EXECUTIVE ORDER NO. 99

DELIMITATION OF THE MARITIME ZONES OF THE REPUBLIC OF LIBERIA


Whereas the Republic of Liberia, as a coastal State, is entitled to establish and delimit maritime zones and exercise rights and jurisdiction in those maritime zones consistent with the rules of international law, including in particular the provisions of the Convention;

Whereas it is imperative to the national interest and to the effective regulation and management of the ocean space and marine resources of the Republic of Liberia that maritime zones are established and be delimited consistent with the rights of Republic of Liberia under the Convention;

Whereas the President of the Republic of Liberia is vested with the power to issue Executive Orders to address issues requiring immediate attention pending the conclusion of the legislative process and the enactment of national legislation;

Recalling that in the exercise of this power, the President of the Republic of Liberia issued Executive Order No. 39 of 12 January 2012, Executive Order No. 48 of 10 January 2013 and, Executive Order No. 59 of 28 April 2014, which established the maritime zones of the Republic of Liberia;

Noting that Executive Order No. 59 has expired, and that there is an urgent need to establish and delimit the maritime zones of the Republic of Liberia pending the enactment of new national legislation;

Now Therefore, I, George Manneh Weah, Sr., President of the Republic of Liberia, by the power vested in me do hereby, without prejudice to the rights of the Republic of Liberia under the Convention or under other international law, declare as follows:

Section 1 Baselines

(1) Except as provided in subsection (2) of this Section, the baseline from which the breadth of the territorial sea adjacent to Liberia is measured shall be the low water line as marked on large-scale charts officially recognised by the Republic of Liberia.

(2) The baseline from which the breadth of the territorial sea is measured may be established by any of the methods provided for in the Convention to suit different conditions, including by the use of closing lines and straight baselines to deal with specific conditions and local circumstances.

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[Signature]
Section 2 Internal Waters

The internal waters of the Republic of Liberia comprise all waters on the landward side of the baseline of Liberia or any closing lines where those closing lines are outside the baseline of Liberia.

Section 3 Territorial Sea

(1) The territorial sea of the Republic of Liberia comprises those waters having, as their inner limits, the baseline of the Republic of Liberia and, as their outer limits, a line measures seaward from that baseline, every point of which is at a distance of twelve (12) nautical miles from the nearest point on the baseline.

(2) Subject to subsection (3) of this Section, the Republic of Liberia has sovereignty beyond its land territory and internal waters over the territorial sea and to the airspace above and the seabed and subsoil beneath the territorial sea.

(3) Ships of all States shall enjoy the right of innocent passage in the territorial sea of the Republic of Liberia in accordance with international law.

(4) Where an agreement that is in force between the Republic of Liberia and an opposite or adjacent coastal States provides for the delimitation of a territorial sea boundary, the relevant area of territorial sea shall be delimited in accordance with such agreement.

Section 4 Contiguous Zone

(1) The waters beyond the territorial sea referred to in section 3 of this Executive Order, but within the distance of twenty-four (24) nautical miles from the baseline of Liberia, shall be the contiguous zone of the Republic of Liberia.

(2) Within the contiguous zone and the airspace above it, the Republic of Liberia shall have the right to exercise all powers which may be considered necessary to prevent the contravention of any fiscal law or any customs, sanitary or immigration laws.

Section 5 Exclusive Economic Zone

(1) Subject to subsection (2) of this Section, the waters beyond the territorial sea of Liberia, but within a distance of two hundred (200) nautical miles from the baseline of Liberia, shall be the exclusive economic zone of the Republic of Liberia.

(2) Where an agreement that is in force between the Republic of Liberia and an opposite or adjacent coastal States provides for the delimitation of an exclusive economic zone boundary, the relevant area of exclusive economic zone shall be delimited in accordance with such agreement.

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Section 6  Continental Shelf

(1) Subject to subsection (2) of this Section, the continental shelf of the Republic of Liberia comprises the seabed and subsoil of the submarine areas that extend beyond the limit of the territorial sea throughout the natural prolongation of the land territory of the Republic of Liberia:

(a) to the outer edge of the continental margin; or,

(b) to a distance of two hundred (200) nautical miles from the baseline where the outer edge of the continental margin does not extend up to that distance.

(2) Where an agreement that is in force between the Republic of Liberia and an opposite or adjacent coastal State provides for the delimitation of a continental shelf boundary, the relevant area of continental shelf of the Republic of Liberia shall be determined in accordance with such agreement.

Section 7  Exercise of Sovereign Rights

(1) Subject to subsection (2) of this Section, within the exclusive economic zone and continental shelf, the Republic of Liberia exercises:

(a) sovereign rights for the purposes of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the seabed and subsoil and the waters over the seabed, and with regard to other activities for the economic exploration and exploitation of the exclusive economic zone, such as the production of energy from water, currents and wind;

(b) jurisdiction with regard to:

(i) the establishment and use of artificial islands, installations and structures;

(ii) marine scientific research; and,

(iii) the protection and preservation of the marine environment;

(c) such other rights and duties provided for under the rules of international law, including those in the Convention.
(2) In any area where the continental shelf extends beyond two hundred (200) nautical miles from the baseline of Liberia, the Republic of Liberia exercises:

(a) sovereign rights for the purpose of exploring, conserving and managing the natural resources, whether living or non-living, of the seabed and subsoil;

(b) jurisdiction with regard to:

(i) the establishment and use of artificial islands, installations and structures;
(ii) the regulation of drilling on the continental shelf for all purposes; and,
(iii) prevention, reduction and control of pollution from pipelines.

(3) For the purposes of this section,

(a) "natural resources" means:

(i) the mineral and other non-living resources of the seabed and subsoil; and
(ii) the living organisms belonging to sedentary species;

(b) "sedentary species" means organisms which, at their harvestable stage:

(i) are immobile on or under the seabed; or
(ii) are unable to move except in constant physical contact with the seabed or the subsoil.

Section 8 Marine scientific research

(1) As provided by international law, the Republic of Liberia in the exercise of its sovereignty, has the exclusive right to regulate, authorise and conduct marine scientific research in its territorial sea.

(2) As provided by international law, the Republic of Liberia in the exercise of its jurisdiction, has the right to regulate, authorise and conduct marine scientific research in its exclusive economic zone and on its continental shelf.
Section 9  Depiction of baselines and maritime zones

The baselines and lines delineating the maritime zones of the Republic of Liberia may be publicised:

(a) as lists of geographical coordinates of points, specifying the geodetic datum;

(b) by reference to charts of a scale or scales adequate for ascertaining the position of the baselines and other limits; or

(c) where it is appropriate or necessary to do so, by using both the methods specified in paragraphs (a) and (b).

Section 10  References to International Law

Where in this Executive Order, it is possible that anything shall be done in accordance with the rules of international law, the question whether it was done so is non-justiciable.

This Executive Order shall take immediate effect on the date specified below.


GEORGE M. WEAH, SR.
PRESIDENT
REPUBLIC OF LIBERIA

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