

YEMEN REPUBLIC
MINISTRY OF LEGAL
AFFAIRS & HOUSE OF
REPRESENTATIVE
AFFAIRS



REPUBLICAN DECREE

OF LAW NO. (37) OF 1991

COCERNING THE TERRITORIAL SEA,

CONTIGUOUS ZONE, EXCLUSIVE

ECONOMIC ZONE,

AND THE CONTINENTAL SHELF.

C) Island : An area of land naturally formed surrounded by water from all sides and is over the sea level at high tide and also the rocks which are being prepared for the continuation of the human living and continuation of economic life of its own .

D) Inland Waters: Waters situated on the side extending towards the continental territory and that of the island from the base line which is the beginning for the measurement of the territorial Sea .

E) Continental Shelf: The bottom of the sea and its sea-bed which extends beyond the territorial sea in all the areas of the natural extensions of the territory of the Republic until the outside border of the continental edge or to a distance of 200 nautical miles from the base lines from which the width of territorial zone are measured for that distance .

F) Contiguous Zone: An area of waters situated beyond the territorial sea of the Republic and is adjacent to it in accordance with what is specified in Art. (12) of this law.

G) Bay : Clearly defined intrusion , the extension of which is measured according to the width of its entrance in a way to make it containing surrounded waters and forms more than a bending of the coast .

H) Shoal : An area of land submerged by shallow water at the high tide and not submerged with water at the lowest level of tide .

I) Nautical Mile : One thousand eight hundred and fifty - two meters .

J) Pollution to

Marine environment : introduction by a person directly or indirectly to the marine environment substance or energy from which results directly or the possibility of resulting deleterious effects like damaging of living resources and exposing human health to dangers or hindering maritime activities including fishing to and the other legitimate uses of the seas and oceans impairment of quality for use of sea water and reduction of use for pleasure means.

PART II

Territorial sea & Contiguous Zone

Art . (3) The Territorial sea, its sea-bed, under its floor and the air space over it , shall be subject to the sovereignty of Republic Without prejudice to the innocent passage of foreign ships across the Territorial Waters in accordance with the provisions of articles (7.8.9) of this law.

Art . (4) The Territorial sea of the Republic shall extend beyond the Inland Waters up to a distance of (12) twelve nautical miles towards the sea which shall be measured from the straight base line or from the lowest level of the waters of the low tide which extends a long the coast as marked by the large scale charts recognized in the Republic .

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- Art . (5)** The basic lines from which the Territorial sea of the Republic is measured shall be defined as follows :
- a) If the land or sea shore is completely exposed : the low water line along the coast .
 - b) In the case of the islands situated in coral reefs or islands surrounded by coral reefs lines to be drawn from the lowest level of the waters of the islands towards the sea.
 - c) In the case of a bay facing the sea : lines to be drawn at one end of the land from the entrance of the bay to the other end .
 - d) In the case of shoal which is not farther than twelve nautical miles from the land or from a Yemeni island : lines to be drawn from dry land or from the island on all the length of the external edge of the shoal .
 - e) In the case of port or anchor facing the sea : lines to be drawn on the length of the side facing the sea from the constructions outermost or more protruding than the constructions of the port or anchor and lines also to be drawn between the edges of those constructions .
 - f) Where the coast line is deeply indented or cut into or where a fringe of islands along the territorial coast : the straight basic lines connecting between the respective points .
- Art (6)** If the measurement of the Territorial sea according to the provisions of the above article, results in an enclosed space of a considered as part of the high seas surrounded by the Territorial sea from all the sides and

its length in any direction does not exceed twelve nautical miles, such space / part shall be deemed to be a part of the Territorial sea of the Republic and the same shall be applied to any pocket of the high seas clearly defined and can be surrounded by drawing one straight line the length of which is not exceeding twelve nautical miles .

Art . (7) 1-

foreign ships shall enjoy the right of innocent passage through the Territorial sea of the Republic . The passage shall be innocent as long as it is not prejudicial the security of the Republic or its safety or its good order and its independence .

passage of a foreign ship, submarine or submerged ship shall not be deemed innocent if during its presence in the Territorial sea it has carried any of the following activities :-

- a) the use of force or the threat to use it against the sovereignty of the Republic or its territorial safety or its independence or in any other way shall be deemed to be a violation of the principles of international law embodied in the United Nations Charter .
- b) any maneuver or exercise of any kind .
- c) any act aiming at collection of information or the carrying of a hostile act which will harm the security of the Republic or its safety .
- d) the launching , the landing or loading of any aeroplane or a military equipment from it or on it .

- e) loading or unloading any currency , person or goods in violation of prevailing laws and regulations relating to immigration, security, excise, taxation or health affairs
 - f) any wilful act of pollution or harmful to human health or live resources or marine environment .
 - g) any act of exploration or exploitation of renewable or not renewable natural resources .
 - h) any study or research activity .
 - i) any activity aiming at the interference in the communications networks or in the establishments installations and supplies .
 - j) any activity which has no bearing on passage or that will hinder intentionally international navigation .
- Art . (8) 1-** The entrance of foreign military ships including submarines and other submerged maritime ships and their passage through the territorial sea shall be subject to the prior permission of the competent authorities .
- 2-** The submarines and other submerged ships shall navigate on the surface and shall show their flags when passing through the territorial sea of the Republic .
- Art . (9)** The foreign nuclear operated ships or carrying nuclear materials or other radiating substances or materials shall notify the competent authorities in the Republic prior to their entrance and passage through the territorial sea of the Republic .
- Art . (10)** Competent authorities shall have the right to take all necessary and obligatory measures in the territorial sea to prevent non-innocent passage and also to stop the entrance of all the foreign ships or some of them to a

specified area of the territorial sea if the public interest requires the same provided that such areas shall be specified in an advanced notice.

Art . (11) Ships exercising the right of innocent passage in the territorial waters shall observe the laws and regulations prevailing in the Republic and also the provisions of the international law and especially those related to transportation and navigation .

Art . (12) The external line of the Contiguous zone is the line which is after each point 24 nautical mile from the nearest point on the base line referred to in article (4) of this law .

Art . (13) The competent authorities shall have the right to impose the supervision of the contiguous zone for the purposes of :

- a) Prevention and dealing with any violation of the laws of the Republic and its security , excise, health and financial regulations .
- b) the imposition of penalties for the violations of laws and regulations referred to hereinabove whether the violation occurred in the lands of the Republic or its territorial sea .

Part III

The Exclusive Economic Zone

Art . (14) The Republic shall have an exclusive economic zone with a width of two hundred (200) nautical miles measured from the base line of the territorial sea referred in art (4) of this law .

- Art . (15)** The Republic shall in the exclusive economic zone, including its floor and sea-bed, and its water pillar, have the following :
- a) the exclusive sovereignty & rights for the preservation of the exploration, investment and administration of the natural resources, renewable or other wise , including energy produced from waters , currents and winds.
 - b) The exclusive rights and sovereignty to establish, repair, operate and use artificial islands, constructions, installations and other structures necessary for the exploration of the resources of the exclusive economic zone of the Republic .
 - c) The exclusive sovereignty over the marine environment, its preservation protection and to prohibit, supervise and combat marine pollution and also the exclusive right to scientific research, allowing it, organizing it and controlling it .
 - d) Any other rights recognized under international law .
- Art . (16)** Without prejudice to the rights of the Republic over the exclusive economic zone, the Republic guarantees the freedom of navigation over-flight and extension of submerged cables and pipes in the exclusive economic zone .

Part IV

The continental Shelf

- Art . (17)** The competent authorities of the Republic alone may exercise the following in the continental shelf :
- a) exploration , exploitation and administration of all the natural resources and their preservation .
 - b) establishment, repair , operate and use the artificial islands, constructions , installations and other structures necessary for the exploration of the resources of the continental shelf zone of the Republic .
 - c) organization, allowing and controlling scientific researches .
 - d) preservation, protection of marine environment and control of and combat marine pollution .

Part V

Delimitations of the Sea

- Art . (18) 1-** The sea Delimitations between the Republic and any state having coasts opposite or adjacent to the coast of the Republic in respect to the territorial sea , the contiguous zone, the exclusive economic zone and the continental shelf .
- 2-** Until the reaching of an agreement of delimiting the sea, the territorial sea , the contiguous zone , the exclusive economic zone, and the continental shelf between the Republic and any state having coasts opposite or adjacent to the coast of the Republic shall be extended up to but not beyond the middle line or the line of equal

distance in which every point on it is equal in its distance from the nearest points on the two base lines from which the width of the sea of the territorial sea of the Republic and the territorial sea of such state shall be measured .

Part VI

Islands Zone

Art . (19) Every Island of the islands of the Republic shall have territorial sea, contiguous zone, exclusive economic zone and continental shelf and shall be subject to all provisions of this law .

Part VII

General & Final Provisions

Art . (20) The Republic may in its exercise of the rights of its sovereignty and authority over the territorial sea , exclusive economic zone and continental shelf, take measures which are necessary or required aiming at securing the execution of its laws, regulations and the submission of others to them .

Art . (21) No foreign person natural or corporate shall carry any exploration or investment of the natural resources, renewable or otherwise in the territorial sea, exclusive economic zone and continental shelf of the Republic or the exploration or search or drilling or the carrying of any scientific researches or the drilling explorations or establishing or maintaining any kind of artificial is-

lands or marine constructions or the carrying of any acts of operation or repairing for whatever purpose unless otherwise there has been concluded an special agreement with the Republic or an expressive licence granted by the competent authorities .

Art . (22) Subject to any other heavier penalty provided in any other law, every person contravening the provision of this law , the decisions or instructions issued under it , shall be punished by imprisonment of not exceeding three years and a fine not exceeding (250,00) Rials but without prejudice to the right of the state in obtaining of compensation of not less than the value of the explored resources if the violation is relating to exploration of a natural resource without the permission or knowledge of the state .

Art . (23) Subject to any other heavier penalty provided in any other law, every person causing any pollution harmful to human health, the living resources or marine environment in the internal waters, the territorial sea or the exclusive economic zone of the Republic , shall be punished by imprisonment of not exceeding one year or a fine not exceeding (150,000) Rials, the penalty shall be not exceeding six years or a fine not exceeding (250,000) Rials if the pollution inflicts gross harm but without prejudice to the right of compensation .

Art . (24) The internal regulations of this law shall be issued by a Republican Decree on the proposal of the Council of Ministers and the Prime Minister shall issue the decisions and regulations necessary for the execution of the provisions of this law .