

**CLOSING REMARKS**  
**By Ambassador Hasjim Djalal**

After listening to the fruitful and enlightening papers and discussions, I have drawn my own conclusions as follows:

1. UNCLOS is important for the stability and development of the countries and the region involved in the ARF activities. Therefore, acceptance and ratification of UNCLOS by all, is also important and should contribute to the attainment of its purpose of creating and developing law and order as well as development of the countries and of the world, particularly in the Asia Pacific region.
2. The discussions in the seminar have covered practically all aspects of the law of the sea as stipulated in the UNCLOS 1982 from the various maritime zones and the rights and obligations of states with regard to the sea or oceans, either with regard to the resources, living and non-living, the use of the space of the sea, navigation and over-flight, and the need for cooperation between the states to protect marine environment, promotion of scientific research, anti-piracy, bio-diversity issues, and others.
3. Some sensitive issues have also been discussed, like the problems of maritime claims and the issue of delimitation between states, as well as the problems of adjudication of disputes, and other specific issues such as the maritime delimitation between Myanmar and Bangladesh. The problem that has not been touched or discussed has been the delimitation of EEZ and continental shelf between two neighboring countries, in the sense that whether the boundaries of delimitation should coincide between the continental shelf and the EEZ, namely whether their boundaries should be single line or could be to different lines (it should be noted that in the case of Indonesia and Australia, the boundaries of continental shelf and EEZ could be different).
4. The seminar has been very useful and informative, particularly to those officials who have to properly and profoundly understand the various intricacies of the problems of the law of the sea, and the response to those issues by UNCLOS 1982.
5. Some of the current issues in the area seem to have been shadowing the discussions particularly the different interests and interpretation by states, such as in the South China Sea area. Hopefully, the seminar has indicated some possible way out to this difficult problem, which is also being felt in other areas, such as in the East China Sea.

6. Many suggestions have been made by various speakers. I myself have made some suggestions with regard to the South China Sea, namely my suggestion of 10 points to move forward. Others have also felt the need to clarify various issues with regard to safety zones around artificial islands or structures, to work out on some principles or guidelines on the 'normal mode' of the activities of the warship of other countries in the EEZ or waters of a coastal state, and with regard to the principle of 'due regard' to the interest of the coastal countries. Is 'due regard' only applicable to the resources, or could it also include consideration of security of the coastal states?
7. I would think and suggest that ARF should continue to discuss the various issues that have been mentioned during the 2 full days and intensive seminar, such as:
  - a. To see whether and in what way the notion of 'joint development' could be implemented more fruitfully in the South China Sea and in the East China Sea.
  - b. How cooperation among ARF countries could be forged to get benefit of the extensive mineral resources of the deep international seabed area.
  - c. How to promote more effective cooperation in the South China Sea, and what mechanism could be developed to solve the various conflicting territorial and jurisdictional claims. Shall we develop specific regional mechanism for dispute settlement on specific regional maritime issues?
  - d. How to develop and create the 'South China Sea Fisheries Commission' in order to be able to manage the resources in the area, which are increasingly under threat by various factors.
  - e. How to promote cooperation on anti-piracy and armed-robberies in the South China Sea, as well as to promote cooperation in this field in other parts of the seas and oceans. Some more intensive cooperation on anti-piracy and armed robberies have also been suggested.
8. Intensive discussion has also taken place with regard to dispute settlement mechanism between states, either through ITLOS or other mechanism, and on the various gaps in the UNCLOS provisions.
9. In view of the last two days of discussion, I would like to conclude that it has been very successful in discussing various issues, openly and scientifically, and I would hope that ARF could continue to undertake similar activities in the future and continue with these

modalities of cooperation and increasing mutual understanding. I have always believe that 'cooperation' is better than 'confrontation' and that 'talking' is better than 'fighting'

10. I am also confident that all of us who participated in the seminar, particularly myself, have learnt a lot and gain benefit from the discussions.

11. I would like, on my behalf, and I am sure, also on behalf of all participants, to thank the Organizer, particularly the Philippines and Australia, for hosting the seminar, and for their hospitality during our stay in this dynamic city of Manila.

12. Finally, we are looking forward to the next steps of the ARF to study and discuss the various ideas and suggestions that have been made during this seminar.

Thank you.