage Proposed by Australia in Jakarta Meeting, April 1996	137
Figure 8. The Indonesian Archipelagic Sea Lane, Adopted by IMO MSC 72 (69) ...	143
Figure 9. Indonesian Archipelagic Sea Lanes III adopted by IMO	158
Figure 10. Ocean Passage in Indonesian Waters	163
Figure 11. Normal Routes Proposed by the USA during Informal Meeting in 1982 and 1984.....	163
Figure 12. Normal Routes Proposed by Australia	164
Figure 13. No Island Within the Sea Lanes	167
Figure 14. Islands Bordering the Sea Lanes	167
Figure 15. Island Within the Sea Lanes	167
Figure 16. Indonesia and the United States Interpretation of Islands Bordering an Archipelagic Sea Lanes.....	169
Figure 17. Example of the Australia Application of the Ten Per cent Rule	170
Figure 18. Composition of an Archipelagic Sea Lanes and Application of the Ten Per cent Rule	171
Figure 19. Application of the Ten Per cent Rule	172
Figure 20. Exercising the Right of Archipelagic Sea Lane Passage in the Sunda Strait	173
Figure 21. Position of the Axis Line in the Makassar Strait	176
Figure 22. The Possibility of Traffic Separation Scheme in the Strait of Makassar...	178
Figure 23. Illustrative East West Route (in red line)	183
Figure 24. Track of the F-18 Hornet (red) and F-16 Falcon (blue), during Incident 3rd July 2003	191
Figure 25. Straits for International Seaborne Trade within Indonesian Waters.....	205
Figure 26. Natuna Sea	229
Figure 27. Illustrative Map Corridors in Natuna Sea.....	238
Figure 28. Map of Flight Information Region in the South China Sea (Natuna Sea)	245
Figure 29. The Designated Fishing Area based on the Treaty.....	251
Figure 30. Air Routes in Indonesia Territory.....	255
Figure 31. Overlapping Axis Lines between Indonesia Archipelagic Sea Lanes Passage and the Corridors.....	258

LIST OF TABLES

Table 1. Indonesia and Neighbouring Coastal States: Comparative Sizes	22
Table 2. Relationship between the Articles of Innocent Passage in Act Number 6 of 1996 and the LOSC	104
Table 3. Relationship between Articles in Government Regulation Number 36 of 2002 and the LOSC	112
Table 4. Institutional Arrangements for Navigation Regimes	279
Table 5. Maritime Enforcement Agencies based on Indonesian Acts	283

LIST OF ACRONYMS

AALCC	Asian-African Legal Consultative Committee (AALCC)
AD	After Death
ASEAN	Association of Southeast Asian Nations
ASG	Archipelagic States Group
ASL	Archipelagic Sea Lane
BC	Before Christ
Bakorkamla	Badan Koordinasi Keamanan Laut (Coordinating Body for Maritime Security)
DAC	Directorate General of Air Communication
DSC	Directorate General of Sea Communication
DDS	Department of Defence and Security
DFA	Department of Foreign Affairs
DOALOS	Division of Ocean Affairs and the Law of the Sea
DPD	Dewan Perwakilan Daerah (Regional Representative Council)
DPR	Dewan Perwakilan Rakyat (People's Representative Assembly)
Dwt	deadweight tons
ECDIS	Electronic Chart Display and Information System
EEZ	Exclusive Economic Zone
ENC	Electronic Navigational Chart
FIR	Flight Information Region
FON	Freedom of Navigation
GBHN	Garis-garis Besar Haluan Negara (Broad Guidelines of State Policy)
GNP	Gross National Product
GPASL	General Procedure on Archipelagic Sea Lanes Passage
GR	Government Regulation
IAEA	International Atomic Energy Agency
IASL	Indonesian Archipelagic Sea Lanes
ICAO	International Civil Aviation Organisation
ICJ	International Court of Justice
ICS	International Chamber of Shipping
IDC	Inter-departmental Committee
IDR	Indonesian Rupiah
IHB	International Hydrographic Bureau
IHO	International Hydrographic Organisation
ILC	International Law Commission
IMO	International Maritime Organisation
IMSCB	Indonesia Maritime Security Coordinating Body (Bakorkamla)
INTERTANKO	International Association of Independent Tanker Owners
Km	Kilometre
LAT	Lowest Astronomical Tide
LNG	Liquefied Natural Gas
LOSC	United Nations Convention on the Law of the Sea
MEH	Marine Electronic Highway

MLLW	Mean Lower Low Water
MLWS	Mean Low-Water Springs
MOU	Memorandum of Understanding
MPR	Majelis Permusyawaratan Rakyat (People's Consultative Assembly)
MSC	IMO Maritime Safety Committee
MSL	Mean Sea Level
NAV	IMO Sub-Committee on Safety of Navigation
NM	Nautical Miles
OAU	Organization of African Unity
OECD	Organization for Economic Co-operation and Development
PANKORWILNAS	Panitia Koordinasi Wilayah Nasional (Coordinating Committee for National Territory)
PCIJ	Permanent Court of International Justice
PNG	Papua New Guinea
PP	Peraturan Pemerintah (Government Regulation)
Sub-NAV	Sub Committee on Navigation
TZMKO	Territorial Zee een Maritime Kringen Ordonantie (Territorial Sea Maritime Regulation)
UN	United Nations
UNCLOS	United Nations Conference on the Law of the Sea
UNCTAD	United Nations Conference on Trade and Development
UNTAET	United Nations Transitional Administration in East Timor
US	United States
USSR	Union of Soviet Socialist Republics
UU	Undang Undang (Act)
UUD	Undang Undang Dasar (Constitution)
UUDS	Undang Undang Dasar Sementara (Provisional Constitution)
WMD	Weapon Mass Destruction

LIST OF CASES

North Atlantic Fisheries Coast Arbitration (United States v. Great Britain) [1910]
PCA, *Proceeding*, Vol. II

Lotus case, PCIJ, series A, No. 10 (1927)

Corfu Channel Case (United Kingdom v. Albania) ICJ Reports 1949

Anglo-Norwegian Fisheries Case (United Kingdom v. Norway), 1951 ICJ Reports 116

United States Diplomatic and Consular Staff in Tehran (United States v. Iran), ICJ,
Reports 1980, 40

Nicaragua Case (*Nicaragua v United States*) [1986], ICJ Rep. 12

Case concerning Sovereignty over Pulau Ligitan and Pulau Sipadan
(Indonesia/Malaysia), Judgment of 17 December 2002

Saiga Case, Case No. 2, Saint Vincent and the Grenadines v. Guinea, ITLOS

LIST OF CONVENTIONS AND AGREEMENTS

- Montevideo Convention on Rights and Duties of States* 1933, 165 LNTS 19
- Convention on International Civil Aviation*, opened for signature 7 December 1944, 61 Stat. 1180; 15 UNTS 295 (entered into force 14 April 1947)
- United Nations Charter*, opened for signature 26 June 1945, 59 Stat. 1031; TS 993; 3 Bevans 1153 (entered into force 24 October 1945)
- Statute of the International Court of Justice*, opened for signature 26 June 1945, 3 Bevans 1179; 59 Stat. 1031; T.S. 993; 39 AJIL Supp. 215 (1945) (entered into force 24 October 1945)
- Geneva Convention on the Territorial Sea and the Contiguous Zone*, opened for signature 29 April 1958, 15 UST 1606; 516 UNTS 205 (entered into force 10 September 1964)
- United Nations Convention on Fishing and Conservation of the Living Resources of the High Seas*, 559 UNTS 285, (entered into force 20 March 1966)
- United Nations Convention on the Continental Shelf*, 449 UNTS 331, (entered into force 10 June 1964)
- United Nations Convention on the High Seas*, 450 UNTS 11, (entered into force 30 September 1962)
- Vienna Convention on the Law of Treaties*, opened for signature 23 May 1969, 1115 UNTS 331, (entered into force 27 January 1980)
- United Nations Convention on the Law of the Sea*, opened for signature 10 December 1982, 1833 UNTS 3 (entered into force 16 November 1994)
- Treaty between the Republic of Indonesia and the Republic of Singapore relating to *the Delimitation of the Territorial Seas of the Two Countries in the Strait of Singapore*, 1973
- Agreement between the Government of the Republic of Indonesia and the Government of Papua New Guinea concerning *Maritime Boundaries between the Republic of Indonesia and Papua New Guinea and Co-operation on Related Matters*, in 1980
- Treaty between the Republic of Indonesia and Malaysia on *Legal Regime of the 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*, signed in Jakarta, 25 February 1982

LIST OF INDONESIAN LAWS AND REGULATIONS

- The Territoriale Zee een Maritime Kringen Ordonnantie 1939, Staatsblad 442
- The Text of the Indonesian Proclamation of Independence 1945
- The Constitution of the Republic of Indonesia (1945)
- The Provisional Constitution of the Republic of Indonesia (1950)
- Act Number 4 of 1960 on *Indonesia Waters*
- Act Number 19 of 1961 on *Ratification of Three 1958 Geneva Conventions on the Law of the Sea* (State Gazette Year 1961 No. 276)
- Act Number 1 of 1973 on *Indonesian Continental Shelf* (State Gazette Year 1973 No. 1, Supplementary State Gazette No. 2994)
- Act Number 8 of 1981 on *Criminal Procedure* (State Gazette Year 1983 No. 76, Supplementary State Gazette No. 3209)
- Act Number 1 of 1983 on *Ratification of Treaty between the Republic of Indonesia and Malaysia 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* (State Gazette Year 1983 No. 7, Supplementary State Gazette No. 3248)
- Act Number 5 of 1983 on *Indonesian Exclusive Economic Zone* (State Gazette Year 1983 No. 44, Supplementary State Gazette No. 3260)
- Act Number 17 of 1985 on *Ratification of the United Nations Convention on the Law of the Sea* (State Gazette Year 1985 No. 76, Supplementary State Gazette No. 3319)
- Act Number 5 of 1990 on *Conservation of Biological Resources and their Ecosystems* (State Gazette Year 1985 No. 49, Supplementary State Gazette No. 3419)
- Act Number 9 of 1990 on *Tourism* (State Gazette Year 1990 No. 78, Supplementary State Gazette No. 3427)
- Act Number 9 of 1992 on *Immigration* (State Gazette Year 1996 No. 33, Supplementary State Gazette No. 3474)
- Act Number 9 of 1992 on *Quarantine of Agriculture, Cattle and Fish* (State Gazette Year 1992 No. 56, Supplementary State Gazette No. 3483)
- Act Number 10 of 1995 on *Customs* (State Gazette Year 1996 No. 75, Supplementary State Gazette No. 3612)
- Act Number 11 of 1995 on *Fiscal* (State Gazette Year 1996 No. 76, Supplementary State Gazette No. 3613)
- Act Number 6 of 1996 on *Indonesian Waters* (State Gazette Year 1996 No. 73, Supplementary State Gazette No. 3647)
- Act Number 23 of 1997 on *Environmental Management* (State Gazette Year 1997 No. 68, Supplementary State Gazette No.3699)

- Act Number 41 of 1999 on *Forestry* (State Gazette Year 1996 No. 167, Supplementary State Gazette No. 3888)
- Act Number 24 of 2000 on *International Treaties* (State Gazette Year 1997 No. 185, Supplementary State Gazette No. 4012)
- Act Number 24 of 2003 on *Constitutional Court* (State Gazette Year 2003, No. 98, Additional State Gazette No. 4316)
- Act Number 32 of 2004 on *Regional Government* (State Gazette Year 2004 No. 125, Supplementary State Gazette No. 4427)
- Act Number 10 of 2004 on *Law Making*, (State Gazette Year 2004 No. 53, Supplementary State Gazette No. 4389)
- Act Number 31 of 2004 on *Fisheries* (State Gazette Year 1996 No. 118, Supplementary State Gazette No. 4433)
- Act Number 17 of 2006 on *Amendment of Act Number 10 of 1995 on Customs* (State Gazette Year 2008 No. 93, Supplementary State Gazette No. 4661)
- Act Number 26 of 2007 on *Spatial Planning* (State Gazette Year 2007 No. 68, Supplementary State Gazette No. 4725)
- Act Number 27 of 2007 on *Management of Coastal Territory and Small Islands* (State Gazette Year 2008 No. 84, Supplementary State Gazette No. 4739)
- Act Number 39 of 2007 on *Amendment of Act Number 11 of 1995 on Fiscal* (State Gazette Year 2008 No. 105, Supplementary State Gazette No. 4755)
- Act Number 17 of 2008 on *Shipping* (State Gazette Year 2008 No. 64, Supplementary State Gazette No. 4849)
- Act Number 43 of 2008 on *State Territory* (State Gazette Year 2008 No. 177, Supplementary State Gazette No. 4925)
- Act Number 1 of 2009 on *Air Navigation* (State Gazette Year 2008 No. 1, Supplementary State Gazette No. 4956)
- Government Regulation Number 8 Year 1962 on *Innocent Passage of Foreign Vessels in Indonesian Waters* (State Gazette Year 1962 No. 36)
- Government Regulation Number 36 of 2002 on *Rights and Responsibilities of Foreign Ships on Exercising of Innocent Passage through Indonesian Waters* (State Gazette Year 2002 No. 70, Supplementary State Gazette No. 4209)
- Government Regulation Number 37 of 2002 on *Rights and Obligations of Foreign Ships and Aircraft Exercising the Right of Archipelagic Sea Lane Passage through Designated Archipelagic Sea Lanes* (State Gazette Year 2002 No. 71, Supplementary State Gazette No. 4210)
- Government Regulation Number 37 of 2008 on *Amendment of Government Regulation number 38 Year 2002 concerning List of Geographical Coordinates of Indonesian Archipelagic Baselines* (State Gazette Year 2008 No.77, Supplementary State Gazette No. 4854)
- Government Regulation Number 38 of 2002 on *List of Geographical Coordinates of Indonesian Archipelagic Baselines* (State Gazette Year 2002 No. 72, Supplementary State Gazette No. 4211)

Government Regulation Number 61 of 1998 on *List of Geographical Coordinates of the Base Points of the Archipelagic Baselines of Indonesia in Natuna Sea* (State Gazette Year 1998 No. 100, Supplementary State Gazette No. 3768)

President Decree Number 16 of 1971 on Authority to Issue "Sailing Permits" for All Activities of Foreign Vessels in Indonesian Waters

