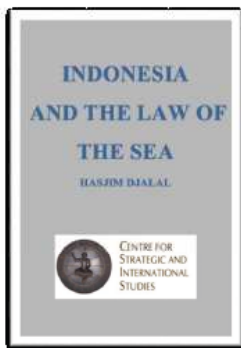


BOOK REVIEW

INDONESIA AND THE LAW OF THE SEA

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Author : Hasjim Djalal
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As the biggest Archipelagic state, Law of the sea has been a very important for Indonesia, Since the United Nations Conference on the Law of the sea, Indonesia have struggle for establishing the concept of Archipelagic state to be recognised in the United Nations Convention on the Law of the Sea.

Hasjim Djalal opens up the discussion on Indonesia and the law of the sea by linkage between the New International Economic Order and the Law of the Sea , two approaches that should necessarily be pointed out. First he careful analysis of the single Negotiating Text produced by the Law of the Sea (LOS) Conference is needed to understand its impact in the New international Economic Order (NIEO). Second, the documents of the sixth and seventh special sessions of the General Assembly and the Charter of Economic Rights and Duties of states have to be examined to establish in what areas they make demands, explicitly or implicitly, in the law of the Sea Conference.

The first half of this book talks about the development of the sea convention from 1976 to 1995. Djalal firstly discuss about customary international law which generally means talking about two things, or of either of them; the contents rule of manner or the procedure of its

creation. He also discuss further about the Law of the Sea Convention 1982 has therefore extended Indonesia's marine resource base so that it is now much larger than the land resource base. Prior to the recognition of the archipelagic state and order concepts by the law of the Sea and in the Pacific and Indian Ocean within the context of preventive diplomacy. He also concern with the possible negative impact of the increasingly conflicting national claims in the South China Sea. There have been other developments on the law of the sea recently, such as the convening of the United Nations Conference on Straddling Fish Stocks and Highly migratory Species, the convening of the Meeting of States Parties to establish the Law of the Tribunal and others.

The second chapter of his book, Djalal elaborate further the Archipelagic concept and other ocean issue from 1971 to 1995. In this chapter, Djalal divide into three sub chapter, first the Archipelagic Concept, Second The South China Sea, Third, the Regional Cooperation on Ocean Issue. From the concept of Archipelago applied to archipelagic state, Djalal explained further from a geopolitical point of view, an archipelago is a formation of island grouping together to form a single unit. From language point of view , an archipelago does not only mean "a group of island," but also "a sea interspersed with many island"/ thus if national lakes and rivers are basically the concept of the sea territory of a state, an archipelago is basically the concept of the sea territory. An archipelagic state therefore is a state whose territory consists mainly of waters interpresed with islands. In any case, the concept of an archipelago presupposes the unity between the water and the land both should be regarded as a single unit. His stated that the concept has a very special meaning for Indonesia. Not only Indonesia is located between two land-masses of the world and between two great water of the Indoan and passific oceans, it also consists of thousands and thousands os islands; and two -third of its territory is covered by water.

In discussing about the South China Sea, Djalal explain that the south china sea is the most strategic waterways in the world. Tha approaches to the South China Seam especially in Malacca, Singapore, Sunda, Bangka, Karimata, Gasper, Balabac, Mindoro, Bashi and Taiwan straits are controlled by non-communist Countries. The South China Sea , using those approaches, is important for military, commercial

as well as tankers routes. Djalal also analyze the Japanese perspective towards the South China Sea Conflict, he mentioned that for Japan, South China Sea and its most important approaches namely the straits of Malacca and Singapore, are extremely important for its economic and strategic lifeline since more than 80 percent of its oil imports are transported through the waterways. Only the people's Republic of China seems to be in a different situation. Being basically a continental country, largely still agricultural with the largest population in the world to feed.

When elaborating the regional cooperation on ocean issues, Djalal relating with the navigational issues in Southeast Asia, therefore, could be looked upon various terms. They could be looked upon in various terms. They could be looked upon in terms of regimes of the waters because each regime has different rules governing navigation. They could also be examined in terms of various types of vessel because the regime of navigation for commercial vessels; oil tankers, nuclear powered vessels, fishing vessels, research and survey vessels, warships, submarines, and so forth, could also be different.