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23rd extraordinary session
Agenda item 8

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PROTECTION OF VITAL SHIPPING LANES

The Jakarta Meeting

Note by the Secretary-General

SUMMARY

Executive summary: This document reports on the outcome of the Jakarta Meeting on the Straits of Malacca and Singapore: Enhancing Safety, Security and Environmental Protection held on 7 and 8 September 2005

Action to be taken: Paragraph 12

Related documents: C 93/D, paragraph 15 and C 94/D, paragraph 8

Background

1 The Council, at its ninety-third session, when considering the issue of the Protection of Vital Shipping Lanes, agreed, *inter alia*, that the Organization had and could play a role in the protection of shipping lanes of strategic importance and significance. To that effect, it decided that the Organization's efforts should, at this stage, concentrate on the enhancement of safety, security and environmental protection in the Strait of Malacca and, having accepted an offer by the delegation of Indonesia, agreed to convene an IMO-sponsored meeting in Jakarta in 2005 to consider ways and means to achieve the aforesaid objectives. To this end, it authorized the Secretary-General to make appropriate arrangements.

2 The Council also agreed that, in seeking the attainment of the above objectives, the Organization and the Secretary-General should promote the Marine Electronic Highway project specifically designed for the Straits of Malacca and Singapore.

3 Furthermore, the Council encouraged the Secretary-General to continue his work relating to the protection of shipping lanes of strategic importance and significance and report to Council as appropriate.

4 At its ninety-fourth session, the Council, having been informed of the interest shown on the subject by the United Nations General Assembly (see paragraph 49 of UNGA resolution A/RES/59/24 on Oceans and the Law of the Sea); and of developments relating to the convening of the said meeting in Jakarta, reaffirmed its mandate to the Secretary-General to continue work relating to the protection of shipping lanes of strategic importance and significance.

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The Jakarta Meeting

5 Pursuant to the aforementioned decisions of the Council and following consultations between the Secretary-General and the Government of the Republic of Indonesia, the meeting (named “Meeting on the Straits of Malacca and Singapore: Enhancing Safety, Security and Environmental Protection”) took place in Jakarta on 7 and 8 September 2005 (the Jakarta Meeting). The Meeting, which was organized in co-operation with the Governments of all three Malacca Strait littoral States (i.e. Indonesia, Malaysia and Singapore), was attended by representatives of 34 States, two intergovernmental and seven non-governmental organizations.

6 The meeting was opened by H.E. Mr. Hatta Radjasa, Minister of Transportation of the Republic of Indonesia. Following an address by the Secretary-General and remarks by the Heads of the delegations of Malaysia and Singapore, H.E. Dr. N. Hassan Wirajuda, Minister of Foreign Affairs of the Republic of Indonesia, delivered the keynote speech.

7 The Jakarta Meeting consisted of a series of presentations and statements associated with open forum discussions on such topics as:

- .1 views of the littoral States: recent developments and the way forward;
- .2 perspective of the user States: reflections on co-operation;
- .3 perspective of the industry: social responsibilities; and
- .4 exploring modalities for co-operation: burden sharing for the Straits of Malacca and Singapore.

8 In addition, representatives of the defence agencies of the littoral States provided the meeting with information on the Malacca Strait Security Initiative; the representative of IHO made a presentation on the hydrographic and cartographic requirements for navigation through the Straits of Malacca and Singapore; and the IMO Secretariat representatives made a presentation of the Marine Electronic Highway demonstration project in the Straits of Malacca and Singapore.

9 The programme of the Jakarta Meeting is set out in annex 1 and the various speeches delivered and presentations made during the Meeting are available on the IMODOCS website.

10 The Meeting succeeded in attaining its main objective, namely to provide a forum for discussions with the aim of agreeing on a framework of co-operation to enhance the safety of navigation, environmental protection and security in the Straits of Malacca and Singapore, as reflected in the Statement unanimously adopted by the participants (see annex 2).

11 During the course of the Meeting and following the presentation by the Secretariat referred to in paragraph 8 above, a Memorandum of Understanding by and among the Government of Indonesia, the Government of Malaysia, the Government of Singapore and IMO for the Implementation of a regional Marine Electronic Highway (MEH) demonstration project in the Straits of Malacca and Singapore (the MEH MOU) and a Memorandum on Arrangements by and among the Government of Indonesia, the Government of Malaysia, the Government of Singapore, IMO, IHO, INTERTANKO and ICS to implement specific activities of article 4 of the MEH MOU, were signed.

Action requested of the Council

12 The Council is invited to note the information provided in this document and comment as it may deem appropriate.

ANNEX 1



REPUBLIC OF INDONESIA



INTERNATIONAL MARITIME ORGANIZATION

JAKARTA MEETING ON THE STRAITS OF
MALACCA AND SINGAPORE: ENHANCING
SAFETY, SECURITY AND ENVIRONMENTAL
PROTECTION
7-8 September 2005

IMO/JKT 1/1/Rev.1
8 September 2005
ENGLISH ONLY

Programme**7 September 2005*****Session 1 – Opening ceremony***

Welcome address on behalf of the Republic of Indonesia

by H.E. Mr. Hatta Radjasa, Minister of Transportation of the Republic of Indonesia

Address

by H.E. Mr. Efthimios E. Mitropoulos, Secretary-General of IMO

Remarks

by the Head of the Malaysian Delegation, YM Raja Datuk Malik Saripulazan Raja Kamaruzaman, Director General of Marine Department, Malaysia

Remarks

by the Head of the Singaporean Delegation, BG (NS) Choi Shing Kwok, Permanent Secretary, Ministry of Transport, Singapore

Keynote address

by H.E. Dr. N. Hassan Wirajuda, Minister of Foreign Affairs of the Republic of Indonesia

Session 2 – The views of the littoral States: Recent developments and the way forward

Moderator: Mr. Hasan Kleib, Director of International Security and Disarmament, Department of Foreign Affairs, Indonesia

Review Development and Way Forward: An Indonesian Perspective

by H.E. Mr. Sudjadnan Parnohadiningrat, Secretary General of the Department of Foreign Affairs, Indonesia

The Straits of Malacca and Singapore enhancing safety and environmental protection

by YM Raja Datuk Malik Saripulazan Raja Kamaruzaman, Director General of Marine Department, Malaysia

Maritime security in the Straits of Malacca - A holistic perspective

by First Admiral Ahmad Kamarulzaman Ahmad Badaruddin, Assistant Chief of Staff, Royal Malaysian Navy, Ministry of Defence, Malaysia

International co-operation for navigational safety and control of pollution in the Straits of Malacca and Singapore: Continuity and change
by BG Tay Lim Heng, Chief Executive, Maritime and Port Authority of Singapore, Singapore

Collaborative initiatives to enhance maritime security
by Rear Admiral Sim Gim Guan, Chief of Staff - Naval Staff / Head Naval Operations, Republic of Singapore Navy, Singapore

Open forum: The views of the littoral States

Session 3 – The perspective of the user States: Reflections on co-operation

Moderator: Colonel Suryo Wiranto, Assistant of Operational of Western Fleet Commander, Indonesian Navy, Indonesia

Presentation on perspective of a user State: The views of the China
by Mr. Ju Chengzhi, Director-General, Ministry of Communications, China

Remarks from Japan
by H.E. Mr. Tadamichi Yamamoto, Ambassador in charge of International Counter-Terrorism Cooperation Division, Ministry of Foreign Affairs, Japan

Japan's Perspective as a Major User State: Our Contributions and a Framework for International Co-operation
by Mr. Hiroshi Maruyama, Vice-Minister for International Affairs, Ministry of Land, Infrastructure and Transport, Japan

Remarks from the Republic of Korea
by Dr. Chung Il-Young, General-Director for Maritime Safety Management, Ministry of Maritime Affairs and Fisheries, Republic of Korea

Presentation on perspective of a user State: The views of the Republic of Korea
by Mr. An Kwang, Assistant Director of Marine Disaster Prevention Division, Ministry of Maritime Affairs and Fisheries, Republic of Korea

Open forum: The perspective of the user States

Session 4 – The perspective of the industry: Social responsibilities

Moderator: Professor Ety Agoes, Professor of Public International Law and the Law of the Sea, Padjadjaran University, Bandung, Indonesia

Owning or operating ships using or transiting the Straits
by Mr. Peter Hinchliffe, General Manager (Marine), International Chamber of Shipping

Protection of seafarers in the Straits
by Mr. John Bainbridge, Assistant Secretary, Seafarers Section, International Transport Workers Federation

Providing protection and indemnity cover for ships using or transiting the Straits
by Mr. Christopher Brown, Regional Director, Thomas Miller (Hong Kong) Ltd. on behalf of the International Group P&I Clubs

Open forum: The perspective of the industry

8 September 2005

Session 4A - Briefing on the Malacca Strait Security Initiative

Briefing on Malacca Strait Security Initiative

Colonel Suryo Wiranto, Assistant of Operational of Western Fleet Commander, Indonesian Navy accompanied by representatives of the Malaysian and Singapore's Navy

Session 5 – The MEH demonstration project and navigation through the Straits & Signing ceremony for the MOU-MEH and the MOA-MEH

Moderator: Mr. Jimmy A. B. Nikijuluw, Director of Sea Traffic and Transport, Department of Transportation, Indonesia

Hydrographic and Cartographic Requirements for Navigation through the Straits of Malacca and Singapore

by Mrs. Elizabeth Dunn, Head of National and International Relations, United Kingdom Hydrographic Office speaking on behalf of the International Hydrographic Organization

The Maritime Electronic Highway Demonstration Project

by Mr. Koji Sekimizu, Director, Maritime Safety Division, International Maritime Organization

Open forum: Maritime Electronic Highway Demonstration Project

Signing of the Memorandum of Understanding by and among the Government of Indonesia, the Government of Malaysia, the Government of Singapore and IMO for the Implementation of regional MEH demonstration project in the Straits of Malacca and Singapore (MOU-MEH)

Signing of the Memorandum on Arrangements by and among Government of Indonesia, the Government of Malaysia, the Government of Singapore, IMO, IHO, INTERTANKO and ICS to implement specific activities of article 4 of the MOU-MEH (MOA-MEH)

Session 6 – Exploring Modalities for Co-operation: Burden Sharing for the Straits of Malacca and Singapore

Moderator: Mrs. Masnellyarti Hilman, Deputy Minister for Nature Conservation Enhancement and Environmental Destruction Control, Ministry of Environment of the Republic of Indonesia

Exploring Modalities for Co-operation

by Professor Hasjim Djalal, Indonesia

Burden sharing in managing safety of navigation and security in the Strait of Malacca

by Captain (Retired) Mat Taib Yassin, Senior Fellow, Maritime Institute of Malaysia

Exploring modalities for co-operation in the Strait of Malacca: An environment perspective

by Mr. Mohd Nizam Basiron, Senior Fellow, Maritime Institute of Malaysia

A framework for international co-operation in the Straits of Malacca and Singapore

by Mr. Simon De Cruz, Director Regional Policy, Ministry of Foreign Affairs, Singapore

The Malacca Straits: A Partnership in security

by Rear Admiral Charles Wurster, Commander of Fourteenth District, United States Coast Guard

Activities and views of the Malacca Council – Seeking equitable co-operation
by Mr. Fumio Kaneko, Managing Director, Malacca Strait Council

Open forum: Exploring Modalities for Co-operation: Burden Sharing for the Straits of Malacca and Singapore

Session 7 - Consideration of outcomes

Presented by H.E. Mr. Sudjadnan Parnohadiningrat, Secretary General of Department of Foreign Affairs, Indonesia

Presentation and adoption of the Jakarta Statement

Session 8 – Closing ceremony

Closing remarks
from the Indonesian Delegation, Mr. H. Harijogi, Director General of Sea Communications

Closing remarks
by the Head of the Malaysian Delegation, YM Raja Datuk Malik Saripulazan Raja Kamaruzaman, Director General of Marine Department

Closing remarks
by the Head of the Singaporean Delegation, BG (NS) Choi Shing Kwok, Permanent Secretary, Ministry of Transport, Singapore

Closing remarks
from other participants

Closing remarks – expression of appreciation
by H.E. Mr. Efthimios E Mitropoulos, Secretary-General of IMO

Closure of the Meeting
by H.E. Mr. Sudjadnan Parnohadiningrat, Secretary General of Department of Foreign Affairs, Indonesia

ANNEX 2



REPUBLIC OF INDONESIA

JAKARTA MEETING ON THE STRAITS OF
MALACCA AND SINGAPORE: ENHANCING
SAFETY, SECURITY AND ENVIRONMENTAL
PROTECTION
7-8 September 2005



INTERNATIONAL MARITIME ORGANIZATION

IMO/JKT 1/2
8 September 2005
ENGLISH ONLY

JAKARTA STATEMENT

ON

**ENHANCEMENT OF SAFETY, SECURITY AND ENVIRONMENTAL PROTECTION
IN THE STRAITS OF MALACCA AND SINGAPORE**

Jakarta, Indonesia, on 8 September 2005

The Government of the Republic of Indonesia and the International Maritime Organization (IMO) convened, pursuant to the decisions of the ninety-third and ninety-fourth sessions of the IMO Council in relation to the Protection of Vital Shipping Lanes, a Meeting on the Straits of Malacca and Singapore: Enhancing Safety, Security and Environmental Protection, which took place in Jakarta on 7 and 8 September 2005 (hereinafter referred to as “the Jakarta Meeting”). The Jakarta Meeting was organized in co-operation with the Government of Malaysia and the Government of the Republic of Singapore.

The purpose of the Jakarta Meeting was to provide a forum for discussions with the aim of agreeing on a framework of co-operation to enhance the safety of navigation, environmental protection and security in the Straits of Malacca and Singapore (hereinafter referred to as “the Straits”).

The Jakarta Meeting was attended by delegations from:

AUSTRALIA	KUWAIT
BAHAMAS	LAO PEOPLE’S DEMOCRATIC
CANADA	REPUBLIC
CHINA	MALAYSIA
CROATIA	NETHERLANDS
DENMARK	NEW ZEALAND
EGYPT	NORWAY
FRANCE	PAKISTAN
GERMANY	PHILIPPINES
GREECE	REPUBLIC OF KOREA
INDIA	RUSSIAN FEDERATION
INDONESIA	SINGAPORE
IRAN (ISLAMIC REPUBLIC OF)	SPAIN
ITALY	THAILAND
JAPAN	TURKEY

UNITED KINGDOM
UNITED REPUBLIC OF
TANZANIA

UNITED STATES
VIET NAM
YEMEN

by observers from the following intergovernmental organizations:

INTERNATIONAL HYDROGRAPHIC ORGANIZATION (IHO)
ASSOCIATION OF SOUTH EAST ASIAN NATIONS (ASEAN)

and by observers from the following non-governmental organizations:

INTERNATIONAL CHAMBER OF SHIPPING (ICS)
INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS (ICFTU)
OIL COMPANIES INTERNATIONAL MARINE FORUM (OCIMF)
INTERNATIONAL FEDERATION OF SHIPMASTERS' ASSOCIATIONS (IFSMA)
INTERNATIONAL ASSOCIATION OF INDEPENDENT TANKER OWNERS
(INTERTANKO)
INTERNATIONAL GROUP OF P AND I CLUBS (P AND I)
MALACCA STRAIT COUNCIL

The Jakarta Meeting,

RECOGNIZING the strategic importance of the Straits for regional and global seaborne trade and the need to ensure that they remain safe and open to shipping at all times,

RECOGNIZING ALSO that the Straits are located within the territorial sea of Indonesia, Malaysia and Singapore (hereinafter referred to collectively as the "littoral States") and within the continental shelf and the exclusive economic zone of Indonesia and Malaysia and are straits used for international navigation as defined in the United Nations Convention on the Law of the Sea (hereinafter referred to as "UNCLOS"),

RECOGNIZING FURTHER the safety, security and environmental vulnerabilities of the Straits and the possibility that unlawful acts committed therein may have a serious negative impact on the flow of traffic there-through,

NOTING with particular concern the number of incidents of unlawful acts and armed robbery against ships and seafarers reported to have taken place in the Straits,

BEING AWARE of the multiplicity of interests in the Straits and the importance of balancing the interests between littoral and user States, while respecting the sovereignty of the littoral States,

ACKNOWLEDGING the rights and obligations of States under the international law of the sea, including the provisions of UNCLOS and, in particular, article 43 thereof calling for co-operation by agreement among user States and States bordering straits used for international navigation on matters relating to navigational and safety aids and the prevention, reduction and control of pollution from ships,

ACKNOWLEDGING ALSO the efforts and achievements of the Tripartite Technical Experts Group on Safety of Navigation (hereinafter after referred to as "TTEG") comprising officials of the three littoral States in enhancing the safety of navigation in, and the

environmental protection of, the Straits and, in particular, through routeing measures, including Traffic Separation Schemes, deep water routes, precautionary areas and ship reporting systems adopted by IMO, as well as the TTEG's progress in advancing co-operation in the maintenance of the Straits, consonant with article 43 of UNCLOS,

RECALLING that the United Nations General Assembly resolution A/RES/59/24 on Oceans and the Law of the Sea, while addressing the issues relating to maritime safety and security and the marine environment, has, *inter alia*:

- .1 urged all States, in co-operation with IMO, to combat piracy and armed robbery at sea;
- .2 noted the concerns of the IMO Council and IMO Secretary-General with regard to keeping shipping lanes of strategic importance and significance safe and open to international maritime traffic and thereby ensuring the uninterrupted flow of traffic, and welcomed the Council's request, in this regard, that the Secretary-General of IMO continue work on the issue in collaboration with parties concerned; and
- .3 emphasized the importance to protect and preserve the marine environment and its living marine resources against pollution and physical degradation,

RECALLING ALSO the ASEAN Declarations, Statements, Joint Communiqués and Action Plans on Combating Terrorism; including the ASEAN Regional Forum Statements on Cooperation Against Piracy and Other Threats to Maritime Security and on Strengthening Transport Security Against International Terrorism,

UPHOLDING the Batam Joint Statement, adopted on 2 August 2005 by the Fourth Tripartite Ministerial Meeting of the Littoral States on the Straits of Malacca and Singapore, which, *inter alia*:

- .1 reaffirms that the primary responsibility over the safety of navigation, environmental protection and maritime security in the Straits lies with the littoral States;
- .2 emphasizes that whatever measures are undertaken in the Straits should be in accordance with international law including UNCLOS and in this regard acknowledges the interests of user States and relevant international agencies and the role they could play in respect of the Straits;
- .3 recognizes the importance of the Tripartite Ministerial Meeting on the Straits of Malacca and Singapore in providing the overall framework for co-operation;
- .4 recognizes the importance of engaging the States bordering the funnels leading to the Straits and the major users of the Straits;
- .5 acknowledges that the littoral States should address the issues of maritime security comprehensively which includes transboundary crimes such as piracy, armed robbery and terrorism;

- .6 acknowledges also the work of the TTEG on Safety of Navigation and the Revolving Fund Committee which manages a fund for enabling the prompt response to oil spills from ships;
- .7 provides for the establishment of a Tripartite Technical Expert Group on Maritime Security to complement the work of the TTEG on Safety of Navigation and the Revolving Fund Committee; and
- .8 recognizes the importance of and welcomes the closer collaboration between the littoral States and the international community and, in particular, the assistance of the user States, relevant international agencies, and the shipping community in areas of capacity building, training and technology transfer, and other forms of assistance in accordance with UNCLOS,

RECOGNIZING the previous efforts of IMO through international conferences and regional workshops in 1993, 1996, 1999 and 2001, and other regional fora such as the ASEAN and the ASEAN Regional Forum, to promote greater co-operation among littoral States and stakeholders in maritime safety and marine environment protection, as well as in regional anti-piracy co-operative arrangements,

COMMENDING the efforts of the defense forces of the littoral States and Thailand in strengthening modalities for co-operation such as the initiative of Indonesia on the Malacca Strait Security Initiative in an effort to enhance maritime security in the Straits,

RECOGNIZING the positive results of co-ordinated maritime patrols among the security forces of the littoral States and other co-operative maritime security arrangements and measures in the Straits,

ACKNOWLEDGING the potential of the Marine Electronic Highway concept, currently under development by IMO in co-operation with the littoral States and other stakeholders, in enhancing navigational safety and environmental protection in the Straits and the littoral States' decision to establish a pilot project of the Marine Electronic Highway, with the Project Management Office in Batam, Indonesia,

NOTING the valuable role and function of the Maritime Enforcement Co-ordination Center in Perak, Malaysia in addressing unlawful acts and armed robbery against ships,

NOTING ALSO the importance of the forthcoming establishment of the ReCAAP Information Sharing Center in Singapore, in addressing piracy and armed robbery against ships and welcoming the signing of ReCAAP by five States,

NOTING WITH APPRECIATION the contribution States and other stakeholders have made and continue to make towards the enhancement of the safety of navigation in, and the protection of the environment of, the Straits,

RESPECTING FULLY the sovereignty, sovereign rights, jurisdiction and territorial integrity of the littoral States, the principle of non-intervention, and the relevant provisions of international law, in particular the UNCLOS,

DESIRING that the Straits remain safe and open to international shipping at all times, as provided for under international law, in particular UNCLOS, and where applicable, domestic law, and to build upon and enhance existing co-operative arrangements and measures towards this end,

DESIRING FURTHER to enhance the safety, security and environmental protection of the Straits,

HAS AGREED:

- (a) that the work of the TTEG on Safety of Navigation in enhancing the safety of navigation and in protecting the marine environment in the Straits, including the efforts of the TTEG in relation to the implementation of article 43 of UNCLOS in the Straits should continue to be supported and encouraged;
- (b) that a mechanism be established by the three littoral States to meet on a regular basis with user States, the shipping industry and others with an interest in the safe navigation through the Straits, to discuss issues relating to the safety, security and environmental protection of the Straits, as well as to facilitate co-operation in keeping the Straits safe and open to navigation, including exploring the possible options for burden sharing, and to keep the IMO informed, as appropriate, of the outcome of such meetings;
- (c) that efforts should be made through the three littoral States to establish and enhance mechanisms for information exchange within and between States, building, where possible, on existing arrangements such as Tripartite Technical Expert Group mechanisms, so as to enhance maritime domain awareness in the Straits and thus contribute to the enhancement of co-operative measures in the areas of safety, security and environmental protection;
- (d) to promote, build upon and expand co-operative and operational arrangements of the three littoral States, including the Tripartite Technical Expert Group on Maritime Security, co-ordinated maritime patrols in the Straits through, *inter alia*, maritime security training programmes and other forms of co-operation, such as maritime exercises, with a view to further strengthening capacity building in the littoral States to address security threats to shipping,

HAS INVITED the IMO to consider, in consultation with the littoral States, convening a series of follow-on meetings for the littoral States to identify and prioritize their needs, and for user States to identify possible assistance to respond to those needs, which may include information-exchange, capacity-building, training and technical support, with a view to promote and co-ordinate co-operative measures,

EXPRESSED DEEP APPRECIATION to the Government of the Republic of Indonesia for the excellent arrangements made for, the facilities and generous hospitality provided during, the Jakarta Meeting; and to the Governments of the Republic of Indonesia, Malaysia and the Republic of Singapore and the International Maritime Organization for their strenuous efforts to prepare for the Jakarta Meeting and ensure its successful conclusion.