

TITLE 18
TERRITORY, ECONOMIC ZONES
AND PORTS OF ENTRY

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CHAPTER 1

Territorial Boundaries and Economic Zones

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§ 101. Baseline system defined.

A baseline is a continuous line which encircles an island or atoll. The baseline from which the zones designated in this chapter are to be measured is as follows:

(1) The baseline of an island or portion of an island lacking a barrier reef, fringing reef, or other reef system is the low-water line of the island as marked on large-scale charts officially recognized by the Government of the Federated States of Micronesia.

(2) The baseline of an atoll or island or portion of an island having a barrier reef, fringing reef, or other reef system is a line following the contour of the seaward edge of the reef system, which line connects those outermost elevations of the reef which are above water at low tide, and which line exists as marked on large-scale charts officially recognized by the Government of the Federated States of Micronesia.

Source: COM PL 7-71 § 1; TT Code 1980, 52 TTC 51; PL 1-34 § 3; PL 5-112 § 1.

Cross-reference: FSM Const., art. I, § 1. The provisions of the Constitution are found in Part I of this code.

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The statutory provisions on the President and the Executive are found in title 2 of this code. The statutory provisions on the Congress of the Federated States of Micronesia are found in title 3 of this code. The statutory provisions on the FSM Supreme Court and the Judiciary are found in title 4 of this code.

The website of the FSM National Government contains announcements, press releases, news, forms, and other information on the National Government at <http://fsmgov.org>.

The FSM Supreme Court website contains court decisions, rules, calendar, and other information of the court, the Constitution, the code of the Federated States of Micronesia, and other legal resource information at <http://www.fsmsupremecourt.org/>.

The official website of the Congress of the Federated States of Micronesia contains the public laws enacted by the Congress, sessions, committee hearings, rules, and other Congressional information at <http://www.fsmcongress.fm/>.

§ 102. Territorial Sea and internal waters—Defined.

(1) There is hereby established a Territorial Sea of 12 nautical miles breadth. The inner boundary of the Territorial Sea of each island or atoll is the baseline as defined in section 101 of this chapter. The outer boundary is a line, every point of which is 12 nautical miles seaward of the nearest point of the baseline.

(2) Waters landward of the baseline, including the lagoons of atolls or islands, are internal waters.

Source: COM PL 7-71 § 1; PL IC-3 § 6; TT Code 1980, 52 TTC 52; PL 5-112 § 2, modified.

Cross-reference: FSM Const., art. I, § 1. The provisions of the Constitution are found in Part I of this code.

§ 103. Territorial Sea and internal waters—Sovereignty.

The sovereignty of the Federated States of Micronesia extends to its internal waters and Territorial Sea, including sovereign rights over the living and nonliving resources in the Territorial Sea and internal waters and in the airspace above the Territorial Sea and internal waters as well as its bed and subsoil.

Source: COM PL 7-71 § 1; TT Code 1980, 52 TTC 53; PL 5-112, § 3.

Cross-reference: FSM Const., art. IX, § 2 (m). The provisions of the Constitution are found in Part I of this code.

The statutory provisions on the President and the Executive are found in title 2 of this code. The statutory provisions on the Legislature (the Congress of the Federated States of Micronesia) are found in title 3 of this code.

§ 104. Exclusive economic zone—Defined.

There is hereby established an exclusive economic zone contiguous to the Territorial Sea. The inner boundary of the exclusive economic zone of each island or atoll is the seaward boundary of the Territorial Sea, and the outer boundary is a line, every point of which is 200 nautical miles seaward of the nearest point on the baseline as defined in section 101 of this chapter.

Source: COM PL 7-71 § 1; TT Code 1980, 52 TTC 54; PL 1-34 § 4; PL 5-112 § 4, modified.

Cross-reference: FSM Const., art. IX, § 2(m). The provisions of the Constitution are found in Part I of this code.

§ 105. Exclusive economic zone—Regulation.

Within the exclusive economic zone, the National Government of the Federated States of Micronesia shall have:

- (1) Sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or nonliving, of the waters superjacent to the seabed and of the seabed and its subsoil, and with regard to other activities for the economic exploitation and exploration of the zone;
- (2) Jurisdiction with regard to the establishment and use of artificial islands, installations, and structures; marine scientific research; and the protection and preservation of the marine environment; and
- (3) Other rights and duties provided for in international law.

Source: COM PL 7-71 § 1; TT Code 1980, 52 TTC 55; PL 5-112 § 5.

Cross-reference: The statutory provisions on the President and the Executive are found in title 2 of this code. The statutory provisions on

the Congress of the Federated States of Micronesia are found in title 3 of this code.

§ 106. Submerged reefs.

Traditionally recognized fishing rights in submerged reef areas wherever located within the fishery zones if [sic] Micronesia shall be preserved and respected.

Source: COM PL 7-71 § 1; TT Code 1980, 52 TTC 56.

Cross-reference: FSM Const., art. I, § 1. The provisions of the Constitution are found in Part I of this code.

§ 107. Regulations.

The President of the Federated States of Micronesia may issue such regulations as are necessary to establish the boundaries of internal waters, the Territorial Sea, and the exclusive economic zone.

Source: COM PL 7-71 § 1; TT Code 1980 52 TTC 57; PL IC-3 § 8; PL 1-34 § 5; PL 5-112 § 6.

Cross-reference: The statutory provisions on the President and the Executive are found in title 2 of this code. The statutory provisions on Administrative Procedure are found in title 17 of this code.

§ 108. Definitions.

As used in this chapter:

(1) "Atoll" means a naturally formed reef system which has one or more islands situated on the reef system, including Ngulu, Ulithi, Sorol, Eauripik, Woleai, Faraulep, Ifalik, Olaimarao, Elato, Lamotrek, West Fayu, Puluwat, Pulap, Pulusuk, Namonuito, Kuop, Nomowin, Murilo, Losap, Namoluk, Satawan, Etal, Lukunor, Minto Reef, Oroluk, Nukuoro, Kapingamarangi, Pakin, Ant, Sapwuafik, Mwoakiloa, and Pingelap.

(2) "Island" means a naturally formed area of land, surrounded by water, which is above water at high tide.

Source: PL 5-112 § 7.