

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



Senate
Office of the Secretary

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SENATE

RECEIVED BY: *J-*

COMMITTEE REPORT NO. 462

Submitted by the Committee on Foreign Relations on FEB 01 2016.

Re: P.S. Res. No. 1725, prepared by the Committee

Recommending its approval without amendment.

Sponsor: Senator Ferdinand R. Marcos, Jr.

MR. PRESIDENT:

The Committee on Foreign Relations, to which was referred the Agreement, entitled:

**AGREEMENT
BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES
AND THE GOVERNMENT OF THE REPUBLIC OF INDONESIA CONCERNING THE
DELIMITATION OF THE EXCLUSIVE ECONOMIC ZONE BOUNDARY**

has considered the same and has the honor to report it back to the Senate with the recommendation that Proposed Senate Resolution No. 1725, prepared by the Committee, entitled:

**RESOLUTION
CONCURRING IN THE RATIFICATION OF THE AGREEMENT
BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES
AND THE GOVERNMENT OF THE REPUBLIC OF INDONESIA CONCERNING THE
DELIMITATION OF THE EXCLUSIVE ECONOMIC ZONE BOUNDARY**

be approved without amendment.

Respectfully submitted:

Ferdinand R. Marcos, Jr.
FERDINAND R. MARCOS, JR.

Chair

Subcommittee on the Philippine-Indonesia
EEZ Boundary Delimitation

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO *at*

Chair

Committee on Foreign Relations

Vice-Chair:



SONNY ANGARA

Members:



AQUILINO "KOKO" L. PIMENTEL III



PIA S. CAYETANO

LOREN LEGARDA

RAMON BONG REVILLA JR.



MARIA LOURDES NANCY S. BINAY

JINGGOY EJERCITO ESTRADA




CYNTHIA A. VILLAR



TEOFISTO L. GUINGONA III

MANUEL "LITO" M. LAPID

ANTONIO "SONNY" F. TRILLANES IV



JOSEPH VICTOR G. EJERCITO



GREGORIO B. HONASAN II

Ex-Officio Members:



RALPH G. RECTO
President Pro-Tempore

ALAN PETER S. CAYETANO
Majority Leader



JUAN PONCE ENRILE
Minority Leader

FRANKLIN M. DRILON

President
Senate of the Philippines
Pasay City

SIXTEENTH CONGRESS OF THE REPUBLIC)
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Third Regular Session)

SENATE

P.S. RES. NO. 1725

Prepared by the Committee on Foreign Relations

RESOLUTION
CONCURRING IN THE RATIFICATION OF THE AGREEMENT
BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES
AND THE GOVERNMENT OF THE REPUBLIC OF INDONESIA CONCERNING THE
DELIMITATION OF THE EXCLUSIVE ECONOMIC ZONE BOUNDARY

WHEREAS, the Constitution, Article 7, Section 21 states: "No treaty or international agreement shall be valid and effective unless concurred in by at least two-thirds of all the members of the Senate";

WHEREAS, the *Agreement between the Government of the Republic of the Philippines and the Government of the Republic of Indonesia Concerning the Delimitation of the Exclusive Economic Zone Boundary* was signed on 23 May 2014 in Manila, Philippines;

WHEREAS, the Agreement establishes the boundary line that delimits the overlapping Exclusive Economic Zone of the Philippines and Indonesia;

WHEREAS, the Agreement shall not prejudice any rights or positions of the Contracting Parties with regard to the delimitation of the Continental Shelf Boundary;

WHEREAS, the Agreement shall enter into force on the date of the exchange of the instruments of ratification pursuant to Article IV thereof;

WHEREAS, the President of the Philippines ratified the Convention on 8 July 2015 and has accordingly submitted it to the Senate for concurrence, in accordance with the Constitution; and

WHEREAS, in the hearing conducted by the Senate Committee on Foreign Relations on 27 January 2016, the following government agencies endorsed the concurrence to the ratification of the Agreement:

1. Department of Foreign Affairs
2. Department of Justice
3. Dep. of Environment and Natural Resources
4. Department of Agriculture
5. Department of Energy
6. Department of transportation and Communications

7. Department of National Defense
8. Armed Forces of the Philippines
9. Bureau of Fisheries and Aquatic Resources
10. National Mapping and Resource Information Authority

WHEREFORE, BE IT HEREBY RESOLVED, that the Philippine Senate concur, as it hereby concurs, in the Philippine ratification of the *Agreement between the Government of the Republic of the Philippines and the Government of the Republic of Indonesia Concerning the Delimitation of the Exclusive Economic Zone Boundary*.

Adopted,


MIRIAM DEFENSOR SANTIAGO *at*
Chair
Committee on Foreign Relations

**AGREEMENT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES
AND
THE GOVERNMENT OF THE REPUBLIC OF INDONESIA
CONCERNING THE DELIMITATION OF
THE EXCLUSIVE ECONOMIC ZONE BOUNDARY**

The Government of the Republic of the Philippines and the Government of the Republic of Indonesia hereinafter referred to as the "Contracting Parties";

DESIRING to strengthen and enhance the friendly relations between the two countries;

DESIRING further to establish the boundary line that delimits the overlapping Exclusive Economic Zone (EEZ) between the Contracting Parties;

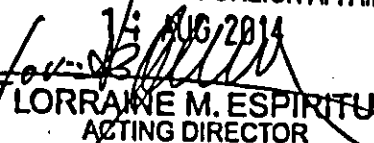
TAKING INTO ACCOUNT the provisions relating to the EEZ boundary delimitation in the United Nations Convention on the Law of the Sea signed at Montego Bay on 10 December 1982 (1982 UNCLOS) to which the Republic of the Philippines and the Republic of Indonesia are State Parties, and the principles of international law applied in the negotiations to achieve an equitable solution;

HAVE AGREED as follows:

Article I

- (1) The EEZ boundary between the Contracting Parties is defined by geodetic lines connecting Points 1 to 8 expressed in geographical coordinates based on the World Geodetic System of 1984 (WGS84) Datum, and in the sequence given below:

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CENTRAL RECORDS DIVISION
DEPARTMENT OF FOREIGN AFFAIRS**

15 AUG 2014

**LORRAINE M. ESPIRITU
ACTING DIRECTOR**

Point	Latitude	Longitude
1	3° 06' 41" N	119° 55' 34" E
2	3° 26' 36" N	121° 21' 31" E
3	3° 48' 58" N	122° 56' 03" E
4	4° 57' 42" N	124° 51' 17" E
5	5° 02' 48" N	125° 28' 20" E
6	6° 25' 21" N	127° 11' 42" E
7	6° 24' 25" N	128° 39' 02" E
8	6° 24' 20" N	129° 31' 31" E

- (2) The Chart illustrating the EEZ boundary is attached as an Annex to this Agreement.
- (3) This Agreement shall not prejudice any rights or positions of the Contracting Parties with regard to the delimitation of the Continental Shelf boundary.

Article II

- (1) The actual location on the sea of the points and geodetic lines referred to in Paragraph (1) of Article I shall be determined by methods to be mutually agreed upon by the competent authorities of the Contracting Parties.
- (2) For the purpose of the preceding paragraph, the competent authority of the Republic of the Philippines shall be the National Mapping and Resource Information Authority of the Department of Environment and Natural Resources and the competent authorities of the Republic of Indonesia shall be the Geospatial Information Agency and the Hydro-Oceanographic Office of the Indonesian Navy.

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DEPARTMENT OF FOREIGN AFFAIRS

AUG 2014
LORRAINE M. ESPIRITU
ACTING DIRECTOR

Article III

Any differences in the interpretation, application or implementation of this Agreement shall be resolved amicably by consultation or negotiation, through diplomatic channels.

Article IV

- (1) This Agreement shall be ratified in accordance with the domestic requirements of the Contracting Parties.
- (2) This Agreement shall enter into force on the date of the exchange of the instruments of ratification.

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

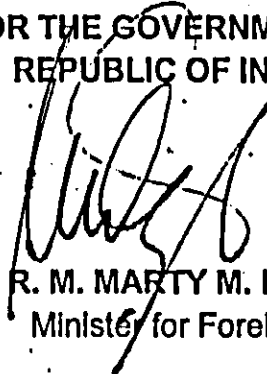
Done at Manila, Philippines on the Twenty Third day of May in the year Two Thousand and Fourteen in duplicate in English and Indonesian Languages, all texts being equally authentic.

**FOR THE GOVERNMENT OF THE
REPUBLIC OF THE PHILIPPINES**




ALBERT F. DEL ROSARIO
Secretary of Foreign Affairs

**FOR THE GOVERNMENT OF THE
REPUBLIC OF INDONESIA**



DR. R. M. MARTY M. NATALEGAWA
Minister for Foreign Affairs

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DEPARTMENT OF FOREIGN AFFAIRS**

AUG 2014

LORRAINE M. ESPIRITU
ACTING DIRECTOR

**PERSETUJUAN
ANTARA
PEMERINTAH REPUBLIK FILIPINA
DAN
PEMERINTAH REPUBLIK INDONESIA
MENGENAI
PENETAPAN BATAS ZONA EKONOMI EKSKLUSIF**

Pemerintah Republik Filipina dan Pemerintah Republik Indonesia selanjutnya disebut sebagai "Para Pihak";

BERKEINGINAN untuk mempererat dan meningkatkan hubungan persahabatan antara kedua negara;

BERKEINGINAN lebih lanjut untuk menetapkan garis batas Zona Ekonomi Eksklusif (ZEE) yang saling tumpang tindih antara Para Pihak;

MEMPERHATIKAN ketentuan-ketentuan terkait dengan penetapan batas ZEE dalam Konvensi Perserikatan Bangsa-Bangsa tentang Hukum Laut yang ditandatangani di Montego Bay pada tanggal 10 Desember 1982 (UNCLOS 1982) dimana Republik Filipina dan Republik Indonesia merupakan Negara Pihak, serta prinsip-prinsip hukum Internasional yang diterapkan di dalam perundingan-perundingan demi tercapainya penyelesaian yang adil;

TELAH MENYETUJUI sebagai berikut:

Pasal I

- (1) Batas ZEE antara Para Pihak didefinisikan oleh garis-garis geodetik yang menghubungkan Titik-titik 1 hingga 8 diekspresikan dalam koordinat-koordinat geografis berdasarkan *World Geodetic System of 1984 (WGS84) Datum*, dan dalam urutan yang diberikan di bawah ini:

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CENTRAL RECORDS DIVISION
DEPARTMENT OF FOREIGN AFFAIR

1 AUG 2014


LORRAINE M. ESPIRITU
ACTING DIRECTOR

Titik	Lintang	Bujur
1	3° 06' 41" U	119° 55' 34" T
2	3° 26' 36" U	121° 21' 31" T
3	3° 48' 58" U	122° 56' 03" T
4	4° 57' 42" U	124° 51' 17" T
5	5° 02' 48" U	125° 28' 20" T
6	6° 25' 21" U	127° 11' 42" T
7	6° 24' 25" U	128° 39' 02" T
8	6° 24' 20" U	129° 31' 31" T

- (2) Peta yang mengilustrasikan batas ZEE dilampirkan sebagai Lampiran dalam Persetujuan Ini.
- (3) Persetujuan Ini tidak akan mengurangi hak dan posisi dari Para Pihak, terkait dengan penetapan batas Landas Kontinen.

Pasal II

- (1) Letak yang sebenarnya dari titik-titik dan garis-garis geodetik di laut sebagaimana mengacu pada Ayat (1) Pasal I akan ditetapkan dengan metode yang akan disepakati bersama oleh otoritas yang berwenang dari Para Pihak.
- (2) Untuk tujuan dari ayat sebelumnya, otoritas berwenang dari Republik Filipina adalah *National Mapping and Resource Information Authority of the Department of Environment and Natural Resources* dan otoritas berwenang dari Republik Indonesia adalah Badan Informasi Geospasial dan Dinas Hidro-Oseanografi Tentara Nasional Indonesia Angkatan Laut.

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13 AUG 2014


LORELAINE M. ESPIRITU
ACTING DIRECTOR

Pasal III

Setiap perbedaan dalam penafsiran, penerapan atau pelaksanaan dari Persetujuan Ini, harus diselesaikan secara damai dengan konsultasi atau perundingan, melalui saluran diplomatik.

Pasal IV

- (1) Persetujuan Ini akan disahkan menurut ketentuan nasional yang berlaku dari Para Pihak.
- (2) Persetujuan Ini akan mulai berlaku pada tanggal pertukaran plagam pengesahan.

SEBAGAI BUKTI yang bertandatangan di bawah Ini, telah diberi kuasa oleh Pemerintahnya masing-masing, telah menandatangani Persetujuan Ini.

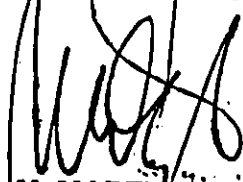
Dibuat di Manila, Filipina pada tanggal Dua Puluh Tiga bulan Mei tahun Dua Ribu Empat Belas dalam rangkap dua dalam Bahasa Inggris dan Bahasa Indonesia, semua naskah mempunyai kekuatan yang sama.

UNTUK PEMERINTAH
REPUBLIK FILIPINA



ALBERT F. DEL ROSARIO
Menteri Luar Negeri

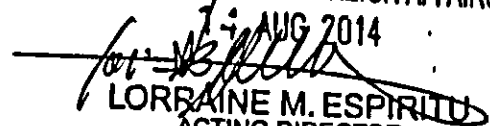
UNTUK PEMERINTAH
REPUBLIK INDONESIA



DR. R. M. MARTY M. NATALEGAWA
Menteri Luar Negeri

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DEPARTMENT OF FOREIGN AFFAIRS

14 AUG 2014



LORRAINE M. ESPIRITU
ACTING DIRECTOR