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U.S. Naval War College (Editor)

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navigable waters, within the limits to be defined and under conditions to be prescribed by him, provided application is made to him prior to depositing such material; and whenever any permit is so granted the conditions thereof shall be strictly complied with, and any violation thereof shall be unlawful.

(3) Oil Pollution Act, 7 June 1924 (excerpts)

SEc. 2. When used in this Act, unless the context otherwise requires—
(a) The term “oil” means oil of any kind or in any form, including fuel oil, oil sludge, and oil refuse;
(b) The term “person” means an individual, partnership, corporation, or association; any owner, master, officer or employee of a vessel; and any officer, agent, or employee of the United States;
(c) The term “coastal navigable waters of the United States” means all portions of the sea within the territorial jurisdiction of the United States, and all inland waters navigable in fact in which the tide ebbs and flows;
(d) The term “Secretary” means the Secretary of War.­

SEc. 3. That, except in case of emergency imperiling life or property, or unavoidable accident, collision, or stranding, and except as otherwise permitted by regulations prescribed by the Secretary as hereinafter authorized, it shall be unlawful for any person to discharge, or suffer, or permit the discharge of oil by any method, means, or manner into or upon the coastal navigable waters of the United States from any vessel using oil as fuel for the generation of propulsion power, or any vessel carrying or having oil thereon in excess of that necessary for its lubricating requirements and such as may be required under the laws of the United States and the rules and regulations prescribed thereunder. The Secretary is authorized and empowered to prescribe regulations permitting the discharge of oil from vessels in such quantities, under such conditions, and at such times and places as in his opinion will not be deleterious to health or sea food, or a menace to navigation, or dangerous to persons or property engaged in commerce on such waters, and for the loading, handling, and unloading of oil.

3. Claims to the Continental Shelf

Note. Interest in the continental shelf has been expressed in various quarters over the past thirty years. As nearly as 1916 Spanish and Argentine
experts urged that national control should be extended over the waters above the continental shelf in order to prevent the depletion of fisheries, and the Imperial Russian Government claimed certain uninhabited islands north of Siberia on the ground that they formed "the northern continuation of the Siberian continental shelf"; the Russian claim was repeated by the Soviet Government in 1924. Concern for the protection of fisheries on the continental shelf was also expressed by the Portuguese representative in the League of Nations Committee of Experts for the Progressive Codification of International Law in 1927.

Fresh interest in the continental shelf has been manifested in the declarations made on behalf of nine states during the past four years. In addition to the declarations reproduced here, a draft law on the subject was submitted to the Cuban Congress in December 1946; and in Mexico, amendments to the Constitution have been proposed which would incorporate the substance of the Mexican declaration.

On the emergence of the continental shelf as a legal concept, see Richard Young, "Recent Developments with Respect to the Continental Shelf." 42 American Journal of International Law (1948), p.p. 849-857.

A. United States of America: Presidential Proclamation, 28 September 1945
(Proclamation No. 2667, 10 F. R. 12303.)

Whereas the Government of the United States of America, aware of the long range world-wide need for new sources of petroleum and other minerals, holds the view that efforts to discover and make available new supplies of these resources should be encouraged; and

Whereas its competent experts are of the opinion that such resources underlie many parts of the continental shelf off the coasts of the United States of America, and that with modern technological progress their utilization is already practicable or will become so at an early date; and

Whereas recognized jurisdiction over these resources is required in the interest of their conservation and prudent utilization when and as development is undertaken; and

Whereas it is the view of the Government of the United States that the exercise of jurisdiction over the natural resources of the subsoil and sea bed of the continental shelf by the contiguous nation is reasonable and just, since the effectiveness of measures to utilize or conserve these resources would be contingent upon cooperation and protection from the shore, since the continental shelf may be regarded as an extension of the land-mass of the coastal nation and thus naturally appurtenant to it, since these resources frequently form a seaward extension of a pool or deposit lying within the territory, and since self-protection compels the coastal nation to keep close watch over activities off its
shores which are of the nature necessary for utilization of these resources;

Now, therefore, I, Harry S. Truman, President of the United States of America, do hereby proclaim the following policy of the United States of America with respect to the natural resources of the subsoil and sea bed of the continental shelf.

Having concern for the urgency of conserving and prudently utilizing its natural resources, the Government of the United States regards the natural resources of the subsoil and sea bed of the continental shelf beneath the high seas but contiguous to the coasts of the United States as appertaining to the United States, subject to its jurisdiction and control. In cases where the continental shelf extends to the shores of another State, or is shared with an adjacent State, the boundary shall be determined by the United States and the State concerned in accordance with equitable principles. The character as high seas of the waters above the continental shelf and the right to their free and unimpeded navigation are in no way thus affected.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this 28th day of September, in the year of our Lord nineteen hundred and forty-five, and of the Independence of the United States of America the one hundred and seventieth.

By the President:

DEAN ACHESON,
Acting Secretary of State.

[seal]

B. UNITED STATES OF AMERICA: EXECUTIVE ORDER, 28 SEPTEMBER 1945

(Executive Order No. 9633, 10 F. R. 12305.)

By virtue of and pursuant to the authority vested in me as President of the United States, it is ordered that the natural resources of the subsoil and sea bed of the continental shelf beneath the high seas but contiguous to the coasts of the United States declared this day by proclamation to appertain to the United States and to be subject to its jurisdiction and control, be and they are hereby reserved, set aside, and placed under the jurisdiction and control of the Secretary of the Interior for administrative purposes, pending the enactment of legislation in regard thereto. Neither this Order nor the aforesaid procla-
information shall be deemed to affect the determination by legislation or judicial decree of any issues between the United States and the several states, relating to the ownership or control of the subsoil and sea bed of the continental shelf within or outside of the three-mile limit.

Harry S. Truman

The White House,
September 28, 1945.

C. United Mexican States: Presidential Declaration,
29 October 1945

(El Universal, Mexico City, 30 October 1945, pp. 1, 17.)

[Translation]

The experience of recent years has demonstrated the increasing necessity that States should preserve that natural wealth which in past times, for different reasons, has been outside their control and complete utilization.

As is well known, the lands which constitute the continental masses in general do not rise abruptly from the great oceanic deeps, but rather from a submarine platform which is called the continental shelf, which is delimited by a two-hundred-meter isobath (that is to say, the line which unites points of that depth), from the edges of which the slope descends sharply or gradually toward the deep zones in the middle of the seas; this platform manifestly constitutes an integral part of the continental countries, and it is neither reasonable nor prudent nor possible that Mexico should be unconcerned with the jurisdiction, utilization and control over it where it corresponds to Mexican territories in both oceans.

It is known at present, as the result of divers scientific investigations, that in said continental shelf there exists natural wealth, liquid and gaseous minerals, phosphates, calcium compounds, hydrocarbons, etc., of incalculable value, whose legal incorporation into the patrimony of the nation is of the greatest importance, and cannot be delayed.

On the other hand it is of equal urgency that the Mexican State, which has been endowed by nature with fishing resources of extraordinary richness, like those found, among other places, in the maritime zones off Lower California, should ensure that these resources are adequately protected, exploited, and developed; and this urgency is even greater at present, when the world, impoverished and made needy by the war imposed on it
by totalitarianism, must develop its food production to the maximum.

In the years before the war the Western Hemisphere was obliged to watch permanent fishing fleets of extracontinental countries engage in the immoderate and exhaustive exploitation of this immense wealth, which, although certainly it must contribute to the welfare of the world, must obviously belong in the first instance to the country which possesses it and to the continent of which that country forms a part. By reason of the very nature of this wealth, it is indispensable that this protection should be exercised by extending the control and supervision of the State to the places or zones indicated by science for the development of breeding-grounds of the high seas, irrespective of the distance separating them from the coast.

For these reasons, the Government of the Republic claims the whole continental shelf adjacent to its coasts and all and every one of the natural riches, known or still to be discovered, which are found in it, and will proceed to supervise, utilize and control the zones of fishing protection which are necessary for the conservation of this source of well-being.

The foregoing declaration does not mean that the Mexican Government is attempting to disregard legitimate rights of third parties, or that the right of free navigation on the high seas is affected, inasmuch as the sole end sought is to conserve these resources for the welfare of the nation, of the continent, and of the world.

My Government has already given orders to the competent authorities to proceed to draft the appropriate bills and to conclude the treaties which may be necessary.

Mexico, D. F., 29 October 1945.

The President of the Republic,
MANUEL AVILA CAMACRO.

D. PANAMA: CONSTITUTION, 1 MARCH 1946 (EXCERPT)
(Constitución de la República de Panamá, Edición Oficial.)

[Translation]

ARTICLE 209. The following belong to the State and are for public use, and consequently cannot be the object of private appropriation: . . .

4th. The air space and continental shelf corresponding to the national territory.
E. ARGENTINE REPUBLIC: PRESIDENTIAL DECREES,
11 October 1946

[Decree 14,708/46, Boletin Oficial, 5 December 1846; translation from 41 American Journal of International Law, Supplement (1947), pp. 11-12.]

[Translation]

Whereas:

The submarine platform, known also as the submarine plateau or continental shelf, is closely united to the mainland both in a morphological and in a geological sense;

The waters covering the submarine platform constitute the epicontinental seas, characterized by extraordinary biological activity, owing to the influence of the sunlight, which stimulates plant life (as exemplified in algae, mosses, etc.) and the life of innumerable species of animals, both susceptible of industrial utilization;

The Executive Power, in Article 2 of Decree No. 1, 386, dated January 24, 1944, issued a categorical proclamation of sovereignty over the “Argentine Continental Shelf” and the “Argentine Epicontinental Sea,” declaring them to be “transitory zones of mineral reserves”;

The State, through the medium of the Yacimientos Petrolíferos Fiscales [Public Petroleum Deposits Administration], is exploiting the petroleum deposits discovered along the “Argentine Continental Shelf,” thereby confirming the Argentine nation’s right of ownership over all deposits situated in the aforesaid continental shelf;

It is the purpose of the Executive Power to continue, more and more intensively, its scientific and technical investigations relative to all phases of the exploration and exploitation of the animal, vegetable and mineral wealth, which offer such vast potentialities, contained in the Argentine continental shelf and in the corresponding epicontinental sea.

In the international sphere conditional recognition is accorded to the right of every nation to consider as national territory the entire extent of its epicontinental sea and of the adjacent continental shelf;

Relying upon this principle, the Governments of the United States of America and of Mexico have issued declarations asserting the sovereignty of each of the two countries over the respective peripheral epicontinental seas and continental shelves (Proclamation of President Truman, dated September 28, 1945, and Declaration of President Avila Camacho, dated October 29, 1945);
The doctrine in question, aside from the fact that it is implicitly accepted in modern international law, is now deriving support from the realm of science in the form of serious and valuable contributions, according to the testimony offered by numerous national and foreign publications and even by official educational programs; and

The manifest validity of the thesis invoked above, as well as the determination of the Argentine Government to perfect and preserve all the attributes inherently bound up with the exercise of national sovereignty, make it advisable to formulate the declaration pertinent to this matter, thereby amplifying the effects of the aforesaid Decree No. 1,386.

The President of the Argentine Nation, supported by a General Accord of the Ministers.

DECREES:

Article 1. It is hereby declared that the Argentine Epicontinental Sea and Continental Shelf are subject to the sovereign power of the Nation:

Article 2. For purposes of free navigation, the character of the waters situated in the Argentine Epicontinental Sea and above the Argentine Continental Shelf, remains unaffected by the present Declaration;

Article 3. The said Declaration shall be brought to the attention of the Honorable Congress, published, transmitted to the National Registry and filed.


F. CHILE: PRESIDENTIAL DECLARATION 25 JUNE 1947

(El Mercurio, Santiago de Chile, 29 June 1947, p. 27.)

[Translation]

Considering:

1. That the Governments of the United States of America, of Mexico, and of the Argentine Republic, by presidential declarations made on 28 September 1945, 29 October 1945, and 11 October 1946 respectively, have proclaimed in a categorical manner the sovereignty of those States over the continental shelf adjacent to their coasts, and over the adjacent sea to the full extent necessary to conserve for those States the ownership of the natural riches known or to be discovered in the future.

2. That they have expressly proclaimed the rights of those
States to protect, conserve, regulate, and supervise fishing, in order to prevent illicit activities from threatening to diminish or wipe out the considerable riches of that type which are contained in the continental seas and which are indispensable for the welfare and progress of their respective peoples, measures whose justice is indisputable.

3. That particularly in the case of the Republic of Chile there is a manifest advantage in issuing an analogous proclamation of sovereignty, not only because of the fact that the exploitation of resources contained in the continental shelf which are essential to the national life is already under way, as is the case with the coal mines, which are being worked and will continue to expand into the territory which is covered by water, but also, even more important, because owing to its topography and lack of mediterranean extension, the country’s life is bound up with the sea and with all the present and future riches contained in the sea, to a greater degree than in the case of any other nation.

4. That an international consensus recognizes that each country has the right to consider as national territory the whole extent of the adjacent epicontinental sea and continental shelf.

5. That the State has the obligation to protect and supervise the exploitation of the resources contained in its maritime, terrestrial, and aerial territory.

The President of the Republic declares:

1. The Government of Chile confirms and proclaims the national sovereignity over the whole continental shelf adjacent to the continental and insular coasts of the national territory whatever its depth may be, claiming, consequently, all the natural riches which exist on, in, or under said shelf, known or to be discovered.

2. The Government of Chile confirms and proclaims the national sovereignity over the seas adjacent to its coasts, whatever their depth may be, to the full extent necessary to reserve, protect, conserve, and utilise the natural resources and wealth of whatever nature, found on, in, or under said seas, placing under Government supervision the fishing and marine hunting industries in order to prevent this type of resources from being exploited to the prejudice of the inhabitants of Chile and diminished or destroyed to the detriment of the country and of the American Continent.

3. Demarcation of the zones of protection of maritime hunting and fishing in the continental and island seas which are
under the control of the Government of Chile will be made in virtue of this declaration of sovereignty, whenever the Government considers it suitable, by ratifying, amplifying, or in any manner modifying the said demarcations in conformity with the knowledge, discoveries, studies, and interests of Chile which may be made known in the future; at present said protection and control are declared over all the sea included between the perimeter formed by the coast and a mathematical parallel projected out to sea at a distance of two hundred marine miles from the continental coasts of Chile. With respect to the Chilean islands, this demarcation will be made by marking out a sea zone contiguous to the coasts of these islands, projected parallel to these coasts for two hundred marine miles from the whole circumference.

4. The present declaration of sovereignty does not disregard similar legitimate rights of other States, on the basis of reciprocity, and does not affect rights of free navigation on the high seas.


Gabriel González Videla, President of the Republic.

G. Peru: Presidential Decree, 1 August 1947

(El Peruano, Diario Oficial, 11 August 1947, p. 1.)

[Translation]

The President of the Republic considering:

That the submarine platform or continental shelf forms a single morphological and geological unity with the continent;

That natural wealth exists in said platform, and it is indispensable to proclaim that this wealth forms part of the national patrimony;

That it is equally necessary that the State protect, conserve, and regulate the use of fishing resources and other natural wealth which is found in the epicontinental waters which cover the submarine platform and in the continental seas adjacent to it, in order that this wealth, essential to the national life, shall be exploited now and in the future in such a way that no detriment is caused to the economy of the country or to its food production;

That the fertilising wealth deposited by guano birds on the islands of the Peruvian coast also requires for its safeguard the
protection, conservation, and regulation of the use of the fishing resources which serve to nourish the said birds;

That the right to proclaim State sovereignty and national jurisdiction over the whole extent of the platform or submarine shelf, as well as over the epicontinental waters which cover it and over the sea waters adjacent to them, to the full extent necessary for the conservation and supervision of the riches contained therein, has been declared by other States and has been incorporated in practice into the international order (Declaration of the President of the United States of America of 28 September 1945; Declaration of the President of Mexico of 29 October 1945; Declaration of the President of the Argentine Nation of 11 October 1946; Declaration of the President of Chile of 23 June 1947);

That Article 37 of the Constitution of the State lays down that the mines, lands, forests, and in general all natural sources of wealth pertain to the State, except where others have legitimately acquired rights;

That in the exercise of sovereignty and in regard to national economic interests, it is the duty of the state to specify in an unequivocal manner the maritime domain of the Nation, within which the protection, conservation, and supervision of the aforementioned natural wealth will be exercised;

With the consultative vote of the Council of Ministers;

DECREES:

1. It is hereby declared that national sovereignty and jurisdiction extend to the submarine platform or continental and insular shelf adjacent to the continental and island coasts of the national territory, whatever may be the depth and the extent of said shelf.

2. The national sovereignty and jurisdiction are exercised as well over the sea adjacent to the coasts of the national territory, whatever its depth, to the extent necessary to reserve, protect, conserve, and utilise the natural resources and wealth of all types which are found in or under the said sea.

3. As a consequence of these declarations, the State reserves the right to establish the demarcation of zones of control and protection of the national wealth in the continental and island seas which are under the control of the Government of Peru, and to modify the said demarcation in accord with supervening circumstances, by reason of new discoveries or studies, or national interests which may become apparent in the future; and
declares at present that it will exercise the said control and protection over the sea adjacent to the coasts of Peruvian territory in a zone lying between those coasts and an imaginary line parallel to them, drawn on the sea at a distance of two hundred (200) marine miles, measured by following the line of the geographical parallels. With respect to the national islands, this demarcation will be drawn by marking out a zone of the sea contiguous to the coasts of the said islands, up to a distance of two hundred (200) marine miles measured from every point on the circumference of the islands.

4. The present declaration does not affect the right of free navigation of ships of all nations, in conformity with international law.

Given at Government House in Lima, the first day of August, one thousand nine hundred and forty-seven.

J. L. Bustamente R.
E. García Sayán

Nicaragua: 1 Political Constitution,
22 January 1948

(La Gaceta, Diario Oficial, 22 January 1948.)

[Translation]

ARTICLE 2. The basis of the national territory is the *uti possidetis juris* of 1821. The territory between the Atlantic and Pacific Oceans and the Republics of Honduras and Costa Rica is included, and this territory embraces also the adjacent islands, the territorial sea, the continental shelves, and the air space and stratospheric space. Boundaries which are not yet determined shall be fixed by treaties and the law.

1 During April 1947, the Minister of the Interior presented to the Nicaraguan Chamber of Deputies a bill regarding the continental shelf, providing that Nicaraguan sovereignty should extend to all land under the oceans bordering on the national territory which was less than two hundred meters below the surface of the sea at mean low tide; and that if this claim should conflict with that of another nation, the boundary would be established by treaty. As passed by the Chamber of Deputies early in May 1947, the bill proclaimed sovereignty over the continental shelf, the limit of which was not defined. As the Nicaraguan Senate did not act on the bill approved by the Chamber of Deputies, it did not become law. In the Constitution adopted on 22 January 1948, the national territory is defined as including the continental shelves.
I. COSTA RICA: DECREE LAW OF 29 JULY 1948.

(La Gaceta, Diario Oficial, 29 July 1948.)

[Translation]

The Founding Junta of the Second Republic Considering:

1. That there is a pressing need of making arrangements for the protection and conservation of the natural wealth, known at present or which may be discovered in the future, which exists on, in, or under the continental or insular shelf or platform of the national territory and on, in, or under the seas adjacent to the continental and insular coasts of the Nation, in view of the fact that their conservation and adequate exploitation are of vital national interest and as such merit the extreme attention of the State and consequently make necessary the establishment of systems of supervision which the situation most urgently requires.

2. That in order to bring about a methodical technical regulation of this national wealth, it is indispensable that the State should proclaim national sovereignty and jurisdiction over the submarine platform or continental shelf adjacent to the continental and insular coasts of the territory of the Nation, to the same extent that other States have done (declaration of the President of the United States of America of 28 September 1946; declaration of the President of the United Mexican States of 29 October 1945; declaration of the President of the Argentine Republic of 11 October 1946; declaration of the President of the Republic of Chile 23 June 1947; and decree of the President of the Republic of Peru of 1 August 1947).

3. That an international consensus proclaims and recognizes that each country has an inalienable right to consider as part of the national territory the whole extent of the adjacent epicontinental sea and the continental shelf.

4. That with reference to the exploitation and supervision of the resources contained in its maritime, terrestrial and aerial territory, it is the inescapable obligation of the States to give them its protection.

For the foregoing reasons,

DECREES:

ARTICLE 1. National sovereignty is confirmed and proclaimed over all the submarine platform or continental shelf adjacent to the continental and insular coasts of the national territory, at whatever depth said shelf lies, and the inalienable right of the
ARTICLE 2. National sovereignty is confirmed and proclaimed over the seas adjacent to the continental and insular coasts of the national territory, whatever their depth, to the extent necessary to protect, conserve, and utilize the natural resources and wealth which exist or may come into existence on, in, or beneath those seas, and from the present onward fishing and maritime hunting in said seas shall be under the supervision of the Government of Costa Rica with the object of preventing an unsuitable exploitation of natural resources from prejudicing the nationals and the economy of the Nation and from prejudicing the American Continent.

ARTICLE 3. Demarcation of the zones of protection of fishing and maritime hunting in the continental and island seas which in virtue of the present Decree Law are under the control of the Government of Costa Rica shall be made, in accordance with this declaration of sovereignty, whenever the Government thinks it suitable, by ratifying, amplifying, or modifying said demarcations, as the national interest shall demand.

ARTICLE 4. The protection and control of the State are declared over all the sea included between the perimeter formed by the coast line and a mathematical parallel projected out to sea at a distance of two hundred marine miles from the continental Costa Rican coasts. With respect to the Costa Rican islands, the demarcation will be made by marking out a sea zone contiguous to the coasts of these islands, projected parallel to these coasts at a distance of two hundred miles from the whole circumference.

ARTICLE 5. The present declaration of sovereignty does not disregard similar legitimate rights of other States, on the basis of reciprocity, and does not affect rights of free navigation on the high seas.

Given in the Hall of Sessions of the Founding Junta of the Second Republic, San José, on the twenty-seventh day of July, one thousand nine hundred and forty-eight.

José Figueres.—Fernando Valverde Vega.—Uladislao Gámez Solano.—Bruce Masís Diviasi.—Benjamín Núñez Vargas.—Gonzalo Facio Segreda.—Alberto Martén Chavarría.—Francisco José Orlich Bolmarcich.—Raúl Blanco Cervantes.—Edgar Cardona Quirós.
J. SAUDI ARABIA: ROYAL PRONOUNCEMENT, 28 MAY 1949
(Published by the Saudi Arab Government, 1949.)

[Translation]

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

After reliance on God Almighty, being aware of the need for the greater utilization of the world’s natural resources which are the bounty of God, and of the desirability of giving encouragement to efforts to discover and make available such resources,

Recognizing that by God’s Providence valuable resources may underlie parts of the Persian Gulf off the coasts of Saudi Arabia, and that modern technology by the grace of God makes it increasingly practicable to utilize these resources.

Appreciating that recognized jurisdiction over such resources is required in the interest of their conservation and prudent utilization when and as development is undertaken,

Deeming that the exercise of jurisdiction over such resources by the contiguous nation is reasonable and just, since the effectiveness of measures to utilize or conserve these resources would be contingent upon cooperation and protection from the shore and since self-protection compels the coastal nation to keep close watch over activities off its shores which are of a nature necessary for the utilization of these resources, and

Considering that various other nations now exercise jurisdiction over the subsoil and sea bed of areas contiguous to their coasts,

Declare the following policy of the Kingdom of Saudi Arabia with respect to the subsoil and sea bed of areas of the Persian Gulf contiguous to the coasts of Our Kingdom:

The subsoil and sea bed of those areas of the Persian Gulf seaward from the coastal sea of Saudi Arabia but contiguous to its coasts are declared to appertain to the Kingdom of Saudi Arabia and to be subject to its jurisdiction and control. The boundaries of such areas will be determined in accordance with equitable principles by Our Government in agreement with other states having jurisdiction and control over the subsoil and seabed of adjoining areas. The character as high seas of the waters of such areas, the right to the free and unimpeded navigation of such waters and the air space above those waters, fishing rights in such waters, and the traditional freedom of pearling by the peoples of the Gulf are in no way affected.
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