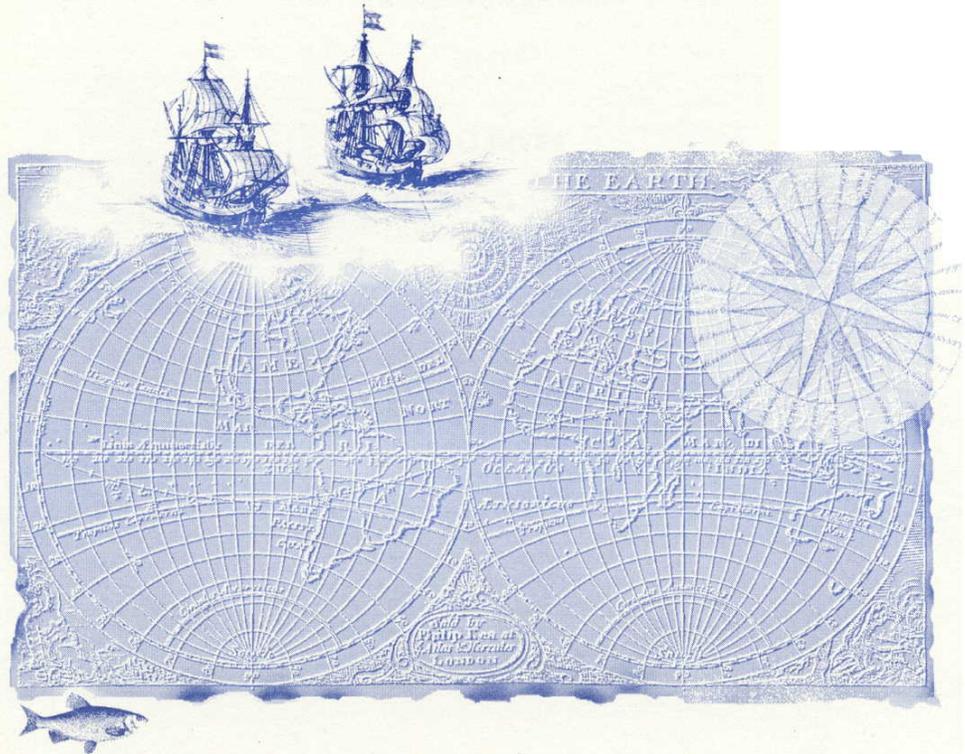




# Limits in the Seas

No. 126

## Maldives Maritime Claims and Boundaries



**This paper is one of a series issued by the Office of Oceans Affairs, Bureau of Oceans and International Environmental and Scientific Affairs in the Department of State. The aim of the series is to set forth the basis of national arrangements for the measurement of marine areas by coastal States. It is intended for background use only. This paper does not necessarily represent an official acceptance by the United States Government of the limits claimed.**

**Principal analysts for this study: Robert W. Smith and Sarah Morison. Requests for additional copies should be addressed to the Office of Oceans Affairs, Room 5805, United States Department of State, Washington, D.C. 20520.**

## **LIMITS IN THE SEAS**

**No. 126**

### **MALDIVES**

### **MARITIME CLAIMS AND BOUNDARIES**

**September 8, 2005**

**Office of Oceans Affairs  
Bureau of Oceans and International  
Environmental and Scientific Affairs  
U.S. Department of State**

## Introduction

This study analyzes Maldives' maritime claims, including its assertion of archipelagic straight baselines. The Maldives Marine Zone of Maldives Act, Act Number 6/96 (annex 1 to this study) took effect June 27, 1996, and established a 12-mile territorial sea, 24-mile contiguous zone and 200-mile exclusive economic zone.<sup>1</sup>

## Basis for Analysis

The 1982 Convention on the Law of the Sea (LOS Convention) contains certain provisions related to Archipelagic States.<sup>2</sup> Article 47 sets out criteria to which States must adhere when establishing archipelagic straight baselines (annex 2 to this study). Among the objective criteria are that the ratio of the water area to the land area situated within the baseline system must fall within the range of 1 to 1 and 9 to 1. In addition, the length of any individual baseline shall not exceed 100 miles except that up to 3 percent of the total number of baselines may have a length up to 125 miles.

Within the LOS Convention specific rights and duties are given to archipelagic States over their land and water territory. Article 53 allows the archipelagic State to “designate sea lanes . . . suitable for the continuous and expeditious passage of foreign ships . . . through . . . its archipelagic waters and the adjacent territorial sea.” Also in Article 53 is the provision that “[i]f an archipelagic State does not designate sea lanes . . . , the right of archipelagic sea lanes passage may be exercised through the routes normally used for international navigation.” As of the time this report is written the Maldives government had not formally designated any archipelagic sea lanes.

## Analysis<sup>3</sup>

The Republic of the Maldives, located in the Indian Ocean, south-southwest of India, consists of many atolls, 25 of which were measured to arrive at the land area. Atolls are composed of small pieces of land that are permanently above water at high tide surrounded by the open sea, and enclose or partially enclose a lagoon. As provided in article 47.7 of the LOS Convention, for the purpose of computing the ratio of water to land, land areas may include waters lying within an atoll.

In the Maldives, the atolls line up in approximately two parallel columns in a primarily north-south direction. They lay between 74°E and 72° 30'E and 7°10'N and 0° 45'S. The atolls range in size from three to 3,200 square kilometers. Out of the 25 atolls

<sup>1</sup> All miles in this study are nautical miles. One nautical mile equals 1,852 meters. The text of the Act reproduced in Annex 1 of this study also can be found in the United Nations Law of the Sea Bulletin No. 41, at 16-20 (1999) and is taken from the UN web site, at:

<http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/STATEFILES/MDV>

<sup>2</sup> The Maldives ratified the LOS Convention on 7 September 2000.

<sup>3</sup> Analysis of this archipelagic straight baseline claim was based on plotting the baselines on United Kingdom Admiralty Charts 1011-1014.

measured, straight baseline points are located on 13 of them. The remaining 12 atolls are located within the archipelagic straight baseline system, and are considered land territory within the archipelago. This archipelagic straight baseline system meets the water-to-land-area ratio standard set forth in Article 47.1:

Total Area = 21,350 square nautical miles (73,100 square kilometers)  
 Water Area = 15,500 square nautical miles (53,000 square kilometers)  
 Land Area = 5,900 square nautical miles (20,130 square kilometers)

Thus, the water-to-Land-Area-Ratio is 2.63:1.

Article 47.2 of the LOS Convention provides that the length of the baselines shall not exceed 100 miles, except that up to 3 per cent of the total number of baseline segments enclosing any archipelago may exceed that length, up to a maximum length of 125 miles. The Maldives archipelagic straight baseline system is composed of 37 segments, permitting only one segment to be over 100 miles long. However, three baseline segments exceed 100 miles in length (segments 14-15, 28-29 and 36-37). Therefore, the Maldives does not meet this requirement of Article 47.2 of the LOS Convention.<sup>4</sup> The 37 segments range in length from 0.2 miles (segment 2-3) to 120.3 miles (segment 36-37). Annex 3 to this study lists the length of each segment.

Points 1 to 6 of the baseline system are located on Ihavandhippolhu Atoll, the northernmost atoll in the Maldives. Point 1 is on the western side of the Atoll, and points 2-6 proceed around the top of the Atoll in a clockwise direction. The segments range in length from 0.2 miles (Segment 5-6) to 3.6 miles (Segment 4-5).

Points 7 to 9 are located on North Thiladhunmathee Atoll. Segment 6-7, 20.3 miles long running in a southeasterly direction, joins Ihavandhippolhu Atoll and North Thiladhunmathee Atoll, enclosing Gallandhoo Channel within the baseline system. Segments 7-8 and 8-9 are very short, 0.7 and 1.1 miles long, respectively, though point 9 is on a separate island from points 7 and 8. The three Points fall roughly in a south-southeast direction.

Point 10 is located on the eastern side of Faadhippolhu Atoll. Segment 9-10 is 98 miles long, extending from North Thiladhunmathee Atoll to Faadhippolhu Atoll, approximately south-southeast. It encloses all of South Thiladhunmathee Atoll, and North and South Miladhunmadulu Atolls. Point 11 lies 1.3 miles south and slightly east of Point 10, on the same Atoll.

Point 12 lies on the eastern most tip of land of Male Atoll. Segment 11-12 is 54.5 miles long, with a south-southeast direction, and forms the eastern straight baseline boundary to the Kaashidoo Channel. Point 13 is on the eastern most tip of land of Felidhe Atoll. Segment 12-13 is 59.8 miles long and encloses South Male Atoll behind

---

<sup>4</sup> The United States filed a note with the Maldives in June 2001, protesting the three segments and other provisions in the law. See *Digest of United States Practice in International Law 2001*, at pages 711-714 (Cummins and Stewart, eds. 2002).

the straight baseline system. It runs slightly east of south, but predominantly south. Segment 13-14 is 79.8 miles long, stretching from Felidhe Atoll to Point 14 on the northeastern-most tip of Hadhdhunmathee Atoll. It follows a south-southwest direction.

Point 15 is located on South Huvadho Atoll, almost directly south of Point 14. Segment 14-15 is the first segment that is over 100 miles, at 101.7 miles long. Point 16 lies on Foammulah, a small Atoll of seven square kilometers, approximately south-southwest of Point 15. Segment 15-16 is 11.4 miles long and encloses the Equatorial Channel.

Points 17 to 25 are located on Addoo Atoll, the southernmost atoll in the archipelago. Point 17 is found on the eastern side of the Atoll, and is connected with Point 16 by a straight baseline segment 59.4 miles long. Points 18-23 round the tip of the Atoll in a clockwise direction with segments varying in length from half a mile (segment 20-21) to 2.6 miles (segment 17-18). Points 24 and 25 carry the archipelagic straight baseline system around the western edge of the Atoll, with segment 24-25 being the longest on the Atoll at 4.2 miles.

Segment 25-26, connecting Addoo Atoll and South Huvadho Atoll is 59.3 miles long, mainly directly north but with a slight slant to the west. This segment forms the western archipelagic straight baseline limit of the Equatorial Channel. Points 26-28 are all located on South Huvadho Atoll, on the western edge, across the lagoon from Point 15. These segments curve with the Atoll as it bulges out in the middle and then begins to turn slightly easterly again.

Archipelagic straight baseline 28-29 is the second segment that exceeds 100 miles, with a length of 112.4 miles. Point 29 is located on Kolhumadulu Atoll, north and slightly west of Point 28. This segment forms the western limit of the One and Half Degree Channel, of which segment 14-15 is the eastern side.

Segment 29-30 brushes the southwest side of South Nilandhe Atoll, and terminates at Point 30, which is on the western-most point of the Atoll. The segment, 22.9 miles long, follows a north-northwest course. Continuing northward, the baseline system encloses North Nilandhe Atoll, to South Ari Atoll. This segment, 30-31, is 50.1 miles long. Points 31-36 are all located on South and North Ari Atoll. Though it is not perfectly clear where the Atolls separate, it appears that Points 31-33 are on the South Atoll and Points 34-36 on the North. This Atoll is very straight, so the baseline segments in this area are almost perfectly north-south in orientation. The segments range in length from 3.4 miles long (segment 34-35) to 9.5 miles long (segments 31-32 and 33-34).

Point 37 is found on the western-most point of Maamakunudho Atoll, 120.3 miles north-northwest of Point 36, making Segment 36-37 the third baseline to exceed the 100 mile limit. Segment 36-37 forms the western baseline limit of Kaashidho Channel and encloses Goidho Atoll, and South and North Maalhosmadulu Atolls. Point 37 is also the western-most point of the Maldives archipelago. Point 37 is connected to Point 1 to

complete the archipelagic straight baseline system with a segment 51.5 miles long, running in a north-northeast direction.

### **Territorial Sea, Contiguous Zone, and Exclusive Economic Zone:**

The 12-mile territorial sea limit is measured from the archipelagic straight baselines established in this law. The total territorial sea area as measured from the archipelagic straight baselines is approximately 12,333 square nautical miles (42, 345 square kilometers).

Act Number 6/96 also establishes a 24-mile contiguous zone, extending 12 miles seaward from the 12-mile territorial sea limit.

Law Number 30/76 of December 5, 1976 established a rectangular Exclusive Economic Zone (EEZ) varying in distance from 37 to 310 miles off the coast of the Maldives.<sup>5</sup> This EEZ did not meet the requirement of the LOS Convention. Law Number 30/76 was repealed by Law Number 6/96. The new 200-mile EEZ limit is measured from the archipelagic straight baselines from which it measures the breadth of its territorial sea.

### **Other Aspects of Law 6/96:**

#### **Navigation:**

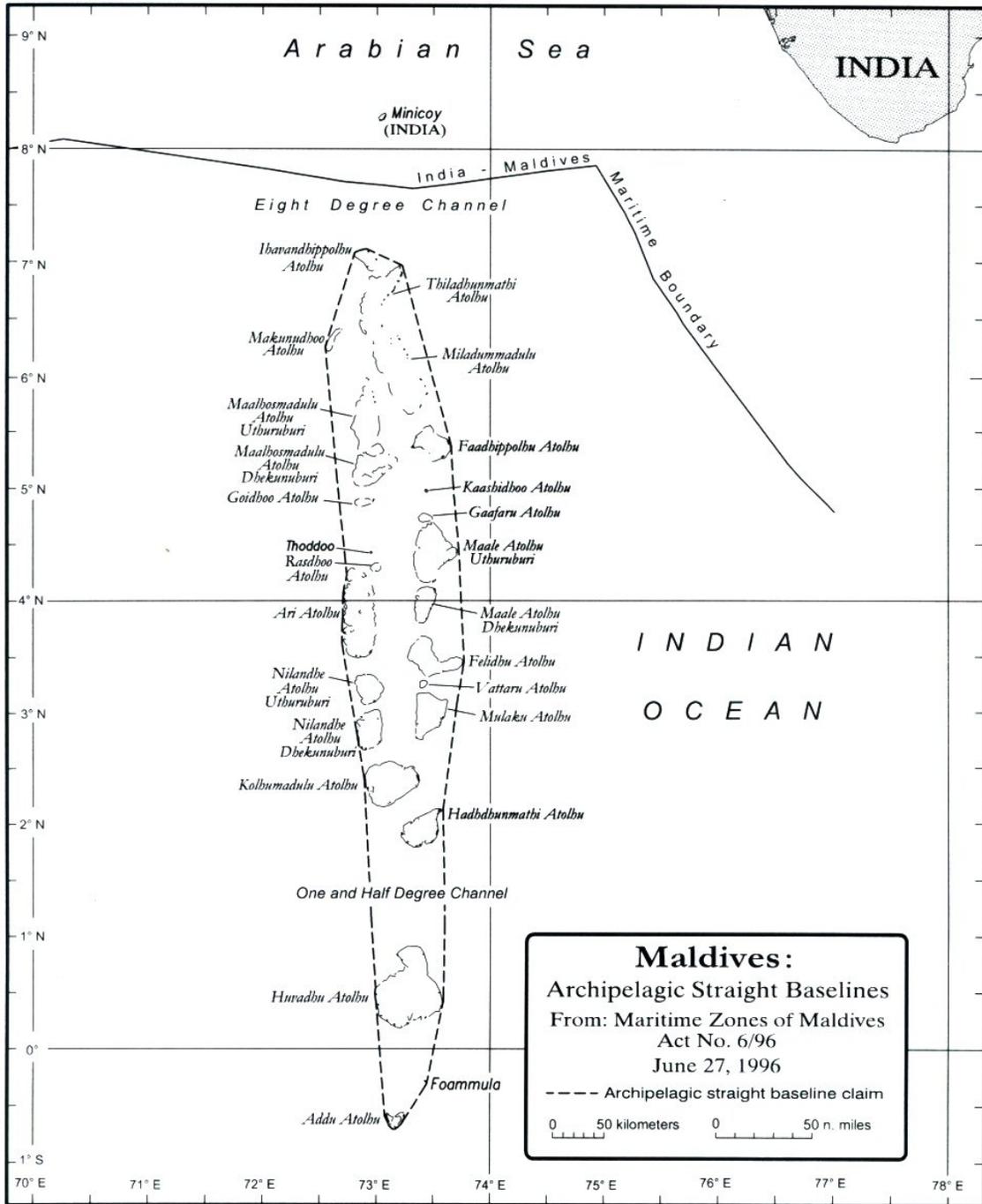
Article 12 of the law states that “foreign vessels shall have the right of continuous and expeditious archipelagic passage in the sea lanes designated by...” Maldives. In accordance with the LOS Convention such archipelagic sea lanes “shall traverse the archipelagic waters and the adjacent territorial sea and shall include all normal passage routes used as routes for international navigation or overflight...” (article 53.4 of the Convention). Such archipelagic sea lane passage means the “exercise in accordance with this Convention of the rights of navigation and overflight in the normal mode solely for the purpose of continuous, expeditious and unobstructed transit between one part of the high seas or an exclusive economic zone and another part of the high seas or an exclusive economic zone” (article 53.3). Since Maldives has not designated archipelagic sea lanes, the “right of archipelagic sea lane passage may be exercised through routes normally used for international navigation” (article 53.12).

In article 13 (b) of the law Maldives claims that a foreign warship or a foreign nuclear-powered ships or a ship carrying nuclear or other inherently dangerous or noxious substance must receive authorization from the Government of the Maldives prior to entering the territorial sea. This provision is not permitted by the LOS Convention. The United States has protested this claim.<sup>6</sup>

<sup>5</sup> See J. Ashley Roach and Robert W. Smith, *United States Responses to Excessive Maritime Claims* 132-134 (2nd ed., Martinus Nijhoff Publishers, 1996).

<sup>6</sup> See *Digest of United States Practice in International Law* 2001, at pages 711-714 (Cummins and Stewart, eds., International Law Institute, 2002).

# MALDIVES



Names and boundary representation are not necessarily authoritative

In article 14 Maldives claims that any foreign vessel entering its exclusive economic zone (EEZ) must first obtain prior authorization. This is also not in accordance to the LOS Convention and has been protested by the United States.<sup>7</sup> Article 58.1 of the LOS Convention provides that in the exclusive economic zone all States enjoy “the freedoms referred to in article 87 of navigation and overflight and of laying of submarine cables and pipelines, and other internationally lawful uses of the sea related to those freedoms, such as those associated with the operation of ships, aircraft and submarine cables and pipelines, and compatible with the other provisions of this Convention.”

### **Maritime Boundaries:**

**India:** The Maldives and India signed an agreement to establish a Exclusive Economic Zone maritime boundary in the Arabian Sea on December 28, 1976, which went into effect on June 8, 1978. For an analysis of this boundary see *Limits in the Seas* Number 78 of July 24, 1978. The boundary, made up of 20 points, closely approximates an equidistant line.<sup>8</sup>

**Sri Lanka:** Sri Lanka shares a trijunction point with the Maldives and India, situated approximately 200 miles from each coast. The point was established by agreement among these three countries on July 31, 1976.<sup>9</sup>

<sup>7</sup> Ibid.

<sup>8</sup> The text and analysis of this agreement can be found at Jonathan Charney and Lewis Alexander (eds), *International Maritime Boundaries*, Vol. II. at page 1389 (Martinus Nijhoff Publishers, 1993).

<sup>9</sup> Ibid; text and analysis of the agreement are at page 1401.

## Annex 1

Maritime Zones of Maldives Act No. 6/96<sup>10</sup>Introduction

1. This Act makes provision in respect of the internal waters, territorial sea and contiguous zone and the exclusive economic zone of Maldives. This Act shall be cited as “Maritime Zones of Maldives Act”.

Internal Waters

2. The inland waters of every atoll of Maldives, lagoons and reefs of islands shall be the internal waters of Maldives, In addition to these waters, the Government of Maldives has the right to designate, in accordance with the rule of international law, other maritime areas as internal waters of Maldives.

Archipelagic waters

3. Save the internal waters of Maldives as determined under section 2 of this Act, the maritime area contained within the archipelagic baselines established in accordance with Schedule 1 to this Act shall be the archipelagic waters of Maldives.

Territorial Sea

4. The maritime area contained within 12 nautical miles measured from the archipelagic baselines established in accordance with Schedule 1 to this Act shall be the territorial sea of Maldives.

Contiguous zone

5. The maritime area contained within 12 nautical miles measured from the outer limits of the territorial sea as determined under section 4 of this Act shall be the contiguous zone of Maldives.

Exclusive economic zone

6. The maritime area adjacent to and beyond the territorial sea as determined under section 4 of this Act together with the seabed thereof up to 200 nautical miles measured from the archipelagic baselines as established in accordance with Schedule 1 to this Act shall be the exclusive economic zone of Maldives.

Overlap between the exclusive zone of Maldives  
and the exclusive economic zone of another State

7. In the event that the exclusive economic zone of Maldives as determined under section 6 of this Act overlaps with the exclusive economic zone of another State, this Act does not prohibit the Government of Maldives from entering into an agreement with that State as regards the area of overlapping and delimiting the exclusive economic zone of Maldives for the said area of overlapping.

<sup>10</sup> Unofficial translation by the U.S. Department of State. Text of law also found at United Nations Law of the Sea Bulletin No. 41, 16 and [http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/MDV\\_1996\\_Act.pdf](http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/MDV_1996_Act.pdf).

### Sovereignty

8. In addition to the land territory of Maldives and the airspace thereabove, the sovereignty of Maldives shall extend to the internal waters, archipelagic waters and territorial sea, together with the seabed and subsoil and airspace thereof.

### Sovereignty Rights

9. Within its exclusive economic zone, Maldives shall have sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources contained therein, whether living or non-living, and with regard to other activities for purposes of the economic exploitation of the zone. Economic exploitation of the natural resources found in the zone by persons other than nationals of Maldives or the conduct of scientific research within the zone as well as the construction, operation and use of any artificial island installation or structure within the zone for any of the foregoing purposes shall be subject to authorization from the Government of Maldives.

### Jurisdiction over contiguous zone

10. Maldives may exercise within the contiguous zone the control necessary to prevent infringement of its customs, fiscal, immigration or sanitary laws and regulations within the territory of Maldives and its territorial sea and to punish the infringement of the above laws and regulations committed within the territory and the territorial sea of Maldives.

### Entry of foreign vessels into Maldives internal waters

11. No foreign vessel shall enter the internal waters of Maldives except with prior authorization from the Government of Maldives in accordance with the laws and regulations of Maldives.

### Entry into archipelagic waters

12. Foreign vessels shall have the right of continuous and expeditious archipelagic passage in the sea lanes designated by the Government of Maldives from among international navigation channels. Such passage shall be in accordance with the regulations made under this Act.

### Entry into the territorial sea

13. (a) Save such vessels engaged in innocent passage compatible with international laws, no vessel shall enter the territorial sea of Maldives except in accordance with the laws and regulations of Maldives.

(b) No foreign warship or foreign nuclear-powered ship or ship carrying nuclear or other inherently dangerous or noxious substances shall enter the territorial sea of Maldives for any purpose except with prior authorization of the Government of Maldives and in accordance with the laws and regulations of Maldives.

### Entry into the exclusive economic zone

14. No foreign vessel shall enter the exclusive economic zone of Maldives except with prior authorization from the Government of Maldives in accordance with the laws of Maldives.

Entry into and passage through the airspace

15. (a) Except in accordance with international standards and applicable regulations in force in Maldives, no foreign aircraft shall engage in any overflight across the airspace or via air routes above the land territory, internal waters, archipelagic waters and territorial sea of Maldives. Except as provided above, no aircraft shall enter the foregoing airspace or air routes.

(b) No foreign military aircraft shall engage in overflight across the airspace or air routes specified in subsection (a) of this section except with the authorization of the Government of Maldives. Except as provided above, no military aircraft shall enter the foregoing airspace or air routes.

Rights under international law

16. In addition to matters provided in this Act, Maldives shall enjoy in relation to its maritime zones all other rights and jurisdiction States enjoy under international law as regards maritime zones.

Regulations

17. The Government of Maldives has the jurisdiction to adopt regulations in respect of the maritime zones of Maldives and airspace thereabove.

Definitions

18. (a) *Archipelagic baseline* shall mean the lines established in accordance with the coordinates specified in Schedule 1 to this Act;

(b) *Nautical mile* shall mean the international nautical mile consisting of 1852 metres;

(c) *Warships* shall mean naval vessels and vessels of such description that could be engaged in warfare due to the weapons on board such vessels.

(d) *Military aircraft* shall mean air force airplanes of such description that could be engaged in warfare due to the weapons on board such planes.

Repeal

19. Law No. 30/76 (Law relating to the exclusive economic zone of Maldives) and Law No. 32/76 (Law relating to the navigation and passage by foreign ships and aircraft through the airspace, territorial waters and the exclusive economic zone of the Republic of Maldives) shall be repealed upon this Act taking effect.

Schedule 1<sup>11</sup>

## Archipelagic Basepoints of Maldives

Serial No.	Point code	Latitude	Longitude
1	B1	07° 03' 54" N	72° 47' 45" E
2	B2	07° 04' 35" N	72° 48' 07" E
3	B3	07° 04' 47" N	72° 48' 21" E
4	B4	07° 05' 44" N	72° 50' 34" E
5	B5	07° 06' 35" N	72° 53' 50" E
6	B6	07° 06' 35" N	72° 54' 13" E
7	B7	06° 58' 07" N	73° 12' 46" E
8	B8	06° 57' 37" N	73° 13' 14" E
9	B9	06° 55' 31" N	73° 13' 53" E
10	B10	05° 23' 20" N	73° 38' 20" E
11	B11	05° 22' 05" N	73° 39' 31" E
12	B12	04° 27' 28" N	73° 43' 21" E
13	B 13	03° 27' 27" N	73° 46' 13" E
14	B14	02° 08' 04" N	73° 35' 10" E
15	B15	00° 25' 51" N	73° 35' 18" E
16	B16	00° 18' 25" N	73° 26' 37" E
17	B17	00° 39' 45" S	73° 13' 07" E
18	B18	00° 41' 30" S	73° 11' 12" E
19	B19	00° 42' 22" S	73° 10' 02" E
20	B20	00° 42' 24" S	73° 09' 08" E
21	B21	00° 42' 11" S	73° 08' 40" E
22	B22	00° 41' 13" S	73° 07' 30" E
23	B23	00° 40' 23" S	73° 06' 52" E
24	B24	00° 39' 18" S	73° 06' 23" E
25	B25	00° 35' 33" S	73° 04' 33" E
26	B26	00° 23' 55" N	73° 00' 08" E
27	B27	00° 29' 21" N	72° 59' 09" E
28	B28	00° 32' 22" N	72° 59' 38" E

<sup>11</sup> It should be noted that no geodetic datum is specified for the geographic coordinates.

Serial No.	Point code	Latitude	Longitude
29	B29	02° 25' 09" N	72° 53' 05" E
30	B30	02° 47' 50" N	72° 49' 14" E
31	B31	03° 37' 38" N	72° 41' 49" E
32	B32	03° 47' 09" N	72° 41' 49" E
33	B33	03° 52' 15" N	72° 42' 03" E
34	B34	04° 01' 50" N	72° 42' 11" E
35	B35	04° 05' 13" N	72° 42' 36" E
36	B36	04° 13' 46" N	72° 44' 14" E
37	B37	06° 14' 12" N	72° 33' 19" E

## Annex 2

### United Nations Convention on the Law of the Sea

#### *Article 47*

#### *Archipelagic baselines*

1. An archipelagic State may draw straight archipelagic baselines joining the outermost points of the outermost islands and drying reefs of the archipelago provided that within such baselines are included the main islands and an area in which the ratio of the area of the water to the area of the land, including atolls, is between 1 to 1 and 9 to 1.
2. The length of such baselines shall not exceed 100 nautical miles, except that up to 3 per cent of the total number of baselines enclosing any archipelago may exceed that length, up to a maximum length of 125 nautical miles.
3. The drawing of such baselines shall not depart to any appreciable extent from the general configuration of the archipelago.
4. Such baselines shall not be drawn to and from low-tide elevations, unless lighthouses or similar installations which are permanently above sea level have been built on them or where a low-tide elevation is situated wholly or partly at a distance not exceeding the breadth of the territorial sea from the nearest island.
5. The system of such baselines shall not be applied by an archipelagic State in such a manner as to cut off from the high seas or the exclusive economic zone the territorial sea of another State.
6. If a part of the archipelagic waters of an archipelagic State lies between two parts of an immediately adjacent neighbouring State, existing rights and all other legitimate interests which the latter State has traditionally exercised in such waters and all rights stipulated by agreement between those State shall continue and be respected.
7. For the purpose of computing the ratio of water to land under paragraph 1, land areas may include waters lying within the fringing reefs of islands and atolls, including that part of a steep-sided oceanic plateau which is enclosed or early enclosed by a chain of limestone islands and drying reefs lying on the perimeter of the plateau.
8. The baselines drawn in accordance with this article shall be shown on charts of a scale or scales adequate for ascertaining their position. Alternatively, lists of geographical coordinates of points, specifying the geodetic datum, may be substituted.
9. The archipelagic State shall give due publicity to such charts or lists of geographical coordinates and shall deposit a copy of each such chart or list with the Secretary-General of the United Nations.

**Annex 3**  
**Maldives Archipelagic Straight Baselines**

Segment	Segment distance (n. miles)	Segment	Segment distance (n. miles)
1-2	0.8	19-20	0.9
2-3	0.3	20-21	0.5
3-4	2.3	21-22	1.5
4-5	3.6	22-23	1.0
5-6	0.2	23-24	1.2
6-7	20.3	24-25	4.2
7-8	0.7	25-26	59.3
8-9	1.1	26-27	5.5
9-10	98.1	27-28	3.0
10-11	1.3	28-29	112.4
11-12	54.5	29-30	22.9
12-13	59.8	30-31	50.1
13-14	79.8	31-32	9.5
14-15	101.7	32-33	5.1
15-16	11.4	33-34	9.5
16-17	59.4	34-35	3.4
17-18	2.6	35-36	8.7
18-19	1.4	36-37	120.3
		37-1	51.5