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GUIDANCE FOR SHIPS TRANSITING ARCHIPELAGIC WATERS

- 1 The Maritime Safety Committee, at its seventieth session (7 to 11 December 1998), approved the attached guidance to ships transiting archipelagic waters of the archipelagic States.
- 2 Member Governments are invited to bring the annexed guidance to the attention of all concerned.

ANNEX

GUIDANCE TO SHIPS TRANSITING ARCHIPELAGIC WATERS

1 This circular provides guidance for ships transiting archipelagic waters of archipelagic States.

Navigation Rights Within Archipelagic Waters

2 Except for internal waters within archipelagic waters, all ships enjoy the right of *innocent passage* through archipelagic waters and the territorial sea of an archipelagic State.

2.1 In addition, all ships, including submarines, also enjoy the right of *archipelagic sea lanes passage* in sea lanes adopted by the International Maritime Organization (IMO) and designated by the archipelagic State or, if sea lanes have not been adopted and designated, through all normal passage routes used as routes for international navigation.

2.1.1 Additionally, if the IMO has adopted a sea lane proposal as a **partial system** of archipelagic sea lanes, the right of archipelagic sea lanes passage may continue to be exercised through all normal passage routes used as routes for international navigation in other parts of archipelagic waters. Any future proposals in regard to other normal passage routes (as with substitute sea lanes) are to be submitted to the IMO.

2.1.2 *Archipelagic sea lanes passage* means the exercise in accordance with the United Nations Convention on the Law of the Sea of the right of navigation 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. While the right of innocent passage may be suspended in certain circumstances, the right of archipelagic sea lanes passage cannot be suspended by an archipelagic State.

Representation of Archipelagic Sea Lanes on Charts

3 Archipelagic sea lanes are defined by a series of continuous axis lines from the entry points of passage routes to the exit points.

3.1 Axis lines of archipelagic sea lanes are shown on charts for the purpose of defining sea lanes and are not intended to indicate the deepest water, or any routes or recommended tracks as defined in Part A of the IMO Publication on Ships' Routeing.

3.2 The axis of designated archipelagic sea lanes, including a listing of geographical coordinates with geodetic datum that define axis turning points, and any prescribed traffic separation schemes, will be clearly shown on all appropriate scale charts, to which due publicity is to be given, and referred to in complementary hydrographic publications.

3.3 The outer limits of an archipelagic sea lane are not required to be depicted on charts. In areas where the 10 per cent rule applies as referred to in paragraph 4.5 below, the outer limits of the sea lane should, so far as practicable, be clearly indicated on the charts.

3.4 The legends, symbols and notes for the representation and details of archipelagic sea lanes and associated measures on nautical charts can be found in the new Part H of the IMO publication on Ships' Routeing.

Navigation within Archipelagic Sea Lanes

4 Use of an archipelagic sea lane is not mandatory. However, ships exercising the right of *archipelagic sea lanes passage* (in lieu of the right of *innocent passage*) must use applicable sea lanes (or normal passage routes, if sea lanes have not been adopted or only a partial system of archipelagic sea lanes has been adopted). Outside sea lanes or normal routes, ships must transit archipelagic waters in innocent passage.

- 4.1 Ships may exercise archipelagic sea lanes passage in their *normal mode of operation*. This means, for example, that submarines may transit submerged and surface ships may engage in normal operations, such as replenishment-at-sea and the operation of embarked aircraft, where consistent with the safety of navigation.
- 4.2 Ships are required to respect any traffic separation schemes in archipelagic sea lanes established in accordance with Part A of the IMO Publication on Ships' Routeing.
- 4.3 Within archipelagic sea lanes, traffic is not separated, except in traffic separation schemes.
- 4.4 If there are no islands bordering the sea lane, ships in archipelagic sea lanes passage are required to not deviate more than 25 nautical miles to either side of the axis line defining the archipelagic sea lane. Innocent passage may be exercised in sea areas beyond 25 nautical miles of the axis line.
- 4.5 Where an island borders the sea lane, ships in archipelagic sea lanes passage may not navigate closer to the coast than 10 per cent of the distance between the nearest point on the island and the axis line of the sea lane. Ships may still transit within this area in innocent passage. A diagram depicting the composition of an archipelagic sea lane and application of the 10 per cent rule is attached.

5 Member Governments are invited to bring this guidance and the attached explanatory chartlet to the attention of all concerned.

