

DEMOCRATIC REPUBLIC OF TIMOR-LESTE

NATIONAL PARLIAMENT

Law No. 7/2002

Of 20 September

**MARITIME BOUNDARIES OF THE TERRITORY OF THE DEMOCRATIC
REPUBLIC OF TIMOR-LESTE**

The Constitution of the Democratic Republic of Timor-Leste provides, in paragraph 2 of section 4, that the law must establish and define the extent and the limit of the territorial waters, the exclusive economic zone and the rights of Timor-Leste in the contiguous zone and continental shelf.

The Constituion further provides that such matter shall fall under the exclusive legislative competence of the National Parliament, even if initiated by the Government (section 97, paragraph 1, subparagraph *c*), and section 115, paragraph 2, subparagraph *a*)).

Under the terms of paragraph 2, section 4, and of subparagraph *b*), paragraph 2, section 95, of the Constitution of the Democratic Republic of Timor-Leste, the National Parliament enacts the following that shall have the force of law:

Section 1

Definitions

For the purposes of the present law:

a) “Baselines” means the baselines from which the width of the territorial sea is measured, as referred to in sections 2 and 3 of the present law;

b) “Contiguous zone” means the contiguous zone of Timor-Leste, as referred to in section 6 of the present law;

c) “Continental shelf” means the continental shelf of Timor-Leste, as set out in section 8 of the present law;

d) “Territory of Timor-Leste” includes the eastern part of the Timor Island, the enclave of Oe-Cusse Ambeno, the island of Ataúro e and the isle of Jaco, as well as other islands and natural formations constituting dependencies susceptible of appropriation;

e) “Exclusive economic zone” means the maritime zone beyond the territorial sea of Timor-Leste and adjacent thereto, as established in section 7 of the present law;

f) “Interior waters” means the interior waters of the territory of Timor-Leste, as referred to in section 4 of the present law;

g) “Low tide line” means the low tide line of the seashores of the territory of Timor-Leste, as shown in official larger-scale maps officially recognised by the Government of Timor-Leste;

h) “Minister” means the Minister as may be designated by the Prime Minister to have competence in matters of maritime spaces and borders of Timor-Leste and of jurisdiction thereover;

i) “Nautical mile” means the *International Nautical Mile* of 1,852 metres;

j) “Territorial sea” means the territorial sea of Timor-Leste, as referred to in section 5 of the present law.

Section 2

Normal baseline

1. Without prejudice to the provisions of section 23, the normal baseline for measuring the width of the territorial sea of Timor-Leste shall be the low tide line along the coast of the territory of Timor-Leste.

2. Permanent port facilities situated farther away from the coast, which form an integral part of the port system, shall be considered to be a part of the coast.

Section 3

Rivers and bays

1. If a river flows directly into the sea, the baseline shall be a straight line drawn across the mouth of the river between the limit points of the low tide line of its banks.
2. Without prejudice to the applicable norms of international law, if the sinuosity of the coast forms a bay, the baseline shall be a straight-line segment between the natural entry points into bay on the low tide line.
3. Paragraph 2 above shall not apply to “historic bays”, and the Minister may declare a bay as a “historic bay” and define the outer limits of the bay in question.

Section 4

Interior waters

The outer limit of the interior waters of the territory of Timor-Leste shall be the baseline from which the width of the territorial sea of Timor-Leste is measured.

Section 5

Territorial sea

The outer limit of the territorial sea of Timor-Leste shall be defined by a line in which each of the points is situated at a distance of twelve nautical miles from the nearest point of the baseline.

Section 6

Contiguous zone

The outer limit of the contiguous zone of Timor-Leste shall be defined by a line in which each of the points is situated at a distance of twenty-four nautical miles from the nearest point of the baseline.

Section

Exclusive economic zone

The outer limit of the exclusive economic zone of Timor-Leste shall be defined by a line in which each of the points is situated at a distance of two hundred nautical miles from the nearest point of the baseline.

Section 8

Continental shelf

The outer limit of the continental shelf of Timor-Leste shall be defined by a line in which each of the points is situated at a distance of two hundred nautical miles from the nearest point of the baseline or by the outer edge of the continental margin, in case the continental margin is located at a distance exceeding two hundred nautical miles from the baseline.

Section 9

Overlapping titles over maritime spaces

Without prejudice to the provisions of sections 5 to 8, in case of overlapping between titles of Timor-Leste and those of neighbouring States over maritime spaces, the delimitation shall be resolved through peaceful means of dispute resolution, in accordance with section 33 of the United Nations Charter, taking into account the principles and rules of international law relating to the delimitation of maritime spaces.

Section 10

Sovereignty, sovereign rights and jurisdiction

1. The sovereignty of Timor-Leste shall, apart from its territory and interior waters, cover the territorial sea and the air space above the territorial sea, as well as its seabed and subsoil.

2. In its contiguous zone, the State of Timor-Leste shall exercise the required monitoring:

a) To avoid offences against customs, tax, immigration and health laws and regulations in its territory or in its territorial sea;

b) To repress offences against laws and regulations in its territory or in its territorial sea.

3. In its exclusive economic zone, the State of Timor-Leste shall have:

a) Sovereign rights for the purpose of exploring and using, preserving and managing natural resources, living and non-living, in the waters above the seabed, on the seabed and in its subsoil and those relating to other activities aimed at exploring and using the exclusive economic zone of Timor-Leste for economic purposes, such as energy production from water, currents and winds;

b) Jurisdiction concerning

i) Placement and use of artificial islands, facilities and structures;

ii) Maritime scientific research;

iii) Protection and preservation of the maritime environment;

c) Other rights and duties as recognised by international law.

4. The State of Timor-Leste shall exercise sovereign rights over the continental shelf for the purposes of exploring and using its natural resources, as well as other rights as recognised by international law.

5. The sovereign rights exercised by the State of Timor-Leste over the continental shelf shall be independent of its occupation, real or fictitious, or of any express statement.

Section 11

Topographic maps and geographic coordinates

The National Parliament shall, within a reasonable period of time, at its own initiative or through a bill, prepare scale maps appropriate for determining the position of the lines of outer limit and for demarcating the territorial sea, the exclusive economic zone, and the continental shelf or, where appropriate, lists of geographic coordinates of points where it is specifically mentioned the geodesic origin of those lines, which shall be duly publicised, and a copy of each of those maps or lists shall be deposited with the United Nations Secretary-General, as soon as the international law instruments alluded to in section 12 below are received into the internal legal system.

Section 12

International law

The competent organs of sovereignty shall, within a reasonable period of time, through appropriate constitutional and legal mechanisms, promote the approval of, accession to and ratification of the treaties, conventions, agreements and protocols that exist in the area of the Law of the Sea, particularly the United Nations Convention on the Law of the Sea of 10 December 1982, concluded in Montego Bay (Mexico), and the Agreement on the Application of Part XI of the same United Nations Convention on the Law of the Sea of 10 December 1982.

Section 13

Effect

The present law shall take effect as from 20 May 2002.

Passed on 23 July 2002

The Speaker of the National Parliament

Francisco Guterres 'Lú-Olo'

Promulgated on 24 August 2002

To be published.

The President of the Republic

José Alexandre Gusmão 'Kay Rala Xanana Gusmão'