

No. 14122

**AUSTRALIA
and
INDONESIA**

Agreement establishing certain seabed boundaries (with charts). Signed at Canberra on 18 May 1971

Authentic texts: English and Indonesian.

Registered by Australia on 7 August 1975.

**AUSTRALIE
et
INDONÉSIE**

Accord établissant certaines lignes délimitant les fonds marins (avec cartes). Signé à Canberra le 18 mai 1971

Textes authentiques : anglais et indonésien.

Enregistré par l'Australie le 7 août 1975.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA AND THE GOVERNMENT OF THE REPUBLIC OF INDONESIA ESTABLISHING CERTAIN SEABED BOUNDARIES

The Government of the Commonwealth of Australia and the Government of the Republic of Indonesia,

Desiring to strengthen the bonds of friendship between the two countries; and

Desiring particularly to cooperate in delimiting by agreement the boundaries of certain areas of seabed in which the two countries respectively exercise sovereign rights for the exploration and exploitation of the natural resources,

Have agreed as follows:

Article 1. In the Arafura Sea eastwards of Longitude 133° 23' East, the boundary between the area of seabed that is adjacent to and appertains to the Commonwealth of Australia and the area that is adjacent to and appertains to the Republic of Indonesia shall be the straight lines shown on chart A² annexed to this Agreement, commencing at the point of Latitude 9° 52' South, Longitude 140° 29' East (Point A1), and thence connecting the points specified hereunder in the sequence so specified:

- A2. The point of Latitude 10° 24' South, Longitude 139° 46' East
- A3. The point of Latitude 10° 50' South, Longitude 139° 12' East
- A4. The point of Latitude 10° 24' South, Longitude 138° 38' East
- A5. The point of Latitude 10° 22' South, Longitude 138° 35' East
- A6. The point of Latitude 10° 09' South, Longitude 138° 13' East
- A7. The point of Latitude 9° 57' South, Longitude 137° 45' East
- A8. The point of Latitude 9° 08' South, Longitude 135° 29' East
- A9. The point of Latitude 9° 17' South, Longitude 135° 13' East
- A10. The point of Latitude 9° 22' South, Longitude 135° 03' East
- A11. The point of Latitude 9° 25' South, Longitude 134° 50' East
- A12. The point of Latitude 8° 53' South, Longitude 133° 23' East

Article 2. The two Governments have not provided in this Agreement for the delimitation of the respective areas of adjacent seabed westward of Longitude 133° 23' East, and have left this question for discussion at further talks to be held at a mutually convenient date.

Article 3. 1. Off the southern coast of the island of New Guinea (Irian) westwards of Longitude 140° 49' 30" East, the boundary between the area of seabed that is adjacent to and appertains to the Territory of Papua and the area that is adjacent to and appertains to the Republic of Indonesia shall be the straight line shown on chart A annexed to this Agreement, connecting the point of Latitude 9° 24' 30" South, Longitude 140° 49' 30" East (Point B1) with the point of Latitude 9° 52' South, Longitude 140° 29' East (Point A1).

¹ Came into force on 8 November 1973 by the exchange of the instruments of ratification, which took place at Canberra, in accordance with article 9.

² See p. 311 of this volume.

2. The two Governments have not provided in this Agreement for the drawing of a boundary line between the point B1 referred to in paragraph 1 of this Article and the point at which the land boundary between the Territory of Papua and West Irian meets the southern coast of the island of New Guinea (Irian), and have left this question for further discussion as and when agreed.

Article 4. 1. Off the northern coast of the island of New Guinea (Irian), the boundary between the area of seabed that is adjacent to and appertains to the Trust Territory of New Guinea and the area that is adjacent to and appertains to the Republic of Indonesia shall lie along the straight line shown on chart B' annexed to this Agreement, connecting the point at which the land boundary between the Trust Territory and West Irian meets the northern coast of the island of New Guinea (Irian) (Point C1) with the point of Latitude 2° 08' 30" South, Longitude 141° 01' 30" East (Point C2). If any lines are drawn extending this line northward, they shall be drawn on the same principle, that is to say the principle of equidistance.

2. The lines referred to in paragraph 1 of this Article are to be taken as indicating the direction in which the lateral boundary of the respective areas of seabed is agreed to lie.

3. This Article shall not in any way affect any agreement that may subsequently be made between the two Governments delimiting the lateral boundary of the territorial sea as between the Trust Territory of New Guinea and the Republic of Indonesia.

Article 5. For the purpose of this Agreement, "seabed" includes the subsoil thereof, except where the context otherwise requires.

Article 6. 1. The co-ordinates of the points specified in Articles 1, 3 and 4 of this Agreement are geographical co-ordinates, and the actual location of the points and of the lines joining them shall be determined by a method to be agreed upon by the competent authorities of the two Governments.

2. For the purpose of paragraph 1 of this Article the competent authorities in relation to the Commonwealth of Australia shall be the Director of National Mapping and any person acting with his authority, and in relation to the Republic of Indonesia shall be the Chief of the Co-ordinating Body for National Survey and Mapping (*Ketua Badan Koordinasi Survey Dan Pemetaan Nasional*) and any person acting with his authority.

Article 7. If any single accumulation of liquid hydrocarbons or natural gas, or if any other mineral deposit beneath the seabed, extends across any of the lines that are specified in Articles 1, 3 and 4 of this Agreement, and the part of such accumulation or deposit that is situated on one side of the line is recoverable in fluid form wholly or in part from the other side of the line, the two Governments will seek to reach agreement on the manner in which the accumulation or deposit shall be most effectively exploited and on the equitable sharing of the benefits arising from such exploitation.

Article 8. Any dispute between the two Governments arising out of the interpretation or implementation of this Agreement shall be settled peacefully by consultation or negotiation.

¹ See p. 312 of this volume.

Article 9. This Agreement is subject to ratification in accordance with the constitutional requirements of each country, and shall enter into force on the day on which the Instruments of Ratification are exchanged.

IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments, have signed this Agreement.

DONE in duplicate at Canberra this 18th day of May 1971 in the English and Indonesian languages.

For the Government
of the Commonwealth of Australia:

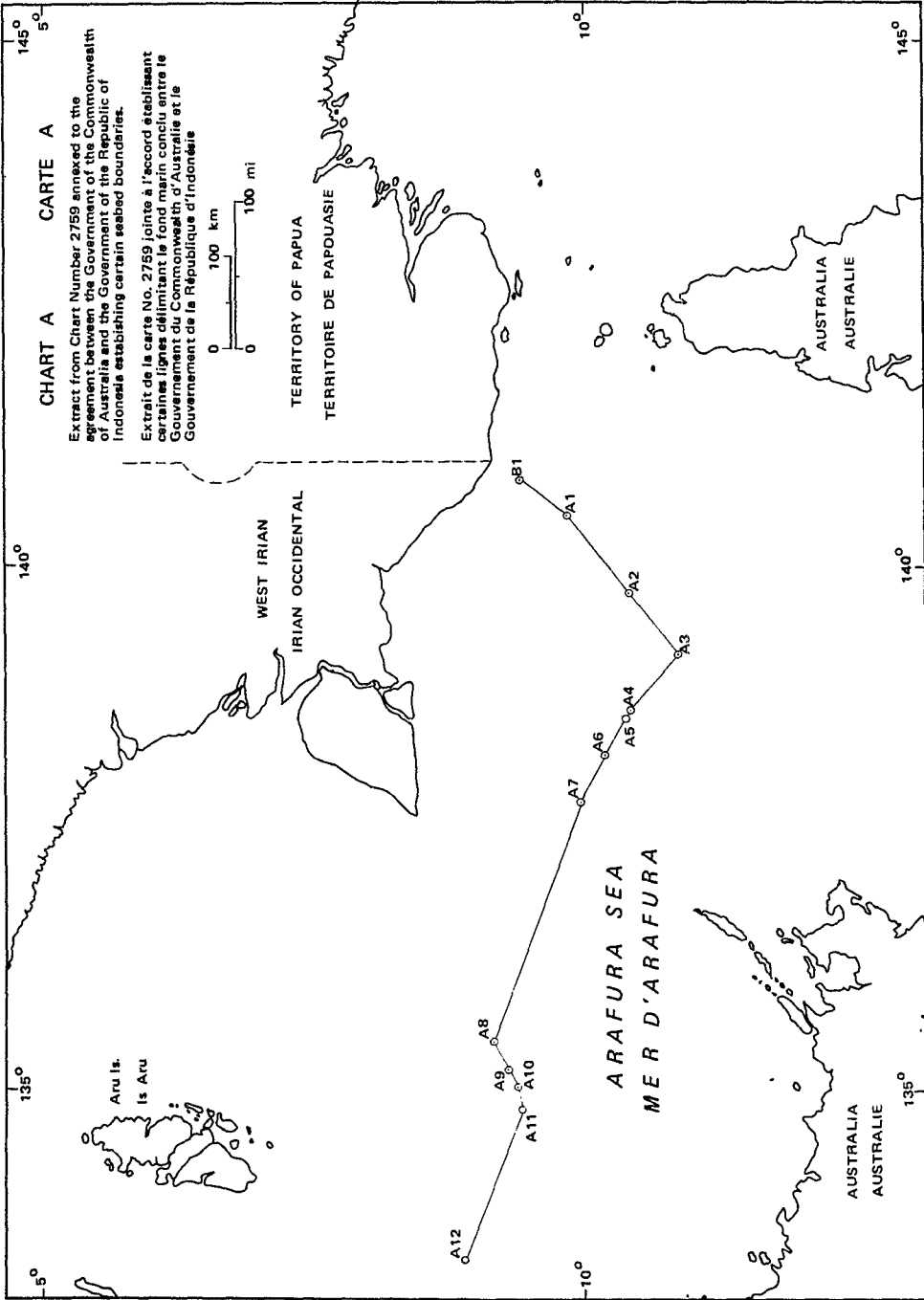
[Signed — Signé]¹

For the Government
of the Republic of Indonesia:

[Signed — Signé]²

¹ Signed by Leslie Bury — Signé par Leslie Bury.

² Signed by Sumantri Brodjonegoro — Signé par Sumantri Brodjonegoro.



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