

TREATY SETTING PHILIPPINE AND INDONESIAN EEZ BOUNDARY ENTERS INTO FORCE

An agreement delineating the boundary between the overlapping exclusive economic zones (“EEZs”) of the Philippines and Indonesia officially entered into force following the exchange by the two countries’ foreign ministers of the instruments of ratification in a special ceremony held on Aug. 1, 2019 in Bangkok.¹⁰

The “Agreement Concerning the Delimitation of the Exclusive Economic Zone Boundary,” which was first discussed in June 1994, was formally signed by the two countries on May 23, 2014 in Manila. President Rodrigo R. Duterte ratified the agreement on Feb. 15, 2017, and by the Indonesian Parliament on Apr. 27, 2017. Subsequently, the Philippine Senate concurred with the President’s ratification on June 3, 2019.¹¹

The agreement is expected to benefit both countries economically and politically by promoting more bilateral cooperation in the EEZ to advance the common interest of managing and preserving the resources in the EEZ and further strengthening maritime security cooperation between the two countries.¹²

The Philippines and Indonesia, the two largest archipelagic states globally, are parties to the 1982 United Nations Convention on the Law of the Sea and thus are entitled to an EEZ of 200 nautical miles. Under the Convention, States have sovereign rights to explore and exploit, and conserve and manage natural resources, among others, within their EEZ.¹³

Broad overlaps in the EEZ of the Philippines and Indonesia, which run across the Mindanao Sea and the Celebes Sea, and in the southern section of the Philippine Sea in the Pacific Ocean, required the two countries to negotiate and agree on a shared boundary.¹⁴

On Sept. 27, 2019, the Philippines and Indonesia made an official joint submission to the United Nations of the agreement establishing the boundary between their overlapping EEZs and respective instruments of ratification in New York.¹⁵

¹⁰ *Treaty Setting PH, Indonesia EEZ Boundary Enters into Force*, DEPARTMENT OF FOREIGN AFFAIRS, <https://dfa.gov.ph/dfa-news/dfa-releasesupdate/23966-treaty-setting-ph-indonesia-eez-boundary-enters-into-force> (last visited July 7, 2021).

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *PH, Indonesia Jointly Submit 2014 EEZ Boundary Agreement to UN*, DEPARTMENT OF FOREIGN AFFAIRS, <https://dfa.gov.ph/dfa-news/dfa-releasesupdate/24527-ph-indonesia-jointly-submit-2014-eez-boundary-agreement-to-un> (last visited July 7, 2021).