



Statement by

Mr. Jonny Sinaga

Representative of the Republic of Indonesia  
to the  
United Nations  
on Agenda Item 25:  
Ocean and the Law of the Sea

New York, 12 December 2002

Mr. President,

My delegation deems it a distinct pleasure to take the floor in the General Assembly's consideration of the item entitled "Oceans and the Law of the Seas" to commemorate the 20<sup>th</sup> anniversary of the opening for signature of the United Nations Convention on the Law of the Sea (UNCLOS)). Indeed, it is also most auspicious to mark the 10<sup>th</sup> anniversary of the adoption of Agenda 21, the United Nations Program of Action, chapter 17, which contains a comprehensive strategy for the sustainable development of the oceans and seas. This occasion offers us a unique opportunity to take stock of our accomplishments so far and to determine a course of action for taking the implementation of those remarkable instruments forward.

Before proceeding further, allow me to commend the staff of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs for the outstanding work carried out during the past years. My delegation would also like to thank the Secretary-General for the comprehensive reports before us.

Today, two decades later, it is most relevant to reflect on the growing universal participation in and adherence to the legal framework laid down by the United Nations Convention on the Law of the Sea. Moreover, the operation of the three institutions created by UNCLOS attests to the fact that this landmark instrument has not only paved the way for the implementation of a universal legal framework governing the world's oceans but also, in regulating those areas for which UNCLOS was established. In this regard, the International Sea-bed Authority opened a new chapter in the evolution of law of international organizations in general. Apart from being directly involved in a commercial activity, the Authority represents "mankind" and it has currently seven registered pioneer investors for the exploration of polymetallic nodules. On the other hand, the International Tribunal already has heard 10 cases while the Commission on Continental Shelf has already received its first submission with respect to the establishment of the outer limits of their continental shelves. Other significant developments include, the 11 sessions held by the Meeting of the States Parties to the Convention. All these developments certainly bode well for establishing global governance for the seas and the oceans.

The true success of UNCLOS of course lies in the commitment of member States to fully abide by its provisions. The fact that since its entry into force, 138 member States as of mid September 2002 have now deposited instruments of ratification augurs well for the universality of UNCLOS, especially by enhancing the widest possible participation of the global community. The full realization of UNCLOS requires cooperation of such magnitude, going beyond the current time and well into the future, thereby serving the interests of future generations to reap the immense benefits of the oceans while protecting the environment and

promoting sustainable development. In this regard, we cannot but underscore the progress made in advancing international cooperation. The present system of cooperation includes projects and programs at all levels – global, interregional, regional, sub-regional, and bilateral.

Mr. President,

In this twenty-first century, it is imperative that we exert our concerted efforts to adopting an integrated, interdisciplinary and intersectoral approach given that the problems of the oceans are closely interrelated. Towards this end, the role of the Division for Ocean Affairs and the Law of the Sea as the focal point for a coordinated and integrated approach to activities of the law of the sea should be further strengthened.

As an archipelagic state, Indonesia has consistently attached utmost importance to questions pertinent to the law of the sea. Our firm support for UNCLOS is reflected by Indonesia's active participation in all the bodies since the outset, and my Government will continue to play an active role. Since the ratification of UNCLOS in 1985, it has been a priority of the Indonesian Government to adopt new legislation as well as updating earlier regulations in order to ensure conformity with the provisions of UNCLOS. Indonesia had long recognized that the rights of States go hand-in-hand with their respective responsibilities, especially with regard to the protection of the marine environment, the proper management of ocean resources and the necessary protection of the rights of other countries.

It is pertinent to note that my Government had already submitted in 1998, its list of geographical coordinates of the archipelagic baselines of Indonesia in the Natuna Sea, to the United Nations. Such a regulation was considered necessary due to our proposal of archipelagic sea-lanes, taken in accordance with UNCLOS and later adopted by IMO in May 1998. Furthermore, cognizant of the fact that this was the first instance whereby the IMO adopted a system of archipelagic sea lanes, it is noteworthy that the Maritime Safety Committee had instructed the Subcommittee on Safety and Navigation to develop a safety of navigation circular and invite the participation of archipelagic states in that exercise.

My Government took the aforementioned steps in line with relevant General Assembly resolutions, which inter alia call for states to harmonize national legislation as a matter of priority with the provisions of UNCLOS.

Mr. President,

Rapid technological advances in science and technology offer unique opportunities to tap the resources of the vast seas as well as to face the challenges of preserving the marine environment while ensuring that the ocean resources are managed in a sustainable manner. All these objectives can be

achieved if we are able to strike the right balance between nature and the needs of humankind. We should therefore exert efforts, through a spirit of cooperation and understanding, to enhance global interaction in order to fully utilize the oceans and seas, including those beyond national jurisdictions, for the common heritage of mankind.

Aware of the fragility of the ecosystem of the Indonesian archipelagic waters which are threatened both by land-based as well as vessel-sourced pollution, Indonesia is working towards ensuring that its surrounding waters are utilized in an integrated and sustainable way in order to maintain environmental quality and to provide the maximum benefit for its national development. In this regard, it is appropriate to recall the provisions of Agenda 21 and the Jakarta Mandate, which called for the improved implementation of a global program of action to protect the marine environment. Towards this end, Indonesia, in cooperation with Norway has carried out an Indonesian Country Study on Integrated Coastal and Marine Biodiversity Management. As an archipelagic state with the associated problems posed by population growth and various economic activities, Indonesia places great importance on integrated coastal zone management, and has tackled these complex questions by establishing the Indonesian National Maritime Council.

Indonesia believes that regional approach is significant in promoting cooperation in marine affairs. It has over the years demonstrated its commitment to regional cooperation through ASEAN mechanisms as well as other regional and international organizations to which it belongs. Indonesia is gratified by the positive outcome from the series of Workshops on Managing Potential Conflict in the South-China Sea, particularly in enhancing regional cooperation and promoting confidence building measures to assure peace and stability in the South-east Asia region.

My delegation welcomes the commitments contained in the Plan of Implementation adopted by the World Summit on Sustainable Development including the sustainable development of the oceans, sustainable fisheries and conservation as well as management of the oceans. It is important to reiterate in this context that for developing countries, technical cooperation is essential to meet their responsibilities as well as to enhance their ability to participate in pursuing fishing endeavors in a sustainable manner. Having said that, it is essential that relevant international organizations, financial institutions and the donor community assist developing countries to build capacity to redress the inconsistencies both nationally and internationally in the implementation UNCLOS and Agenda 21.

Mr. President,

Given the need for inter-agency coordination in view of the fact that the problems of the oceans are closely inter-related and should be considered as integrated, my delegation find no difficulty accepting the establishment of an effective,

transparent and regular inter-agency coordination mechanism for oceans and coastal issues within the UN system. However, we underline that it must be entrusted with a clear mandate and be established on the basis of the principles of accountability.

Thank you, Mr. President.