

Law of Marine Areas of the Islamic Republic of Iran in the Persian Gulf and Oman Sea.

CHAPTER ONE TERRITORIAL WATERS

Article 1 :Jurisdiction

In addition to the realm of land, inland waters, its islands in the Persian Gulf, Hormoz Strait and Oman Sea the Islamic Republic of Iran has jurisdiction over an area of the waters connected to the Sea-board called "Territorial Waters".

This jurisdiction includes upper space, sea-bed and under sea-bed as well.

Article 2: External Limit

The width of territorial waters is 12 nautical mile from the sea-board. Nautical mile equals to 1852 meters. The islands belonging to Iran whether located in or out of the realm of the territorial waters, subject to the present Law, possesses its own particular territorial waters.

Article 3: Sea-board

The sea-board has calculating the territorial water in the Persian Gulf and Oman Sea is the same sea-board identified in terms of the Decree No. 2/250-67 dated on July 1973 of the council of ministers (the Decree is attached to the present Law). The criterion (for calculating the territorial waters) of the realm in the other areas and islands is the lowest point of ebb-tide along the shore.

The waters existing between the sea-board of the territorial waters and the land realm; and also the waters existing among the islands belonging to Iran; that their distance from each other does not exceed twice as much the width of the territorial waters, are considered to be a part of the territorial waters and are within the jurisdiction of the Islamic Republic of Iran.

Article 4: Fixing the Boundaries

In case of any interference between the territorial waters: of Iran and the territorial waters of the neighbouring countries or an opposite country, so long as there is not any mutually agreed measures, the interval limit between the territorial waters of Iran and the beneficiary country is the dividing line that its all points should be the same distance from the nearest points of the two parties' sea-board.

Article 5: Harmless passing

Except to the provisions of the article (9), harmless passing of foreign vessels from the territorial waters of Iran, so long as it is not a disturbing cause to the discipline, tranquility and security of the country, is subject to the terms of "harmless passing".

Except to the emergency state, passing (from the territorial waters) should be done in a usual speed and without any interruption.

Article 6: Terms of harmless passing

The pass of foreign vessels, in case of embarking on any of the following actions, is not considered to be harmless one and then will be subject to the terms of criminal and civil regulations.

A) any kind of threats or exercising force against the jurisdiction, territorial jurisdiction and sovereignty of the Islamic Republic of Iran or acting in any form when violate the principles of international law.

- B) Embarking on any kind of practices or manoeuvres with any kind of weapons.
- C) Collecting any kind of information which is harmful to the national security, defence affairs, or the economic interests of the country.
- D) Any kind of propaganda which aims to disturb the national security, defence affairs or economic interests of the country.
- E) Taking off, landing and transferring any kind of planes, helicopters, army instruments and force to the other vessels and sea-shore.
- F) Transportation of persons, loading or unloading any kind of commodities and money contrary to the law and regulations of the Islamic Republic of Iran.
- G) Causing any kind of marine environment pollution
- H) Any kind of operations on fishing and exploitation of marine resources.
- I) Conducting any kind of scientific research, topography, seismography and sampling.
- J) Causing disturbance in the communication systems or in the other facilities of the country.
- K) Any kind of accomplishments which do not necessitate the pass of ship.

Article 7: Supplementary regulations

In order to secure the interests of the country and goodness of executing harmless passing, the government of the Islamic Republic of Iran will enact other essential regulations with respect to any case.

Article 8: Suspension of harmless passing

In order to defy the security of the country, and referring to the high interests of the country, the government of the Islamic Republic of Iran can suspend the pass and stay of all foreign vessels in a number of areas of the territorial waters.

Article 9: Exceptions to the harmless passing.

Passing of warships, submarines, ships containing nuclear fuel or any other kind of floating, and ships and submarines carrying nuclear, or other dangerous or harmful materials with respect to the protection of environment, and also other foreign fishing vessels from the territorial waters is subject to an earlier approval of the authoritative officials of the Islamic Republic of Iran. Submarines have to pass over the sea while raising their flag up.

Article 10: Criminal jurisdiction

Prosecution, proceeding and punishment of the crimes committed in the ships passing from the territorial waters are the issues within the jurisdiction of the judicial authorities of the Islamic Republic of Iran

- A) If the impacts and consequences of the crime are against to the Islamic Republic of Iran.
- B) If the committed crime is a disturbance to the internal peace, discipline and tranquillity or against the general discipline of the territorial waters.

C) If the captain of ship or the diplomatic or counsellor envoy of the government owning the flag of ship sues for the assistance or proceeding.

D) If the proceeding and prosecution to challenge against smuggling narcotic drugs is urgently required.

Article 11: Civil jurisdiction

The authoritative officials of the government of the Islamic Republic of Iran can take necessary measures in the following cases, in order to execute remedial abatement and orders of condemnation, to ban, divert the direction or attack the ship and arrest its.....

A) While the ship is moving in the territorial; waters, out of the inland waters of Iran.

B) When the ship has stopped in the territorial waters of Iran.

C) When the ship is passing from the territorial waters on the condition that the same ship is the source of remedy of abatement or the order of condemnation and or the obligations arising from its civil responsibility.

CHAPTER TWO

Article 12 : The area under surveillance

The area under surveillance is an area, adjacent to the territorial waters, the external limit of which is 24 nautical miles from the base line.

Article 13: Civil and Punitive jurisdiction

In order to prevent any breach of law and regulations, including regulations pertaining to security customs, marine affairs, finance, immigration, sanitation, environment and prosecution of the offenders, the government of Islamic Republic of Iran will take all necessary actions in the surveillance area.

CHAPTER THREE

Exclusive economic zone and continental Shelf

Article 14: The sovereign right and jurisdiction in Exclusive Economic Zone

The sovereign right and jurisdiction of Islamic Republic of Iran, beyond the marine area, which is called Exclusive Economic Zone are as follow:

A) The discovery, exploitation, protection and management of all living and non-living marine resources laying on and below the sea-bed and above it, as well as any other economic activities pertaining to exploitation of wind and water powers and water currents for generating energy. The rights mentioned in this area are exclusive.

B) adoption and implementation of appropriate law and regulations, specifically for the following operations.

1- Construction and utilization of man-made islands and other installation and complexes, laying under water cables and pipes and determining security zones and taking the related security measures.

2- Performing any kind of research projects

3- Protection and preservation marine environment

C) Exercising the sovereign rights , assigned under the provisions of regional and international agreements.

Article 15: The sovereign rights and jurisdiction in continental shelf

The sovereign rights and jurisdiction of Islamic Republic of Iran over the continental shelf, which is the natural continuation of land territory, including areas over and under the sea-bed laying in the adjacent or beyond the territorial waters of Iran, are exercised on the basis of the provisions of article 14.

Article 16: The forbidden acts and operations.

Operations and exercises of foreign military forces, data collection and any form of activity that runs counter to the interests and rights of Islamic Republic of Iran in the Exclusive Economic zone and continental shelf are forbidden.

Article 17: Activities, discoveries and scientific research.

Any sort of operation, aimed at recapturing the sunken objects, scientific research and investigation in Exclusive Economic Zone and continental shelf is dependant upon the approval of the related officials of Islamic Republic of Iran.

Article 18: The civil and punitive authorities.

Islamic Republic of Iran exercises her civil and punitive authorities on the offenders that violated the regulations pertaining to the Exclusive Economic Zone and continental shelf, and based on the particular cases, may inspect or intercept the vessel.

The right of immediate pursuit

The Islamic Republic of Iran reserves the right of an immediate pursuit of the offenders who violate the regulations of inland waters, territorial waters, the areas under surveillance, Exclusive Economic Zone, continental shelf which lay in remote areas and high seas.

CHAPTER FOUR: The final provisions Codes of conduct

The board of ministers may determine the scope of powers and responsibilities of the ministries and executive agencies concerned.

The mentioned ministries and agencies are obliged to prepare the requires codes of conduct, within a year after the ratification of the present law and submit thereof to the board of directors unless the new codes of conducts are not approved, the existing regulations and codes will be valid.

Article 23

All the contrary laws and regulations will be deemed null and void since the ratification of the present law.

The present law embraces twenty three articles that have been ratified by Islamic consultative assembly on Tuesday second may 1993. It has also met the approval of the Guardian council.

Ali Akbar Nategh Nuri
The head of Islamic Consultative Assembly