



South China Sea Institute, Xiamen University Center for Oceans Law and the China Seas

# SOUTH CHINA SEA BULLETIN

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## Indonesia's Renaming of Part of SCS as "North Natuna Sea" Groundless

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On July 14, 2017, the Indonesian government released its amended Map of the Republic of Indonesia, in which relevant sea areas in the Southwest of the South China Sea (SCS) are renamed as North Natuna Sea. On August 25, China's Ministry of Foreign Affairs presented a note verbale to the Indonesian Embassy in Beijing, explicitly expressing its opposition to and non-recognition of Indonesia's unilateral name-changing action, and demanding that Indonesia rescind its decision on this renaming.

Indonesia is a non-claimant State in the SCS disputes concerning the sovereignty of maritime features, and China also recognizes Indonesia's sovereignty over the Natuna Islands. Nevertheless, the exclusive economic zone (EEZ) claimed by Indonesia based on the Natuna Islands overlaps with the dotted line claimed by China in the SCS. The renaming of the sea areas in the Southwest of the SCS as the North Natuna Sea by Indonesia aims to demonstrate that the relevant waters inside the dotted line are within the EEZ of Indonesia. It is reported that Indonesia will register the new name with the International Hydrographic Organization (IHO) so as to legitimize its renaming action.

Here questions arise: do the name-changing actions by Indonesia comply with international law? Can Indonesia's objective of the actions be achieved?

The fact is that there exist overlapping maritime entitlements claimed by China and Indonesia in the Southwestern parts of the SCS. Some commentators assert that, the renaming actions by Indonesia reflect the long-held position of Indonesia that it does not recognize China's dotted line and China-claimed historic rights in the waters surrounded by the dotted line. It believes that the award of July 12, 2016 provides so-called legal basis for its position. Nevertheless, the various statements of Chinese government and current research indicate that, this award is groundless in fact and law, and thus should be null and void. Existing evidence and the fact that China treats the Nansha Qundao (Spratly Islands) as a whole in claiming its maritime rights and interests reveal that, China enjoys undisputed sovereign rights, jurisdiction and historic rights over the waters inside the dotted line. Accordingly, Indonesia shall in the first place negotiate with China regarding the maritime delimitation in the northern sea of the Natuna Islands in accordance with its obligations under Paragraph 4 of the 2002 ASEAN-China Declaration on the Conduct of Parties in the South China Sea (DOC). Furthermore, based on Articles 74 and 83 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS), the two States "shall make every effort to enter into provisional arrangements of a practical nature" before an agreement on the delimitation of the EEZ or continental shelf is reached between them. However, the unilateral actions of Indonesia in this case, similar with its blowing up foreign ships in 2016, are inconsistent with UNCLOS.

Furthermore, it does not make any sense that Indonesia attempts to register the new name with the IHO. As a name for internationally recognized geographic substance, the term South China Sea has clear geographic limits and has long been recognized and accepted by the international community including the United Nations. When examining the amended geographic name submitted by its member States, the IHO will generally seek views from its member States. It is thus nearly impossible that the submitted new name by Indonesia could be approved by the IHO.

Simply like the name Indian Ocean does not mean that the ocean is solely owned by India, the unilaterally-renamed North Natuna Sea does not indicate that relevant maritime entitlements associated with the sea belong to Indonesia exclusively. Instead, the unilateral actions by Indonesia will disturb the current peace in the SCS and are not conducive to maintaining and developing the bilateral relations between China and Indonesia. In 2011 the Philippines renamed the disputed waterway in the SCS as the "West Philippine Sea", followed by years' tension and confrontation between the Philippines and China. Indonesia might get some enlightenment from this example.

## EVENTS

**The South China Sea Underwater Cultural Heritage Preservation Status Quo Seminar** was held on July 21, 2017 in Xiamen, China

<http://scsi.xmu.edu.cn/8a/7e/c7404a297598/page.htm>

**The 5<sup>th</sup> round Sino-US Maritime Issues and International Law Dialogue** was held on July 27-28, 2017 in Proton, USA

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<http://www.nanhai.org.cn/dynamic-detail/35/5005.html>

**The South China Sea Deepwater Oil and Gas Development Strategy Seminar** was held on August 1, 2017 in Shanghai, China

<http://mgt.tongji.edu.cn/24/ff/c8429a75007/page.htm>

**The 2<sup>nd</sup> South China Sea Fishing Festival** was held on August 16, 2017 in Sanya, China

<http://www.hellosea.net/news/focus/2017-08-17/43321.html>

**The 115<sup>th</sup> South China Sea Forum** was held on August 28, 2017 in Nanjing, China

<https://nanhai.nju.edu.cn/3e/55/c5814a212565/page.htm>

## UPCOMING EVENTS

**The 2017 Annual Academic Meeting of the Chinese Society of the Law of the Sea** will be held on October 13-16, 2017 in Xi'an City, Shanxi Province, China.

[http://www.cima.gov.cn/\\_d276755827.htm](http://www.cima.gov.cn/_d276755827.htm)

**Maritime Security Dialogue** will be held on September 14, 2017 in Washington, D.C., the United States.

<https://www.usni.org/events/maritime-security-dialogue-21>

**The Workshop “ASEAN Mechanisms on Maritime Security Cooperation”** will be held on September 26, 2017 in Singapore.

<http://www.rsis.edu.sg/event/workshop-by-maritime-security-programme-idss-4/#.Wau0-3r7ybR>

**Maritime Reconnaissance and Surveillance Forum** will be held on September 26-28, 2017 in Rome, Italy.

[http://maritimerecon.iqpc.co.uk/?utm\\_medium=portal&mac=IQPCCORP](http://maritimerecon.iqpc.co.uk/?utm_medium=portal&mac=IQPCCORP)

**The 19<sup>th</sup> International Conference on Marine Ecology and Conservation** will be held on November 29 - 30, 2017 in Bangkok, Thailand.

<https://www.waset.org/conference/2017/11/bangkok/ICMEC>

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**Britain Plans to Send Warship to S. China Sea**

*The Straitstimes, July 28, 2017*

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*China Ocean News, July 31, 2017*

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**ASEAN, China to Formally Endorse South China Sea Code of Conduct Framework**

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<http://www.straitstimes.com/asia/se-asia/asean-china-to-formally-endorse-south-china-sea-code-of-conduct-framework>

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**China Joins Search for Missing US Sailor in South China Sea**

*China Daily, August 4, 2017*

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**ASEAN Foreign Ministers Endorse Framework of COC in South China Sea**

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**ASEAN Agrees to China's Proposed Initiatives to Kickstart Formal Negotiations on COC**

*China Daily, August 6, 2017*

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