



PERMANENT MISSION OF THE REPUBLIC OF INDONESIA  
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The Permanent Mission of the Republic of Indonesia to the United Nations presents its compliments to the Secretary General of the United Nations and with reference to the circular note of the Permanent Mission of the People's Republic of China number CML/17/2009 dated 7 May 2009, especially its attached map depicting the so-called "the Chinese indisputable sovereignty over the islands in the South China Sea and the adjacent waters, and its sovereign rights and jurisdiction over relevant waters as well as the seabed and subsoil thereof", has the honor to state the following:

- 1) Indonesia is not a claimant State to the sovereignty disputes in the South China Sea, and as such, Indonesia has played an impartial yet active role in establishing confidence building measures among the claimant States and creating an atmosphere of peace through a series of workshops on the South China Sea since 1990. This endeavor eventually paved the way for the adoption of the "Declaration on the Conduct of Parties in the South China Sea" in 2002;
- 2) Indonesia also follows closely the debate over the above mentioned map which has also been referred to as the so-called "nine-dotted-lines map". Thus far, there is no clear explanation as to the legal basis, the method of drawing, and the status of those separated dotted-lines. It seems that those separated dotted lines may have been the maritime zones of various disputed small features in the waters of the South China Sea. Regardless of the owner of those features, Indonesia should like to take this opportunity to refer to the position of the People's Republic of China in matters relating to the maritime zone of very small islands and rocks as shown from the following statements:
  - a. The statement of the Head of Delegation of the People's Republic of China, H.E. Ambassador Chen Jinghua, at the 15<sup>th</sup> Session of the International Seabed Authority (ISBA) in Kingston, Jamaica on June 2009, in particular by mentioning that "Claim on exclusive economic zone and continental shelf with the rock [...] as the basepoint concerns important principles of the Convention and the overall interests of the international community". He further went on by referring to the statement of Ambassador Arvid Prado of Malta that "if a 200 mile limit of jurisdiction could be founded on the possession of uninhabited, remote or very small islands, the effectiveness of international administration of ocean space beyond national jurisdiction would be gravely impaired".
  - b. The statement of the Chinese delegation at the 19<sup>th</sup> meeting of the State Parties on the Law of the Sea (SPLOS) held on 22-26 June 2009 in New York, reiterating that "according to Article 121 of the UNCLOS, rocks which cannot sustain human habitation or economic life of their own shall have no exclusive economic zone or continental shelf".

- 3) In this connection, the statements of these distinguished representatives of the People's Republic of China are also relevant to the situation in the South China Sea and thus it is only correct to state that those remote or very small features in the South China Sea do not deserve exclusive economic zone or continental shelf of their own. Allowing the use of uninhabited rocks, reefs and atolls isolated from the mainland and in the middle of the high sea as a basepoint to generate maritime space concerns the fundamental principles of the Convention and encroaches the legitimate interest of the global community.
- 4) Therefore, as attested by those statements, the so called "nine-dotted-lines map" as contained in the above circular note Number: CML/17/2009 dated 7<sup>th</sup> May 2009, clearly lacks international legal basis and is tantamount to upset the UNCLOS 1982.

The Permanent Mission of the Republic of Indonesia has further the honor to request that this note be circulated to all members of the Commission on the Limits of the Continental Shelf (CLCS) and all State Parties to the United Nations Convention on the Law of the Sea as well as all members of the United Nations.

The Permanent Mission of the Republic of Indonesia to the United Nations avails itself of this opportunity to renew to the Secretary General of the United Nations the assurances of its highest consideration.

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