

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.

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THE GOVERNMENT OF THE REPUBLIC OF INDONESIA AND THE
GOVERNMENT OF PAPUA NEW GUINEA

RECALLING the Agreements between the Government
of the Republic of Indonesia and the Government of the
Commonwealth of Australia, signed on the eighteenth day
of May One thousand nine-hundred and seventy-one (in
this Agreement called "the 1971 Seabed Agreement"),
the ninth day of October One thousand nine-hundred and
seventy-two (in this Agreement called "the 1972
Supplementary Agreement") and on the twelfth day of
February One thousand nine-hundred and seventy-three
(in this Agreement called "the 1973 Supplementary
Agreement") respectively which delimited certain areas
of the continental shelf that is adjacent to and
appertains to the Republic of Indonesia and certain
areas of the continental shelf that is adjacent to
and appertains to Papua New Guinea,

RECALLING further that in the 1971 Seabed
Agreement the Government of the Republic of Indonesia
and the Government of the Commonwealth of Australia
left for later agreement the delimitation of the
respective areas of the continental shelf in the
Pacific Ocean northward of Latitude 2°8'30" South,
Longitude 141°1'30" East (in this Agreement called
"Point C2"),

RESOLVING, as good neighbours and in a spirit of co-operation and friendship, to settle permanently the limits of the areas referred to in the preceding paragraph within which the Government of the Republic of Indonesia and the Government of Papua New Guinea shall respectively exercise sovereign rights with respect to the exploration of the continental shelf and the exploitation of its natural resources;

TAKING account of the recent developments in the Law of the Sea regarding the regime of the continental shelf and exclusive economic zone,

HAVE AGREED as follows:

ARTICLE 1

In this Agreement the term "continental shelf" means, in accordance with international law, the seabed and subsoil of the submarine areas that extend beyond the territorial seas of the Republic of Indonesia and Papua New Guinea throughout the natural prolongation of their land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles from the baseline from which the breadth of their respective territorial seas is measured where the outer edge of the continental margin does not extend to that distance.

ARTICLE 2

1. In accordance with the principle referred to in paragraph 1 of Article 4 of the 1971 Seabed Agreement, the boundary between the area of the continental shelf that is adjacent to and appertains to Papua New Guinea northward of Point C2 shall be straight lines shown on the Chart annexed to this Agreement commencing at Point C2 thence connecting in a northerly direction the points specified hereunder in the sequence so specified:

C3	Latitude	1°04'35" South
	Longitude	141°24'00" East
C4	Latitude	00°44'10" North
	Longitude	140°49'10" East
C5	Latitude	1°01'35" North
	Longitude	140°48'35" East

2. The Co-ordinates of the points specified in paragraph 1 of this Article 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.

3. The boundary referred to in paragraph 1 of this Article shall not prejudice the rights of the two countries, in accordance with international law, to extend such boundary further by drawing straight lines, on the basis of the principles specified in paragraph 1 of this Article, from Point C5 northward up to the outer limits of their respective continental shelves over which they exercise sovereign rights for the purpose of exploring it and exploiting its resources, where such sovereign rights exist.

4. For the purpose of paragraph 2 of this Article the competent authority in relation to the Republic of Indonesia shall be the Chief of the Co-ordinating Body for National Survey and Mapping (Ketua Badan Koordinasi Survei Dan Pemetaan Nasional) and any person acting with his authority, and in relation to Papua New Guinea shall be the Surveyor General of Papua New Guinea and any person acting with his authority.

ARTICLE 3

If any single accumulation of liquid hydrocarbons or natural gas, or if any other mineral deposits beneath the continental shelf extend across any of the lines that are specified in Article 2 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 4

The boundary line referred to in Article 2 of this Agreement and in Articles 1, 3 and 4 of the 1972 Supplementary Agreement and in Article 3 of the 1973 Supplementary Agreement shall, so far as it might be relevant, be the boundary of the exclusive economic zone or fishing zone between the Republic of Indonesia and Papua New Guinea.

ARTICLE 5

1. The right of nationals of either Party who have, customarily and by traditional methods, fished in the waters of the other Party is recognised and shall be respected.

2. The nature and extent of the right referred to in paragraph 1 of this Article shall be determined by Agreement between the Parties.

ARTICLE 6

The Parties shall co-operate on the management, conservation and utilisation of the living resources of their respective exclusive economic zones or fishing zones with particular regard to highly migratory species and the participation by third Parties in the exploitation of the living resources of such zones.

ARTICLE 7

The Parties shall consult with each other with a view to co-ordinating their policies in accordance with international law on the protection of the marine environment and the conduct of marine research in their respective exclusive economic zones or fishing zones.

ARTICLE 8

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

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 *Jakarta*
this *thirteenth* day of *December* 1980,
in the English and Indonesian languages, both
texts being equally authentic. In case of
different interpretation, the English text
shall prevail.

FOR THE GOVERNMENT OF
THE REPUBLIC OF INDONESIA

FOR THE GOVERNMENT OF
PAPUA NEW GUINEA

ANNEX to the 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.

Signed

Supplementary to the Agreement of 18th May, 1971.

