

The Territorial Sea (Limits) Order 1987*

[Original: English]

1. This Order may be cited as the Territorial Sea (Limits) Order 1987 and shall come into force on 1 October 1987.
2. The seaward limit of the territorial sea adjacent to the United Kingdom between Point 1 and Point 6 indicated in the Schedule to this Order shall consist of a series of straight lines joining, in the sequence given, Points 1 to 6 indicated in the Schedule to this Order.
3. The seaward limit of the territorial sea adjacent to the United Kingdom shall be the median line where the baselines from which the breadth of the territorial sea adjacent to the United Kingdom is measured are less than 24 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the Isle of Man is measured.
4. In this Order:
 - (a) "Straight line" means a loxodromic line;
 - (b) All positions given by means of co-ordinates are defined on European Datum (1st Adjustment 1950);
 - (c) "Median line" is a line every point of which is equidistant from the nearest points of the baselines from which the breadth of the territorial sea adjacent to the United Kingdom and the Isle of Man respectively is measured.

Schedule

List of Points

<u>Point</u>	<u>Position of point</u>	
1	50° 49' 23" N	1° 15' 51" E
2	50° 53' 47" N	1° 16' 58" E
3	50° 57' 00" N	1° 21' 25" E
4	51° 02' 19" N	1° 32' 53" E
5	51° 05' 58" N	1° 43' 31" E
6	51° 12' 04" N	1° 53' 21" E

* Communicated by the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations in a note verbale dated 30 September 1987.

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order establishes the seaward limit of the territorial sea adjacent to the United Kingdom in the narrow part of the Straits of Dover and in the vicinity of the Isle of Man. The limit in the Straits of Dover is constituted by straight lines joining the points indicated in the Schedule and follows the line already agreed for the continental shelf by the Agreement of 24 June 1982 with the Government of France (T.S. No. 20 (1983) Cmd. 8859) where that line is within twelve miles of the baselines of the United Kingdom. The limit in the vicinity of the Isle of Man is the median line.

Extract from the speech made in the second reading debate in
the House of Lords by the Minister of State in the Foreign
and Commonwealth Office on 5 February 1987
concerning passage in straits*
(Hansard, HL 5 February 1987 Col 382)

[Original: English]

We also have had to consider the position of straits. With a territorial sea of only three miles, there is a stretch of high seas through most straits, though not all. If the territorial sea is extended to 12 miles, many more straits - including some of the most important such as the Straits of Dover, Hormuz in the Gulf, and Bab el Mandeb in the Red Sea - would be brought within the territorial sea of the neighbouring countries.

For this reason, it has been recognized in State practice, international negotiations and the case law of the International Court that a special regime for navigation is appropriate in straits. This is not so, of course, where a strait lies between an island and a mainland and there is a convenient alternative route outside the island.

International law and practice have now developed to the point where, if the United Kingdom extends to 12 miles, we should afford to others the essential rights in some internationally important straits for which there is no alternative route, namely, the Straits of Dover, the North Channel lying between Scotland and Northern Ireland and the passage between Shetland and Orkney. These rights, which are widely recognized as necessary, include: a right of unimpeded passage through such straits for merchant vessels and warships; a right of overflight; the right of submarines to pass through the straits submerged; and appropriate safeguards for the security and other interests of the coastal State.

In other straits used for international navigation, such as the Pentland Firth south of Orkney and the passage between the Scilly Isles and the mainland of Cornwall, as in other parts of the territorial sea, a right of innocent passage will continue to exist in accordance with the practice of States.

* A similar statement was made in the Second Reading Committee of the House of Commons by the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs, Mr. Eggar, on 28 April 1987.