United States Department of State

Bureau of Oceans and International Environmental and Scientific Affairs

Limits in the Seas

No. 138

Papua New Guinea:

Archipelagic and other Maritime Claims and Boundaries

LIMITS IN THE SEAS

No. 138

PAPUA NEW GUINEA

ARCHIPELAGIC AND OTHER MARITIME CLAIMS AND BOUNDARIES

May 23, 2014

Office of Ocean and Polar Affairs
Bureau of Oceans and International Environmental and Scientific Affairs
U.S. Department of State

This study is one of a series issued by the Office of Ocean and Polar Affairs, Bureau of Oceans and International Environmental and Scientific Affairs in the Department of State. The purpose of the series is to examine a coastal State's maritime claims and/or boundaries and assess their consistency with international law. This study represents the views of the United States Government only on the specific matters discussed therein and does not necessarily reflect an acceptance of the limits claimed.

This study, and earlier studies in this series, may be downloaded from http://www.state.gov/e/oes/ocns/opa/c16065.htm. Comments and questions should be emailed to LimitsInTheSeas@state.gov. Principal analysts for this study are Brian Melchior and Kevin Baumert.

Introduction

This study analyzes the maritime claims and maritime boundaries of the Independent State of Papua New Guinea, including its archipelagic baseline claim. Papua New Guinea's National Seas Act 1977, Act No. 7 of February 7, 1977, identified the islands comprising three archipelagos of Papua New Guinea (Annex 1 to this study).[1] The Offshore Seas Proclamation 1978 identified the coordinates of the lines delimiting the offshore areas of Papua New Guinea, with effect from March 31, 1978 (Annex 2 to this study).[2] The Declaration of the Baselines by Method of Coordinates of Base Points for Purposes of the Location of Archipelagic Baselines was issued on July 25, 2002, and established the coordinates of the archipelagic baselines of the Papua New Guinea's Principal Archipelago (Annex 3 to this study).[3] The archipelagic baselines are shown on Map 1 to this study.

The National Seas Act 1977 also established a 12-nautical mile (nm) territorial sea and 200-nm "offshore seas" that were declared in 1978 to be a fishing zone.[4] Papua New Guinea ratified the United Nations Convention on the Law of the Sea (LOS Convention) and consented to be bound by the 1994 Agreement Relating to the Implementation of Part XI of the Convention on January 14, 1997.[5]

Basis for Analysis

The LOS Convention contains certain provisions related to archipelagic States. Article 46 provides that an "archipelagic State" means "a State constituted wholly by one or more archipelagos and may include other islands." An "archipelago" is defined as "a group of islands, including parts of islands, interconnecting waters and other natural features which are so closely interrelated that such islands, waters and other natural features form an intrinsic geographical, economic and political entity, or which historically have been regarded as such."

Only an "archipelagic State" may draw archipelagic baselines. Article 47 sets out criteria to which an archipelagic State must adhere when establishing its archipelagic baselines (Annex 4 to this study).

---

[1] The text of the National Seas Act 1977, Act No. 7 of Feb. 7, 1977, is available from the UN Division for Ocean Affairs and the Law of the Sea (DOALOS), at: http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/PNG_1977_Act7.pdf. The Act is also available at: http://www.paclii.org/pg/legis/consol_act/nsa1977139/.

[2] The text of the Offshore Seas Proclamation 1978, Mar. 28, 1978, is available from DOALOS, at: http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/PNG_1978_Proclamation.pdf and DOALOS, *Practice of Archipelagic States* 61-74 (1992). The Proclamation also appears in R.W. Smith, *Exclusive Economic Zone Claims: An Analysis and Primary Documents* 363-367 (Dordrecht: Martinus Nijhoff, 1986).

[3] The text of the 2002 declaration of archipelagic baselines appears in *Law of the Sea Bulletin* No. 50, at 31-33, http://www.un.org/Depts/los/doalos_publications/LOSBulletins/bulletinpdf/bulletinE50.pdf and at http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/PNG_2002_Declaration.pdf.

[4] Declaration of Fishing Zone of March 17, 1978, appears in DOALOS, *National Legislation on the Exclusive Economic Zone, the Economic Zone and the Exclusive Fishery Zone*, at 238 and is also available at http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/DEPOSIT/png_mzn41_2002.pdf (p. 14).

[5] United Nations Convention on the Law of the Sea, Montego Bay, opened for signature Dec. 10, 1982, entered into force Nov. 10, 1994, 1833 UNTS 397, available from DOALOS, at: http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm.

Under Article 47.1, an archipelagic State may draw straight archipelagic baselines joining the outermost points of the outermost islands and drying reefs of the archipelago, provided that within such baselines are included the main islands and an area in which the ratio of the area of the water to the area of the land, including atolls, is between 1 to 1 and 9 to 1. In addition, the length of any baseline segment shall not exceed 100 nm except that up to 3 percent of the total number of baselines may have a length up to 125 nm (Article 47.2).

Additional provisions of Article 47 state that such baselines shall not depart to any appreciable extent from the general configuration of the archipelago; that such baselines shall not be drawn, with noted exceptions, using low-tide elevations; and that the system of such baselines shall not be applied in such a manner as to cut off from the high seas or exclusive economic zone (EEZ) the territorial sea of another State (Article 47.3 - 47.5).

The LOS Convention further reflects the specific rights and duties given to archipelagic States over their land and water territory. Article 53 allows the archipelagic State to "designate sea lanes . . . suitable for the continuous and expeditious passage of foreign ships . . . through . . . its archipelagic waters and the adjacent territorial sea." Also, Article 53.12 provides that "[i]f an archipelagic State does not designate sea lanes . . ., the right of archipelagic sea lanes passage may be exercised through the routes normally used for international navigation."

Analysis[6]

Papua New Guinea is an archipelagic state located in the Western Pacific Ocean, north of Australia, to the west of the Solomon Islands, and to the east of Indonesia. Papua New Guinea is composed of the eastern half of the island of New Guinea and many other islands. The National Seas Act provides that Papua New Guinea islands are located in the Principal Archipelago, the Nukumanu Islands Archipelago, and the Tauu Islands Archipelago.[7]

Baselines

Papua New Guinea's 2002 Declaration establishes archipelagic baselines for the Principal Archipelago. (The coordinates of lines enclosing the Tauu Islands Archipelago and the Nukumanu Islands Archipelago have not been published.[8]) The archipelagic baseline system for the Principal Archipelago is composed of 77 baseline segments, including 74 straight archipelagic baselines and three normal baselines.[9] The 74 archipelagic baselines range in length from 0.89 nm (segment 19-20) to 174.78 nm (segment 34-35), with a total length of 2,275 nm.

---

[6] The analysis was conducted in ESRI ArcMap 10, using the Universal Transverse Mercator, Zones 55 and 56 South projection and is based on the World Geodetic System 1984 (WGS84).

[7] National Seas Act 1977 (*supra*, note 1, Annex 1 of this study), Part V and Schedule 2.

[8] Parts 2 and 3 of Schedule 2 of the National Seas Act 1977 (*supra*, note 1, Annex 1 of this study), establish "Interim Delimitation of Archipelagic Waters" for these two archipelagos. These two interim delimitations may have expired by virtue of Papua New Guinea's 2002 Declaration of archipelagic baselines for the Principal Archipelago. *See* Section 9 of the National Seas Act 1977, *supra*, note 1, Annex 1 to this study.

[9] LOS Convention, Art. 5 (". . . the normal baseline . . . is the low-water line along the coast as marked on large-scale charts officially recognized by the coastal State.")

As illustrated in Map 1, this baseline system begins at point 1, which the 2002 Declaration lists as being located at Wuvulu Island. The listed geographic coordinate, however, is more than 50 nm south of Wuvulu Island, and there does not appear to be any island or other drying feature at the geographic coordinate listed for point 1. The baseline system ends at point 78, on Suau Island.[10]

The archipelagic baseline system for the Principal Archipelago of Papua New Guinea meets the water-to-land area ratio set forth in Article 47.1:

Total Area = 1,028,391 square kilometers
Water Area = 565,551 square kilometers
Land Area = 462,840 square kilometers[11]
Water-to-land area ratio = 1.22:1

However, the archipelagic baseline system claimed by Papua New Guinea does not meet other requirements set forth in Article 47. As noted, Article 47.1 provides that an "archipelagic State may draw straight archipelagic baselines *joining the outermost points of the outermost islands* . . . of the archipelago" (emphasis added). Papua New Guinea's baseline system for the Principal Archipelago does not join the outermost points of all the outermost islands. Specifically, the points do not connect to form a single enclosed system of land and water. Rather, the starting and ending points of the archipelagic baseline system do not connect to the island of New Guinea. Point 1 (listed as Wuvulu Island) is approximately 40 nm from the nearest point on the island of New Guinea and 110 nm from the northern terminus of the Papua New Guinea – Indonesia land border. The final baseline point, point 78, is on Suau Island approximately 1 nm from the nearest point on the island of New Guinea.[12]

Consistent with Article 47.2 of the LOS Convention, one baseline segment (33-34), which comprises 1.35 percent of the total number of segments, exceeds 100 nm in length. However, at 174.78 nm in length, this segment exceeds the maximum permissible length of 125 nm set forth in Article 47.2. Annex 5 to this study lists the lengths of each baseline segment claimed by Papua New Guinea.

The configuration of the baselines does not appear to depart to any appreciable extent from the general configuration of the archipelago (Article 47.3). None of the baselines appear to be

---

[10] It should also be noted that the 2002 Declaration does not list a coordinate for point 39, which is described as being located at Cape Rungnoum. The analyst used available large-scale charts and other geographic data sources to determine the geographic coordinate of Cape Rungnoum.

[11] Land area number may be found in the World Factbook entry for Papua New Guinea, at: https://www.cia.gov/library/publications/the-world-factbook/geos/pp.html.

[12] Note that the interim delimitation of the Principal Archipelago set forth in Papua New Guinea's National Seas Act 1977 (*supra*, note 1, Annex 1 of this study) does include the eastern part of the island of New Guinea and its adjacent waters within the archipelagic baselines. *See* Schedule 1 of the Act, which describes a "line commencing at the southernmost point of the land boundary with Indonesia and following that boundary to its northernmost point and then following the geodesic lines successively linking the outermost low water points of the following land areas, namely (a) Wuvulu Island; . . . (zzze) Suau Island; (zzzf) the southern coast of the island of New Guinea (in a westerly direction to the point of commencement)."

drawn using low tide elevations (Article 47.4). The baselines are not drawn in a way that would cut off from the high seas or EEZ the territorial sea of another State (Article 47.5).

In conclusion the archipelagic baseline system for the Principal Archipelago of Papua New Guinea is not consistent with the LOS Convention. First, the requirement in Article 47.1 that the baselines "join[] the outermost points of the outermost islands . . . of the archipelago" has not been met. Although it appears that Papua New Guinea intended to include the island of New Guinea in its archipelagic baseline system, baseline segments enclosing New Guinea and its waters are missing.[13] Second, baseline segment 34-35 is 174.78 nm in length, which exceeds the maximum permissible length of 125 nm set forth in Article 47.2. Last, there is the issue of whether the coordinate for point 1 was intended to be on open water or actually on Wuvulu Island, as described in the 2002 Declaration. If it is intended to be on open water, it does not meet the requirements of the LOS Convention. If it was intended to be on Wuvulu Island, the geographic coordinate needs to be corrected.

Although Papua New Guinea has not published coordinates for archipelagic baselines enclosing the Tauu Islands Archipelago and the Nukumanu Islands Archipelago, parts 2 and 3 of schedule 2 of the National Seas Act 1977 provide for "interim delimitation of archipelagic waters" and refer to a continuous line "between the outermost points of islands, shoals, rocks, and reefs... ."[14] What Papua New Guinea refers to as "archipelagos" are technically single atolls surmounted by islands that appear to be unsuitable for enclosure by archipelagic baselines under Article 47 of the Convention. Map 2 to this study shows these two island features. In any case, Article 47 is of little consequence for these two features considering that the waters within the lagoons are likely internal waters.[15]

Territorial Sea and other Maritime Zones

Section 7(4) of the National Seas Act 1977 provides that the archipelagic waters of Papua New Guinea are those waters enclosed by the declared archipelagic baselines.

Section 3 of the Act establishes a territorial sea of 12-nm from the archipelagic or other baseline provided for in Schedule 1 of the Act, which is generally the low water line.[16]

Section 6 of the Act establishes "offshore seas" extending 200 nm from the baselines, and the Offshore Seas Proclamation 1978 delimits the offshore seas.[17] The 200-nm offshore seas are

---

[13] *See supra*, note 12.
[14] *See supra* note 8.
[15] *See* LOS Convention, Art. 6 ("In the case of islands situated on atolls or of islands having fringing reefs, the baseline for measuring the breadth of the territorial sea is the *seaward low-water line of the reef*, as shown by the appropriate symbol on charts officially recognized by the coastal State." Emphasis added). *See also* DOALOS, *Baselines: An Examination of the Relevant Provisions of the United Nations Convention on the Law of the Sea*, at 10-11 (1989) (noting that "it may be inferred [from Article 6 and other Convention provisions] that the enclosed waters [within a lagoon] can be regarded as internal waters.").
[16] Offshore Seas Proclamation 1978 (*supra* note 2 and Annex 2 to this study), Section 5 and Schedule 6, also provide that certain of these areas are not included in the territorial sea.
[17] Offshore Seas Proclamation 1978 (*supra* note 2 and Annex 2 to this study). The line described in Schedules 1, 2 and 3 of the Proclamation delimits the offshore seas for the purposes of Section 6 of the National Seas Act 1977. Section 4 and Schedule 4 of the Proclamation provides that certain of these areas are not included in offshore seas.

shown in Map 3. The Declaration of Fishing Zone of March 17, 1978 established "the whole of the offshore seas ... [as a] fishing zone.[18]

The Continental Shelf (Living Natural Resources) Act No. 5 of 1977, amending the Continental Shelf (Living Natural Resources) Act 1974, defines Papua New Guinea's continental shelf in a manner similar to the definition contained in the 1958 Convention on the Continental Shelf.[19] Papua New Guinea has made two communications to the Commission on the Limits of the Continental Shelf (CLCS) pursuant to paragraph 8 of Article 76 of the LOS Convention. On May 5, 2009, Papua New Guinea, the Federated States of Micronesia, and the Solomon Islands made a joint submission to the CLCS on the limits of the continental shelf beyond 200 nm concerning the Ontong Java Plateau.[20] On the same day, Papua New Guinea separately submitted preliminary information to the CLCS on the limits of its continental shelf beyond 200 nm for the Mussau Ridge and Eauripik Rise Areas.[21]

In 2009, the government of Papua New Guinea stated that maritime zones legislation was being prepared "which will declare all of the maritime zones of Papua New Guinea including the continental shelf, in a manner that reflects the relevant provisions of the LOS Convention."[22]

Internal Waters

Section 5 of the National Seas Act 1977, refers to Papua New Guinea's internal waters, including "bays, gulfs, inlets of the sea, rivers, rivulets, streams, lakes and lagoons." As provided for in Article 50 of the LOS Convention, "Within its archipelagic waters, the archipelagic State may draw closing lines for the delimitation of internal waters, in accordance with articles 9, 10 and 11 [pertaining to mouths of rivers, bays, and ports, respectively.]" Schedule 1 of the National Seas Act contains provisions on rivers and bays that are generally consistent with Articles 9 ("Mouths of Rivers") and 10 ("Bays") of the Law of the Sea Convention. As of May 2014, Papua New Guinea has not delimited any river mouths or bays with closing lines with geographic coordinates.

---

[18] *See supra* note 4.

[19] The Continental Shelf (Living Natural Resources) (National Seas) Act 1977, Act No. 5 of February 7, 1977, amending the Continental Shelf (Living Natural Resources) Act 1974 appears in DOALOS, *National Legislation on the Continental Shelf*, at 211-218 and is available at: http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/PNG_1977_Act5.pdf and http://www.paclii.org/pg/legis/consol_act/csnra443. The definition of "continental shelf" contained in Article 1 of the Continental Shelf Convention refers "(a) to the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea, to a depth of 200 metres or, beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the natural resources of the said areas; (b) to the seabed and subsoil of similar submarine areas adjacent to the coasts of islands." Convention on the Continental Shelf, Geneva, opened for signature Apr. 29, 1958, entered into force June 10, 1964, 499 UNTS 312.

[20] Joint submission by the Federated States of Micronesia, Papua New Guinea and the Solomon Islands, May 5, 2009, available at: http://www.un.org/depts/los/clcs_new/submissions_files/submission_fmpgsb_32_2009.htm.

[21] Preliminary Information Indicative of the Outer Limits of the Continental Shelf Beyond 200 Nautical Miles for the Mussau Ridge and Eauripik Rise Areas, May 5, 2009, available at: http://www.un.org/depts/los/clcs_new/submissions_files/preliminary/png_preliminaryinfo.pdf.

[22] Joint Submission, *supra* note 20, at para. 1-4.

Navigation

The Papua New Guinea legislation does not address navigation matters.

Maritime Boundaries

Papua New Guinea has established maritime boundaries with Australia, Indonesia, and the Solomon Islands. Papua New Guinea has an undelimited boundary with the Federated States of Micronesia and potentially also with Indonesia and the Solomon Islands in continental shelf areas beyond 200 nm. The maritime boundaries are shown on Map 3 to this study.

Papua New Guinea's maritime boundary agreement with Australia, concluded in 1978, establishes several maritime boundaries and addresses a wide range of related issues, including sovereignty over islands, fishing, and protection of the marine environment, among others.[23] The treaty is unusual in that it creates four different kinds of maritime boundaries and limits: (1) territorial sea boundaries for certain small Australian islands located close to the Papua New Guinea coast; (2) a seabed jurisdiction boundary; (3) a fisheries jurisdiction boundary; and (4) a Protected Zone for the purpose of, *inter alia*, protecting the "traditional way of life and livelihood of the traditional inhabitants including their traditional fishing and free movement."

Papua New Guinea's maritime boundary agreement with Indonesia, concluded in 1980, establishes a continental shelf boundary of three segments that is nearly 200 nm in length.[24] The boundary connects to the northern terminus of the territorial sea and continental shelf boundary line established by the 1971 Seabed Agreement between the two countries, which extends northward from where the Papua New Guinea – Indonesia land boundary meets the sea. Although the 1980 boundary agreement pertains to the continental shelf, its Article 4 provides that the boundary line in this and other relevant agreements "shall, so far as it might be relevant, be the boundary of the exclusive economic zone or fishing zone [between the two countries] which either Government might establish in accordance with international law."

Papua New Guinea's boundary agreement with the Solomon Islands, concluded in 1998 (but not yet in force), provides for a 12-segment boundary of approximately 1,000 nm in length that delimits their respective territorial seas, EEZs and continental shelves.[25] The agreement also addresses a range of related issues, such as cooperation on living and non-living resources and protection of the marine environment.

---

[23] Treaty between Australia and the Independent State of Papua New Guinea Concerning Sovereignty and Maritime Boundaries in the Area between the Two Countries, including the Area Known as Torres Strait, and Related Matters, Sydney, Dec. 18, 1978, entered into force Feb. 15, 1985, 1478 UNTS 207, 18 ILM 201-331 (1979). I *International Maritime Boundaries* 929 (1993). *See also Limits in the Seas* No. 87 (1979).

[24] Agreement between the Government of Indonesia and the Government of Papua New Guinea Concerning the Maritime Boundary between the Republic of Indonesia and Papua New Guinea and Cooperation on related Matters, Jakarta, Dec. 13, 1980, entered into force July 10, 1982, UNTS , I *International Maritime Boundaries* 1039. *See also* Agreement between Australia and Indonesia Concerning certain Boundaries between Papua New Guinea and Indonesia, Jakarta, Feb. 12, 1973, entered into force Nov. 26, 1974, 975 UNTS 3, II *International Maritime Boundaries* 1219 and *Limits in the Seas* No. 87 (Annex III, 1979).

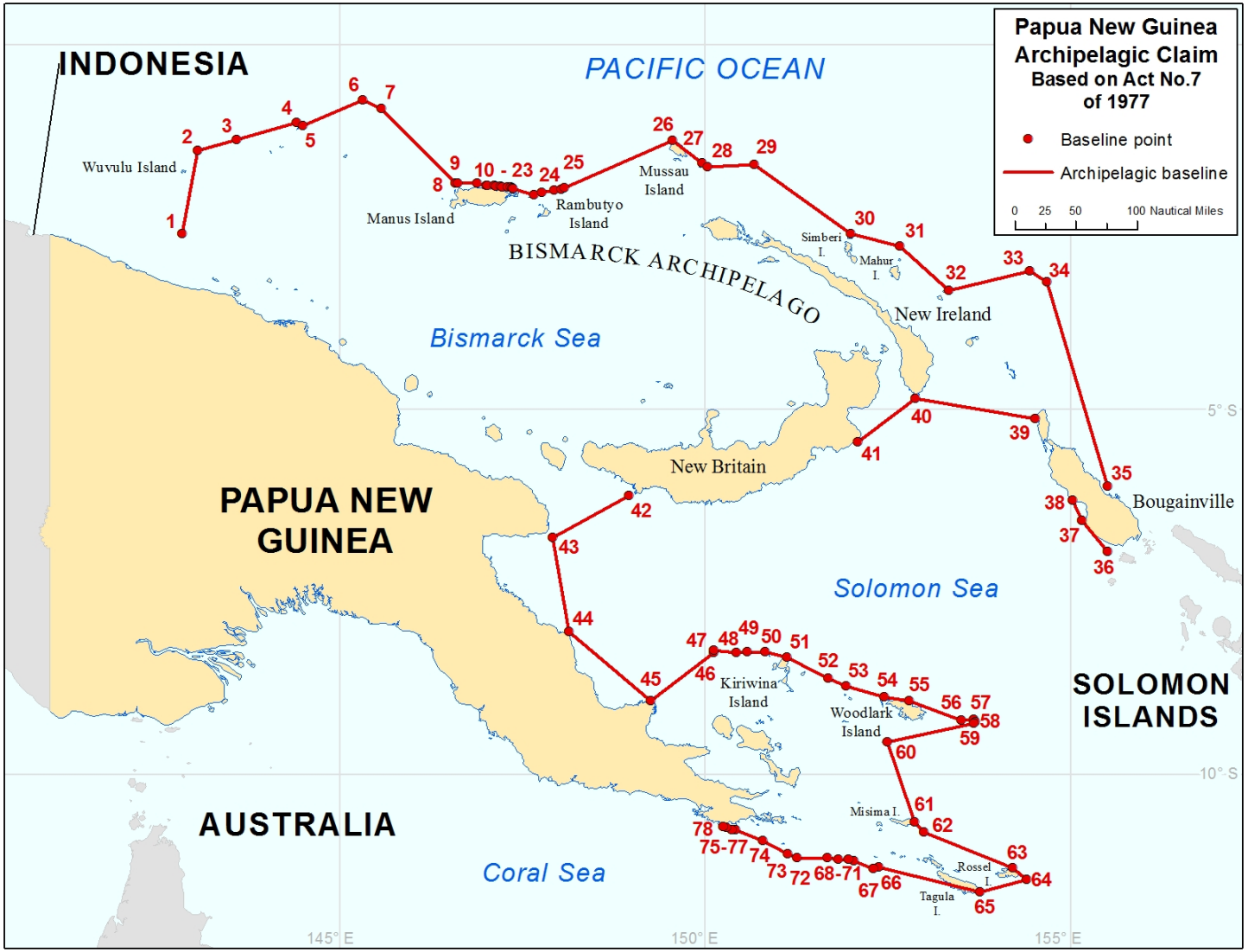
[25] Treaty between the Independent State of Papua New Guinea and Solomon Islands Concerning Sovereignty, Maritime and Seabed Boundaries between the Two Countries, and Cooperation on Related Matters, Port Moresby Jan. 25, 1989, not in force, I *International Maritime Boundaries* 1162, III *id*. 2323-2333 (1998).

Conclusion

The archipelagic baseline system for Papua New Guinea's Principal Archipelago does not meet the requirements of the LOS Convention. The baseline system does not join the outermost points of all the outermost islands of the archipelago (Article 47.1), and one baseline segment exceeds the maximum permissible length of 125 nm (Article 47.2). The government of Papua New Guinea has stated that it is preparing maritime zones legislation that will align all the maritime zones of Papua New Guinea with the relevant provisions of the LOS Convention.

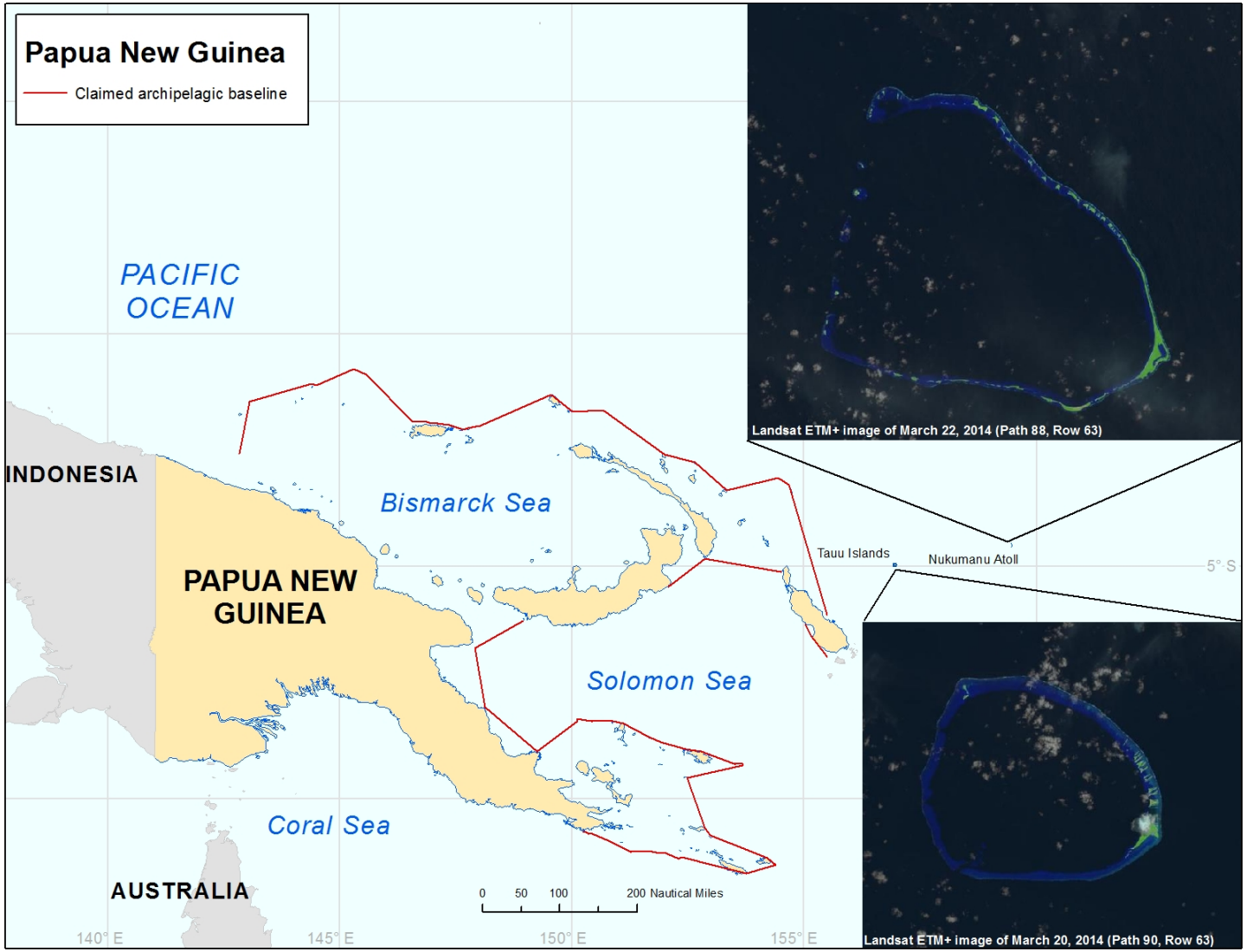
Map 1

Illustrative Map of the Archipelagic Baselines of Papua New Guinea



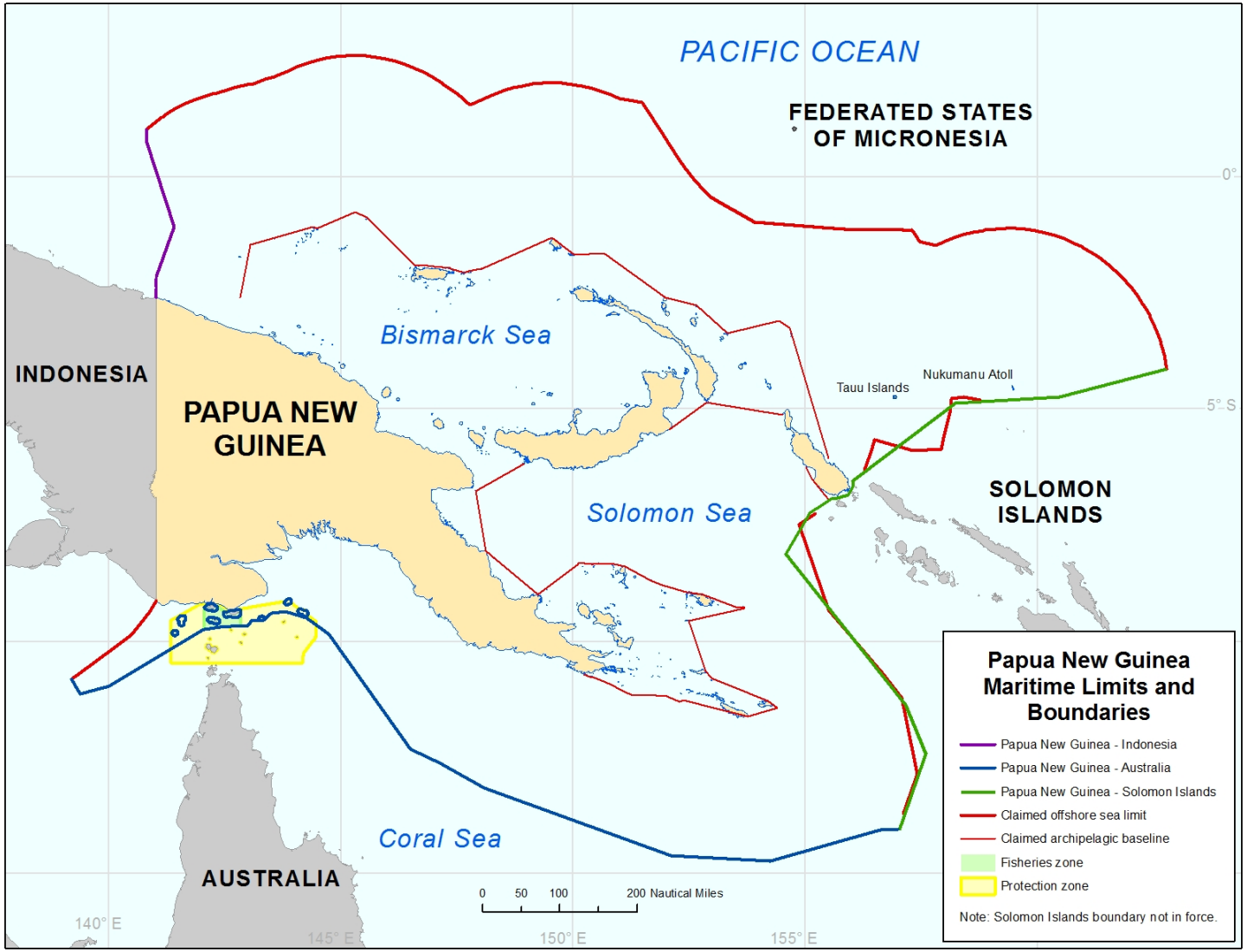
Map 2

Illustrative Map of the Tauu Islands and Nukumanu Atoll



Map 3

Illustrative Map of the Maritime Boundaries of Papua New Guinea



Annex 1

National Seas Act 1977
Act No. 7 of 7 February 1977

AN ACT
entitled
National Seas Act 1977,

Being an Act to describe and provide for the demarcation of–

(a) the territorial sea; and
(b) the internal waters; and
(c) the offshore seas; and
(d) the archipelagic waters,

for the purpose of asserting the rights of the State in relation to those areas.

PART I. – PRELIMINARY.

1. INTERPRETATION.

(1) In this Act, unless the contrary intention appears–

"baseline" means territorial sea baseline;
"low water elevation" means a naturally formed area of land surrounded by and above water at mean low water springs but submerged at high water;
"low water line" means the low water line at mean low water springs;
"miles" means international nautical miles.

(2) For the purposes of this Act–

(a) the eastern part of the island of New Guinea; and
(b) each island under the sovereignty of the State,

shall be deemed to have a separate continuous baseline.

PART II. – TERRITORIAL SEA.

2. DESCRIPTION OF TERRITORIAL SEA.

The territorial sea of the State comprises all the waters, being waters forming part of the offshore seas, contained between the baselines and the outer-limit lines except for any such waters proclaimed under this section by the Head of State, acting on advice, not to form part of the territorial sea. [*See infra* Offshore Seas Proclamation 1978, Section 5 and Schedule 6, at Annex 2 of this study.]

3. LOCATION OF LIMITS OF TERRITORIAL SEA.

(1) In this section "limit point" means a point that is 12 miles seaward from the nearest point on a baseline.

(2) For the purposes of Section 2–

(a) the location of a baseline or a part of a baseline may be determined by the Head of State, acting on advice, by notice in the National Gazette; and
(b) an outer-limit line is the line every point of which is a limit point.

4. BASELINES WHERE NO DETERMINATION MADE.

Where no determination has been made under Section 3 in relation to any part of the coast, then to that extent the location of the baseline shall be ascertained in accordance with Schedule 1.

PART III. – INTERNAL WATERS.

5. DESCRIPTION OF INTERNAL WATERS.

(1) In this section, "waters" includes bays, gulfs, inlets of the sea, rivers, rivulets, streams, lakes and lagoons.

(2) The internal waters of the State comprise the waters in any part of the country including all waters on the landward side of the baselines.

PART IV. – OFFSHORE SEAS.

6. DESCRIPTION OF OFFSHORE SEAS.

Subject to delimitation of boundaries in relation to neighbouring states, the offshore seas of the State–

(a) extend to a distance of 200 miles seaward from the baselines; and
(b) unless otherwise specified, shall be deemed to comprise all the waters outside the baselines and within a line proclaimed for the purposes of this section by the Head of State, acting on advice, in the National Gazette. [*See infra* Offshore Seas Proclamation 1978, Schedules 1, 2 and 3.]

PART V. – ARCHIPELAGIC WATERS.

7. DESCRIPTION OF ARCHIPELAGIC WATERS.

(1) In this section–

"associated feature" means any–

(a) islet; or
(b) rock; or
(c) drying reef; or
(d) off-lying low water elevation,

that is within the area of the offshore seas and is adjacent to, near or associated with a feature of the coastline;
"feature of the coastline" includes promontory, cape, reef, mud bank, and sandbar;
"low water point" means the mark at mean low water springs on a feature of the coastline or on an associated feature;

"the Nukumanu Islands Archipelago" means all of the islands lying between the parallels 4° 20' and 4° 50' south latitude and between the meridians 159° and 160° east longitude;

"the Tauu Islands Archipelago" means all of the islands lying between the parallels 4° 30' and 5° south latitude and between the meridians 156° 30' and 157° 30' east longitude.

(2) The archipelagic waters of the State comprise all the waters of the archipelagos under the sovereignty of the State, being waters which, subject to Subsection (3), form part of the offshore seas.

(3) The internal waters of the Tauu Islands Archipelago and of the Nukumanu Islands Archipelago may form part of the archipelagic waters.

(4) For the purposes of Subsection (2) the waters of an archipelago are the waters within a line delimited, for the purposes of this section, by the Head of State, acting on advice, by notice in the National Gazette.

(5) Archipelagic waters may be delimited in relation to land areas by reference to low water points.

PART VI. – MISCELLANEOUS.

8. LOCATION OF LINES IN CASES OF DOUBT.

(1) In any case where there is doubt as to the location of a baseline or any other line delimited under this Act the Minister may, by notice in the National Gazette, declare the location of the baseline or other line by whatever method appears to him to be appropriate. [*See infra* Declaration of the Baselines by Method of Coordinates of Base Points for Purposes of the Location of Archipelagic Baselines, at Annex 3.]

(2) A reference in Subsection (1) to a baseline or other line includes a reference to part of a baseline or other line.

PART VII. – TRANSITIONAL.

9. INTERIM DELIMITATION OF ARCHIPELAGIC WATERS.

(1) This section and Schedule 2 expire on the commencement of the first notice made under Section 7.

(2) Until the archipelagic waters are delimited in accordance with Section 7 the archipelagic waters shall be deemed to have been delimited under that section in accordance with the line described in Schedule 2.

SCHEDULE 1 – PRINCIPLES FOR ASCERTAINING BASELINES.

Sch. 1.1. Interpretation of Schedule 1.

(1) In this Schedule "bay" means an indentation in the coastline the area of which is at least as great as that of a semicircle with a diameter equal to the distance across the mouth of the indentation.

(2) For the purposes of this Schedule the outermost permanent harbour works that form an integral part of a harbour system shall be deemed to form part of the coast.

Sch. 1.2. General principle.

Subject to this Schedule, in respect of each part of the coast the baseline follows the low water line.

Sch. 1.3. Bays.

Where the distance between the low water line on each natural entrance point of a bay–

(a) does not exceed 24 miles, the baseline follows a straight line between those two points; or
(b) exceeds 24 miles, the baseline follows a straight line of 24 miles length within the bay positioned so as to enclose the maximum area of water.

Sch. 1.4. Low water elevations.

(1) Where low water elevation is situated wholly or partly within 12 miles of the coast the baseline follows the low water line of the elevation.

(2) A low water elevation does not become part of the coast by virtue of Subsection (1).

Sch. 1.5. Rivers.

In respect of the mouth or each mouth of a river which flows into the sea the baseline follows a straight line across the river mouth between the points on the low water line of each bank.

SCHEDULE 2 – INTERIM DELIMITATION OF ARCHIPELAGIC WATERS.

PART 1 – THE PRINCIPAL ARCHIPELAGO.

A line commencing at the southernmost point of the land boundary with Indonesia and following that boundary to its northernmost point and then following the geodesic lines successively linking the outermost low water points of the following land areas, namely:–

(a) Wuvulu Island;
(b) Aua Island:
(c) Manu Island;
(d) Palitolla Iasland (Pellelehu Group);
(e) Heina Islands;
(f) Sae Islands;
(g) Kaniet Islands
(h) Marengan Island;
(i) Ahet Island;
(j) Ponam Island;
(k) Andra Island;
(l) Hapinbuch Island;
(m) Hus Island;
(n) Onpeta Island;
(o) Mandrindr Island;
(p) Pityilu Island;
(q) Hauwei Island;
(r) Ndrilo Island;
(s) Koruniat Island;
(t) Los Negros Island;
(u) Pak Island;
(v) Tong Island;
(w) Towi Island;

(x) Putuli Island
(y) Mbatmanda Island;
(z) Mussau Island;
(za) Emirau Island;
(zb) Elomusao Island;
(zc) Enus Island;
(zd) Simberi Island;
(ze) Mahur Island;
(zf) Boang Island;
(zg) Malum Islands;
(zh) Southern Nugaria Islands;
(zi) Kilinailau Islands;
(zj) Anusagaio Island;
(zk) Islands and low water points around the south east and south coast of Bougainville to Kabukeai Island
(zl) Motupena Point;
(zm) Puruata Island;
(zn) Islands and low water points along the north west coast of Bougainville to Cape Rungnoum;
(zo) Cape St. George (New Ireland);
(zp) Cape Orford (New Britain);
(zq) Islands and low water points along the south coast of New Britain to Kauptimeti Island;
(zr) Tami Island;
(zs) Mitre Rock;
(zt) Cape Nelson;
(zu) Kanapu Island;
(zv) Gwadarab Island;
(zw) Kuaniagal Island;
(zx) Simlindon Island;
(zy) Kadai Island;
(zz) Bomatu Point (Kiriwina Island);
(zza) Iwa Island;
(zzb) Dugumenu Island;
(zzc) Cam Point (Madau Island);
(zzd) Woodlark Island;
(zze) Cannac Island;
(zzf) Wabomat Island;
(zzg) Budelun Island;
(zzh) Bukulan Island;
(zzi) Oburak Island;
(zzj) Tokona Island;
(zzk) Cape Henry (Misima Island);
(zzl) Renard Islands;
(zzm) Rossel Island;
(zzn) Loa Boloba Island;
(zzo) Tagula Island;
(zzp) Duchateau Island;
(zzy) Pana Boba Island;
(zzr) Montemont Island;
(zzs) Pana Waipona Island;
(zzt) Punawan Island;
(zzu) Duperre Islets;

(zzv) Lejeune Island;
(zzw) Long Reef Island;
(zzx) Sable Island;
(zzy) Quessant Island;
(zzz) Steuers Island;
(zzza) Dumoulin Island;
(zzzb) Harikoia Island;
(zzzc) Brumer Island;
(zzzd) Baibesiga Island;
(zzze) Suau Island;
(zzzf) the southern coast of the island of New Guinea (in a westerly direction to the point of commencement).

PART 2 – THE TAUU ISLANDS ARCHIPELAGO.

A line enclosing all islands, shoals, rocks and reefs (whether or not submerged) lying between the parallels 4° 30’ and 5° south latitude and between the meridians 156° 30’ and 157° 30’ east longitude the line being a continuous line drawn between the outermost points of islands, shoals, rocks and reefs and shown on a chart designated by the Minister by notice in the National Gazette.

PART 3 – THE NUKUMANU ISLANDS ARCHIPELAGO.

A line enclosing all islands, shoals, rocks and reefs (whether or not submerged) lying between the parallels 4° 20’ and 4° 50’ south latitude and between the meridians 159° and 160° east longitude the line being a continuous line drawn between the outermost points of islands, shoals, rocks and reefs and shown on a chart designated by the Minister by notice in the National Gazette.

Annex 2

Offshore Seas Proclamation 1978
March 28, 1978

MADE by the Head of State, acting with, and in accordance with, the advice of the National Executive Council under the National Seas Act 1977.

1. OUTER LIMIT OF OFFSHORE SEAS.

The line consecutively described in Schedules 1, 2 and 3 is the line for the purposes of Section 6 of the National Seas Act 1977 and, subject to Sections 3(2) and 4 of this Proclamation, the offshore seas of the State shall be deemed to comprise all the waters outside the baselines and within the line so described.

2. LINE DESCRIBED IN SCHEDULES 1 AND 3.

(1) That part of the line described in Schedules 1 and 3 is drawn–

(a) to give effect to agreements with other states where agreement on the line has been reached; and
(b) without prejudice to the ultimate location of appropriate boundary lines, to adopt an interim boundary in areas where no agreement with other states has been reached; and
(c) to adopt limits of 200 miles from the baselines where no boundary lines with other states may appropriately be drawn.

(2) Subject to Subsection (3), the description contained in Schedules 1 and 3 is based on the nautical charts BA3250, BA3832, BA3830, BA214, BA3419, BA208 and BA2759a in respect of the areas covered by those charts.

(3) the points described in the Schedules as Points 30 to 42 inclusive, and the descriptions of those parts of the line commencing at point 30 and ending at Point 38 and commencing at Point 39 and ending at Point 42 respectively, have been based on the current World Aeronautical Charts of the area in which those points and parts of the line are located.

3. TEMPORARY LIMIT.

(1) In this Section “Secondary Area” means the area of sea bounded by the temporary line described in Schedule 2 and a more southerly line between Points 38 and 39 provisionally agreed upon between the State and Australia to be proclaimed after an opportunity for further consultation between the two governments on outstanding matters of substance concerning the nature and manner of exercise of jurisdiction in that area so as to safeguard the interests of all affected parties.

(2) For the purposes of this Proclamation, so much of the waters of the sea as are within three miles of the land of the islands specified in Schedule 5 that would not, but for this section, fall within the Secondary Area shall be deemed to be within the Secondary Area.

(3) Nothing in Subsection (2) shall be construed as indicating that the State abandons its seabed resources jurisdiction associated with the islands specified in Schedule 5, but that subsection shall be read as indicating only that the State intends to suspend temporarily the exercise of such jurisdiction over and in respect of so much of the area of those waters as lies north of the temporary line described in Schedule 2 pending the outcome of further negotiations between the State and Australia.

4. CERTAIN WATERS NOT INCLUDED IN OFFSHORE SEAS.

The offshore seas of the State shall not be deemed to include the waters described in Schedule 4.

5. CERTAIN WATERS NOT INCLUDED IN TERRITORIAL SEA.

For the purposes of Section 2 of the National Seas Act 1977, so much of the waters of the sea in the area described in Schedule 6 as are contained between the baselines and the 12 mile outer-limit line that are more than three miles seaward from the nearest point on the baselines do not form part of the territorial sea.

SCHEDULE 1 – PART OF PROCLAIMED LINE.

Secs. 1. and 2.

Commencing at the point of the intersection of the meridian 141° east longitude with the mean low water line on the northern coast of the island of New Guinea (Point 1) thence along straight lines successively linking that point and the following points:–

Point 2: the intersection of the parallel 2° 08’ 30” south latitude with the meridian 141° 01’ 30” east longitude.

Point 3: the intersection of the parallel 1° 04’ 00” south latitude with the meridian 141° 23’ 42” east longitude.

Point 4: the intersection of the parallel 0° 55’ 54” south latitude with the meridian 141° 20’ 30” east longitude.

Point 5: the intersection of the parallel 0° 47’ 00” north latitude with the meridian 140° 49’ 00” east longitude,

thence along a straight line towards the intersection of the parallel 2° 41’ 00” north latitude with the meridian 140° 46’ 00” east longitude to the most northerly point on that line (Point 6) that is 200 miles from the nearest point on a baseline, thence in a generally easterly direction along a line every point on which is 200 miles from the nearest point on a baseline to the first point (Point 7) on that line that is 200 miles from a base point in the Caroline Islands (hereinafter called “the Micronesian base point”) which base point shall be deemed to be the intersection of the parallel 1° 02’ 00” north latitude with the meridian 154° 46’ 00” east longitude; thence in a generally easterly direction along a median line between the nearest points on the baselines and the Micronesian base point to the next point on that median line (Point 8) that is 200 miles from the nearest point on a baseline; thence in a generally easterly and southerly direction along a line every point on which is 200 miles from the nearest points on the baselines to the first point on that line (Point 9) that is 200 miles from the nearest point of land in the Solomon Islands; thence in a generally westerly direction along a median line between the nearest points on the baselines and the nearest points of land in the Solomon Islands to the point on-that median line (Point 10) that is 20 miles in a generally south easterly direction from the nearest point on a baseline of Nukumanu Atoll; thence along the geodesics successively linking Point 10 and the following points:–

Point 11: the intersection of the parallel 4° 48’ 30” south latitude with the meridian 158° 46’ 30” east longitude.

Point 12: the intersection of the parallel 4° 45’ 00” south latitude with the meridian 158° 26’ 00” east longitude.

Point 13: the intersection of the parallel 4° 47’ 00” south latitude with the meridian 158° 09’ 00” east longitude.

Point 14: the intersection of the parallel 5° 04’ 30” south latitude with the meridian 158° 07’ 00” east longitude.

Point 15: the intersection of the parallel 5° 37’ 00” south latitude with the meridian 157° 59’ 00” east longitude.

Point 16: the intersection of the parallel 5° 52’ 00” south latitude with the meridian 157° 56’ 00” east longitude.

Point 17: the intersection of the parallel 5° 54’ 00” south latitude with the meridian 157° 20’ 00” east longitude.

Point 18: the intersection of the parallel 5° 40’ 00” south latitude with the meridian 156° 30’ 00” east longitude.

Point 19: the intersection of the parallel 5° 54’ 00” south latitude with the meridian 156° 26’ 00” east longitude.

Point 20: the intersection of the parallel 6° 19’ 00” south latitude with the meridian 156° 16’ 30” east longitude;

thence along the geodesic to Point 21 that is the first point 12 miles seaward and equidistant from the nearest point on the baseline of OTUA Island and the nearest point of land in the Solomon Islands; thence along a line passing to the south of Bougainville Island being a median line between the nearest points on the baselines and the nearest points of land in the Solomon Islands, to a point on that line (Point 22) 12 miles in a generally south easterly direction from the nearest point on the baseline of KABUKEA Island; thence along the geodesics successively linking Point 22 and the following points:–

Point 23: the intersection of the parallel 7° 15’ 00” south latitude with the meridian 155° 13’ 30” east longitude.

Point 24: the intersection of the parallel 7° 29’ 00” south latitude with the meridian 154° 52’ 00” east longitude.

Point 25: the intersection of the parallel 9° 20’ 00” south latitude with the meridian 155° 31’ 00” east longitude.

Point 26: the intersection of the parallel 10° 41’ 00” south latitude with the meridian 156° 40’ 00” east longitude.

Point 27: the intersection of the parallel 11° 14’ 00” south latitude with the meridian 157° 05’ 00” east longitude.

Point 28: the intersection of the parallel 12° 52’ 00” south latitude with the meridian 157° 25’ 00” east longitude.

Point 29: the intersection of the parallel 13° 43’ 00” south latitude with the meridian 157° 07’ 30” east longitude.

Point 30: the intersection of the parallel 14° 05’ 00” south latitude with the meridian 156° 40’ 00” east longitude.

Point 31: the intersection of the parallel 14° 45’ 00” south latitude with the meridian 154° 15’ 00” east longitude.

Point 32: the intersection of the parallel 14° 38’ 00” south latitude with the meridian 152° 07’ 00” east longitude.

Point 33: the intersection of the parallel 13° 15’ 00” south latitude with the meridian 148° 10’ 00” east longitude.

Point 34: the intersection of the parallel 13° 10’ 00” south latitude with the meridian 148° 03’ 00” east longitude.

Point 35: the intersection of the parallel 12° 35’ 00” south latitude with the meridian 147° 05’ 00” east longitude.

Point 36: the intersection of the parallel 12° 20’ 00” south latitude with the meridian 146° 30’ 00” east longitude.

Point 37: the intersection of the parallel 9° 51’ 00” south latitude with the meridian 144° 44’ 00” east longitude.

Point 38: the intersection of the parallel 9° 30° 00” south latitude with the meridian 144° 15’ 00” east longitude.

SCHEDULE 2 – TEMPORARY LINE.

Sec. 1.

Commencing at Point 38 described in Schedule 1 and proceeding in a northerly direction along the meridian 144° 15’ 00” east to the intersection of that meridian with a longitude composite line being the line every point of which is on–

(a) the seaward limit of the declared offshore area under the Petroleum (Submerged Lands) Act 1975 as at 16th September 1975; or

(b) the seaward limit of the declared fishing zone described in Section 2 of the Fisheries Act 1974, as in force on 16th September 1975, as if the baseline within the meaning of the National Seas Act 1977 were the baseline referred to in that section,

whichever limit is, on any meridian of longitude, the more southern; thence in a generally westerly direction along that composite line to its intersection with the meridian 141° 20’ 00” east longitude; and thence along that meridian of longitude south to Point 39 being the intersection of that meridian with the parallel 10° 10’ 30” south latitude.

SCHEDULE 3 – PART OF PROCLAIMED LINE.

Sec. 1.

Commencing at Point 39 described in Schedule 2 and thence along the geodesics successively linking that point and the following points:–

Point 40: the intersection of the parallel 10° 59’ 00” south latitude with the meridian 140° 00’ 00” east longitude.

Point 41: the intersection of the parallel 11° 09’ 00” south latitude with the meridian 139° 23’ 00” east longitude.

Point 42: the intersection of the parallel 10° 50’ 00” south latitude with the meridian 139° 12’ 00” east longitude;

thence along straight lines successively linking Point 42 and the following points:–

Point 43: the intersection of the parallel 10° 24’ 00” south latitude with the meridian 139° 46’ 00” east longitude.

Point 44: the intersection of the parallel 9° 52’ 00” south latitude with the meridian 140° 29’ 00” east longitude.

Point 45: the intersection of the parallel 9° 24’ 30” south latitude with the meridian 140° 49’ 30” east longitude.

Point 46: the intersection of the parallel 9° 23’ 00” south latitude with the meridian 140° 52’ 00” east longitude;

and thence along a straight line between Point 46 and a point described as “point B3” in Articles 3 and 4 of the Agreement set forth in the Schedule to the Indonesian Border Agreement Act 1973,[[26]] to the point where that line crosses the southern coast of the island of New Guinea, or if that line does not cross that coast, to that point B3 and thence by a straight line between that point and the position of the marker described as “MM14” in Article 1 of that Agreement to the point where that line first crosses the coast or enters the internal waters of the State, as the case may be.

SCHEDULE 4 – WATERS NOT INCLUDED IN OFFSHORE SEAS.

Sec. 4.

1. The waters of the sea contained in the area bounded by a line every point on which is three miles seaward from the nearest points on the coast of the islands of SAIBAI (including for this purpose, KAUAMAG) and DAUAN, except where such a line is less than three miles from any other land, where the line shall be a median line between those islands and that other land.

2. The waters of the sea contained in the area bounded by a line every point on which is three miles seaward from the nearest point on the coast of BOIGU Island (including for this purpose, AUBUSI and MOIMI), except where such a line is less than three miles from any other land, where the line shall be a median line between that island and that other land.

SCHEDULE 5 – ISLANDS.

Sec. 3(2).

1. Deliverance Island.

---

[26] Available at http://www.paclii.org/pg/legis/consol_act/ibaa1973250/. Agreement between Australia and Indonesia Concerning certain Boundaries between Papua New Guinea and Indonesia (with chart), Jakarta February 12, 1973, entered into force November 26, 1974, 975 UNTS 3, II *International Maritime Boundaries* 1219, *Limits in the Sea* No. 87 (Annex III, 1979), provides the coordinates of “B3” as 9° 23’ S 141° 01’ 10” E.

2. Black Rocks.

3. Bramble Cay.

4. Anchor Cay.

5. East Cay.

SCHEDULE 6 – Sec. 5.

AREA FOR PURPOSES OF SECTION 5.

The area bounded by a line commencing at the intersection of the parallel 9° 21’ 30” south latitude with the meridian 142° 33’ 15’ east longitude; thence along the geodesic to the intersection of the parallel 9° 08’ 15” south latitude with the meridian 143° 52’ 00” east longitude; thence south along that meridian of longitude to the parallel 9° 40’ 00” south latitude; thence west along that parallel of latitude to the meridian 142° 03’ 30” east longitude; thence north along that meridian of longitude to its point of intersection with the southern coastline of the island of New Guinea at mean low water springs; thence in a generally easterly direction along the coastline to its intersection with the meridian 142° 33’ 15” east longitude; and thence south along that meridian to the point of commencement.

Dated this 28th day of March, 1978.

Annex 3

Declaration of the Baselines by Method of Coordinates of Basepoints for Purposes of the Location of Archipelagic Baselines, 2002
July 25, 2002

SCHEDULE

Location of archipelagic baselines and coordinates of principal archipelago

Islands and high-water elevation features	Geographical coordinate (WGS 84 Geodetic Datum)	
Base points	Longitude South	Latitude East
1. Wuvulu Island	2 35 36.85423	142 49 52.0
2. Aua Island	1 27 22.85387	143 02 53.0
3. Mame Island	1 18 35.85383	143 34 35.0
4. Palitolla Island (Pellelehu Group)	1 04 32.85376	144 23 46.0
5. Heina Islands	1 06 34.85377	144 29 18.0
6. Sae Islands	0 45 27.85368	145 18 10.0
7. Kaniet Island	0 52 27.85371	145 33 55.0
8. Marengan Island	1 54 07.85401	146 34 45.0
9. Ahet Island	1 54 24.85401	146 36 10.0
10. Poman Island	1 54 22.85401	146 52 30.0
11. Andra Island	1 56 04.85402	146 59 55.0
12. Hapinbuch Island	1 56 19.85402	147 01 03.0
13. Hus Island	1 56 19.85402	147 06 13.0
14. Onpeta Island	1 56 34.85402	147 07 58.0
15. Mandrindr Island	1 56 59.85402	147 11 23.0
16. Pityilu Island	1 57 19.85402	147 13 08.0
17. Hauwei Island	1 57 32.85403	147 17 18.0
18. Ndrito Island	1 57 37.85403	147 19 56.0
19. Koruniat Island	1 58 16.85403	147 21 05.0
20. Los Negros Island	1 58 24.85403	147 21 58.0
21. Pak Island	2 03 59.85406	147 39 20.0
22. Tong Island	2 02 07.85405	147 45 40.0
23. Towi Island	1 59 49.85404	147 55 48.0
24. Putuli Island	1 58 57.85403	148 01 40.0
25. Mbatmanda Island	1 58 17.85403	148 03 58.0
26. Mussau Island	1 18 52 85383	149 32 53.0
27. Emirau Island	1 37 26.85392	149 57 30.0
28. Elomusao Island	1 40 33.85394	150 01 50.0
29. Enus Island	1 38 43.85393	150 40 18.0
30. Simberi Island	2 35 49.85424	151 59 45.0
31. Mahur Island	2 46 11.85430	152 39 40.0
32. Boang Island	3 22 14.85452	153 19 55.0
33. Malum Islands	3 06 22.85442	154 26 25.0
34. Southern Nigeria Islands	3 15 14.85447	154 40 28.0
35. Anusagaio Island	6 03 36.85570	155 30 30.0
36. Islands and low-water points around the south-east and south coast of Bougainville to Kabukelai Island	6 57 29.85616	155 30 30.0
37. Motupena Point	6 31 37.85593	155 09 30.0
38. Puruata Island	6 14 57.85579	155 01 38.0
39. Islands and low-water points along the northwest coast of Bougainville (1) to Cape Rungnoum		
40. Cape St. George (New Ireland)	4 51 12.85513	152 52 40.0
41. Cape Orford (New Britain)	5 26 54.85540	152 05 00.0

42. Islands and low-water points along the south coast of New Britain to Kauptimete Island	6 11 10.85576	148 57 05.0
43. Tami Island	6 45 59.85606	147 54 38.0
44. Mitre Rock	8 03 14.85677	148 07 50.0
45. Cape Nelson	8 59 54.87535	149 15 00.0
46. Kanapu Island	8 20 44.85695	150 07 05.0
47. Gwadarab Island	8 18 14.85692	150 06 33.0
48. Kuaniagal Island	8 20 34.85695	150 25 30.0
49. Simlindon Island	8 19 36.85694	150 34 20.0
50. Kudai Island	8 19 36.85694	150 49 00.0
51. Bomatu Point (Kiriwina Island)	8 24 11.85698	151 07 13.0
52. Iwa Island	8 41 47.85716	151 40 40.0
53. Dugumenu	8 47 54.85722	151 55 18.0
54. CarnPoint (Madau Island)	8 56 42.85731	152 27 00.0
55. Woodlark Island	9 00 21.85735	152 47 25.0
56. Cannac Island	9 16 07.85752	153 30 25.0
57. Wabomat Island	9 15 31.85751	153 40 15.0
58. Budelun Island	9 17 16.85753	153 41 48.0
59. Bukulan Island	9 18 21.85754	153 40 35.0
60. Tokona Island	9 34 17.85771	152 29 18.55400
61. Cape Henry (Misima Island)	10 39 41.85844	152 52 00.55400
62. Renard Islands	10 48 21.85854	152 59 40.55400
63. Rossel Island	11 17 33.85889	154 12 38.55400
64. Loa Boloba Island	11 26 59.85900	154 23 52.55400
65. Tagula Island	11 37 39.85913	153 45 52.55400
66. Duchateau Island	11 16 57.85888	152 22 15.55400
67. Monternont Island	11 18 22.85890	152 17 57.55400
68. Punawan Island	11 11 44.85882	152 01 40.55400
69. Duperre Islets	11 10 41.85881	151 57 20.55400
70. Lejeune Island	11 10 34.85880	151 48 55.55400
71. Long Reef Island	11 09 14.85879	151 40 10.55400
72. Quessant Island	11 09 21 85879	151 15 20.55400
73. Steuers Island	11 06 11.85875	151 07 52.55400
74. Dumoulin Island	10 55 29.85863	150 47 18.55400
75. Harikoia Island	10 46 09.85852	150 24 38.55400
76. Brumer Island	10 46 17.85852	150 21 45.55400
77. Baibesiga Island	10 44 04.85849	150 17 00.55400
78. Suau Island	10 43 37.85849	150 14 28.55400

National Seas Act, section 8

DECLARATION of the baselines by methods of coordinates of base points for purposes of the location of the archipelagic waters.

I, the Minister for Foreign Affairs, John D. Waiko, MP., Minister for the National Seas Act, by virtue of section 8 of the National Seas Act 1998,[[27]] and all other powers and enabling, hereby make the following Declaration for purposes of location of Papua New Guineas archipelagic baselines and base points coordinates of the principal archipelago:

The high waters elevating appearing on schedule 1 relate to islands, reefs and other features used and their relevant coordinates.

Dated this 25th day of July 2002

[27] The intended reference appears to be “National Seas Act 1977.”

Annex 4

United Nations Convention on the Law of the Sea
Article 47
Archipelagic baselines

1. An archipelagic State may draw straight archipelagic baselines joining the outermost points of the outermost islands and drying reefs of the archipelago provided that within such baselines are included the main islands and an area in which the ration of the area of the water to the area of the land, including atolls, is between 1 to 1 and 9 to 1.

2. The length of such baselines shall not exceed 100 nautical miles, except that up to 3 per cent of the total number of baselines enclosing any archipelago may exceed that length, up to a maximum length of 125 nautical miles.

3. The drawing of such baselines shall not depart to any appreciable extent from the general configuration of the archipelago.

4. Such baselines shall not be drawn to and from low-tide elevations, unless lighthouses or similar installations which are permanently above sea level have been built on them or where a low-tide elevation is situated wholly or partly at a distance not exceeding the breadth of the territorial sea from the nearest island.

5. The system of such baselines shall not be applied by an archipelagic State in such a manner as to cut off from the high seas or the exclusive economic zone the territorial sea of another State.

6. If a part of the archipelagic waters of an archipelagic State lies between two parts of an immediately adjacent neighbouring State, existing rights and all other legitimate interests which the latter State has traditionally exercised in such waters and all rights stipulated by agreement between those State shall continue and be respected.

7. For the purpose of computing the ratio of water to land under paragraph 1, land areas may include waters lying within the fringing reefs of islands and atolls, including that part of a steep-sided oceanic plateau which is enclosed or early enclosed by a chain of limestone islands and drying reefs lying on the perimeter of the plateau.

8. The baselines drawn in accordance with this article shall be shown on charts of a scale or scales adequate for ascertaining their position. Alternatively, lists of geographical coordinates of points, specifying the geodetic datum, may be substituted.

9. The archipelagic State shall give due publicity to such charts or lists of geographical coordinates and shall deposit a copy of each such chart or list with the Secretary-General of the United Nations.

Annex 5

Papua New Guinea Archipelagic Baseline Segments (Principal Archipelago)

Baseline Segment	Length (nm)		Baseline Segment	Length (nm)		Baseline Segment	Length (nm)		Baseline Segment	Length (nm)
1-2	51.8		21-22	6.6		41-42	lwl		61-62	11.45
2-3	32.96		22-23	10.39		42-43	71.12		62-63	77.34
3-4	51.23		23-24	5.93		43-44	77.93		63-64	14.48
4-5	5.9		24-25	2.39		44-45	87.18		64-65	38.75
5-6	53.25		25-26	97.25		45-46	64.66		65-66	84.57
6-7	17.23		26-27	30.81		46-47	2.54		66-67	4.45
7-8	86.39		27-28	5.34		47-48	18.93		67-68	17.29
8-9	1.44		28-29	38.56		48-49	8.81		68-69	4.38
9-10	16.34		29-30	97.69		49-50	14.54		69-70	8.27
10-11	7.61		30-31	41.22		50-51	18.62		70-71	8.7
11-12	1.16		31-32	53.87		51-52	37.46		71-72	24.39
12-13	5.17		32-33	68.3		52-53	15.7		72-73	7.98
13-14	1.77		33-34	16.58		53-54	32.55		73-74	22.85
14-15	3.44		34-35	174.78		54-55	20.51		74-75	24.16
15-16	1.78		35-36	lwl		55-56	45.29		75-76	2.84
16-17	4.17		36-37	33.15		56-57	9.73		76-77	5.17
17-18	2.64		37-38	18.34		57-58	2.32		77-78	2.53
18-19	1.32		38-39	lwl		58-59	1.61			
19-20	0.89		39-40	99.41		59-60	72.13			
20-21	18.24		40-41	59.31		60-61	68.77			

lwl = low water line (i.e., normal baseline)