

Decree of 17 December 1967 regarding the Delimitation of the Breadth of the Territorial Sea of the State of Kuwait.

Article 1. - The territorial sea of the State of Kuwait extends seaward for a distance of twelve miles from the baselines of the mainland and of Kuwaiti islands as hereinafter defined in Article 2 of this Decree.

Article 2. - The baselines from which the territorial sea of the State of Kuwait is measured are established as follows:

- (a) Whereas the shore of the mainland or of a Kuwaiti island is fully exposed to the open sea, the low-water line along the coast is the baseline;
- (b) Where there is a port or harbour, the outer-most permanent harbour works which form an integral part of the harbour system are considered as forming part of the coast;
- (c) Where there is a low-tide elevation situated not more than twelve miles from the mainland or from a Kuwaiti island, the outer edge of the said low-tide elevation constitutes the baseline for measuring the territorial sea of the mainland or, as the case may be, of the island off which the elevation is situated;
- (d) In the case of Kuwait Bay, the waters of which are internal waters, the baseline is the closing line across the entrance to the Bay established in Annex III to Law N° 12 of 1964 regarding Prevention of the Pollution of Navigable waters by Oil.

Article 3. - In this Decree, the expression "island" means a naturally formed area of land surrounded by water, which is above water at mean high-water tides.

The expression "low-tide elevation" means a naturally formed area of land which is surrounded by and above water at low-tide but submerged at high-tide.

Article 4. - If the territorial sea of Kuwait measured in accordance with the provisions of this Decree overlaps the territorial sea of another State or of the Zone partitioned by the Agreement relating to the Partition of the Neutral Zone dated 7th July 1965, the boundary shall be determined in conformity with the provisions of Article 12 of the Geneva Convention on the Territorial Sea and Contiguous Zone, referred to in the Preamble of this Decree.

Article 5. - The enforcement of the provisions of this Decree shall not be understood as affecting in any way any rights of the interested parties in the submerged area to seawards of the Zone partitioned under the Partition Agreement of the Neutral Zone hereinabove mentioned.

Nor shall it be understood to detract in any way from any rights provided for in existing Concession Agreements between the Government of Kuwait and the Oil Companies operating in the territory of Kuwait, in the Partitioned Zone or in the sea-bed areas appertaining to each, particularly as regards the acreage of concession area as defined in the said agreements.

Article 6. - Nothing in the provisions of this Decree shall prejudice the rights of the State of Kuwait to an area contiguous to its territorial sea to be delimited later on, or to the exploitation of fish resources.

Article 7. - The President of the Council of Ministers and the Ministers shall, each within his competence, execute the provisions of this Decree which shall come into force as from the date of its publication in the Official Gazette.