Part I

Certain Legal Questions Relating to Straight Baselines and ‘Non-Natural Basepoints’ in the Law of the Sea
Chapter One

An Attempt to Unravel Charting and Publicity Requirements Imposed by UNCLOS Article 16

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I. Introduction and Background

The United Nations Convention on the Law of the Sea (hereinafter UNCLOS) is an extraordinary diplomatic accomplishment. It has been aptly referred to as ‘a constitution for the oceans’. Following 14 years of intense negotiations, among participants from all corners of the globe and the most diverse interests, it represents those diplomats’ best efforts to protect and share the resources of the seas.

One of UNCLOS’ primary schemes for accomplishing this purpose is its system of zones of maritime jurisdiction which may be claimed by a coastal State and within which that State will enjoy priority rights, and at the same time accept specific responsibilities. Moving from the coastline seawards, these zones include: internal waters, the territorial sea, the contiguous zone, the continental shelf and the exclusive economic zone. Generally speaking, the closer to shore, the more extensive a coastal State’s jurisdiction.

The rights and duties of both the coastal State and foreigners navigating off its shores vary substantially depending upon which of these zones is involved. For that reason it is essential that those subjecting themselves to coastal State jurisdiction – and those responsible for enforcing coastal State rights – be able to determine exactly which zone they are in.


2 Although the emphasis here is on international rights and duties, citizens of the coastal State must also be able to tell where their maritime boundaries are located because it is not unusual for domestic legislation to set different standards for internal waters than it does for the territorial sea.