

SYRIA

SUMMARY OF CLAIMS

TYPE	DATE	SOURCE	LIMITS	NOTES
TERRITORIAL SEA	Dec 2003	Law No. 28, Internal Waters and Territorial Sea Limits	12nm	Rolled back 35nm claim. Still requires that foreign warships and nuclear-powered vessels obtain permission prior to transiting territorial sea. <i>This requirement is not recognized by the U.S. The U.S has protested these claims and conducted numerous operational assertions.</i>
ARCHIPELAGIC, STRAIGHT BASELINES, & HISTORIC CLAIMS	Dec 2003	Law No. 28, Internal Waters and Territorial Sea Limits		Authorized straight baselines in specified circumstances.
CONTIGUOUS ZONE	Dec 2003	Law No. 28, Internal Waters and Territorial Sea Limits	24nm	Rolled back 41nm claim. Still claims security jurisdiction. <i>This claim is not recognized by the U.S.</i>
FISHING ZONE/EEZ	Dec 2003	Law No. 28, Internal Waters and Territorial Sea Limits	200nm	
CONTINENTAL SHELF	Dec 2003	Law No. 28, Internal Waters and Territorial Sea Limits	1958 DEF	
LOS CONVENTION	Apr 82			Voted for; did not sign.

STRAIGHT BASELINE LEGISLATION

The following is from the Act of Internal Waters and Territorial Sea Limits in the Syrian Arab Republic, Law No. 28, of 19 November 2003 (EIF December 2003).

Article 2

The Internal Waters of the Syrian Arab Republic includes the following:

- a. The waters of the bays lying along the coast of the Syrian Arab Republic – they are defined as being between the Coast line and the straight line between the low tide limit at the two points of its natural entrance.
- b. Any shoal not further than twelve miles from land or from any Syrian Arab Island – this is defined between the coast line and the line coming from the shoal outward.
- c. The waters lying between the land and any Syrian Arab Island not farther than twelve Nautical Miles from land, and which external line is considered at the lowest tide.
- d. The waters among the Syrian Arab Island not farther than twelve nautical miles from each other at the lowest tide.

Article 44

Legislative Decree No. 304 for 1963 and Law No. 37 for year 1981 are no longer operative.

U.S. ANALYSIS

The following comments regarding the Syrian straight baseline system are extracted from Limits in the Seas, No. 53, "Straight Baselines: Syria" of 10 October 1973, and discussed the 1963 baselines which have been repealed. However, the generic language for baselines is similar in the 2003 law, and the analysis below is, in general terms, still relevant.

The Syrian law contains nearly the identical definitional problems of the cited Saudi Arabian and Egyptian law. While a "bay" is defined according to the semi-circle requirement of the Geneva Convention on the Territorial Sea and the Contiguous Zone, no maximum limits for the closure are incorporated in the legislation. Syria, however, is not a party to the Convention.

The Syrian law permits the enclosure within the internal waters of the state of "shoals,".... The Convention, however, prohibits the drawing of straight baselines to low-tide elevations unless they have a permanent structure constructed on them. While the law's definition implies that part of the "shoal" may be a low-tide elevation, the requirement is not clear. Nevertheless, the baseline system may be drawn about the seaward (submarine) edge of the "shoal." The limit, unfortunately, is not specifically delimited, i.e., a fathom or metric depth of a certain value could have been designated. It is noted that neither the Convention nor customary state practice sanctions the use of submerged features as limits for straight baseline systems.

Article 4 delimits the territorial sea as extending 12 nautical miles from the baselines.... The precise locations of the straight baseline segments cannot, as a result, be determined. However, the Syrian coastline is neither deeply indented nor fringed with many islands. As a consequence, it is possible to establish the general areas in which the system could be developed. ...The interpretation of shoals, however, complicates the general question of the potential location of lines.

In the region of No. 1 on the attached chart, three small islands are situated on a shoal area. Northward, continuing along the same axis, there are two additional islets (also on a shoal) and a third isolated island. These islands are all within 12 nautical miles of each other and could, by definition, be enclosed within the system. The specific turning points could be on the islands or on the shoals to the west thereof.

Two small areas of shoal water extend northward to No. 2 Jazirat Arwad. This island lies within 12 nautical miles of the shoals and the islands to the south. The system would logically incorporate Arwad with the southern islands. Northward, a string of shoal water area extends to three small islets, situated offshore from Ra's al Hasan. The distances among the islands and Arwad measure less than 12 nautical miles. The question of the turning points is open, again as a consequence of the presence of "shoal" waters in the intervening areas.

Shoal waters extend from the coastline northward near al Marqab, Ra's Baldat al Malik, and Jablah. It is not possible to ascertain if these areas, which are within 12 nautical miles of each other, have been utilized as basepoints; the official baseline charts would be required. The extension of the baseline, however, would have a very limited effect on the territorial sea. Additional shoal areas extend along the peninsula of Ra's ibn Hani' and at point No. 4 on the attached chart. Finally, at point No. 5, a small island (Pigeon) lies immediately offshore and would mark the final straight baseline segment of the Syrian system.

Summary

The straight baseline system cannot be constructed with authority from the legislation. The official Syrian charts are required. However, the coastal features of Syria are limited in extent and in geographical distribution. The total effect of the system, as a result, would be relatively limited on the extension of the territorial sea. The law, however, does provide for the use of shoals, normally a submerged feature, and the incorporation of areas of high seas less than 12 miles in extent. In contrast to the Saudi Arabian example, the latter would have no effect in the case of Syria.