



Permanent Mission of the
Democratic Republic of Timor-Leste to the United Nations

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New York, 6 February 2012

The Permanent Mission of the Democratic Republic of Timor-Leste to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to refer to its communication 25th March 2009 regarding the document M.Z.N 67.2009 (Maritime Zone Notification) concerning the deposit of the list of geographical coordinates of points of the Indonesian Archipelagic Baselines based on the Government Regulation of the Republic of Indonesia Number 38 of 2002 as amended by the Government Regulation of the Republic of Indonesia Number 37 of 2008.

The Permanent Mission of the Democratic Republic of Timor-Leste to the United Nations has further the honour to submit the position and the observation of the Government of Timor-Leste with respect to the aforementioned list of coordinates.

Although not being party to the 1982 United Nations Convention on the Law of the Sea (hereinafter referred to as the "Convention"), the Government of Timor-Leste considers that the provisions of the Convention, namely those regarding its Part IV, are already part of the international customary law, being mandatory for both Timor-Leste and Indonesia, which is a State party to the Convention.

The Government of Timor-Leste does not recognize the archipelagic straight baselines drawn from the point 101E (TD112A) to the point 101F(TD113), and from the point 101H(TD113B) to the point 101I (TD114). The first archipelagic straight baseline does not take in consideration the median line between the territorial sea of Timor-Leste's island of Ataúro and the territorial seas of Indonesia's island of Lirang and Alor. The second archipelagic straight baseline does not conform with Article 47(5) of the Convention as it encompasses the territorial sea of the Timor-Leste enclave of Oecussi, thus excluding the enclave of Oecussi from access to the high seas and to its exclusive economic zone.

The Permanent Mission of the Democratic Republic of Timor-Leste to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

H.E. Mr. Ban Ki-moon
Secretary –General
United Nations
New York

