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U.S. Naval War College (Editor)

The thoughts and opinions expressed are those of the authors and not necessarily of the U.S. government, the U.S. Department of the Navy or the Naval War College.

This Pronouncement is made for the information and guidance of all whom it may concern.

May the Faithful always put their trust in God.

Promulgated in our Palace at Riyadh on the 1st day of the month of Shaaban of the year of the Hegira 1368, corresponding to 28th day of May 1949.

(Signed) ABDUL AZIZ.

4. Territorial Waters

Saudi Arabia: Royal Decree, 28 May 1949

(Translation published by the Saudi Arab Government, 1949.)

We, Abdul Aziz Ibn Abdul Rahman Al Faisal Sa'ud, King of the Kingdom of Saudi Arabia,

After reliance on God Almighty and in view of our desire to define the territorial waters of the Kingdom, have Decreed as Follows:

ARTICLE 1. For the purposes of this Decree,

(a) The term "nautical mile" is the equivalent of 1852 meters;

(b) The term "bay" includes any inlet, lagoon or other arm of the sea;

(c) The term "island" includes any islet, reef, rock, bar or permanent artificial structure not submerged at lowest low tide;

(d) The term "shoal" denotes an area covered by shallow water, a part of which is not submerged at lowest low tide; and

(e) The term "coast" refers to the coasts of the Red Sea, the Gulf of Aqaba, and the Persian Gulf.

ARTICLE 2. The territorial waters of the Kingdom of Saudi Arabia, as well as the air space above and the soil and subsoil beneath them, are under the sovereignty of the Kingdom, subject to the provisions of international law as to the innocent passage of vessels of other nations through the coastal sea.

ARTICLE 3. The territorial waters of the Kingdom of Saudi Arabia embrace both the inland waters and the coastal sea of the Kingdom.

ARTICLE 4. The inland waters of the Kingdom include:

(a) The waters of the bays along the coasts of the Kingdom of Saudi Arabia;

(b) The waters above and landward from any shoal not more than twelve nautical miles from the mainland or from a Saudi Arabian island;

(c) The waters between the mainland and a Saudi Arabian

island not more than twelve nautical miles from the mainland; and

(d) The waters between Saudi Arabian islands not farther apart than twelve nautical miles.

ARTICLE 5. The coastal sea of the Kingdom of Saudi Arabia lies outside the inland waters of the kingdom and extends seaward for a distance of six nautical miles.

ARTICLE 6. The following are established as the base-lines from which the coastal sea of the Kingdom of Saudi Arabia is measured:

(a) Where the shore of the mainland or an island is fully exposed to the open sea, the lowest low-water mark on the shore;

(b) Where a bay confronts the open sea, lines drawn from headland to headland across the mouth of the bay;

(c) Where a shoal is situated not more than twelve nautical miles from the mainland or from a Saudi Arabian island, lines drawn from the mainland or the island and along the outer edge of the shoal:

(d) Where a port or harbor confronts the open sea, lines drawn along the seaward side of the outermost works of the port or harbor and between such works;

(e) Where an island is not more than twelve nautical miles from the mainland, lines drawn from the mainland and along the outer shores of the island;

(f) Where there is an island group which may be connected by lines not more than twelve nautical miles long, of which the island nearest to the mainland is not more than twelve nautical miles from the mainland, lines drawn from the mainland and along the outer shores of all the islands of the group if the islands form a chain, or along the outer shores of the outermost islands of the group if the islands do not form a chain; and

(g) Where there is an island group which may be connected by lines not more than twelve nautical miles long, of which the island nearest to the mainland is more than twelve nautical miles from the mainland, lines drawn along the outer shores of all the islands of the group if the islands form a chain, or along the outer shores of the outermost islands of the group if the islands do not form a chain.

ARTICLE 7. If the measurement of the territorial waters in accordance with the provisions of this Decree leaves an area of high sea wholly surrounded by territorial waters and ex-

tending not more than twelve nautical miles in any direction, such area shall form part of the territorial waters. The same rule shall apply to a pronounced pocket of high sea which may be wholly enclosed by drawing a single straight line not more than twelve nautical miles long.

ARTICLE 8. If the inland waters described in Article 4, or if the coastal sea measured from the base-lines fixed by Article 6 of this Decree be overlapped by the waters of another State, boundaries will be determined by Our Government in agreement with the State concerned in accordance with equitable principles.

ARTICLE 9. With a view to assuring compliance with the laws of the Kingdom relating to security, navigation, and fiscal matters, maritime surveillance may be exercised in a contiguous zone outside the coastal sea, extending for a further distance of six nautical miles and measured from the base-lines of the coastal sea, provided however that nothing in this Article shall be deemed to apply to the rights of the Kingdom with respect to fishing.

ARTICLE 10. Our Ministers of Foreign Affairs and of Finance are charged with the execution of this Decree.

ARTICLE 11. This Decree will come into effect as from the date of its publication in the official gazette.

Promulgated in our Palace at Riyadh on the 1st day of the month of Shaaban of the year of the Hegira 1368, corresponding to the 28th day of May 1949.

(Signed) ABDUL AZIZ

IV. LAW OF THE AIR

1. United States Airspace Reservations

NOTE. The Air Commerce Act of 20 May 1926 (44 Stat. 570) provides in section 4:

“The President is authorized to provide by Executive order for the setting apart and the protection of airspace reservations in the United States for national defense or other governmental purposes and, in addition, in the District of Columbia for public safety purposes.”

The Canal Zone Code, as amended by the Act of 9 July 1937 (50 Stat. 486) empowers the President to make rules and regulations, until Congress provides otherwise, governing aircraft and air navigation within the airspace above the lands and waters of the Canal Zone.