


Boundary Delimitation and Demarcation

*Basepoints and Baselines*

Available online at <http://madeandi.staff.ugm.ac.id> (see downloads)



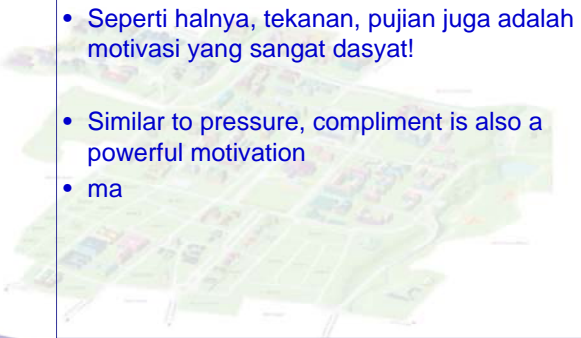
I Made Andi Arsana  
Thursday, 16 November 2006

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Lecture 7 – Basepoints and Baselines

*Kutipan hari ini*

- Seperti halnya, tekanan, pujian juga adalah motivasi yang sangat dasyat!
- Similar to pressure, compliment is also a powerful motivation
- ma




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Lecture 7 – Basepoints and Baselines

*Lecture outline*

- The use of charts
- Definition of basepoints dan baselines
  - Vertical Datum
  - Horizontal Datum
  - Types of Baselines
- Archipelagic baselines
- Defining the outer limits of maritime claims
- Baseline publications



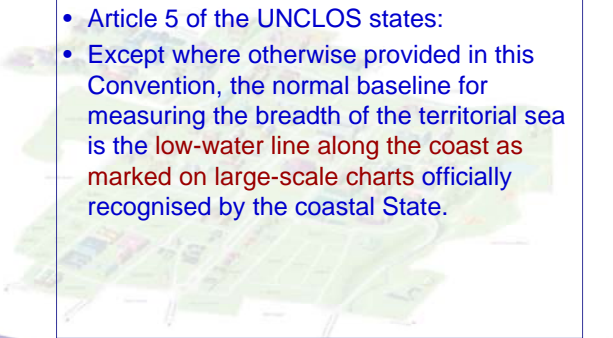
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Lecture 7 – Basepoints and Baselines

*The use of charts*

- Article 5 of the UNCLOS states:
- Except where otherwise provided in this Convention, the normal baseline for measuring the breadth of the territorial sea is the **low-water line along the coast as marked on large-scale charts officially recognised by the coastal State.**



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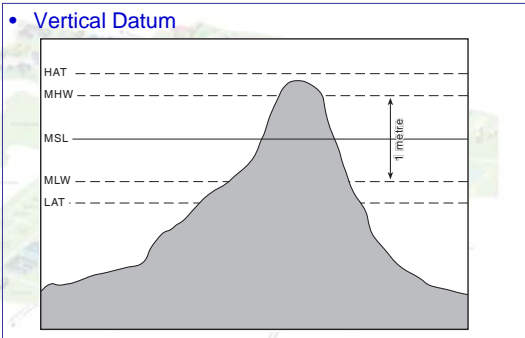
*The use of charts*

- **Important technical aspects**
  - Scale
  - Projection
  - Vertical Datum
  - Horizontal Datum
  - Coordinate system
- **Alternative to charts**
  - Land mapping
  - Aerial photography
  - Satellite imagery
  - Fieldwork

*Definition of basepoints dan baselines*

- **Importance of baselines**
  - Fundamental to maritime claims
    - Define outer limits of internal waters
    - Starting point for claiming maritime zones
    - Provide basepoints for generation of limits of national maritime claims
  - Fundamental to maritime boundary delimitation
    - Determine basepoints for construction of median line
    - Median line often starting point for delimitation
    - Presumption in favour of equidistance line in territorial sea delimitation (Article 15)
    - Majority of maritime boundary agreements wholly or partially based on equidistance

*Definition of basepoints dan baselines*

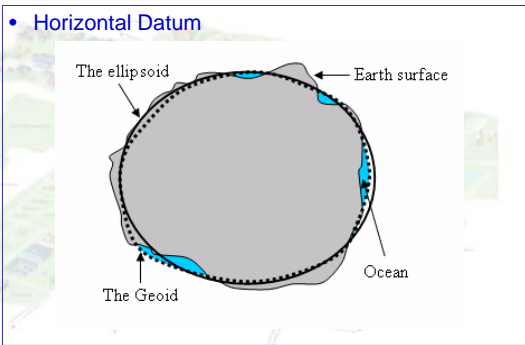


*Definition of basepoints dan baselines*



*Definition of basepoints dan baselines*

• Horizontal Datum

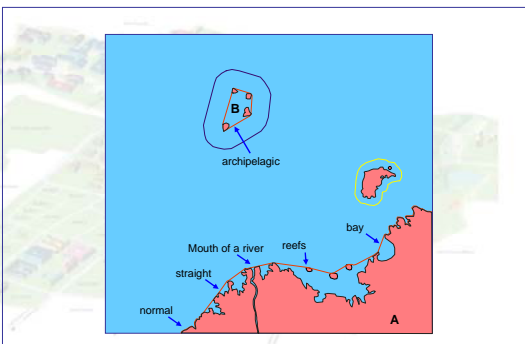


*Definition of basepoints dan baselines*

• Type of baseline (UNCLOS)

- Normal (Article 5)
- Reefs (Article 6)
- Straight (Article 7)
- Mouths of rivers (Article 9)
- Bays (Article 10)
- Ports and roadsteads (Article 11 and 12)
- Combination of methods
- Archipelagic (Article 47)

*Type of baseline*

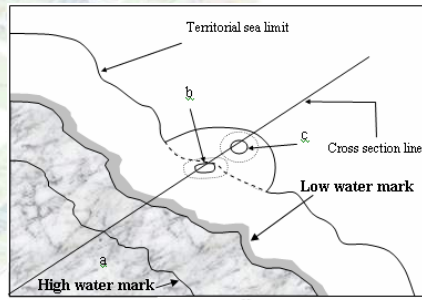


*Type of baselines*

- Normal (Article 5 of UNCLOS)
- Except where otherwise provided in this Convention, the normal baseline for measuring the breadth of the territorial sea is the low-water line along the coast as marked on large-scale charts officially recognised by the coastal State.

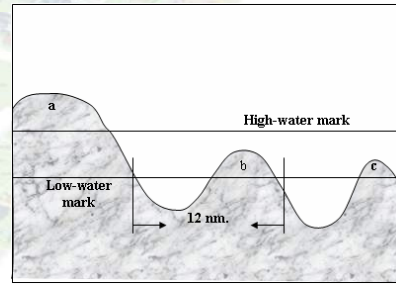
*Type of baselines*

• Normal (Article 5 of UNCLOS)



*Type of baselines*

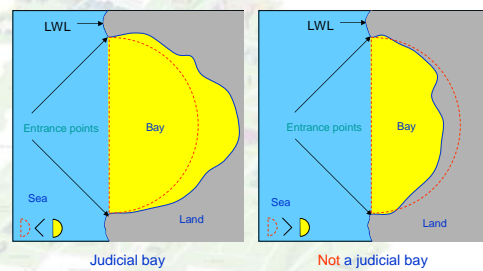
• Normal (Article 5 of UNCLOS)



*Type of baselines*

- Reefs (UNCLOS Article 6)
- “In the case of islands situated on atolls or of islands having fringing reefs, the baseline for measuring the breadth of the territorial sea is the seaward low-water line of the reef, as shown by the appropriate symbol on charts officially recognized by the coastal State.”

*Defining a Judicial Bay (UNCLOS III)*



Lecture 7 – Basepoints and Baselines

### Archipelagic baselines

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EEZ

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Lecture 7 – Basepoints and Baselines

### International Maritime Boundaries: A Briefing

Ocean  
Land

- Basepoints
- Distance from basepoints
- Envelop of arc
- Maritime zone limit
- ✗ Irrelevant basepoint

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### Publicizing Baseline Claims

- **Article 16 of the UN Convention states:**
- The baselines for measuring the breadth of the territorial sea determined in accordance with articles 7, 9, and 10, or the limits derived there from, and the lines of delimitation drawn in accordance with articles 12 and 15 shall be shown on charts of a scale or scales adequate for ascertaining their position. Alternatively, a list of geographical coordinates of points, specifying the geodetic datum, may be substituted.
- The coastal State shall give due publicity to such lists or charts or lists of geographical coordinates and shall deposit a copy of each such chart or list with the Secretary-General of the United Nations.
- **Paras 8 and 9 of Article 47 of the UN Convention state:**
- The baselines drawn in accordance with this article shall be shown on charts of a scale or scales adequate for ascertaining their position. Alternatively, lists of geographical coordinates of points, specifying the geodetic datum, may be substituted.
- The archipelagic State shall give due publicity to such charts or lists of geographical coordinates and shall deposit a copy of each such chart or list with the Secretary-General of the United Nations
- No requirement to publicise location of normal baselines.
- Few states have deposited charts/coordinate lists with the UN

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### What to do next?

- **Next week materials**
  - Tujuan delimitasi
  - Prinsip delimitasi Konvensi PBB 982
  - Prinsip lain dari Mahkamah Internasional
  - Pertimbangan yang relevant dan tidak relevan
  - Metode delimitasi batas laut (Berseberangan dan bersebelahan)
  - Pengertian dan peran pulau – Pasal 121 LOSC, State practice, case law
- **Student presentation!**

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