

The Implementation of Equidistance Line on Maritime Delimitation between Indonesia-Australia in Perth Treaty 1997

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Abstract

This article proposes some suggestions to the government in renegotiating the Perth Treaty to provide a solution for a definitive maritime boundary between Indonesia and Australia. Renegotiation of the Perth Treaty in terms of maritime delimitation between the two countries needs to be done in relation to the limitation of sovereignty of both countries. This treaty has never been ratified by both countries after the signing in 1998. The fundamental reason of Australia is associated with the independence of Timor-Leste in 1999 so that the rebus sic stantibus principle then applies. This research employed legal method to provide recommendations to the government as a basis for renegotiating the Perth Treaty according to international law. It also used a statutory and case approach. There are underlying reasons for the urgency of renegotiating the Perth Treaty using the median line with an equidistance line approach. The median line in UNCLOS 1982 has proven to provide progressive results regarding the maritime delimitation of countries. However the decisions of the International Court of Justice, resulted in various side effects with the use of the median line as a single effort to resolve maritime delimitation disputes. Therefore, a new solution is proposed, namely the median line with an equidistance line approach as the most effective method to create justice for each party. The equidistance line in international law serves as a legal resolution method, emerging from customary practices. It is recognized as new customary law for resolving maritime delimitation disputes between countries. Harmonisation of the median line concept using the equidistance line approach in resolving maritime delimitation disputes between Indonesia and Australia is a new approach that can be used based on the successful harmonisation of these two concepts in resolving delimitation disputes globally.

Keywords: *Equidistance Line; Maritime Delimitation; Perth Treaty 1997*

1. INTRODUCTION

This article discusses the renegotiation of maritime delimitation between Indonesia and Australia in the Indonesia-Australia Perth Treaty 1997 (Perth Treaty) which should accommodate the median line principle with an equidistance line approach, recognized as a new customary law in international law based on the provisions in United Nations Convention on the Law of the Sea 1982 (UNCLOS 1982). It has been acknowledged that Indonesia and Australia have not yet established a definitive maritime boundary.¹ The two countries have made an agreement regulating marine resource utilization activities at their maritime border, using the United Nations Convention on the Law of the Sea 1958 (UNCLOS 1958) as its legal basis in 1973. Subsequently, the Perth Treaty was established as an update to the 1973 Treaty, focusing more on

¹ Nadia Saidah Rahayu et al., 'Policy on Maritime Border Disputes Between Indonesia and Australia: Stephen M. Walt's Neorealism Perspective', *Journal of Islamic World and Politics* 7, no. 1 (30 June 2023): 86, <https://doi.org/10.18196/jiwp.v7i1.8>.

maritime delimitation. However, the Perth Treaty, as an update on the legal basis for maritime delimitation, has not been enforced by either Indonesia or Australia. However, the problem is that the Perth Treaty as an update of the legal basis regarding maritime delimitation is not enforced by both Indonesia and Australia. Due to the legal void regarding maritime delimitation between Indonesia and Australia, the utilization of marine resources and state security lacks a definitive legal basis. Research identifies three reasons why the Perth Treaty is neither applied nor implemented by either country. Firstly, the Perth Treaty is non-self-executing. Article 11 requires ratification by each country for it to be binding.² Neither Indonesia nor Australia ratified the treaty for unclear reasons. Legally, without ratification, the treaty cannot be implemented.

Secondly, there is a difference in legal basis references. After the Perth Treaty was signed but not ratified, Australia claimed the delimitation should use the continental shelf as outlined in UNCLOS 1958, aiming to obtain the Timor Gap, rich in oil and gas resources.³ Given Australia's geographical protrusion into Indonesia, basing delimitation on the continental shelf could be detrimental to Indonesia. Both UNCLOS 1982 and UNCLOS 1958 state that maritime delimitation is determined through agreements between parties. However, Indonesia and Australia did not agree on the principles within the Perth Treaty. This lack of delimitation has led to issues like illegal fishing and natural resource exploration.

Thirdly, the principle of *rebus sic stantibus* applies. In 1999, the independence of East Timor, now Timor-Leste, altered Indonesia's territory. Consequently, the maritime boundary used in the Perth Treaty became obsolete for delimitation between Indonesia and Australia.⁴ East Timor's previous proximity to Australia was a parameter for delimitation. With its independence, new boundaries necessitated renegotiation of the Perth Treaty. Australia viewed this as a fundamental change affecting the treaty's content. Australia played a significant role in East Timor's independence, adding complexity to the *rebus sic stantibus* principle and impacting the Perth Treaty.⁵ These geographical changes have also led to geopolitical shifts between Indonesia and Australia. Timor-Leste's independence introduced a tripartite dynamic, enabling Indonesia to engage with regional issues involving all three countries.⁶ Additionally, since 2012, the United States has established a military base in Darwin, a northern region of Australia close to Indonesian territory. These factors underscore the importance of establishing a definitive

² "Treaty between the Government of Australia and the Government of The Republic of Indonesia Establishing an Exclusive Economic Zone and Certain Seabed Boundaries (Perth, 14 March 1997)," 1997.

³ Shana Lia Mifroh, "Analisis Hubungan Antara Timor Leste Dan Australia Terkait Perebutan Sumber Daya Minyak Dan Gas Pada Sengketa Celah Timor (Timor Gap)" *Jurnal Polinter* 6, no. 2 (2021): 169–170, <https://doi.org/https://doi.org/10.52447/polinter.v6i2.4497>.

⁴ Arcelinocent Emile Pangemanan and Anak Agung Banyu Perwita, "Diplomasi Pertahanan Maritim Indonesia: Kerjasama Kemaritiman Indonesia-Australia Dalam 'Plan Of Action For The Implementation Of The Joint Declaration On Maritime Cooperation 2018-2022'," *Jurnal Maritim Indonesia* 10, no. 1 (2022): 37–38, <https://doi.org/https://doi.org/10.52307/jmi.v10i1.101>.

⁵ Putriana Septi Nauli dan Stivani Ismawira Sinambela, "Upaya Penyelesaian Sengketa Delimitasi Batas Maritim Di Wilayah Greater Sunrise Antara Timor Leste dan Australia Dari Perspektif Kajian Hukum Perjanjian Internasional," *Jurnal PIR* 6, no. 1 (2021): 100, <https://doi.org/http://dx.doi.org/10.22303/pir.6.1.2021.94-108>.

⁶ Indriana Kartini et al., "Penguatan Konektivitas Lintas Batas Dalam Kerja Sama Subregional" 17, no. 1 (2020): 122, <https://doi.org/https://doi.org/10.14203/jpp.v17i1.859>.

maritime boundary between Indonesia and Australia to ensure territorial integrity and optimize natural resource utilization.

Disputes over maritime boundaries between states are a recurring issue. Maritime delimitation involves political, historical, cultural, strategic, security, and economic factors.⁷ The median line concept serves as a resolution when disputing countries cannot agree on using the Exclusive Economic Zone (EEZ) or Continental Shelf for delimitation. For adjacent countries, UNCLOS 1982 mandates using the median line as binding international law, a codification of customary international law. However, when countries face each other, the equidistance line approach is applied for equitable conflict resolution. The equitable principle can be interpreted as the principle of state boundaries in a fair manner by considering all relevant conditions in the region, which in this discussion is created by the equidistance line.⁸ Against the legal issues described above, this research argues that the renegotiation to establish maritime delimitation between Indonesia and Australia can be done again by referring to most of the contents in the 1997 Perth Treaty and using the median line with an equidistance line approach because the median line with an equidistance line approach has become a new customary law in international law that can be used as a way to resolve maritime delimitation disputes between countries. This research reveal that in international customary law, the principle of equidistance line is referred to as a legal source used to resolve maritime delimitation issues between states.⁹

In terms of research novelty, three previous studies support this research. The first is by Yildiz (2020), examining the conflict between Turkey and Greece over Eastern Mediterranean supremacy. This is similar to the conflict discussed in this research which is closely related to the state of maritime delimitation disputes between countries. Maritime delimitation between Turkey and Greece encountered difficulties in terms of using the median line as a settlement of maritime delimitation disputes. The median line cannot stand alone as the only effort to resolve maritime delimitation disputes between countries. The article does not provide factors that hinder the use of the median line as an effort to resolve maritime delimitation disputes, but only explains the disagreements between the two countries that lead to deadlock. This has resulted in an unclear situation. It is true that the median line is declared unusable in the case of Turkey and Greece, but factors that hinder the application of the median line are not clearly explained. So, it does not explain the inability clarity regarding the inability of the median line as an effort to resolve maritime delimitation disputes only without any elaboration with other principles.

The second article by Kake (2023) focuses on managing territorial waters, particularly concerning Pasir Island. It offers novelty by addressing conflict resolution through considering

⁷ Evi Purwanti, 'Relevansi Delimitasi Perbatasan Maritim Dengan Faktor Lingkungan', *Balobe Law Journal* 1, no. 2 (October 2021): 77, <https://doi.org/https://doi.org/10.47268/balobe.v1i2.650>.

⁸ Seguito Monteiro, 'Yurisdiksi Negara Pantai Di Wilayah Delimitasi Maritim Zona Ekonomi Eksklusif Yang Belum Ditetapkan Berdasarkan Ketentuan Hukum Laut Internasional (Study Di Timor Leste-Indonesia)', *Jurnal Komunikasi Hukum* 6, no. 1 (2020): 317–318, <https://doi.org/https://doi.org/10.23887/jkh.v6i1.23770>.

⁹ Regarding the international custom of the equidistance line principle being referred to as a source of law will be further explained in the discussion of

the traditional rights of Rote Island fishermen, proposing a maritime boundary agreement for joint exploration between Indonesia and Australia in the 1997 Perth Treaty. The article discusses the basis for renegotiation in the Perth Treaty, focusing solely on the rights of traditional fishermen without addressing implications for maritime delimitation or definitive boundaries regarding a country's sovereignty in territorial waters. The last comparative article by Toni (2023) introduces the novelty that the 1982 United Nations Convention on the Law of the Sea overly restricts sea areas under state jurisdiction. It highlights the need for further discussion on international sea law based on fisheries ecosystems concerning each country's marine resources. The article emphasizes the urgency of establishing international regulations for the law of the sea based on fisheries ecosystems to ensure justice in managing marine resources, without addressing limitations on marine territory or fisheries resources.

This research offers a novel element by addressing gaps in previous studies. It addresses shortcomings in the first article on factors hindering the use of the median line in maritime delimitation disputes. The study provides a fresh perspective by incorporating the equidistance line approach, recognized internationally as a valid source of law under Article 38 of the Statute of the International Court of Justice. This research extends the second article by proposing further modifications to the Perth Treaty to recognize the traditional rights of Rote Island fishermen. It emphasizes renegotiation for definitive maritime boundaries between Indonesia and Australia to ensure clear sovereignty. Addressing the call of the third article for international regulations based on fisheries ecosystems, this study introduces the integration of the median and equidistance lines as new customary international law, recognized globally. It suggests that in future negotiations with Australia, the Perth Treaty should incorporate the equidistance approach to achieve equitable maritime boundaries.

2. METHODS

This research employed legal approach to develop strategies for the Indonesian government in renegotiating maritime delimitation with Australia, in accordance with international law. It aligns with the concept that normative and empirical studies are developments stemming from legal philosophers' ideas.¹⁰ This perspective is supported by legal scholars who assert that legal research is exclusively focused on legal subjects, affirming there are no research types other than legal research.¹¹ The approaches in this research are statute approach and case approach.¹² The legislative approach utilizes the Indonesia-Australia Perth Treaty 1997, the Statute of the International Court of Justice, and the United Nations Convention on the Law of the Sea 1982 (UNCLOS 1982) as legal sources. The case approach refers to International Court of Justice

¹⁰ Yati Nurhayati et al., "Normative and Empirical Methodology in the Perspective of Legal Science," *Journal of Law Enforcement Indonesia (JPHI)* 2, no. 1 (2021): 3, <https://doi.org/https://doi.org/10.51749/jphi.v2i1.14>.

¹¹ Muammar Muammar and Iqbal Taufik, "Quo Vadis of Legal Research: A Way to Straighten Out Misconceptions of Legal Research Direction Trends," *Journal USM Law Review* 7, no. 2 (December 1, 2024): 636–38, <https://doi.org/http://dx.doi.org/10.26623/julr.v7i2.7917>.

¹² David Tan, "Legal Research Methods: Exploring and Reviewing Methodologies in Conducting Legal Research," *Nusantara* 8, no. 8 (2021): 2467–2468, <https://doi.org/10.31604/jips.v8i8.2021.2463-2478>.

(ICJ) decisions on maritime delimitation disputes using the median line principle with an equidistance line approach.

3. RESULT AND DISCUSSION

This research addresses two main issues: first, the equidistance line approach as a law for resolving maritime delimitations as a new customary international law; second, how the renegotiation of Indonesia and Australia's maritime delimitation, based on the Perth Treaty, can incorporate the equidistance line approach for equitable boundaries.

3.1 Equidistance Line Approach as Law in Maritime Delimitation

The determination of maritime delimitation is influenced by political, historical, cultural, strategic, security, economic, and community interests.¹³ The determination of maritime delimitation concerning a country's territorial sea must consider various consequences and factors to ensure international public interests are upheld.¹⁴ Maritime delimitation agreements between countries are crucial for establishing territorial sovereignty, managing marine resources, and addressing strategic interests.¹⁵ From the 19th to 20th centuries, efforts to delimit maritime territory included approaches beyond UNCLOS, such as the equidistance line. This concept, outside international treaties, has been practiced as a basis for delimiting maritime boundaries between countries. The 1958 Convention implicitly refers to the equidistance line as equidistant from the nearest points of each country's territorial sea. The equidistance line is a variation of the median line. Unlike the equidistance line, the median line is used in maritime delimitation when there is no agreement between states. Unless special circumstances justify another boundary, the median line serves as the boundary, with each point equidistant from the nearest point of the baseline from which the territorial sea width is measured.¹⁶ As a codification of customary law in UNCLOS, the median line is widely accepted as a maritime boundary.¹⁷ With regard to these provisions, the median line as written law through UNCLOS 1982 can be understood in the provisions of Article 15 of UNCLOS 1982 which states that,

“Where the coasts of two States are opposite or adjacent to each other, neither of the two States is entitled, failing agreement between them to the contrary, to extend its territorial sea beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial seas of each of the two States is measured. The above

¹³ Nuno M. Antunes, *Toward the Conceptualisation of Maritime Delimitation* (Leiden: Martinus Nijhoff Publishers, 2003).

¹⁴ Bambang S. Irianto, ‘Penegakan Hukum Di Zona Ekonomi Eksklusif Indonesia (Zeei) Dalam Rangka Kepentingan Nasional Indonesia Di Bidang Kelautan’, *Jurnal Justiciabelen* 4, no. 2 (2022): 34, <https://journal.umg.ac.id/index.php/justiciabelen/article/view/3564/2176>.

¹⁵ Muhammad Yuan Fauzil and Agussalim Burhanuddin, ‘Prospek Hubungan Maritim Indonesia – Malaysia Pasca Kesepakatan Batas Laut 2023’, *Eksekusi : Jurnal Ilmu Hukum Dan Administrasi Negara* 2, no. 1 (13 December 2023): 201, <https://doi.org/https://doi.org/10.55606/eksekusi.v2i1.864>.

¹⁶ Malcolm D. Evans, *The Oxford Handbook of the Law of the Sea* (Oxford: Oxford University Press, 2015).

¹⁷ As Syifa Ulchairan H, ‘Analisis Penetapan Batas Zona Maritim Lebanon-Israel Dalam Maritime Boundary Line Agreement Berdasarkan Konvensi Hukum Laut 1982’, *Jurnal Ilmu Hukum Toposantaro* 1, no. 2 (2024): 151, <https://jurnal.fakum.untad.ac.id/index.php/TPS/article/view/1113>.

provision does not apply, however, where it is necessary by reason of historic title or other special circumstances to delimit the territorial seas of the two States in a way which is at variance therewith."

Regarding disagreements between countries with confronting maritime boundaries, the international court often legalizes using the median line for temporary delimitation. However, the median line as a method for resolving maritime disputes cannot be universally applied by each disputing country. There are three main elements in the use of the median line, namely: a) *Where the coasts of two States are opposite or adjacent to each other*; b) *neither of the two States is entitled, failing agreement between them to the contrary*; dan c) *the above provision does not apply, however, where it is necessary by reason of historic title or other special circumstances*. According to Article 15 of UNCLOS 1982, the median line concept is not applicable if historical rights or special circumstances influence the boundary determination of the territorial sea. These circumstances may include large or small offshore islands, coastlines, or special claims to waters based on historical considerations.¹⁸ Regulations related to the recognition of median lines from a national perspective can be seen in the provisions of Law Number 32 of 2014 concerning Maritime Affairs which adapts Article 16 of UNCLOS 1982. It states that where the coast of Indonesia is located opposite or adjacent to another country, the territorial sea boundary, unless otherwise agreed, is a median line equidistant from the nearest baseline points of each country.¹⁹

The court considers relevant circumstances to achieve equitable results, recognizing that the median line approach cannot be the sole method. In line with the equitable principle, the Indonesian government must ensure fairness for its people, particularly in delimitation disputes affecting coastal communities, like those on Rote Island. Despite Australia's acquisition of Pasir Island based on historical claims, which complicates sovereignty issues, justice efforts aim to benefit Indonesia and maintain strong relations with Australia.²⁰ The International Law Commission (ILC) analysis suggests that using a median line for dispute resolution is insufficient to satisfy all parties. Joint norms are needed to perfect this arrangement for equitable territorial sea sovereignty and control. The equidistance line concept, elaborating on the median line, serves as a joint norm for resolving maritime delimitation disputes. According to Boogs (1951), this approach employs the offshore equidistance method. Countries simulate boundary delimitation in overlapping zones using the equidistance line.²¹ This method can guide Indonesia

¹⁸ Toni T. et al., 'Exclusive Economic Zone: Contemporary Law of the Sea Fisheries Regulations', *Ikatan Penulis Mahasiswa Hukum Indonesia Law Journal* 3, no. 2 (July 2023): 184, <https://doi.org/https://doi.org/10.15294/ipmhi.v3i2.71165>.

¹⁹ Belardo Prasetya Mega Jaya, Ferina Ardhi Cahyani, and Rika Ratna Permata, 'Method and Principle of Maritime Boundary Delimitation Between States with Opposite or Adjacent Coasts (Case of Indonesia and Timor-Leste)', *Diponegoro Law Review* 07, no. 01 (2022): 150, <https://doi.org/https://doi.org/10.14710/dilrev.7.1.2022.150-172>.

²⁰ Muhammad Junaidi and Khikmah Khikmah, 'Perlindungan Hukum Dan Penempatan Pekerja Migran Indonesia Di Luar Negeri', *Jurnal USM Law Reveiw* 7, no. 1 (2024): 494, <https://doi.org/http://dx.doi.org/10.26623/julr.v7i1.8127>.

²¹ Chika Laksita Dewi and I Made Andi Arsana, 'Kedaulatan Pulau Dan Delimitasi Batas Maritim Di Laut China Selatan: Kajian Atas Kepemilikan Kepulauan Paracel Dan Dampaknya Terhadap Delimitasi Batas Maritim Antara China Dan Vietnam', *Majalah Geografi Indonesia* 37, no. 2 (17 June 2023): 130, <https://doi.org/https://doi.org/10.22146/mgi.78262>.

and Timor-Leste in applying the median line to separate the territorial sea between Pantar Island and Alor with Oecusse on Timor Island, and the equidistance line to separate territories adjoining each other on Timor Island, demonstrating its success in resolving maritime delimitation disputes.²²

In another consideration, when dealing with the adjacent coast case, Kennedy referred to not one, but three possible methods:²³ a) The median line principle involves calculating the median of two adjacent coasts; b) The offshore equidistance method varies the distance offshore using the arc of circle method, determining an intersection point of arcs centered on each country. Successive intersection points form a line through straight segments. This line approximates the centerline principle if it stays near the true centerline without detaching from controlling basepoints, like island headlands; c) The equidistance boundary joins a series of equidistant offshore points via straight lines from where the land boundary meets the shore.

The Statute of the International Court of Justice (ICJ) supports the validity of using the median line dispute resolution method with the equidistance line approach. It provides an interpretation of international law sources recognized as authoritative in deciding cases. Article 38, Paragraph 1, of the ICJ Statute states that: *The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply: a) International conventions, whether general or particular, establishing rules expressly recognized by the contesting states; b) International custom, as evidence of a general practice accepted as law; c) The general principles of law recognized by civilized nations; d) Subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law,*

This provides a basis for understanding that maritime delimitation disputes between confronting countries can be resolved through means other than those in international treaties. Dispute resolution outside of international law can be considered an international custom recognized as a legal source. This custom must meet the following elements:²⁴ a) Factual element: the general practice by states must be repeated over a long period (evidence of material facts); b) Psychological element (*opinio juris sive necessitatis*): testing the existence of customary law requires not only observing state practice but also understanding why states act that way. States must believe their practice is a legal obligation, not merely habitual.

Based on customary practice in international courts and the determination of maritime delimitation, when there is no agreement, the median line is the most commonly used method for

²² Yanto MP Ekon, 'Penetapan Batas Laut Teritorial Indonesia-Timor Leste Di Wilayah Laut Tumpang Tindih', *Arena Hukum* 14, no. 3 (2021): 476, <https://doi.org/https://doi.org/10.21776/ub.arenahukum.2021.01403.3>.

²³ Ria Tri Vinata, 'Harmonisasi Equidistance Line Principle Dan Median Line Principle Dalam Penentuan Batas Wilayah Laut', *Perspektif Hukum* 17, no. 2 (2017): 217–18, <https://doi.org/https://doi.org/10.30649/ph.v17i2.70>.

²⁴ Sefriani, *Suatu Pengantar Hukum Internasional* (Jakarta: PT. RajaGrafindo Persada, 2010).

establishing international maritime boundaries.²⁵ The principle of proportionality, examining the shoreline length ratio between two areas, assesses whether the median line method should continue or be reconsidered.²⁶ The UNCLOS 1958 refers to the equidistance line as the median line between conflicting states.²⁷ The approach has been applied pre-UNCLOS 1958 and remains a practice the ICJ considers effective for maritime boundary disputes, as it is classified as customary law. Article 15 of UNCLOS 1982 codifies this customary international law universally as a legal principle. Article 38 of the ICJ Statute ranks international custom second among sources of international law. For an international custom to serve as a legal source, it must fulfill factual and psychological elements.²⁸ The equidistance line in delimitation is justified due to its consistent application by countries. Legal system enforcement significantly influences new legal concepts in dispute resolution.²⁹ This understanding is evident in the Cameroon-Nigeria case, where no maritime boundary was agreed upon. Cameroon contested the coastline length difference with Nigeria in the Gulf of Guinea, leading the court to draw the equidistance line and consider additional factors to ensure justice.³⁰

The consistent use of the median line with the equidistance approach in resolving maritime delimitation disputes with neighboring states demonstrates equitable outcomes in such practices. These practices serve as references for delimitation beyond written international law, as seen in cases like the North Sea Continental Shelf. An example is the Canada-USA case:³¹ on November 25, 1981, Canada and the United States submitted a Special Agreement to the ICJ for establishing a chamber to decide maritime boundary delimitation in the Gulf of Maine, covering 90,000 km² of continental shelf and fisheries zones. The decision divided the area into three segments. First, within the Gulf of Maine, the delimitation line connects agreed starting points, forming an angular centerline from a perpendicular line between Cape Elizabeth and the boundary terminus, and another to Cape Sable. The second segment follows a median centerline parallel to the coasts of Nova Scotia and Massachusetts, adjusted for coastal length differences and Seal Island near Nova Scotia. The third segment extends into the open ocean with a line perpendicular to the bay's closing line. Regarding Denmark and Germany³², on February 20, 1969, the court ruled that the delimitation was agreed upon by the Parties according to customary

²⁵ Jianhui Zhang et al., 'Median Line Method In Maritime Delimitation Based On Earth Ellipsoid', *United States Patent Application Publication*, 2022, 1.

²⁶ Evi Purwanti, 'Relevansi Delimitasi Perbatasan Maritim Dengan Faktor Lingkungan', *Balobe Law Journal* 1, no. 2 (October 2021): 77, <https://doi.org/https://doi.org/10.47268/balobe.v1i2.650>.

²⁷ 'Geneva Convention 1958 on the Territorial Sea and the Contiguous Zone Article 12 and Geneva Convention 1958 on the Continental Shelf Article 6', n.d.

²⁸ Sefriani, *Suatu Pengantar Hukum Internasional*.

²⁹ Muhamad Akmal Fadillah and Aidul Fitriada Azhari, 'Conceptualizing Nature as a Legal Subject: A Comparative Study of Laws Between Indonesia, New Zealand, and Ecuador', *Jurnal USM Law Review* 7, no. 1 (2024): 387, <https://doi.org/http://dx.doi.org/10.26623/julr.v7i1.8880>.

³⁰ International Court of Justice, Land and Maritime Boundary between Cameroon and Nigeria (Cameroon v. Nigeria: Equatorial Guinea intervening) (10 October 2002).

³¹ International Court of Justice, Case Concerning Delimitation Of The Maritime Boundary In The Gulf Of Maine Area (Canada/United States Of America) (1984).

³² International Court of Justice, North Sea Continental Shelf (Federal Republic of Germany/Netherlands) (1968).

international law principles. The international tribunal rejected the contention that the delimitation in question was carried out in accordance with the principle of equidistance as defined in UNCLOS 1958 due to the fact that Germany had not ratified UNCLOS 1958 and therefore was not attached to the basic concept of continental shelf rights and this principle was not a rule of customary international law; c) Libya and Malta³³, the court determined that the equidistance method should not be the sole technique for delimiting the continental shelf, taking into account coastal features, coast length differences, and their distance. For El Salvador and Honduras (with Nicaragua's intervention)³⁴, the principle of *uti possidetis juris* was applied, ensuring boundaries follow historical colonial administrative divisions. The Tribunal examined each of the six disputed land boundary sectors from west to east, addressing specific sections. It found that the waters of the Gulf, other than a three-mile stretch, are historic waters and subject to the joint sovereignty of the three coastal states. It was noted that there has been no attempt to divide the waters based on the principle of *uti possidetis juris*. Thus, the joint succession of the three states in the maritime area appears to be the logical outcome of the *uti possidetis* principle. Therefore, the Chamber found that Honduras has legal rights in the waters up to the closing line of the bay, which is also considered the baseline. With respect to the effect of the Award on the intervening State, the Chamber found that it is not *res judicata* as to Nicaragua.

3.2 Application of Equidistance Line Approach as the Basis of Maritime Delimitation Between Indonesia and Australia in the Perth Treaty 1997

Referring to the practical example above, the issue of maritime delimitation between Indonesia and Australia which was originally stipulated in the Perth Treaty based on *rebus sic stantibus* can actually be renegotiated. Renegotiation is a logical step that can be taken by both countries based on the Perth Treaty, but what needs to be considered is the need for an equitable principle in determining maritime delimitation between Indonesia and Australia. Therefore, the median line with an equidistance line approach as the basis for determining maritime delimitation between Indonesia and Australia can be used with reference to international legal sources in the form of the practice of world countries in determining maritime delimitation as new customary law.

Despite all the reasons that hinder the ratification of the Perth Treaty, it is necessary to renegotiate the maritime delimitation agreement between Indonesia and Australia. This is because so far the two countries have only relied on the good relations established and the 1973 Treaty which no longer fulfills the element of novelty with the changing realities that occur in Indonesia regarding its territorial boundaries. In addition, the treaty still contained Timor Leste, which was still included in the sovereign territory of the Unitary State of the Republic of Indonesia, making its use irrelevant. Therefore, after Timor Leste's independence, Australia and Timor Leste made a Treaty between Australia and the Democratic Republic of Timor Leste

³³ International Court of Justice, *Continental Shelf (Libyan Arab Jamahiriya/Malta)* (1985).

³⁴ International Court of Justice, *Land, Island and Maritime Frontier Dispute (El Salvador/Honduras: Nicaragua intervening)* (1986).

Establishing Their Maritime Borders in the Timor Sea. Meanwhile, the Perth Treaty, which is still in the renegotiation stage, needs to be accelerated so that there is no legal vacuum regarding maritime delimitation between Indonesia and Australia.³⁵ The renegotiation of the Perth Treaty, which is included in border diplomacy, must be carried out immediately because it involves aspects of environmental utilization and national security.³⁶ While Indonesia has established the Indonesian Maritime Security Agency (Bakamla) to enhance maritime defense and security, including delimitation with Australia, the absence of the Perth Treaty as a legal foundation hinders optimal maritime security.³⁷

The lack of definitive maritime delimitation between Indonesia and Australia raises concerns about marine resource utilization. The biodiversity and marine wealth in these waters present both advantages and challenges for both countries.³⁸ The advantages indicate that both countries can utilize marine resources to meet their needs. However, the unclear maritime delimitation hinders optimal utilization. Regarding illegal fishing, both Indonesia and Australia have agencies authorized to monitor and address illegal activities. This becomes contentious without a definitive maritime boundary, leading to the arrest of Indonesian fishermen in the Australian Fishing Zone (AFZ).³⁹ Most of these fishermen are traditional, having fished in the area long before the official boundary between the two countries was established.⁴⁰ While the 1973 Agreement exists for resource utilization at the maritime border, traditional fishermen's understanding is insufficiently communicated. Many retain historical practices, leading to arrests by the Australian Fisheries Management Authority (AFMA). Additionally, the agreement, based on UNCLOS 1958, lacks delimitation regulations, underscoring the urgency of renegotiating maritime boundaries between Indonesia and Australia.

In addition, the absence of definitive maritime delimitation between the two countries also creates insecurity in the bordering countries. In its efforts to secure maritime territory, the Indonesian government established Bakamla and the sea defense agency (TNI AL). However, uncertain maritime delimitation can still lead to misunderstandings between the two countries. For instance, in 2011, the U.S. President announced the deployment of 2,500 U.S. Marine

³⁵ Arcelinocent Emile Pangemanan and Anak Agung Banyu Perwita, 'Diplomasi Pertahanan Maritim Indonesia: Kerjasama Kemaritiman Indonesia-Australia Dalam "Plan Of Action For The Implementation Of The Joint Declaration On Maritime Cooperation 2018-2022"', *Jurnal Maritim Indonesia* 10, no. 1 (2022): 41–43, <https://doi.org/https://doi.org/10.52307/jmi.v10i1.101>.

³⁶ June Kuncoro et al., 'Diplomasi Maritim: Meletakkan Fondasi Poros Maritim Dunia', *Jurnal Maritim Indonesia* 8, no. 1 (2020): 100–101, <https://doi.org/https://doi.org/10.52307/ijm.v8i1.55>.

³⁷ David Maharya Ardyantara et al., 'Reposisi Kewenangan Antar Lembaga Negara Dalam Pengaturan Terkait Pertahanan Keamanan Kemaritiman Nasional', *Jurnal USM Law Review* 3, no. 2 (2020): 413–416, <https://doi.org/http://dx.doi.org/10.26623/julr.v3i2.2593>.

³⁸ Aprilia Suliska Tuanger, Cornelis Dj Massie, and Thor B Sinaga, 'Mekanisme Penyelesaian Hukum Illegal Fishing Di Perbatasan Indonesia Dan Australia' 12, no. 3 (2023).

³⁹ Chenika Fricila, R. Dudy Heryadi, and Dairatul Ma'arif, 'Kerjasama Indonesia-Australia Dalam Menanggulangi Illegal, Unreported, Unregulated Fishing Di Laut Timor Australia Tahun 2017-2021', *Global Political Studies Journal* 6, no. 2 (2022): 91, <https://doi.org/10.34010/gpsjournal.v6i2>.

⁴⁰ Chenika Fricila, R. Dudy Heryadi, and Dairatul Ma'arif.

personnel at the Australian military base in Darwin.⁴¹ The marines aim to enhance emergency response preparedness in the Asia-Pacific region. However, the military base's purpose is not clearly explained, necessitating Indonesian vigilance regarding potential scenarios.⁴² The fact that the military base was built in Darwin, which is one of the areas close to Indonesia, is a cause for concern. The absence of a definitive maritime delimitation is one of the weaknesses if something detrimental happens to Indonesia. With U.S. intervention in security matters, renegotiating maritime boundaries between Indonesia and Australia is urgent.

The median line, outlined in UNCLOS 1982 as an update to the 1958 Convention, is a method for determining maritime boundaries. This research indicates that applying the median line with an equidistance approach for delimitation between Indonesia and Australia is the most equitable solution, minimizing harm to both countries. This approach ensures Indonesia, a coastal nation, is fairly treated compared to using the continental shelf. Furthermore, adopting UNCLOS 1982 updates the legal framework, addressing the irrelevance of the 1958 Convention for Indonesia and avoiding bias in agreements.⁴³ Currently, Indonesia and Australia rely on the median line as outlined in Article 15 of UNCLOS 1982 for maritime delimitation. This equitable approach helps minimize disputes and maintain good relations between the two countries.

The renegotiation of the Perth Treaty is viewed as a solution to its ambiguity due to disagreements on the legal basis for maritime delimitation. This process aims to adopt the median line, referring to the equidistance approach, to update the legal framework and apply new customary law. The equidistance line is a commonly used method by countries resolving maritime disputes at the ICJ. Renegotiation is deemed appropriate since the main obstacle to ratifying the Perth Treaty is the legal basis for delimitation. It is anticipated that incorporating the median line with the equidistance approach will be equitable for Indonesia as a coastal state while not disadvantaging Australia. The widespread use of the equidistance line by disputing countries indicates its fairness in delimitation without harming either nation.⁴⁴ With Indonesia's territorial sovereignty after Timor-Leste's independence, the equidistance line in terms of territorial remeasurement is considered fundamental for the justice of both countries. Given that Indonesia and Australia are confronting countries, the equidistance line should be applied in the renegotiation of the Perth Treaty because it has been proven to resolve maritime delimitation issues as in the practice of several countries described in the previous section, such as the

⁴¹ Suspada Siswoputro et al., 'The World's Maritime Axis, A Critical Analysis', *Formosa Journal of Science and Technology* 3, no. 3 (22 March 2024): 454, <https://doi.org/10.55927/fjst.v3i3.7655>.

⁴² Siswoputro et al.

⁴³ M. Wirtsa Firdaus, Andri Yanto, and Sigit Nugroho, 'Urgensi Resolusi Konflik Klaim Nine Dash Line Tingkok Di Perairan Natuna Utara', *Jurnal Ius Constituendum* 8, no. 2 (2023): 278, <https://doi.org/http://dx.doi.org/10.26623/jic.v8i2.6972>.

⁴⁴ Ria Tri Vinata, 'Harmonisasi Equidistance Line Principle Dan Median Line Principle Dalam Penentuan Batas Wilayah Laut', *Perspektif Hukum* 17, no. 2 (2017): 224, <https://doi.org/https://doi.org/10.30649/ph.v17i2.70>.

settlement of maritime delimitation disputes between Canada and the USA⁴⁵, Denmark and Jerman⁴⁶, Libya and Malta⁴⁷, El Salvador and Honduras (Nicaragua Intervention)⁴⁸.

Considering the fundamental substance of the formation of the Perth Treaty, the use of the UNCLOS 1958 as the basis for determining Indonesia's maritime delimitation with Australia puts Indonesia in an unequal position. The use of the UNCLOS 1958, which actually does not regulate coastal states, is detrimental to Indonesia.⁴⁹ The arrangements contained in the convention actually do not regulate coastal states. Thus, the renewal of the coastal state is regulated in UNCLOS 1982 as a new customary law in International Law. Meanwhile, the continental shelf that is used as a reference in determining maritime delimitation has proven to be unsuitable to be applied to Indonesia's geographical conditions. In fact, there is an Australian continental slope located under Indonesian territorial jurisdiction. This overlap is very detrimental to Indonesia and creates uncertainty about maritime delimitation between countries. The uncertainty regarding the continental shelf regulated in this convention was further explained in UNCLOS 1982.⁵⁰ Therefore, the use of UNCLOS 1982, developed from the International Law of the Sea, needs to be considered. Although the regulation of the continental shelf has been further explained in UNCLOS 1982, the use of the median line with the equidistance line approach in the Perth Treaty renegotiation is an appropriate effort. The geographical location between Indonesia and Australia in measuring less than 200 miles makes it impossible to apply other maritime delimitation efforts listed in UNCLOS 1982, namely the Exclusive Economic Zone (EEZ) in the Perth Treaty renegotiation. With the exception of Timor Leste, the use of the median line with an equidistance line approach is then more appropriate to create an equitable outcome in this renegotiation, and the use of this measure is in accordance with UNCLOS 1982 as new customary law.

4. CONCLUSION

This article provides suggestions to the government in renegotiating the Perth Treaty to provide a solution for a definitive maritime boundary between the two countries. Renegotiating the Perth Treaty using the median line with an equidistance line approach to determine the state boundary in the sea area facing Australia is a logical choice to determine the definitive sea boundary. The use of the median line is justified as a principle rooted in international law, based on the practices of countries worldwide in determining maritime boundaries based on the practice of countries

⁴⁵ International Court of Justice, Case Concerning Delimitation Of The Maritime Boundary In The Gulf Of Maine Area (Canada/United States Of America).

⁴⁶ International Court of Justice, North Sea Continental Shelf (Federal Republic of Germany/Netherlands), 1.

⁴⁷ International Court of Justice, Continental Shelf (Libyan Arab Jamahiriya/Malta).

⁴⁸ International Court of Justice, Land, Island and Maritime Frontier Dispute (El Salvador/Honduras: Nicaragua intervening).

⁴⁹ Yulia Wiliawati, Danial, and Fatkhul Muin, 'Eksistensi UNCLOS 1982 Dalam Upaya Penegakan Hukum Laut Internasional Di Perairan Negara Pantai', *Jurnal Riset Ilmu Hukum* 2, no. 2 (2022): 293, <https://doi.org/https://dx.doi.org/10.51825/sjp.v2i2.17064>.

⁵⁰ Early Wulandari, "Landas Kontinen: Eksistensi dalam Hukum Internasional dan Praktik di Indonesia," *Uti Possidetis: Journal of International Law* 4, no. 2 (2023): 237, <https://doi.org/https://doi.org/10.22437/up.v4i2.21041>.

worldwide in determining maritime delimitation. As a manifestation of the validity of the use of the equidistance line, which is actually not accommodated in any international treaty, there are state practices that use this method for determining maritime delimitation. The examples are the United States and Canada, Denmark and Germany, Libya and Malta, and El Salvador and Honduras. The use of the equidistance line approach can provide a new perspective on the use of the median line by elaborating it. This elaboration has been recognised internationally as one of legitimate sources of international law according to Article 38 of the Statute of the International Court of Justice. For the maritime delimitation of Indonesia and Australia, which created a state of *rebus sic stantibus*, it is certainly necessary to update the Perth Treaty, especially when considering the measurement of distance between confronting countries that need to be reviewed with regard to changes in Indonesia's territory. The median line with the equidistance line approach is a new customary law in international law, where the Perth Treaty has not yet been ratified when the two countries have signed it. Therefore, new international law concepts contained in UNCLOS 1982 and the collaboration of international customary law are needed to provide a maritime delimitation dispute resolution that is relevant to the current state of the countries.

REFERENCES

- Antunes, Nuno M. *Toward the Conceptualisation of Maritime Delimitation*. Leiden: Martinus Nijhoff Publishers, 2003.
- Arcelinocent Emile Pangemanan, and Anak Agung Banyu Perwita. 'Diplomasi Pertahanan Maritim Indonesia: Kerjasama Kemaritiman Indonesia-Australia Dalam 'Plan Of Action For The Implementation Of The Joint Declaration On Maritime Cooperation 2018-2022''. *Jurnal Maritim Indonesia* 10, no. 1 (2022): 37–38. <https://doi.org/https://doi.org/10.52307/jmi.v10i1.101>.
- . 'Diplomasi Pertahanan Maritim Indonesia: Kerjasama Kemaritiman Indonesia-Australia Dalam "Plan Of Action For The Implementation Of The Joint Declaration On Maritime Cooperation 2018-2022"'. *Jurnal Maritim Indonesia* 10, no. 1 (2022): 41–43. <https://doi.org/https://doi.org/10.52307/jmi.v10i1.101>.
- As Syifa Ulchairan H. 'Analisis Penetapan Batas Zona Maritim Lebanon-Israel Dalam Maritime Boundary Line Agreement Berdasarkan Konvensi Hukum Laut 1982'. *Jurnal Ilmu Hukum Toposantaro* 1, no. 2 (2024): 151. <https://jurnal.fakum.untad.ac.id/index.php/TPS/article/view/1113>.
- Bambang S. Irianto. 'Penegakan Hukum Di Zona Ekonomi Eksklusif Indonesia (Zeei) Dalam Rangka Kepentingan Nasional Indonesia Di Bidang Kelautan'. *Jurnal Justiciabelen* 4, no. 2 (2022): 34. <https://journal.umg.ac.id/index.php/justiciabelen/article/view/3564/2176>.
- Chenika Fricila, R. Dudy Heryadi, and Dairatul Ma'arif. 'Kerjasama Indonesia-Australia Dalam Menanggulangi Illegal, Unreported, Unregulated Fishing Di Laut Timor Australia Tahun 2017-2021'. *Global Political Studies Journal* 6, no. 2 (2022): 91. <https://doi.org/10.34010/gpsjournal.v6i2>.
- Chika Laksita Dewi, and I Made Andi Arsana. 'Kedaulatan Pulau Dan Delimitasi Batas Maritim Di Laut China Selatan: Kajian Atas Kepemilikan Kepulauan Paracel Dan Dampaknya Terhadap Delimitasi Batas Maritim Antara China Dan Vietnam'. *Majalah Geografi*

- Indonesia* 37, no. 2 (17 June 2023): 130.
<https://doi.org/https://doi.org/10.22146/mgi.78262>.
- David Maharya Ardyantara, Kadi Sukarna, Bambang Sadono, and Zaenal Arifin. 'Reposisi Kewenangan Antar Lembaga Negara Dalam Pengaturan Terkait Pertahanan Keamanan Kemaritiman Nasional'. *Jurnal USM Law Review* 3, no. 2 (2020): 413–16.
<https://doi.org/http://dx.doi.org/10.26623/julr.v3i2.2593>.
- Evans, Malcolm D. *The Oxford Handbook of the Law of the Sea*. Oxford: Oxford University Press, 2015.
- Evi Purwanti. 'Relevansi Delimitasi Perbatasan Maritim Dengan Faktor Lingkungan'. *Balobe Law Journal* 1, no. 2 (October 2021): 77.
<https://doi.org/https://doi.org/10.47268/balobe.v1i2.650>.
- . 'Relevansi Delimitasi Perbatasan Maritim Dengan Faktor Lingkungan'. *Balobe Law Journal* 1, no. 2 (October 2021): 77.
<https://doi.org/https://doi.org/10.47268/balobe.v1i2.650>.
- 'Geneva Convention 1958 on the Territorial Sea and the Contiguous Zone Article 12 and Geneva Convention 1958 on the Continental Shelf Article 6', n.d.
- Indriana Kartini, Awani Irewati, Agus R. Rahman, Tri Nuke Pudjiastuti, CPF Luhulima, Rosita Dewi, Sandy Nur Ikfal Raharjo, and Hayati Nufus. 'Penguatan Konektivitas Lintas Batas Dalam Kerja Sama Subregional' 17, no. 1 (2020): 122.
<https://doi.org/https://doi.org/10.14203/jpp.v17i1.859>.
- International Court of Justice. Case Concerning Delimitation Of The Maritime Boundary In The Gulf Of Maine Area (Canada/United States Of America) (1984).
- . Continental Shelf (Libyan Arab Jamahiriya/Malta) (1985).
- . Land and Maritime Boundary between Cameroon and Nigeria (Cameroon v. Nigeria: Equatorial Guinea intervening) (10 October 2002).
- . Land, Island and Maritime Frontier Dispute (El Salvador/Honduras: Nicaragua intervening) (1986).
- . North Sea Continental Shelf (Federal Republic of Germany/Netherlands) (1968).
- Jianhui Zhang, Xiaoting Fan, Wenlu Bi, Yanfen Gong, and Jinrong Li. 'Median Line Method In Maritime Delimitation Based On Earth Ellipsoid'. *United States Patent Application Publication*, 2022, 1.
- Kuncoro, June, Hadiningrat Direktur, Sekolah Staf, Dan Pimpinan, Kementerian Luar, Negeri Pusdiklat, and Kemenlu Republik Indonesia. 'Diplomasi Maritim: Meletakkan Fondasi Poros Maritim Dunia'. *Jurnal Maritim Indonesia* 8, no. 1 (2020): 100–101.
<https://doi.org/https://doi.org/10.52307/ijm.v8i1.55>.
- M. Wirtsa Firdaus, Andri Yanto, and Sigit Nugroho. 'Urgensi Resolusi Konflik Klaim Nine Dash Line Tingkok Di Perairan Natuna Utara'. *Jurnal Ius Constituendum* 8, no. 2 (2023): 278. <https://doi.org/http://dx.doi.org/10.26623/jic.v8i2.6972>.
- Mifroh, Shana Lia. 'Analisis Hubungan Antara Timor Leste Dan Australia Terkait Perebutan Sumber Daya Minyak Dan Gas Pada Sengketa Celah Timor (Timor Gap)'. *Jurnal Polinter* 6, no. 2 (2021): 169–70. <https://doi.org/https://doi.org/10.52447/polinter.v6i2.4497>.
- Muammar Muammar, and Iqbal Taufik. 'Quo Vadis Penelitian Hukum: Sebuah Jalan Meluruskan Miskonsepsi Arah Penelitian Hukum'. *Jurnal USM Law Review* 7, no. 2 (1 December 2024): 636–38. <https://doi.org/http://dx.doi.org/10.26623/julr.v7i2.7917>.

- Muhamad Akmal Fadillah, and Aidul Fitriada Azhari. 'Conceptualizing Nature as a Legal Subject: A Comparative Study of Laws Between Indonesia, New Zealand, and Ecuador'. *Jurnal USM Law Review* 7, no. 1 (2024): 387. <https://doi.org/http://dx.doi.org/10.26623/julr.v7i1.8880>.
- Muhammad Junaidi, and Khikmah Khikmah. 'Perlindungan Hukum Dan Penempatan Pekerja Migran Indonesia Di Luar Negeri'. *Jurnal USM Law Review* 7, no. 1 (2024): 494. <https://doi.org/http://dx.doi.org/10.26623/julr.v7i1.8127>.
- Muhammad Yuan Fauzil, and Agussalim Burhanuddin. 'Prospek Hubungan Maritim Indonesia – Malaysia Pasca Kesepakatan Batas Laut 2023'. *Eksekusi : Jurnal Ilmu Hukum Dan Administrasi Negara* 2, no. 1 (13 December 2023): 201. <https://doi.org/https://doi.org/10.55606/eksekusi.v2i1.864>.
- Nurhayati, Yati, MYasir Said, Fakultas Hukum, Universitas Lambung Mangkurat JIBrigjen Hasan Basry, Kota Banjarmasin, Jl H Brigjen Hasan Basri Komplek Polsek Banjarmasin Utara Jalur, and Provinsi Kalimantan Selatan. 'Metodologi Normatif Dan Empiris Dalam Perspektif Ilmu Hukum'. *Jurnal Penegakan Hukum Indonesia (JPHI)* 2, no. 1 (2021): 3. <https://doi.org/https://doi.org/10.51749/jphi.v2i1.14>.
- Prasetya Mega Jaya, Belardo, Ferina Ardhi Cahyani, and Rika Ratna Permata. 'Method and Principle of Maritime Boundary Delimitation Between States with Opposite or Adjacent Coasts (Case of Indonesia and Timor-Leste)'. *Diponegoro Law Review* 07, no. 01 (2022): 150. <https://doi.org/https://doi.org/10.14710/dilrev.7.1.2022.150-172>.
- Putriana Septi Nauli, and Stivani Ismawira Sinambela. 'Upaya Penyelesaian Sengketa Delimitasi Batas Maritim Di Wilayah Greater Sunrise Antara Timor Leste Dan Australia Dari Perspektif Kajian Hukum Perjanjian Internasional'. *Jurnal PIR* 6, no. 1 (2021): 100. <https://doi.org/http://dx.doi.org/10.22303/pir.6.1.2021.94-108>.
- Rahayu, Nadia Saidah, Najma Imtihan Rasaf, Ghana Aldila Septiani, and Penny Respati Yurisa. 'Policy on Maritime Border Disputes Between Indonesia and Australia: Stephen M. Walt's Neorealism Perspective'. *Journal of Islamic World and Politics* 7, no. 1 (30 June 2023): 86. <https://doi.org/10.18196/jiwp.v7i1.8>.
- Ria Tri Vinata. 'Harmonisasi Equidistance Line Principle Dan Median Line Principle Dalam Penentuan Batas Wilayah Laut'. *Perspektif Hukum* 17, no. 2 (2017): 217–18. <https://doi.org/https://doi.org/10.30649/ph.v17i2.70>.
- . 'Harmonisasi Equidistance Line Principle Dan Median Line Principle Dalam Penentuan Batas Wilayah Laut'. *Perspektif Hukum* 17, no. 2 (2017): 224. <https://doi.org/https://doi.org/10.30649/ph.v17i2.70>.
- Sefriani. *Suatu Pengantar Hukum Internasional*. Jakarta: PT. RajaGrafindo Persada, 2010.
- Seguito Monteiro. 'Yurisdiksi Negara Pantai Di Wilayah Delimitasi Maritim Zona Ekonomi Eksklusif Yang Belum Ditetapkan Berdasarkan Ketentuan Hukum Laut Internasional (Study Di Timor Leste-Indonesia)'. *Jurnal Komunikasi Hukum* 6, no. 1 (2020): 317–18. <https://doi.org/https://doi.org/10.23887/jkh.v6i1.23770>.
- Siswoputro, Suspada, Anak Agung Banju Perwita, Budi Suseto, and Lukman Yudho Prakoso. 'The World's Maritime Axis, A Critical Analysis'. *Formosa Journal of Science and Technology* 3, no. 3 (22 March 2024): 454. <https://doi.org/10.55927/fjst.v3i3.7655>.
- Suliska Tuanger, Aprilia, Cornelis Dj Massie, and Thor B Sinaga. 'Mekanisme Penyelesaian Hukum Illegal Fishing Di Perbatasan Indonesia Dan Australia' 12, no. 3 (2023).

- Tan, David. 'Metode Penelitian Hukum: Mengupas Dan Mengulas Metodologi Dalam Menyelenggarakan Penelitian Hukum'. *Nusantara* 8, no. 8 (2021): 2467–68. <https://doi.org/10.31604/jips.v8i8.2021.2463-2478>.
- Toni T., Winanda Kusuma, A. Cery Kurnia, Muhammad Syaiful Anwar, and Rafiq Sari. 'Exclusive Economic Zone: Contemporary Law of the Sea Fisheries Regulations'. *Ikatan Penulis Mahasiswa Hukum Indonesia Law Journal* 3, no. 2 (July 2023): 184. <https://doi.org/https://doi.org/10.15294/ipmhi.v3i2.71165>.
- 'Treaty between the Government of Australia and the Government of the Republic of Indonesia Establishing an Exclusive Economic Zone and Certain Seabed Boundaries (Perth, 14 March 1997)', 1997.
- Wulandari, Early. 'Landas Kontinen: Eksistensi dalam Hukum '. *Uti Possidetis: Journal of International Law* 4, no. 2 (2023): 237. <https://doi.org/https://doi.org/10.22437/up.v4i2.21041>.
- Yanto MP Ekon. 'Penetapan Batas Laut Teritorial Indonesia-Timor Leste Di Wilayah Laut Tumpang Tindih'. *Arena Hukum* 14, no. 3 (2021): 476. <https://doi.org/https://doi.org/10.21776/ub.arenahukum.2021.01403.3>.
- Yulia Wiliawati, Danial, and Fatkhul Muin. 'Eksistensi UNCLOS 1982 Dalam Upaya Penegakan Hukum Laut Internasional Di Perairan Negara Pantai'. *Jurnal Riset Ilmu Hukum* 2, no. 2 (2022): 293. <https://doi.org/https://dx.doi.org/10.51825/sjp.v2i2.17064>.