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AN ACT

To amend title 18 of the Code of the Federated States of Micronesia by amending sections 101, 102, 103, 104, 105 and 107 and by adding a new section 108 to establish an Exclusive Economic Zone in the ocean surrounding the Federated States of Micronesia, to expand the size of the Territorial Sea, to make the chapter consistent with the current political status of the Federated States of Micronesia, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Section 101 of title 18 of the Code of the Federated  
2 States of Micronesia is hereby amended to read as follows:

3 "Section 101. Baseline system defined. A baseline is a  
4 continuous line which encircles an island or atoll. The  
5 baseline from which the zones designated in this chapter are  
6 to be measured is as follows:

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

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

20 Section 2. Section 102 of title 18 of the Code of the Federated  
21 States of Micronesia is hereby amended to read as follows:

22 "Section 102. Territorial Sea and internal waters -

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1           Defined.

2           (1) There is hereby established a Territorial Sea of  
3           twelve nautical miles breadth. The inner boundary of the  
4           Territorial Sea of each island or atoll is the baseline  
5           as defined in section 101 of this title. The outer  
6           boundary is a line, every point of which is twelve nautical  
7           miles seaward of the nearest point of the baseline.

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

10          Section 3. Section 103 of title 18 of the Code of the Federated  
11 States of Micronesia is hereby amended to read as follows:

12           "Section 103. Territorial Sea and internal waters -  
13           Sovereignty. The sovereignty of the Federated States of  
14           Micronesia extends to its internal waters and Territorial  
15           Sea, including sovereign rights over the living and  
16           nonliving resources in the Territorial Sea and internal  
17           waters and in the airspace above the Territorial Sea and  
18           internal waters as well as its bed and subsoil."

19          Section 4. Section 104 of title 18 of the Code of the Federated  
20 States of Micronesia is hereby amended to read as follows:

21           "Section 104. Exclusive economic zone - Defined. There is  
22           hereby established an exclusive economic zone contiguous  
23           to the Territorial Sea. The inner boundary of the  
24           exclusive economic zone of each island or atoll is the  
25           seaward boundary of the Territorial Sea, and the outer

1 boundary is a line, every point of which is two hundred  
2 nautical miles seaward of the nearest point on the baseline  
3 as defined in section 101 of this title."

4 Section 5. Section 105 of title 18 of the Code of the Federated  
5 States of Micronesia is hereby amended to read as follows:

6 "Section 105. Exclusive economic zone - Regulation.

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

9 (1) Sovereign rights for the purpose of exploring and  
10 exploiting, conserving and managing the natural resources,  
11 whether living or nonliving, of the waters superjacent to  
12 the seabed and of the seabed and its subsoil, and with  
13 regard to other activities for the economic exploitation  
14 and exploration of the zone;

15 (2) Jurisdiction with regard to the establishment and  
16 use of artificial islands, installations, and structures;  
17 marine scientific research; and the protection and  
18 preservation of the marine environment; and

19 (3) Other rights and duties provided for in  
20 international law."

21 Section 6. Section 107 of title 18 of the Code of the Federated  
22 States of Micronesia is hereby amended to read as follows:

23 "Section 107. Regulations. The President of the Federated  
24 States of Micronesia may issue such regulations as are  
25 necessary to establish the boundaries of internal waters,

1 the Territorial Sea, and the exclusive economic zone."

2 Section 7. Chapter 1 of title 18 of the Code of the Federated  
3 States of Micronesia is hereby amended by adding a new section 108  
4 to read as follows:

5 "Section 108. Definitions. As used in this chapter:

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

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

16 Section 8. This act shall become law upon approval by the  
17 President of the Federated States of Micronesia or upon its becoming  
18 law without such approval.

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December 16, 1988



John R. Hagelgam  
President  
Federated States of Micronesia