

No. 7477

**AFGHANISTAN, ARGENTINA, AUSTRALIA,
AUSTRIA, BOLIVIA, etc.**

**Convention on the Territorial Sea and the Contiguous
Zone. Done at Geneva, on 29 April 1958**

Official texts: English, French, Chinese, Russian and Spanish.

Registered ex officio on 22 November 1964.

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**Convention sur la mer territoriale et la zone contiguë.
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Enregistré d'office le 22 novembre 1964.

No. 7477. CONVENTION¹ ON THE TERRITORIAL SEA AND
THE CONTIGUOUS ZONE. DONE AT GENEVA, ON
29 APRIL 1958

The States Parties to this Convention

Have agreed as follows :

PART I

TERRITORIAL SEA

SECTION I. GENERAL

Article 1

1. The sovereignty of a State extends, beyond its land territory and its internal waters, to a belt of sea adjacent to its coast, described as the territorial sea.

¹ In accordance with paragraph 1 of article 29, the Convention came into force on 10 September 1964, the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession. Following is a list of States on behalf of which the instruments of ratification or accession (a) were deposited with the Secretary-General of the United Nations, showing the respective dates of deposit :

United Kingdom of Great Britain and Northern Ireland	14 March	1960
Cambodia	18 March	1960 (a)
Haiti	29 March	1960
Union of Soviet Socialist Republics	22 November	1960
Malaysia	21 December	1960 (a)
Ukrainian Soviet Socialist Republic	12 January	1961
Byelorussian Soviet Socialist Republic	27 February	1961
United States of America	12 April	1961
Senegal	25 April	1961 (a)
*Nigeria	26 June	1961
Venezuela	15 August	1961
Czechoslovakia	31 August	1961
Israel	6 September	1961
Hungary	6 December	1961
Romania	12 December	1961
*Sierra Leone	13 March	1962
Madagascar	31 July	1962 (a)
Bulgaria	31 August	1962
Portugal	8 January	1963
South Africa	9 April	1963 (a)
Australia	14 May	1963
Dominican Republic	11 August	1964 ✓
Uganda	14 September	1964 (a)

For declarations and reservations made upon signature, see list of signatures and for those made upon ratification, as well as for objections to certain declarations and reservations, see pp. 277 to 282 of this volume.

* * By communications received on 26 June 1961 and 13 March 1962, respectively, the Governments of Nigeria and Sierra Leone informed the Secretary-General that they consider themselves bound by the ratification by the Government of the United Kingdom of Great Britain and Northern Ireland of the Convention on the Territorial Sea and the Contiguous Zone, done at Geneva on 29 April 1958, which was effective for their territories prior to the attainment of independence.

2. This sovereignty is exercised subject to the provisions of these articles and to other rules of international law.

Article 2

The sovereignty of a coastal State extends to the air space over the territorial sea as well as to its bed and subsoil.

SECTION II. LIMITS OF THE TERRITORIAL SEA

Article 3

Except where otherwise provided in these articles, the normal baseline for measuring the breadth of the territorial sea is the low-water line along the coast as marked on large-scale charts officially recognized by the coastal State.

Article 4

1. In localities where the coast line is deeply indented and cut into, or if there is a fringe of islands along the coast in its immediate vicinity, the method of straight baselines joining appropriate points may be employed in drawing the baseline from which the breadth of the territorial sea is measured.

2. The drawing of such baselines must not depart to any appreciable extent from the general direction of the coast, and the sea areas lying within the lines must be sufficiently closely linked to the land domain to be subject to the régime of internal waters.

3. 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.

4. Where the method of straight baselines is applicable under the provisions of paragraph 1, account may be taken, in determining particular baselines, of economic interests peculiar to the region concerned, the reality and the importance of which are clearly evidenced by a long usage.

5. The system of straight baselines may not be applied by a State in such a manner as to cut off from the high seas the territorial sea of another State.

6. The coastal State must clearly indicate straight baselines on charts, to which due publicity must be given.

Article 5

1. Waters on the landward side of the baseline of the territorial sea form part of the internal waters of the State.

2. Where the establishment of a straight baseline in accordance with article 4 has the effect of enclosing as internal waters areas which previously had been considered as part of the territorial sea or of the high seas, a right of innocent passage, as provided in articles 14 to 23, shall exist in those waters.

Article 6

The outer limit of the territorial sea is the line every point of which is at a distance from the nearest point of the baseline equal to the breadth of the territorial sea.

Article 7

1. This article relates only to bays the coasts of which belong to a single State.

2. For the purposes of these articles, a bay is a well-marked indentation whose penetration is in such proportion to the width of its mouth as to contain landlocked waters and constitute more than a mere curvature of the coast. An indentation shall not, however, be regarded as a bay unless its area is as large as, or larger than, that of the semi-circle whose diameter is a line drawn across the mouth of that indentation.

3. For the purpose of measurement, the area of an indentation is that lying between the low-water mark around the shore of the indentation and a line joining the low-water marks of its natural entrance points. Where, because of the presence of islands, an indentation has more than one mouth, the semi-circle shall be drawn on a line as long as the sum total of the lengths of the lines across the different mouths. Islands within an indentation shall be included as if they were part of the water areas of the indentation.

4. If the distance between the low-water marks of the natural entrance points of a bay does not exceed twenty-four miles, a closing line may be drawn between these two low-water marks, and the waters enclosed thereby shall be considered as internal waters.

5. Where the distance between the low-water marks of the natural entrance points of a bay exceeds twenty-four miles, a straight baseline of twenty-four miles shall be drawn within the bay in such a manner as to enclose the maximum area of water that is possible with a line of that length.

6. The foregoing provisions shall not apply to so-called "historic" bays, or in any case where the straight baseline system provided for in article 4 is applied.

Article 8

For the purpose of delimiting the territorial sea, the outermost permanent harbour works which form an integral part of the harbour system shall be regarded as forming part of the coast.

Article 9

Roadsteads which are normally used for the loading, unloading and anchoring of ships, and which would otherwise be situated wholly or partly outside the outer limit of the territorial sea, are included in the territorial sea. The coastal State must clearly demarcate such roadsteads and indicate them on charts together with their boundaries, to which due publicity must be given.

Article 10

1. An island is a naturally-formed area of land, surrounded by water, which is above water at high-tide.

2. The territorial sea of an island is measured in accordance with the provisions of these articles.

Article 11

1. A low-tide elevation is a naturally-formed area of land which is surrounded by and above water at low-tide but submerged at high-tide. Where a low-tide elevation is situated wholly or partly at a distance not exceeding the breadth of the territorial sea from the mainland or an island, the low-water line on that elevation may be used as the baseline for measuring the breadth of the territorial sea.

2. Where a low-tide elevation is wholly situated at a distance exceeding the breadth of the territorial sea from the mainland or an island, it has no territorial sea of its own.

Article 12

1. Where the coasts of two States are opposite or adjacent to each other, neither of the two States is entitled, failing agreement between them to the contrary, to extend its territorial sea beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial seas of each of the two States is measured. The provisions of this paragraph shall not apply, however, where it is necessary by reason of historic title or other special circumstances to delimit the territorial seas of the two States in a way which is at variance with this provision.