

Part I

General Provisions on the Foreign Ships

Article 1 - The innocent passage of foreign ships in the Indonesian internal waters, which before the enforcement of Law N° 4 Prp of 1960 were defined either as open sea or Indonesian territorial sea, is guaranteed; this provision does not apply to gulfs, bays, and estuaries with a mouth width of less than twenty four sea miles.

Article 2 - (1) What is meant by innocent passage of foreign ships in this decree is navigation with innocent purpose through territorial waters and internal waters of Indonesia:

- a. From open sea to an Indonesian port and return;
- b. From open sea to open sea.

(2) The innocent passage meant in section (1) is bound to sailing in the shipping lanes included in the charts used in seafaring.

(3) Stopping, anchoring and/or sailing up and down without a legitimate purpose in the Indonesian waters or in open sea bordering on the aforesaid waters are not included in the concept of innocent passage as meant in section (1).

Article 3 - Seafaring as meant in article 2 is considered innocent passage as far as it is not injurious to defence, general security, interests and/or dangerous for the peacefulness of the Indonesian Nation.

Article 4 - (1) In order to protect the sovereignty and the security of the Nation, the President of the Republic of Indonesia has the right to prohibite temporarily the innocent passage in certain sections of the Indonesian waters.

(2) The temporary prohibition as stated in section (1) shall be enacted after it has been announced by means of the media of communication usually utilized in seafaring.

PART II

The Foreign Fishing Ships

Article 5 - (1) While sailing from open sea to open sea in the Indonesian waters or Indonesian internal waters or bordering such waters, the foreign fishing ships are obliged to keep wrapped the fishing gears in their holds.

(2) During the passage stated in section (1), the foreign fishing ships are obliged to sail in the shipping lanes which have been or shall be fixed by the Minister-Chief of Navy Staff.

### PART III

#### The Foreign Scientific Research Ships

Article 6 - The foreign ships are allowed to conduct scientific research work in the Indonesian waters or in the internal waters of Indonesia only if they have been granted a permit by the President of the Republic of Indonesia.

### PART IV

#### Foreign Warships and Foreign Government Ships which are not Commercial Ships

Article 7 - (1) Before beginning their peaceful passage through the Indonesian waters or Indonesian internal waters, the foreign warships and foreign government ships which are not commercial ships are obliged to inform the Minister-Chief of Navy Staff, except that they sail in shipping lanes fixed by the Minister-Chief of Navy Staff.

(2) During their passage through the Indonesian waters the submarines have to sail on the surface.

(3) The passage of foreign warships and foreign government ships which are not commercial ships out of the shipping lanes mentioned in section (1), as well as the passage of submarines which do not sail on the surface, is considered not innocent and consequently such ships are liable to immediate expulsion from the Indonesian waters.

### PART V

#### Final Provisions

Article 8 - This Government decree is valid from the day of its enforcement. In order to give notice to everybody, this Government decree shall be published in the Official Journal of the Republic of Indonesia.

25 July, 1962.