

บรรณานุกรม



ภาษาไทย

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ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย



เอกสารประกอบ

ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย

เอกสารประกอบหมายเลข ๑

CONVENTION ON
THE TERRITORIAL SEA
AND THE CONTIGUOUS ZONE

The States Parties to this Convention
Have agreed as follows:

PART I
TERRITCRIAL SEA
SECTION I. GENERAL

Article 1

1. The sovereignty of a state extends, beyond its land territory and its internal waters, to a belt of sea adjacent to its coast, described as the territorial sea.

2. This sovereignty is exercised subject to the provisions of these articles and to other rules of international law.

Article 2

The sovereignty of a coastal state extends to the airspace over the territorial sea as well as to its bed and subsoil.

SECTION II. LIMITS OF THE TERRITORIAL SEA

Article 3

Except where otherwise provided in these articles, the normal baseline for measuring the breadth of the territorial sea is the low-water line along the coast as marked on large-scale charts officially recognized by the coastal state.

Article 4

1. In localities where the coastline is deeply indented and cut into, or if there is a fringe of islands along the coast in its immediate vicinity, the method of straight baselines joining appropriate points may be employed in drawing the baseline from which the breadth of the territorial sea is measured.

2. The drawing of such baselines must not depart to any appreciable extent from the general direction of the coast, and the sea areas lying within the lines must be sufficiently closely linked to the land domain to be subject to the regime of internal waters.

3. 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.

4. Where the method of straight baselines is applicable under the provisions of paragraph 1, account may be taken, in determining particular baselines, of economic interests peculiar to the region concerned, the reality and the importance of which are clearly evidenced by a long usage.

5. The system of straight baselines may not be applied by a state in such a manner as to cut off from the high seas the territorial sea of another state.

6. The coastal state must clearly indicate straight baselines on charts, to which due publicity must be given.

Article 5

1. Waters on the landward side of the baseline of the territorial sea form part of the internal waters of the state.

2. Where the establishment of a straight baseline in accordance with Article 4 has the effect of enclosing as internal waters areas which previously had been considered as part of the territorial sea or of the high seas, a right of innocent passage, as provided for in Articles 14 to 23, shall exist in those waters.

Article 6

The outer limit of the territorial sea is the line every point of which is at a distance from the nearest point of the baseline equal to the breadth of the territorial sea.

Article 7

1. This article relates only to bays the coasts of which belong to a single state.

2. For the purposes of these articles, a bay is a well-marked indentation whose penetration is in such proportion to the width of its mouth as to contain land-locked waters and constitute more than a mere curvature of the coast. An indentation shall not, however, be regarded as a bay unless its area is as large, as, or larger than, that of the semi-circle whose diameter is a line drawn across the mouth of that indentation.

3. For the purpose of measurement, the area of an indentation is that lying between the low-water mark around the shore of the indentation and a line joining the low-water marks of its natural entrance points. Where, because of the presence of islands, an indentation has more than one mouth, the semi-circle shall be drawn on a line as long as the sum total of the lengths of the lines across the different mouths. Islands within an indentation shall be included as if they were part of the water area of the indentation.

4. If the distance between the low-water marks of the natural entrance points of a bay does not exceed twenty-four miles, a closing line may be drawn between these two low-water marks, and the waters enclosed thereby shall be considered as internal waters.

5. Where the distance between the low-water marks of the natural entrance points of a bay exceeds twenty-four miles, a straight baseline of twenty-four miles shall be drawn within the bay in such a manner as to enclose the maximum area of water that is possible with a line of that length.

6. The foregoing provisions shall not apply to so-called "historic" bays, or in any case where the straight baseline system provided for in Article 4 is applied.

Article 8

For the purpose of delimiting the territorial sea, the outermost permanent harbour works which form an integral part of the harbour system shall be regarded as forming part of the coast.

Article 9

Roadsteads which are normally used for the loading, unloading and anchoring of ships, and which would otherwise be situated wholly or partly outside the outer limit of the territorial sea, are included in the territorial sea. The coastal state must clearly demarcate such roadsteads and indicate them on charts together with their boundaries, to which due publicity must be given.

Article 10

1. An island is a naturally-formed area of land, surrounded by water, which is above water at high tide.
2. The territorial sea of an island is measured in accordance with the provisions of these articles.

Article 11

1. A low-tide elevation is a naturally-formed area of land which is surrounded by and above water at low-tide but submerged at high tide. Where a low-tide elevation is situated wholly or partly at a distance not exceeding the breadth of the territorial sea from the mainland or an island, the low-water line on that elevation may be used as the baseline for measuring the breadth of the territorial sea.

2. Where a low-tide elevation is wholly situated at a distance exceeding the breadth of the territorial sea from the mainland or an island, it has no territorial sea of its own.

Article 12

1. Where the coasts of two states are opposite or adjacent to each other, neither of the two states is entitled, failing agreement between them to the contrary, to extend its territorial sea beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial seas of each of the two states is measured. The provisions of this paragraph shall not apply, however, where it is necessary by reason of historic title or other special circumstances to delimit the territorial seas of the two states in a way which is at variance with this provision.

2. The line of delimitation between the territorial seas of two states lying opposite to each other or adjacent to each other shall be marked on large-scale charts officially recognized by the coastal states.



Article 13

If a river flows directly into the sea, the baseline shall be a straight line across the mouth of the river between points on the low-tide line of its banks.

SECTION III. RIGHT OF INNOCENT PASSAGE

Sub-section A. Rules applicable to all ships

Article 14

1. Subject to the provisions of these articles, ships of all states, whether coastal or not, shall enjoy the right of innocent passage through the territorial sea.

2. Passage means navigation through the territorial sea for the purpose either of traversing that sea without entering internal waters, or of proceeding to internal waters, or of making for the high seas from internal waters.

3. Passage includes stopping and anchoring, but only insofar as the same are incidental to ordinary navigation or are rendered necessary by force majeure or by distress.

4. Passage is innocent so long as it is not prejudicial to the peace, good order or security of the coastal state.

Such passage shall take place in conformity with these articles and with other rules of international law.

5. Passage of foreign fishing vessels shall not be considered innocent if they do not observe such laws and

regulations as the coastal state may make and publish in order to prevent these vessels from fishing in the territorial sea.

6. Submarines are required to navigate on the surface and to show their flag.

Article 15

1. The coastal state must not hamper innocent passage through the territorial sea.

2. The coastal state is required to give appropriate publicity to any dangers to navigation, of which it has knowledge, within its territorial sea.

Article 16

1. The coastal state may take the necessary steps in its territorial sea to prevent passage which is not innocent.

2. In the case of ships proceeding to internal waters, the coastal state shall also have the right to take the necessary steps to prevent any breach of the conditions to which admission of those ships to those waters is subject.

3. Subject to the provisions of paragraph 4, the coastal state may, without discrimination amongst foreign ships, suspend temporarily in specified areas of its territorial sea the innocent passage of foreign ships if such suspension is essential for the protection of its security. Such suspension shall take effect only after having been duly published.

4. There shall be no suspension of the innocent passage of foreign ships through straits which are used for international

navigation between one part of the high seas and another part of the high seas or the territorial sea of a foreign state.

Article 17

Foreign ships exercising the right of innocent passage shall comply with the laws and regulations enacted by the coastal state in conformity with these articles and other rules of international law and, in particular, with such laws and regulations relating to transport and navigation.

Sub-section B. Rules applicable to merchant ships

Article 18

1. No charge may be levied upon foreign ships by reason only of their passage through the territorial sea.

2. Charges may be levied upon a foreign ship passing through the territorial sea as payment only for specific services rendered to the ship. These charges shall be levied without discrimination.

Article 19

1. The criminal jurisdiction of the coastal state should not be exercised on board a foreign ship passing through the territorial sea to arrest any person or to conduct any investigation in connexion with any crime committed on board the ship during its passage, save only in the following cases:

(a) If the consequences of the crime extend to the coastal state; or

(b) If the crime is of a kind to disturb the peace of the country or the good order of the territorial sea; or

(c) If the assistance of the local authorities has been requested by the captain of the ship or by the consul of the country whose flag the ship flies; or

(d) If it is necessary for the suppression of illicit traffic in narcotic drugs.

2. The above provisions do not affect the right of the coastal state to take any steps authorized by its laws for the purpose of an arrest or investigation on board a foreign ship passing through the territorial sea after leaving internal waters.

3. In the cases provided for in paragraphs 1 and 2 of this article, the coastal state shall, if the captain so requests, advise the consular authority of the flag state before taking any steps, and shall facilitate contact between such authority and the ship's crew. In cases of emergency this notification may be communicated while the measures are being taken.

4. In considering whether or how an arrest should be made, the local authorities shall pay due regard to the interests of navigation.

5. The coastal state may not take any steps on board a foreign ship passing through the territorial sea to arrest any person or to conduct any investigation in connexion with any crime committed before the ship entered the territorial sea, if

the ship, proceeding from a foreign port, is only passing through the territorial sea without entering internal waters.

Article 20

1. The coastal state should not stop or divert a foreign ship passing through the territorial sea for the purpose of exercising civil jurisdiction in relation to a person on board the ship.

2. The coastal state may not levy execution against or arrest the ship for the purpose of any civil proceedings, save only in respect of obligations or liabilities assumed or incurred by the ship itself in the course or for the purpose of its voyage through the waters of the coastal state.

3. The provisions of the previous paragraph are without prejudice to the right of the coastal state, in accordance with its laws, to levy execution against or to arrest, for the purpose of any civil proceedings, a foreign ship lying in the territorial sea, or passing through the territorial sea after leaving internal waters.

Sub-section C. Rules applicable to government ships

other than warships

Article 21

The rules contained in Sub-sections A and B shall also apply to government ships operated for commercial purposes.

Article 22

1. The rules contained in Sub-section A and in Article 18 shall apply to government ships operated for non-commercial purposes.
2. With such exceptions as are contained in the provisions referred to in the preceding paragraph, nothing in these articles affects the immunities which such ships enjoy under these articles or other rules of international law.

Sub-section D. Rule applicable to warships

Article 23

If any warship does not comply with the regulations of the coastal state concerning passage through the territorial sea and disregards any request for compliance which is made to it, the coastal state may require the warship to leave the territorial sea.

PART II

CONTIGUOUS ZONE

Article 24

1. In a zone of the high seas contiguous to its territorial sea, the coastal state may exercise the control necessary to:

- (a) Prevent infringement of its customs, fiscal, immigration or sanitary regulations within its territory or territorial sea;

(b) Punish infringement of the above regulations committed within its territory or territorial sea.

2. The contiguous zone may not extend beyond, twelve miles from the baseline from which the breadth of the territorial sea is measured.

3. Where the coasts of two states are opposite or adjacent to each other, neither of the two states is entitled, failing agreement between them to the contrary, to extend its contiguous zone beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial seas of the two states is measured.

PART III

FINAL ARTICLES

Article 25

The provisions of this Convention shall not affect conventions or other international agreements already in force, as between states parties to them.

Article 26

This Convention shall, until 31 October 1958, be open for signature by all States Members of the United Nations or of any of the specialized agencies, and by any other state invited by the General Assembly to become a party to the Convention.



Article 27

This Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 28

This Convention shall be open for accession by any states belonging to any of the categories mentioned in Article 26. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 29

1. This Convention shall come into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations.

2. For each state ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such state of its instrument of ratification or accession.

Article 30

1. After the expiration of a period of five years from the date on which this Convention shall enter into force, a request for the revision of this Convention may be made at any

time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such request.

Article 31

The Secretary-General of the United Nations shall inform all States Members of the United Nations and the other states referred to in Article 26:

(a) Of signatures to this Convention and of the deposit of instruments of ratification or accession, in accordance with Articles 26, 27 and 28;

(b) Of the date on which this Convention will come into force, in accordance with Article 29;

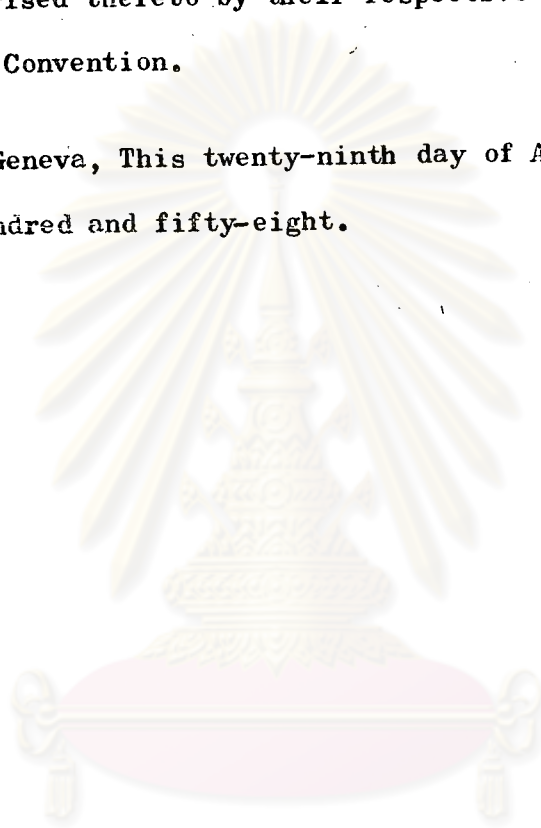
(c) Of requests for revision in accordance with Article 30.

Article 32

The original of this Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations who shall send certified copies thereof to all states referred to in Article 26.

In witness whereof the undersigned plenipotentiaries,
being duly authorised thereto by their respective Government,
have signed this Convention.

Done at Geneva, This twenty-ninth day of April one
thousand nine hundred and fifty-eight.



ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย

เอกสารประกอบหมายเลข ๒

CONVENTION ON THE HIGH SEAS

The States Parties to this Convention,
Desiring to codify the rules of international law relating
to the high seas,

Recognizing that the United Nations Conference on the Law
of the Sea, held at Geneva from 24 February to 27 April 1958,
adopted the following provisions as generally declaratory of
established principles of international law,

Have agreed as follows:

Article 1

The term "high seas" means all parts of the sea that
are not included in the territorial sea or in the internal
waters of a State.

Article 2

The high seas being open to all nations, no State may
validly purport to subject any part of them to its sovereignty.
Freedom of the high seas is exercised under the conditions laid
down by these articles and by the other rules of international
law. It comprises inter alia, both for coastal and non-coastal
States:

- (1) Freedom of navigation;
- (2) Freedom of fishing;
- (3) Freedom to lay submarine cables and pipelines;
- (4) Freedom to fly over the high seas.

These freedoms, and others which are recognized by the general principles of international law, shall be exercised by all States with reasonable regard to the interests of other States in their exercise of the freedom of the high seas.

Article 3

1. In order to enjoy the freedom of the seas on equal terms with coastal States, States having no sea-coast should have free access to the sea. To this end States situated between the sea and a State having no sea-coast shall by common agreement with the latter and in conformity with existing international convention accord:

(a) To the State having no sea-coast, on a basis of reciprocity, free transit through their territory; and

(b) To ships flying the flag of that State treatment equal to that accorded to their own ships, or to the ships of any other States, as regards access to seaports and the use of such ports.

2. States situated between the sea and a State having no sea-coast shall settle, by mutual agreement with the latter, and taking into account the rights of coastal State or State of transit and the special conditions of the State having no sea-coast,

all matters, relating to freedom of transit and equal treatment in ports, in case such States are not already parties to existing international conventions.

Article 4

Every State, whether coastal or not, has the right to sail ships under its flag on the high seas.

Article 5

1. Each State shall fix the conditions for the grant of its nationality to ships, for the registration of ships in its territory, and for the right to fly its flag. Ships have the nationality of the State whose flag they are entitled to fly. There must exist a genuine link between the State and the ship; in particular, the State must effectively exercise its jurisdiction and control in administrative, technical and social matters over ships flying its flag.

2. Each State shall issue to ships to which it has granted the right to fly its flag documents to that effect.

Article 6

1. Ships shall sail under the flag of one State only and, save in exceptional cases expressly provided for in international treaties or in these articles, shall be subject to its exclusive jurisdiction on the high seas. A ship may not change its flag during a voyage or while in a port of call, save in the case of a

real transfer of ownership or change of registry.

2. A ship which sails under the flags of two or more States, using them according to convenience, may not claim any of the nationalities in question with respect to any other State, and may be assimilated to a ship without nationality.

Article 7

The provisions of the preceding articles do not prejudice the question of ships employed on the official service of an inter-governmental organization flying the flag of the organization.

Article 8

1. Warships on the high seas have complete immunity from the jurisdiction of any State other than the flag State.

2. For the purposes of these articles, the term "warship" means a ship belonging to the naval forces of a State and bearing the external marks distinguishing warships of its nationality, under the command of an officer duly commissioned by the government and whose name appears in the Navy List, and manned by a crew who are under regular naval discipline.

Article 9

Ships owned or operated by a State and used only on government non-commercial service shall, on the high seas have complete immunity from the jurisdiction of any State other than the flag State.

Article 10

1. Every State shall take such measures for ships under its flag as are necessary to ensure safety at sea with regard inter alia to:

(a) The use of signals, the maintenance of communications and the prevention of collisions;

(b) The manning of ships and labour conditions for crews taking into account the applicable international labour instruments;

(c) The construction, equipment and sea-worthiness of ships.

2. In taking such measures each State is required to conform to generally accepted international standards and to take any steps which may be necessary to ensure their observance.

Article 11

1. In the event of a collision or of any other incident of navigation concerning a ship on the high seas, involving the penal or disciplinary responsibility of the master or of any other person in the service of the ship, no penal or disciplinary proceedings may be instituted against such persons except before the judicial or administrative authorities either of the flag State or of the State of which such person is a national.

2. In disciplinary matters, the State which has issued a master's certificate or a certificate of competence or licence shall alone be competent, or licence shall alone be competent,

after due legal process, to pronounce the withdrawal of such certificates, even if the holder is not a national of the State which issued them.

3. No arrest or detention of the ship, even as a measure of investigation, shall be ordered by any authorities other than those of the flag State.

Article 12

1. Every State shall require the master of a ship sailing under its flag, in so far as he can do so without serious danger to the ship, the crew or the passengers.

(a) To render assistance to any person found at sea in danger of being lost;

(b) To proceed with all possible speed to the rescue of persons in distress if informed of their need of assistance, in so far as such action may reasonably be expected of him;

(c) After a collision, to render assistance to the other ship, her crew and her passengers and, where possible, to inform the other ship of the name of his own ship, her port of registry and the nearest port at which she will call.

2. Every coastal State shall promote the establishment and maintenance of an adequate and effective search and rescue service regarding safety on and over the sea and where circumstances so require by way of mutual regional arrangements co-operate with neighbouring States for this purpose.

Article 13

Every State shall adopt effective measures to prevent and punish the transport of slaves in ships authorized to fly its flag, and to prevent the unlawful use of its flag for that purpose. Any slave taking refuge on board any ship, whatever its flag, shall ipso facto be free.

Article 14

All States shall co-operate to the fullest possible extent in the repression of piracy on the high seas or in any other place outside the jurisdiction of any State.

Article 15

Piracy consists of any of the following acts;

(1) Any illegal acts of violence detention or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:

(a) On the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;

(b) Against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;

(2) Any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;

(3) Any act of inciting or of intentionally facilitating an act described in sub-paragraph 1 of sub-paragraph 2 of this article.

Article 16

The acts of piracy, as defined in article 15, committed by a warship, government ship or government aircraft whose crew has mutinied and taken control of the ship or aircraft are assimilated to acts committed by a pirate ship.

Article 17

A ship or aircraft is considered a pirate ship or aircraft if it is intended by the persons in dominant control to be used for the purpose of committing one of the acts referred to in article 15. The same applies if the ship or aircraft has been used to commit any such act, so long as it remains under the control of the persons guilty of that act.

Article 18

A ship or aircraft may retain its nationality although it has become a pirate ship or aircraft. The retention or loss of nationality is determined by the law of the State from which such nationality was derived.

Article 19

On the high seas, or in any other place outside the jurisdiction of any State, every State may seize a pirate ship or aircraft, or a ship taken by piracy and under the control of pirates, and arrest the persons and seize the property on board.

The courts of the State which carried out the seizure may decide upon the penalties to be imposed, and may also determine the action to be taken with regard to the ships, aircraft or property, subject to the rights of third parties acting in good faith.

Article 20

Where the seizure of a ship or aircraft on suspicion of piracy has been effected without adequate grounds, the State making the seizure shall be liable to the State the nationality of which is possessed by the ship or aircraft, for any loss or damage caused by the seizure.

Article 21

A seizure on account of piracy may only be carried out by warships or military aircraft, or other ships or aircraft on government service authorized to that effect.

Article 22

1. Except where acts of interference derive from powers conferred by treaty, a warship which encounters a foreign merchant ship on the high seas is not justified in boarding her unless there is reasonable ground for suspecting;

- (a) That the ship is engaged in piracy; or
- (b) That the ship is engaged in the slave trade; or
- (c) That, though flying a foreign flag or refusing to show its flag, the ship is, in reality, of the same nationality as the warship.

2. In the cases provided for in sub-paragraphs (a),(b) and (c) above, the warship may proceed to verify the ship's right to fly its flag. To this end, it may send a boat under the command of an officer to the suspected ship. If suspicion remains after the documents have been checked, it may proceed to a further examination on board the ship, which must be carried out with all possible consideration.

3. If the suspicions prove to be unfounded, and provided that the ship boarded has not committed any act justifying them, it shall be compensated for any loss or damage that may have been sustained.

Article 23

1. The hot pursuit of a foreign ship may be undertaken when the competent authorities of the coastal State have good reason to believe that the ship has violated the laws and regulations of that State. Such pursuit must be commenced when the foreign ship or one of its boats is within the internal waters or the territorial sea or the contiguous zone of the pursuing State, and may only be continued outside the territorial sea or the contiguous zone if the pursuit has not been interrupted. It is not necessary that, at the time when the foreign ship within the territorial sea or the contiguous zone received the order to stop, the ship giving the order should likewise be within the territorial sea or the contiguous zone. If the foreign ship is within a contiguous zone, as defined in article 24 of the

Convention on the Territorial Sea and the Contiguous Zone, the pursuit may only be undertaken if there has been a violation of the rights for the protection of which the zone was established.

2. The right of hot pursuit ceases as soon as the ship pursued enters the territorial sea of its own country or of a third State.

3. Hot pursuit is not deemed to have begun unless the pursuing ship has satisfied itself by such practicable means as may be available that the ship pursued or one of its boats or other craft working as a team and using the ship pursued as a mother ship are within the limits of the territorial sea, or as the case may be within the contiguous zone. The pursuit may only be commenced after a visual or auditory signal to stop has been given at a distance which enables it to be seen or heard by the foreign ship.

4. The right of hot pursuit may be exercised only by warships or military aircraft, or other ships or aircraft on government service specially authorized to that effect.

5. Where hot pursuit is effected by an aircraft:

(a) The provisions of paragraph 1 to 3 of this article shall apply *mutatis mutandis*;

(b) The aircraft giving the order to stop must itself actively pursue the ship until a ship or aircraft of the coastal State, summoned by the aircraft, arrives to take over the pursuit, unless the aircraft is itself able to arrest the ship. It does not suffice to justify an arrest on the high seas that the ship

was merely sighted by the aircraft as an offender or suspected offender, if it was not both ordered to stop and pursued by the aircraft itself or other aircraft or ships which continue the pursuit without interruption.

6. The release of a ship arrested within the jurisdiction of a State and escorted to a port of that State for the purposes of an enquiry before the competent authorities may not be claimed solely on the ground that the ship, in the course of its voyage, was escorted across a portion of the high seas, if the circumstances rendered this necessary.

7. Where a ship has been stopped or arrested on the high seas in circumstances which do not justify the exercise of the right of hot pursuit, it shall be compensated for any loss or damage that may have been thereby sustained.

Article 24

Every State shall draw up regulations to prevent pollution of the seas by the discharge of oil from ships or pipelines or resulting from the exploitation and exploration of the seabed and its subsoil, taking account of existing treaty provisions on the subject.

Article 25

1. Every State shall take measures to prevent pollution of the seas from the dumping of radio-active waste, taking into account any standards and regulations which may be formulated by the competent international organizations.

2. All States shall co-operate with the competent international organizations in taking measures for the prevention of pollution of the seas or air space above, resulting from any activities with radio-active materials or other harmful agents.

Article 26

1. All States shall be entitled to lay submarine cables and pipelines on the bed of the high seas.

2. Subject to its right to take reasonable measures for the exploration of the continental shelf and the exploitation of its natural resources, the coastal State may not impede the laying or maintenance of such cables or pipelines.

3. When laying such cables or pipelines the State in question shall pay due regard to cables or pipelines already in position on the seabed. In particular, possibilities of repairing existing cables or pipelines shall not be prejudiced.

Article 27

Every State shall take the necessary legislative measures to provide that the breaking or injury by a ship flying its flag or by a person subject to its jurisdiction of a submarine cable beneath the high seas done wilfully or through culpable negligence, in such a manner as to be liable to interrupt or obstruct telegraphic or telephonic communications, and similarly the breaking or injury of a submarine pipeline or high-voltage power cable shall be a punishable offence. This provision shall not

apply to any break or injury caused by persons who acted merely with the legitimate object of saving their lives or their ships, after having taken all necessary precautions to avoid such break or injury.

Article 28

Every State shall take the necessary legislative measures to provide that, if persons subject to its jurisdiction who are the owners of a cable or pipeline beneath the high seas, in laying or repairing that cable or pipeline, shall be indemnified avoid injuring a submarine cable or pipeline, they shall bear the cost of the repair.

Article 29

Every State shall take the necessary legislative measures to ensure that the owners of ships who can prove that they have sacrificed an anchor, a net or any other fishing gear, in order to a void injuring a submarine cable or pipeline shall ve indemnified by the owner of the cable or pipeline provided that the owner of the ship has taken all reasonable precautionary measures beforehand.

Article 30

The provisions of this Convention shall not affect conventions or other international agreement already in force, as between States Parties to them.



Article 31

This Convention shall, until 31 October 1958, be open for signature by all States Members of the United Nations or of any of the specialized agencies and by any other State invited by the General Assembly to become a Party to the Convention.

Article 32

This Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 33

This Convention shall be open for accession by any States belonging to any of the categories mentioned in article 31. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 34

1. This Convention shall come into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations.

2. For each State ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the

thirtieth day after deposit by such State of its instrument of ratification or accession.

Article 35

1. After the expiration of a period of five years from the date on which this Convention shall enter into force, a request for the revision of this Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such request.

Article 36

The Secretary-General of the United Nations shall inform all States Members of the United Nations and the other States referred to in article 31:

(a) Of signature to this Convention and of the deposit of instruments of ratification or accession, in accordance with articles 31, 32 and 33;

(b) Of the date on which this Convention will come into force, in accordance with article 34;

(c) Of request for revision in accordance with article 35.

Article 37

The original of this Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States referred to in article 31.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their respective Government have signed this Convention.

DONE at Geneva, this twenty-ninth day of April one thousand nine hundred and fifty-eight.

ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย

เอกสารประกอบหมายเลข ๓

CONVENTION ON FISHING
AND CONSERVATION OF THE LIVING
RESOURCES OF THE HIGH SEAS

The States Parties to this convention,

Considering that the development of modern techniques for the exploitation of the living resources of the sea, increasing man's ability to meet the need of the world's expanding population for food, has exposed some of these resources to the danger of being over-exploited,

Considering also that the nature of the problems involved in the conservation of the living resources of the high seas is such that there is a clear necessity that they be solved, whenever possible, on the basis of international co-operation through the concerted action of all the states concerned.

Have agreed as follows:

Article 1

1. All states have the right for their nationals to engage in fishing on the high seas, subject (a) to their treaty obligations, (b) to the interests and rights of coastal states

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as provided for in this Convention, and (c) to the provisions contained in the following articles concerning conservation of the living resources of the high seas.

2. All states have the duty to adopt, or to co-operate with other states in adopting, such measures for their respective nationals as may be necessary for the conservation of the living resources of the high seas.

Article 2

As employed in this Convention, the expression "conservation of the living resources of the high sea" means the aggregate of the measures rendering possible the optimum sustainable yield from those resources so as to secure a maximum supply of food and other marine products. Conservation programmes should be formulated with a view to securing in the first place a supply of food for human consumption.

Article 3

A state whose nationals are engaged in fishing any stock or stocks of fish or other living marine resources in any area of the high seas where the nationals of other states are not thus engaged shall adopt, for its own nationals, measures in that area when necessary for the purpose of the conservation of the living resources affected.

Article 4

1. If the nationals of two or more states are engaged in fishing the same stock or stocks of fish or other living marine resources in any area or areas of the high seas, these states shall, at the request of any of them, enter into negotiations with a view to prescribing by agreement for their nationals the necessary measures for the conservation of the living resources affected.

2. If the states concerned do not reach agreement within twelve months, any of the parties may initiate the procedure contemplated by Article 9.

Article 5

1. If, subsequent to the adoption of the measures referred to in Articles 3 and 4, nationals of other states engage in fishing the same stock or stocks of fish or other living marine resources in any area or areas of the high seas, the other states shall apply the measures, which shall not be discriminatory in form or in fact, to their own nationals not later than seven months after the date on which the measures shall have been notified to the Director-General of the Food and Agriculture Organization of the United Nations. The Director-General shall notify such measures to any state which so requests and, in any case, to any state specified by the state initiating the measure.

2. If these other states do not accept the measures so adopted and if no agreement can be reached within twelve months,

any of the interested parties may initiate the procedure contemplated by Article 9. Subject to paragraph 2 of Article 10, the measures adopted shall remain obligatory pending the decision of the special commission.

Article 6

1. A coastal state has a special interest in the maintenance of the productivity of the living resources in any area of the high seas adjacent to its territorial sea.
2. A coastal state is entitled to take part on an equal footing in any system of research and regulation for purposes of conservation of the living resources of the high seas in that area, even though its nationals do not carry on fishing there.
3. A state whose nationals are engaged in fishing in any area of the high seas adjacent to the territorial sea of a coastal state shall, at the request of that coastal state, enter into negotiations with a view to prescribing by agreement the measures necessary for the conservation of the living resources of the high seas in that area.
4. A state whose nationals are engaged in fishing in any area of the high seas adjacent to the territorial sea of a coastal state shall not enforce conservation measures in that area which are opposed to those which have been adopted by the coastal state, but may enter into negotiations with the coastal state with a view to prescribing by agreement the measures necessary for the conservation of the living resources of the high seas in that area.

5. If the states concerned do not reach agreement with respect to conservation measures within twelve months, any of the parties may initiate the procedure contemplated by Article 9.

Article 7

1. Having regard to the provisions of paragraph 1 of Article 6, any coastal state may, with a view to the maintenance of the productivity of the living resources of the sea, adopt unilateral measures of conservation appropriate to any stock of fish or other marine resources in any area of the high seas adjacent to its territorial sea, provided that negotiations to that effect with the other states concerned have not led to an agreement within six months.

2. The measures which the coastal state adopts under the previous paragraph shall be valid, as to other states only if the following requirements are fulfilled:

(a) That there is a need for urgent application of conservation measures in the light of the existing knowledge of the fishery;

(b) That the measures adopted are based on appropriate scientific findings;

(c) That such measures do not discriminate in form or in fact against foreign fishermen.

3. These measures shall remain in force pending the settlement, in accordance with the relevant provisions of this Convention, of any disagreement as to their validity.

4. If the measures are not accepted by the other states concerned, any of the parties may initiate the procedure contemplated by Article 9. Subject to paragraph 2 of Article 10, the measures adopted shall remain obligatory pending the decision of the special commission.

5. The principles of geographical demarcation as defined in Article 12 of the Convention of the Territorial Sea and the Contiguous Zone shall be adopted when coasts of different states are involved.

Article 8

1. Any state which, even if its nationals are not engaged in fishing in an area of the high seas not adjacent to its coast, has a special interest in the conservation of the living resources of the high seas in that area, may request the state or states whose nationals are engaged in fishing there to take the necessary measures of conservation under Articles 3 and 4 respectively, at the same time mentioning the scientific reasons which in its opinion make such measures necessary, and indicating its special interest.

2. If no agreement is reached within twelve months, such state may initiate the procedure contemplated by Article 9.

Article 9

1. Any dispute which may arise between states under Articles 4,5,6,7 and 8 shall, at the request of any of the parties,

be submitted for settlement to a special commission of five members, unless the parties agree to seek a solution by another method of peaceful settlement, as provided for in Article 33 of the Charter of the United Nations.

2. The members of the commission, one of whom shall be designated as chairman, shall be named by agreement between the states in dispute within three months of the request for settlement in accordance with the provisions of this article. Failing agreement they shall, upon the request of any state party, be named by the Secretary-General of the United Nations, within a further three-month period, in consultation with the states in dispute and with the President of the International Court of Justice and the Director-General of the Food and Agriculture Organization of the United Nations, from amongst well-qualified persons being nationals of states not involved in the dispute and specializing in legal, administrative or scientific questions relating to fisheries, depending upon the nature of the dispute to be settled. Any vacancy arising after the original appointment shall be filled in the same manner as provided for the initial selection.

3. Any state party to proceedings under these articles shall have the right to name one of its nationals to the special commission, with the right to participate fully in the proceedings on the same footing as a member of the commission but without the right to vote or to take part in the writing of the commission's decision.

4. The commission shall determine its own procedure, assuring each party to the proceedings a full opportunity to be heard and to present its case. It shall also determine how the costs and expenses shall be divided between the parties to the dispute, failing agreement by the parties on this matter.

5. The special commission shall render its decision within a period of five months from the time it is appointed unless it decides in case of necessity, to extend the time limit for a period not exceeding three months.

6. The special commission shall, in reaching its decisions, adhere to these articles and to any special agreements between the disputing parties regarding settlement of the dispute.

7. Decisions of the commission shall be by majority vote.

Article 10

1. The special commission shall, in disputes arising under Article 7, apply the criteria listed in paragraph 2 of that article. In disputes under Articles 4,5,6 and 8, the commission shall apply the following criteria, according to the issues involved in the dispute:

(a) Common to the determination of disputes arising under Articles 4,5 and 6 are the requirements:

- (i) That scientific findings demonstrate the necessity of conservation measures;
- (ii) That the specific measures are based on scientific findings and are practicable; and

(iii) That the measures do not discriminate, in form or in fact against fishermen of other states.

(b) Applicable to the determination of disputes arising under Article 8 is the requirement that scientific findings demonstrate the necessity for conservation measures, or that the conservation programme is adequate, as the case may be.

2. The special commission may decide that pending its award the measures in dispute shall not be applied, provided that, in the case of disputes under Article 7, the measures shall only be suspended when it is apparent to the commission on the basis of prima facie evidence that the need for the urgent application of such measures does not exist.

Article 11

The decisions of the special commission shall be binding on the states concerned and the provisions of paragraph 2 of Article 94 of the Charter of the United Nations shall be applicable to those decisions. If the decisions are accompanied by any recommendations, they shall receive the greatest possible consideration.

Article 12

1. If the factual basis of the award of the special commission is altered by substantial changes in the conditions of the stock or stocks of fish or other living marine resources or in methods of fishing, any of the states concerned may request the other states to enter into negotiations with a view to prescribing

by agreement the necessary modifications in the measures of conservation.

2. If no agreement is reached within a reasonable period of time, any of the states concerned may again resort to the procedure contemplated by Article 9 provided that at least two years have elapsed from the original award.

Article 13

1. The regulation of fisheries conducted by means of equipment embedded in the floor of the sea in areas of the high seas adjacent to the territorial sea of a state may be undertaken by that state where such fisheries have long been maintained and conducted by its nationals, provided that non-nationals are permitted to participate in such activities on an equal footing with nationals except in areas where such fisheries have by long usage been exclusively enjoyed by such nationals. Such regulations will not, however, affect the general status of the areas as high seas.

2. In this article, the expression "fisheries conducted by means of equipment embedded in the floor of the sea" means those fisheries using gear with supporting members embedded in the sea floor, constructed on a site and left there to operate permanently, or if removed, restored each season on the same site.

Article 14

In Articles 1,3,4,5,6 and 8, the term "nationals" means fishing boats or craft of any size having the nationality of the state concerned, according to the law of that state, irrespective of the nationality of the members of their crews.

Article 15

This Convention shall, until 31 October 1958, be open for signature by all States Members of the United Nations or of any of the specialized agencies, and by any other state invited by the General Assembly to become a party to the Convention.

Article 16

The Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 17

This Convention shall be open for accession by any states belonging to any of the categories mentioned in Article 15. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 18

1. This Convention shall come into force on the thirtieth day following the date of deposit of the twenty-second

instrument of ratification or accession with the Secretary-General of the United Nations.

2. For each state ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such state of its instrument of ratification or accession.

Article 19

1. At the time of signature, ratification or accession, any state may make reservations to articles of the Convention other than to Articles 6,7,9,10,11 and 12 inclusive.

2. Any Contracting State making a reservation in accordance with the preceding paragraph may at any time withdraw the reservation by a communication to that effect addressed to the Secretary-General of the United Nations.

Article 20

1. After the expiration of a period of five years from the date on which this Convention shall enter into force, a request for the revision of this Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such request.

Article 21

The Secretary-General of the United Nations shall inform all States Members of the United Nations and the other states referred to in Article 15:

(a) Of signatures to this Convention and of the deposit of instruments of ratification or accession, in accordance with Articles 15, 16 and 17;

(b) Of the date on which this Convention will come into force, in accordance with Article 18;

(c) Of requests for revision in accordance with Article 20;

(d) Of reservations to this Convention, in accordance with Article 19.

Article 22

The original of this Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all states referred to in Article 15.

In witness whereof the undersigned plenipotentiaries, being duly authorised thereto by their respective Government, have signed this Convention.

Done at Geneva, This twenty-ninth day of April one thousand nine hundred and fifty-eight.

CONVENTION ON THE CONTINENTAL SHELF

The States Parties to this Convention

Have agreed as follows:

Article 1

For the purpose of these articles, the term "continental shelf" is used as referring (a) to the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea, to a depth of 200 metres or, beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the natural resources of the said areas; (b) to the seabed and subsoil of similar submarine areas adjacent to the coasts of islands.

Article 2

1. The coastal state exercises over the continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources.

2. The rights referred to in paragraph 1 of this article are exclusive in the sense that if the coastal state does not explore the continental shelf or exploit its natural resources, no one may undertake these activities, or make a claim to the continental shelf, without the express consent of the coastal state.

3. The rights of the coastal state over the continental shelf do not depend on occupation, effective or notional, or on any express proclamation.

4. The natural resources referred to in these articles consist of the mineral and other non-living resources of the seabed and subsoil together with living organisms belonging to sedentary species, that is to say, organisms which, at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil.

Article 3

The rights of the coastal state over the continental shelf do not affect the legal status of the superjacent waters as high seas, or that of the airspace above those waters.

Article 4

Subject to its right to take reasonable measures for the exploration of the continental shelf and the exploitation of its natural resources, the coastal state may not impede the laying or maintenance of submarine cables or pipelines on the continental shelf.

Article 5

1. The exploration of the continental shelf and the exploitation of its natural resources must not result in any

unjustifiable interference with navigation, fishing or the conservation of the living resources of the sea, nor result in any interference with fundamental oceanographic or other scientific research carried out with the intention of open publication.

2. Subject to the provision of paragraphs 1 and 6 of this article, the coastal state is entitled to construct and maintain or operate on the continental shelf installations and other devices necessary for its exploration and the exploitation of its natural resources, and to establish safety zones around such installations and devices and to take in those zones measures necessary for their protection.

3. The safety zones referred to in paragraph 2 of this article may extend to a distance of 500 metres around the installations and other devices which have been erected, measured from each point of their outer edge. Ships of all nationalities must respect these safety zones.

4. Such installations and devices, though under the jurisdiction of the coastal state, do not possess the status of islands. They have no territorial sea of their own, and their presence does not affect the delimitation of the territorial sea of the coastal state.

5. Due notice must be given of the construction of any such installations, and permanent means for giving warning of their presence must be maintained. Any installations which are abandoned or disused must be entirely removed.

6. Neither the installations or devices, nor the safety zones around them, may be established where interference may be caused to the use of recognized sea lanes essential to international navigation.

7. The coastal state is obliged to undertake, in the safety zones, all appropriate measures for the protection of the living resources of the sea from harmful agents.

8. The consent of the coastal state shall be obtained in respect of any research concerning the continental shelf and undertaken there. Nevertheless, the coastal state shall not normally withhold its consent if the request is submitted by a qualified institution with a view to purely scientific research into the physical or biological characteristics of the continental shelf, subject to the proviso that the coastal state shall have the right, if it so desires, to participate or to be represented in the research, and that in any event the results shall be published.

Article 6

1. Where the same continental shelf is adjacent to the territories of two or more states whose coasts are opposite each other, the boundary of the continental shelf appertaining to such states shall be determined by agreement between them. In the absence of agreement, and unless another boundary line is justified by special circumstances, the boundary is the median line, every point of which is equidistant from the nearest points of the baselines from which the breadth of the territorial sea of each state is measured.

2. Where the same continental shelf is adjacent to the territories of two adjacent states, the boundary of the continental shelf shall be determined by agreement between them. In the absence of agreement, and unless another boundary line is justified by special circumstances, the boundary shall be determined by special circumstances, the boundary shall be determined by application of the principle of equidistance from the nearest points of the baselines from which the breadth of the territorial sea of each state is measured.

3. In delimiting the boundaries of the continental shelf, any lines which are drawn in accordance with the principles set out in paragraphs 1 and 2 of this article should be defined with reference to charts and geographical features as they exist at a particular date, and reference should be made to fixed permanent identifiable points on the land.

Article 7

The provisions of these articles shall not prejudice the right of the coastal state to exploit the subsoil by means of tunnelling irrespective of the depth of water above the subsoil.

Article 8

This Convention shall, until 31 October 1958, be open for signature by all States Members of the United Nations or of any of the specialized agencies, and by any other state invited by the General Assembly to become a party to the Convention.

Article 9

This Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 10

This Convention shall be open for accession by any states belonging to any of the categories mentioned in Article 8. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 11

1. This Convention shall come into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations.

2. For each state ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such state of its instrument of ratification or accession.

Article 12

1. At the time of signature, ratification or accession, any state may make reservations to articles of the Convention other than to Article 1 to 3 inclusive.

2. Any Contracting State making a reservation in accordance with the preceding paragraph may at any time withdraw the reservation by a communication to that effect addressed to the Secretary-General of the United Nations.

Article 13

1. After the expiration of a period of five years from the date on which this Convention shall enter into force, a request for the revision of this Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to taken in respect of such request.

Article 14

The Secretary-General of the United Nations shall inform all States Members of the United Nations and the other states referred to in Article 8:

(a) Of signatures to this Convention and of the deposit of instruments of ratification or accession, in accordance with Article 8, 9 and 10.

(b) Of the date on which this Convention will come into force, in accordance with Article 11.

(c) Of requests for revision in accordance with Article 13.



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(d) Of reservations to this Convention, in accordance with Article 12.

Article 15

The original of this Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all states referred to in Article 8.

In witness whereof the undersigned plenipotentiaries, being duly authorised thereto by their respective Government, have signed this Convention.

Done at Geneva, this twenty-ninth day of April one thousand nine hundred and fifty-eight.

ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย

เอกสารประกอบหมายเลข ๕

ประกาศ

กำหนดความกว้างของทะเลอาณาเขตของประเทศไทย

มีพระบรมราชโองการให้ประกาศให้ทราบทั่วกันว่า
โดยที่ประเทศไทยได้ยึดถือตลอดมาว่า อำนาจอธิปไตยของ
ประเทศไทยขยายออกไปจากอาณาเขตพื้นดินและน่านน้ำภายใน จนถึง
แนวทะเลประชิดชายฝั่ง ซึ่งเรียกว่าทะเลอาณาเขต รวมตลอดถึงห้วง
อากาศเหนือทะเลอาณาเขต พื้นท้องทะเลและแผ่นดินใต้อันท้องทะเลของ
ทะเลอาณาเขต

โดยที่เห็นเป็นการสมควรกำหนดความกว้างของทะเลอาณาเขต
ชายฝั่ง

ฉะนั้น จึงกำหนดความกว้างของทะเลอาณาเขตของประเทศไทย
เป็นระยะสิบสองไมล์ทะเล โดยวัดจากเส้นฐานที่ใช้สำหรับวัดความกว้างของ
ทะเลอาณาเขต

ประกาศ ณ วันที่ ๖ ตุลาคม พุทธศักราช ๒๕๐๘
เป็นปีที่ ๒๑ ในรัชกาลปัจจุบัน

ผู้รับสนองพระบรมราชโองการ

จอมพล ถนอม กิตติขจร

นายกรัฐมนตรี

เอกสารประกอบหมายเลข ๖

ประกาศสำนักนายกรัฐมนตรี
เรื่อง อ่าวไทยตอนใน

คณะรัฐมนตรีเห็นสมควรประกาศยืนยันสถานภาพของอ่าวไทยตอนในให้ทราบทั่วกันว่า อ่าวไทยตอนในเหนือเส้นฐานจากจุดที่หนึ่ง ณ แหลมบ้านของแสมसान ละติจูด $๑๒^{\circ}-๓๕'-๔๕''$ เหนือ ลองจิจูด $๑๐๐^{\circ}-๕๗'-๔๕''$ ตะวันออก ตามเส้นขนานละติจูดไปทางทิศตะวันตกถึงจุดที่สอง ณ ฝั่งทะเลตรงข้ามละติจูด $๑๒^{\circ}-๓๕'-๔๕''$ เหนือ ลองจิจูด $๙๙^{\circ}-๕๗'-๓๐''$ ตะวันออก เป็นอ่าวประวัติศาสตร์ และน่านน้ำเหนือเส้นฐานดังกล่าวนี้เป็นน่านน้ำภายในของประเทศไทย

ประเทศไทยได้ยึดถือเช่นนี้ตลอดมาชั่วกาลนานแล้ว

ประกาศ ณ วันที่ ๒๒ กันยายน พ.ศ. ๒๕๐๒

จอมพล ส. ธนะรัชต์

นายกรัฐมนตรี

(คัดจากราชกิจจานุเบกษา เล่ม ๗๖ ตอนที่ ๕๑ ฉบับพิเศษ ๒๖ กันยายน ๒๕๐๒)

เอกสารประกอบหมายเลข ๗

ฉบับพิเศษ หน้า ๔

เล่ม ๘๗ ตอนที่ ๕๒

ราชกิจจานุเบกษา

๑๒ มิถุนายน ๒๕๑๓

ประกาศสำนักนายกรัฐมนตรี
เรื่อง เส้นฐานตรงและน่านน้ำภายในของประเทศไทย

คณะรัฐมนตรีเห็นสมควรประกาศยืนยันสถานภาพเส้นฐานตรงและน่านน้ำภายในของ
ประเทศไทยให้ทราบทั่วกัน ดังต่อไปนี้

(๑) บริเวณที่ ๑

ลำดับที่ REFERENCE No.	ชื่อภูมิศาสตร์ GEOGRAPHICAL NAME	ค่าพิกัดภูมิศาสตร์ GEOGRAPHICAL COORDINATE	
		ละติจูด เหนือ LAT. N.	ลองจิจูด ตะวันออก LONG. E.
๑.	แหลมลิง LAEM LING	๑๒° - ๑๒.๓	๑๐๒° - ๑๖.๗
๒.	เกาะชางนอย KO CHANG NOI	๑๒° - ๐๘.๖	๑๐๒° - ๑๔.๘
๓.	หินราบ HIN RAP	๑๒° - ๐๓.๑	๑๐๒° - ๑๔.๕
๔.	หินลูกบาท HIN LUK BAT	๑๑° - ๕๖.๗	๑๐๒° - ๑๗.๒
๕.	เกาะรัง KO RANG	๑๑° - ๕๖.๖	๑๐๒° - ๒๓.๒

ฉบับพิเศษ หน้า ๘

เล่ม ๘๙ ตอนที่ ๕๒

ราชกิจจานุเบกษา

๑๒ มิถุนายน ๒๕๑๓

ลำดับที่ REFERENCE No	ชื่อภูมิศาสตร์ GEOGRAPHICAL NAME	ค่าพิกัดภูมิศาสตร์ GEOGRAPHICAL COORDINATE	
		ละติจูด เหนือ LAT. N.	ลองจิจูด ตะวันออก LONG. E.
๖.	หินบางเบา HIN BANG BAO	๑๑°-๓๕.๘	๑๐๒°-๓๒.๐
๗.	เกาะกูด KO KUT	๑๑°-๓๓.๖	๑๐๒°-๓๕.๗
๘.	หลักเขตแดนไทย-เขมร THAI-CAMBODIA BOUNDARY POST	-	-

ศูนย์วิทยพัชการ
จุฬาลงกรณ์มหาวิทยาลัย

เล่ม ๘๗ ตอนที่ ๕๒

ฉบับพิเศษ หน้า ๕
ราชกิจจานุเบกษา

๑๒ มิถุนายน ๒๕๑๓

(๒) บริเวณที่ ๒

ลำดับที่ REFERENCE No	ชื่อภูมิศาสตร์ GEOGRAPHICAL NAME	ค่าพิกัดภูมิศาสตร์ GEOGRAPHICAL COORDINATE	
		ละติจูด เหนือ LAT. N.	ลองจิจูด ตะวันออก LONG. E.
๑.	แหลมใหญ่ LAEM YAI	๑๐°-๕๓'.๙	๙๙°-๓๑'.๔
๒.	เกาะรานไก่อ KO RAN KHAI	๑๐°-๔๙'.๘	๙๙°-๓๒'.๖
๓.	เกาะรานเป็ด KO RAN PET	๑๐°-๔๖'.๕	๙๙°-๓๒'.๒
๔.	เกาะไข KO KHAI	๑๐°-๔๑'.๘	๙๙°-๒๙'.๘
๕.	เกาะจรเข้ KO CHORAKHE	๑๐°-๓๓'.๖	๙๙°-๒๓'.๒
๖.	หินलगงาม HIN LAK NGAM	๑๐°-๓๐'.๐	๙๙°-๒๕'.๖
๗.	เกาะเตา KO TAO	๑๐°-๐๙'.๕	๙๙°-๕๐'.๙
๘.	หินใบ HIN BAI	๐๙°-๕๖'.๖	๙๙°-๕๘'.๙

เล่ม ๘๘ ตอนที่ ๕๒

ฉบับพิเศษ หน้า ๕
ราชกิจจานุเบกษา

๑๒ มิถุนายน ๒๕๑๓

ลำดับที่ REFERENCE No	ชื่อภูมิศาสตร์ GEOGRAPHICAL NAME	ค่าพิกัดภูมิศาสตร์ GEOGRAPHICAL COORDINATE	
		ละติจูด เหนือ LAT. N.	ลองจิจูด ตะวันออก LONG. E.
๘.	เกาะกงธารเสด็จ KO KONG THANSADET	๐๘°-๔๕'๘"	๑๐๐°-๐๔'๗"
๑๐.	เกาะพังนัง KO PHANGAN	๐๘°-๔๔'๐"	๑๐๐°-๐๕'๒"
๑๑.	เกาะกงออก KO KONG OK	๐๘°-๓๖'๑"	๑๐๐°-๐๕'๘"
๑๒.	เกาะมัตหลัง KO MAT LANG	๐๘°-๓๒'๐"	๑๐๐°-๐๕'๓"
๑๓.	เกาะสมุย KO SAMUI	๐๘°-๒๘'๓"	๑๐๐°-๐๔'๗"
๑๔.	หินอ่าววัง HIN ANG WANG	๐๘°-๒๓'๔"	๑๐๐°-๐๑'๘"
๑๕.	เกาะราบ KO RAP	๐๘°-๑๗'๘"	๘๘°-๕๗'๘"
๑๖.	แหลมหนาดำ LAEM NA THAM	๐๘°-๑๒'๔"	๘๘°-๕๓'๒"

เล่ม ๘๙ ตอนที่ ๕๒

ฉบับพิเศษ หน้า ๖

ราชกิจจานุเบกษา

๑๒ มิถุนายน ๒๕๑๓

๓) บริเวณที่ ๓

ลำดับที่ REFERENCE No	ชื่อภูมิศาสตร์ GEOGRAPHICAL NAME	ค่าพิกัดภูมิศาสตร์ GEOGRAPHICAL COORDINATE	
		ละติจูด เหนือ LAT. N.	ลองจิจูด ตะวันออก LONG. E.
๑.	เกาะภูเก็ต KO PHUKET	๐๙°-๔๖'๕	๙๘°-๑๙'๕
๒.	เกาะแกวนอย KO KAE NOI	๐๙°-๔๓'๙	๙๘°-๑๘'๐
๓.	เกาะฮี KO HI	๐๙°-๔๕'๐	๙๘°-๒๑'๙
๔.	เกาะไมทอน KO MAI THON	๐๙°-๔๕'๙	๙๘°-๒๘'๙
๕.	เกาะไก่อ KO KAI	๐๙°-๔๕'๖	๙๘°-๓๙'๑
๖.	เกาะบิตะน็อก KO BIDA NOK	๐๙°-๓๙'๒	๙๘°-๔๖'๒
๗.	เกาะหมา KO MA	๐๙°-๓๖'๖	๙๘°-๕๒'๑
๘.	เกาะลันตาใหญ่ KO LANTA YAI	๐๙°-๒๙'๘	๙๙°-๐๖'๐

ฉบับพิเศษ หน้า ๖

เล่ม ๘๗ ตอนที่ ๕๒

ราชกิจจานุเบกษา

๑๒ มิถุนายน ๒๕๑๓

ลำดับที่ REFERENCE No	ชื่อภูมิศาสตร์ GEOGRAPHICAL NAME	ค่าพิกัดภูมิศาสตร์ GEOGRAPHICAL COORDINATE	
		ละติจูด เหนือ LAT. N.	ลองจิจูด ตะวันออก LONG. E.
๘.	เกาะไท KO NGAI	๐๗°-๒๓'.๘	๙๙°-๑๒'.๑
๑๐.	เกาะกระดาน KO KRADAN	๐๗°-๑๗'.๗	๙๙°-๑๕'.๘
๑๑.	เกาะกวาง KO KHWANG	๐๗°-๑๓'.๓	๙๙°-๒๑'.๗
๑๒.	เกาะเบ็ง KO BENG	๐๗°-๐๘'.๓	๙๙°-๒๙'.๗
๑๓.	หินแบวะ HIN BAEWA	๐๗°-๐๓'.๗	๙๙°-๒๘'.๐
๑๔.	เกาะตุลยูใหญ่ KO TULUI YAI	๐๗°-๐๐'.๘	๙๙°-๒๖'.๘
๑๕.	เกาะตาใบ KO TA BAI	๐๖°-๕๘'.๘	๙๙°-๒๘'.๗
๑๖.	เกาะอาฆ่า KO AYAM	๐๖°-๔๗'.๖	๙๙°-๓๐'.๑
๑๗.	หินออสบอน HIN OSBON	๐๖°-๓๘'.๘	๙๙°-๓๒'.๕

ฉบับพิเศษ หน้า ๘

เล่ม ๘๗ ตอนที่ ๕๒

ราชกิจจานุเบกษา

๑๒ มิถุนายน ๒๕๑๓

ลำดับที่ REFERENCE No	ชื่อภูมิศาสตร์ GEOGRAPHICAL NAME	ค่าพิกัดภูมิศาสตร์ GEOGRAPHICAL COORDINATE	
		ละติจูด เหนือ LAT. N.	ลองจิจูด ตะวันออก LONG. E.
๑๘.	เกาะตระรุเตา KO TARUTAO	๐๖°-๓๐.๒	๙๙°-๓๙.๑
๑๙.	หินใบ HIN BAI	๐๖°-๓๐.๐	๙๙°-๔๒.๑
๒๐.	เกาะไคยใหญ่ KO KOI YAI	๐๖°-๓๓.๘	๙๙°-๕๐.๗
๒๑.	เกาะลิมา KO LIMA	๐๖°-๓๒.๒	๙๙°-๕๗.๘
๒๒.	เกาะคูนิง KO KHUNING	๐๖°-๒๖.๗	๑๐๐°-๐๘.๗
๒๓.	เกาะปรัสमानา KO PRASMANA	๐๖°-๒๕.๘	๑๐๐°-๐๕.๒

เล่ม ๘๗ ตอนที่ ๕๒

ฉบับพิเศษ หน้า ๘
ราชกิจจานุเบกษา

๑๒ มิถุนายน ๒๕๑๓

ลำดับที่ REFERENCE No	ชื่อภูมิศาสตร์ GEOGRAPHICAL NAME	ค่าพิกัดภูมิศาสตร์ GEOGRAPHICAL COORDINATE	
		ละติจูด เหนือ LAT. N.	ลองจิจูด ตะวันออก LONG. E.
๒๘.	พรมแดนไทย-มาเลเซีย THAI-MALAYSIA BOUNDARY	-	-

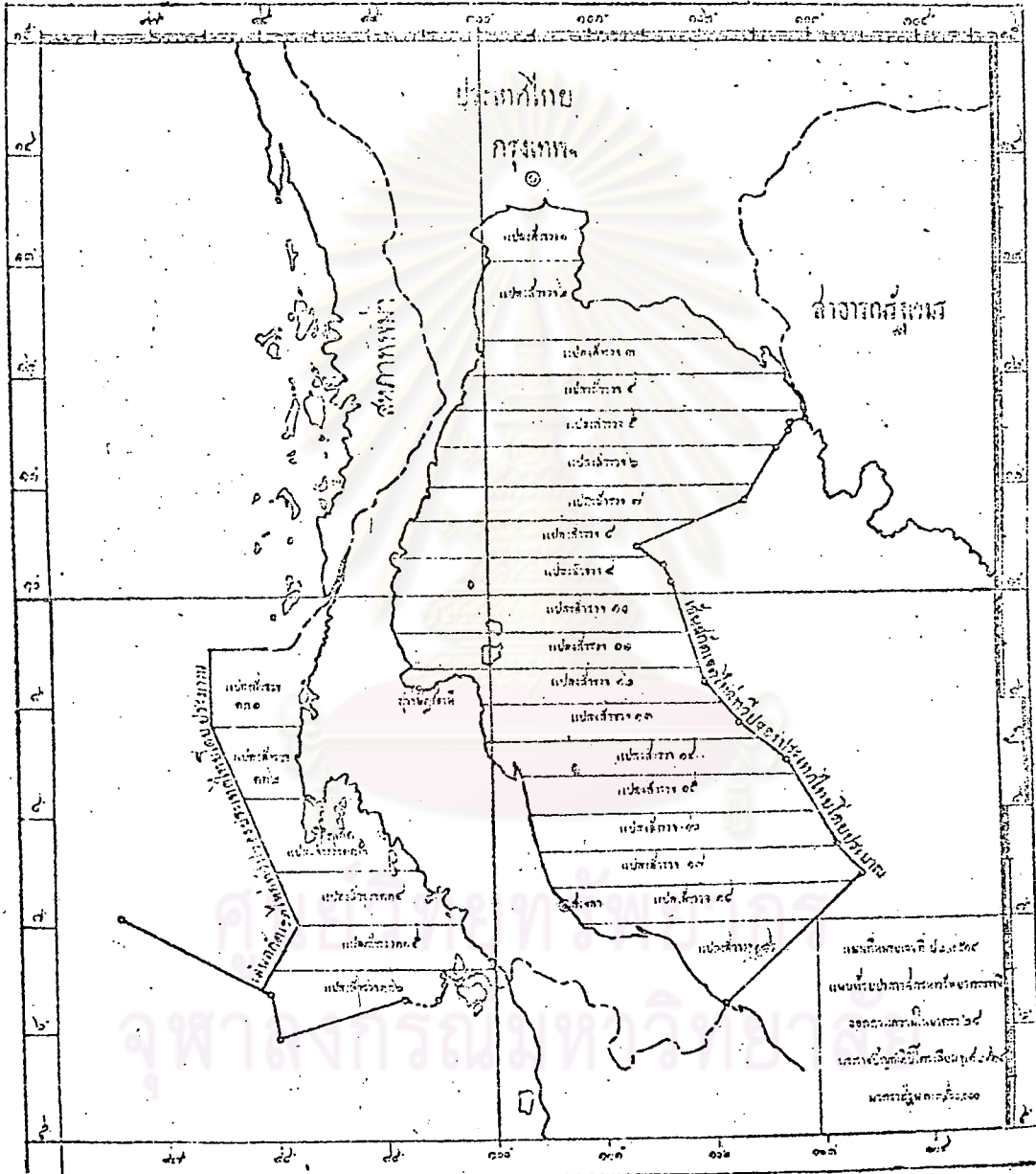
และน่านน้ำภายในเส้นฐานตรงดังกล่าวข้างต้นเป็นน่านน้ำภายในของประเทศไทย
ทั้งปรากฏรายละเอียดในแผนที่ท้ายประกาศนี้
ประเทศไทยได้ยึดถือเช่นนี้ตลอดมาชั่วนานแล้ว

ประกาศ ณ วันที่ ๑๑ มิถุนายน ๒๕๑๓

จอมพล ถ. กิตติขจร

นายกรัฐมนตรี

เอกสารประกอบหมายเลข ๔



แผนที่ขยายประกาศเรื่องเขตแปลงถาวร ววปีไทร เลียมของกรมทรัพยากรธรณี

ภาพที่ ๕

เอกสารประกอบหมายเลข ๔

ฉบับพิเศษ หน้า ๑
เล่ม ๕๐ ตอนที่ ๖๐ ราชกิจจานุเบกษา ๑ มิถุนายน ๒๕๑๖



ประกาศ

กำหนดเขตไหล่ทวีปของประเทศไทยด้านอ่าวไทย

มีพระบรมราชโองการให้ประกาศให้ทราบทั่วกันว่า
เพื่อความมุ่งประสงค์ในการใช้สิทธิอธิปไตยของประเทศไทยในการสำรวจและการแสวงประโยชน์จากทรัพยากรธรรมชาติในอ่าวไทย จึงกำหนดให้เขตไหล่ทวีปตามแผนที่และพิภพภูมิศาสตร์ของแต่ละจุดที่ประกอบเป็นเขตไหล่ทวีปของไทยซึ่งแนบท้ายประกาศนี้เป็นเขตไหล่ทวีปของประเทศไทยด้านอ่าวไทย

ในการกำหนดเขตไหล่ทวีปนี้ ได้ยึดถือมูลฐานแห่งสิทธิตามหลักกฎหมายระหว่างประเทศอันเป็นที่ยอมรับนับถือกัน

พิเศษ ห

เล่ม ๕

วิจารณ์

๑ มิถุนายน ๒๕๑๖

และด. ้วยไหล่ทวีป ซึ่งกระทำ ณ กรุง
เจนีวา ลงวัน ก.ศ. ๑๕๕๘ และประเทศไทย
ได้ให้สัตยาบันไว้แล้ว เมื่อวันที่ ๒ กรกฎาคม พ.ศ. ๒๕๑๑

แผนที่และจุดต่อเนื่องที่กำหนดพิภคภูมิศาสตร์ตามประกาศ
นี้เพื่อแสดงแนวทั่วไปของเส้นกำหนดไหล่ทวีป สำหรับสิทธิ
อธิปไตยในส่วนที่เป็นทะเลอาณาเขตซึ่งต่อเนื่องกับทะเลอาณา
เขตของประเทศใกล้เคียงอันจะถือเป็นจุดเริ่มของเส้นแบ่งเขต
ไหล่ทวีปนั้นจะเป็นไปตามที่จะได้ตกลงกัน โดยยึดถือมูลฐาน
แห่งบทบัญญัติของอนุสัญญาว่าด้วยทะเล อาณาเขตและเขต
ต่อเนื่อง ซึ่งกระทำ ณ กรุงเจนีวา ลงวันที่ ๒๕ เมษายน
ก.ศ. ๑๕๕๘

ประกาศ ณ วันที่ ๑๘ พฤษภาคม พุทธศักราช ๒๕๑๖
เป็นปีที่ ๒๘ ในรัชกาลปัจจุบัน

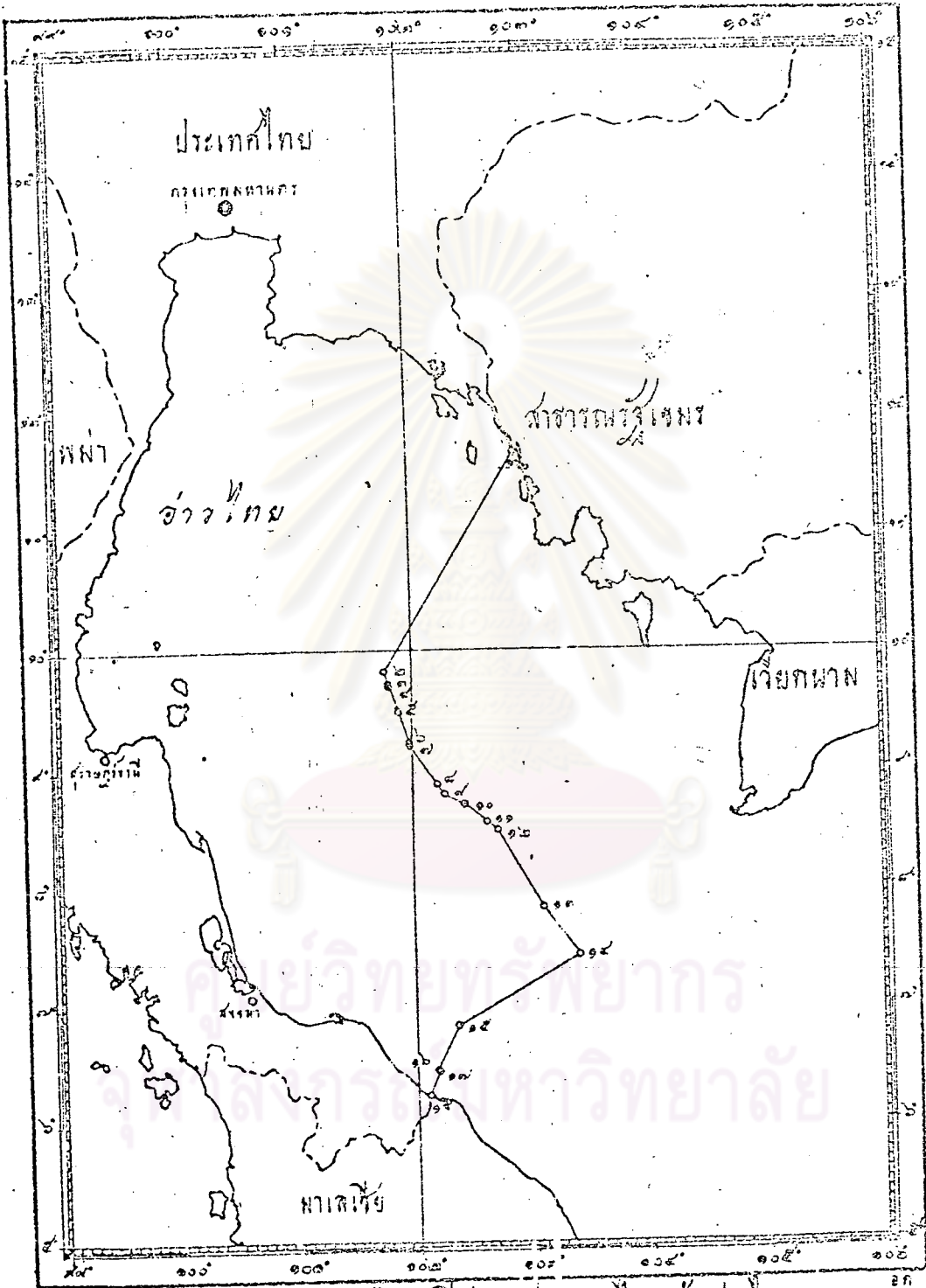
ผู้รับสนองพระบรมราชโองการ

จอมพล ถนอม กิตติขจร

นายกรัฐมนตรี

พิกัดภูมิศาสตร์ของจุดโยงยึดแนวเขตไหล่ทวีปของประเทศไทยด้านอ่าวไทย

จุดหมายเลข	ละติจูดเหนือ	ลองจิจูดตะวันออก
๑	๑๑° ๓๕' .๐	๑๐๒° ๕๕' .๐
๒	๐๕° ๕๗' .๕	๑๐๑° ๕๖' .๕
๓	๐๕° ๕๓' .๐	๑๐๑° ๕๗' .๕
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๗	๐๕° ๑๑' .๐	๑๐๑° ๕๕' .๐
๘	๐๗° ๕๒' .๐	๑๐๒° ๑๓' .๐
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(๑๘)	๐๖° ๑๔' .๕	๑๐๒° ๐๕' .๖



แผนที่แนวเขตโกล์ทวีปของประเทศไทย กับลาว ไทย

มาตราส่วน ๑ : ๓,๕๐๐,๐๐๐

ภาพที่ ๕ แนวเขตโกล์ทวีปของประเทศไทย ตามประกาศพระบรมราชโองการ ประกาศเมื่อ ๑๘ พ.ค. ๑๖

เอกสารประกอบหมายเลข ๑๑



AGREEMENT BETWEEN THE GOVERNMENT OF THE KINGDOM
OF THAILAND, THE GOVERNMENT OF THE REPUBLIC OF
INDONESIA AND THE GOVERNMENT OF MALAYSIA RELATING
TO THE DELIMITATION OF THE CONTINENTAL
SHELF BOUNDARIES IN THE NORTHERN PART OF THE STRAITS
OF MALACCA

THE GOVERNMENT OF THE KINGDOM OF THAILAND, THE
GOVERNMENT OF THE REPUBLIC OF INDONESIA
AND THE GOVERNMENT OF MALAYSIA,

DESIRING to strengthen the existing historical bonds of
friendship between the three Countries,

AND DESIRING to establish the boundaries of the continental
shelves of the three Countries in the northern part of the Straits
of Malacca,

HAVE AGREED AS FOLLOWS:

Article 1

- (1) The boundaries of the continental shelves of Thailand,
Indonesia and Malaysia in the northern part of the
Straits of Malacca shall start from a point whose

co-ordinates are Latitude $5^{\circ} 57' .0$ N Longitude $98^{\circ} 01' 5$ E (hereinafter referred to as "the Common Point").

- (2) The boundary of the continental shelves of Thailand and Indonesia shall be formed by the straight lines drawn from the Common Point in a north-westerly direction to a point whose co-ordinates are Latitude $6^{\circ} 21' .8$ N Longitude $97^{\circ} 54' .0$ E and from there in a westerly direction to a Point whose co-ordinates are Latitude $7^{\circ} 05' .8$ N Longitude $96^{\circ} 36' .5$ E as specified in the Agreement between the Government of the Kingdom of Thailand and the Government of the Republic of Indonesia relating to the delimitation of a continental shelf boundary between the two Countries in the northern part of the Straits of Malacca and in the Andaman Sea, signed at Bangkok on the 17th day of December, 1971.

- (3) The boundary of the continental shelves of Indonesia and Malaysia shall be formed by the straight line drawn from the Common Point in a southward direction to Point 1 specified in the Agreement signed at Kuala Lumpur on the 27th day of October, 1969 between the Government of the Republic of Indonesia and the Government of Malaysia relating to the delimitation of the continental shelves between the two Countries whose co-ordinates are Latitude $5^{\circ} 27' .0$ N Longitude $98^{\circ} 17' .5$ E.

- (4) The boundary of the continental shelves of Thailand and Malaysia shall be formed by the straight lines drawn

from the Common Point in a north-easterly direction to a point whose co-ordinates are Latitude $6^{\circ} 18' .0$ N Longitude $99^{\circ} 06' .7$ E and from there in a south-easterly direction to a point whose co-ordinates are Latitude $6^{\circ} 16' .3$ N Longitude $99^{\circ} 19' .3$ E and from there in a north-easterly direction to a point whose co-ordinates are Latitude $6^{\circ} 18' .4$ N Longitude $99^{\circ} 27' .5$ E.

- (5) The co-ordinates of the points specified above are geographical co-ordinates derived from the British Admiralty Charts No. 793 and No. 830 and the straight lines connecting them are indicated on the chart attached as Annexure "A" to this Agreement.
- (6) The actual location of the above-mentioned points at sea shall be determined by a method to be mutually agreed upon by the competent authorities of the respective Governments concerned.
- (7) For the purposes of paragraph (6), "competent authorities" in relation to the Kingdom of Thailand means the Director of the Hydrographic Department, Thailand, and includes any person authorised by him; in relation to the Republic of Indonesia the Chief of the Co-ordinating Body for National Survey and Mapping, Republic of Indonesia, and includes any person authorised by him; and in relation to Malaysia the Director of National Mapping, Malaysia, and includes any person authorised by him.

Article II

Each Government here by undertakes to ensure that all the necessary steps shall be taken at the domestic level to comply with the terms of this Agreement.

Article III

If any single geological petroleum or natural gas structure extends across the boundary line or lines referred to in Article I and the part of such structure which is situated on one side of the said line or lines is exploitable, wholly or in part, from the other side or sides of the said line or lines, the Governments concerned shall seek to reach agreement as to the manner in which the structure shall be most effectively exploited.

Article IV

Any dispute between the three Government arising out of the interpretation or implementation of this Agreement shall be settled peacefully by consultation or negotiation.

Article V

This Agreement shall be ratified in accordance with the legal requirements of the three Countries.

Article VI

This Agreement shall enter into force on the date of the exchange of the Instruments of Ratification.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement.

DONE IN TRIPLICATE at Kuala Lumpur the 21st day of December, 1971 in the Thai, Indonesian, Malaysian and English languages. In the event of any conflict between the texts, the English text shall prevail.

FOR THE GOVERNMENT
OF THE KINGDOM OF
THAILAND.

FOR THE GOVERNMENT
OF THE REPUBLIC OF
INDONESIA.

FOR THE GOVERNMENT
OF MALAYSIA.

(Signed) Vija Sethaput (Signed) Soemantri Brodjonegoro (Signed) Tan
Sri Haji
Abdul Kadir
bin Yusof

(Mr.Vija Sethaput,
Under-Secretary of
State for National
Development, in
charge of the
Ministry of National
Development, Kingdom
of Thailand.)

(Prof.Dr.Soemantri
Brodjonegoro,
Minister of Mines,
Republic of Indonesia.)

(Tan Sri Haji Abdul
Kadir bin Yusof,
Attorney-General,
Malaysia.)

เอกสารประกอบหมายเลข ๑๒

AGREEMENT BETWEEN THE GOVERNMENT OF THE
KINGDOM OF THAILAND AND THE GOVERNMENT
OF THE REPUBLIC OF INDONESIA RELATING
TO THE DELIMITATION OF A CONTINENTAL
SHELF BOUNDARY BETWEEN THE TWO COUNTRIES
IN THE NORTHERN PART OF THE STRAITS
OF MALACCA AND IN THE ANDAMAN SEA.

THE GOVERNMENT OF THE KINGDOM OF THAILAND AND THE GOVERNMENT OF
THE REPUBLIC OF INDONESIA,

DESIRING to strengthen the existing bonds of friendship between
the two countries, and

DESIRING to establish continental shelf boundaries between the
two countries in the northern part of the Straits of Malacca
and in the Andaman Sea,

HAVE AGREED AS FOLLOWS:

Article 1

1. The boundary between the continental shelves of Thailand and Indonesia in the northern part of the Straits of Malacca

and in the Andaman Sea is the straight line drawn from a point whose co-ordinates are Latitude $6^{\circ} 21'.8$ N Longitude $97^{\circ} 54'.0$ E (hereinafter referred to as point 1) in a westerly direction to a point whose co-ordinates are Latitude $7^{\circ} 05'.8$ N Longitude $96^{\circ} 36'.5$ E (hereinafter referred to as point 2).

2. The boundary line between point 1 and the Common Point specified in the Memorandum of Understanding signed at Bangkok on 15 October 1970 by the representatives of Indonesia, Malaysia and Thailand shall be formally included in a tripartite agreement to be concluded shortly among the three Governments.

3. The co-ordinates of the points specified in paragraph 1. which are geographical co-ordinates, and the straight line connecting them are indicated on the chart attached as an Annex to this Agreement.

4. The actual location of the above-mentioned points at sea shall, at the request of either Government, be determined by a method to be mutually agreed upon by the competent authorities of the two Governments.

5. For the purpose of paragraph 4. the term "competent authorities" in relation to the Kingdom of Thailand refers to Chao Krom Uthoksat (Director of the Hydrographic Department) and includes any person authorized by him; and in relation to the Republic of Indonesia refers to Ketua Badan Koordinasi Survey dan Pemetaan Nasional (Chief of the Co-ordinating Body for National Survey and Mapping) and includes any person authorized by him.

Article II

If any single geological petroleum or natural gas structure extends across the straight line referred to in Article I and the part of such structure which is situated on one side of the said line is exploitable, wholly or in part, from the other side of the said line, the two Governments shall seek to reach agreement as to the manner in which the structure shall be most effectively exploited.

Article III

Any dispute between the two Governments arising out of the interpretation or implementation of this Agreement shall be settled peacefully by consultation or negotiation.

Article IV

This Agreement shall be ratified in accordance with the legal requirements of the two countries.

Article V

This Agreement shall enter into force on the date of the exchange of the Instruments of Ratification.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Agreement.

DONE IN DUPLICATE at Bangkok, this seventeenth day of December, one thousand nine hundred and seventy one, in the Thai, Indonesian and English Languages. In the event of any conflict between the texts, the English text shall prevail.

FOR THE GOVERNMENT OF
THE KINGDOM OF THAILAND,

FOR THE GOVERNMENT OF
THE REPUBLIC OF INDONESIA,

(Signed) Vija Sethaput

(Signed) Sumantri Brodjonegoro

(Mr.Vija Sethaput)

(Professor Dr.Sumantri Brodjonegoro)

ศูนย์วิทยุโทรคมนาคม
จุฬาลงกรณ์มหาวิทยาลัย

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เอกสารประกอบหมายเลข ๑๑

JAKARTA, 27th SEPT. 1973

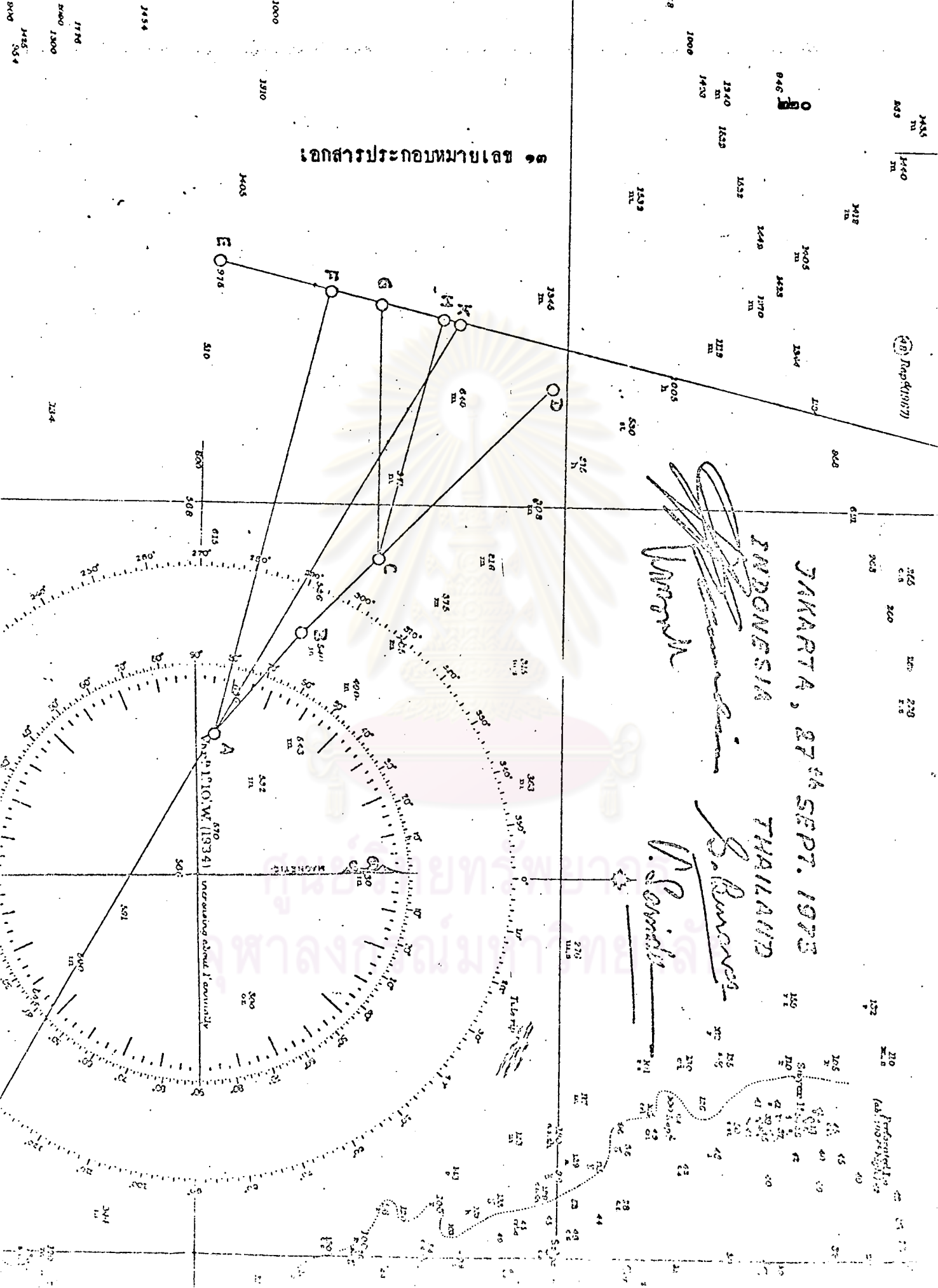
INDONESIA THAILAND

M. S. S. S.

S. R. R. R.

V. S. S. S.

A
Lat. 1° 10' N. (1934)
Long. 103° 10' W. (1934)
Increasing distance from A



เอกสารประกอบหมายเลข ๑๘

AGREEMENT BETWEEN THE GOVERNMENT OF THE
REPUBLIC OF INDONESIA AND THE GOVERNMENT
OF THE KINGDOM OF THAILAND RELATING TO THE
DELIMITATION OF THE SEA-BED BOUNDARY BETWEEN
THE TWO COUNTRIES IN THE ANDAMAN SEA

THE GOVERNMENT OF THE REPUBLIC OF INDONESIA AND THE GOVERNMENT
OF THE KINGDOM OF THAILAND,

DESIRING to strengthen the existing bonds of friendship between
the two countries, and

DESIRING to establish the sea-bed boundary between the two
countries in the Andaman Sea,

HAVE AGREED AS FOLLOWS:

Article 1

1. The boundary of the sea-bed area between Indonesia
and Thailand in the Andaman Sea is the straight line drawn from
point A (Latitude $07^{\circ} 05' .8$ N. Longitude $96^{\circ} 36' .5$ E., being
the terminating point of the boundary line between the two
countries as defined in the Agreement between the Government of

the Kingdom of Thailand and the Government of the Republic of Indonesia relating to the Delimitation of a Continental Shelf Boundary between the Two Countries in the Northern Part of the Straits of Malacca and in the Andaman Sea, signed at Bangkok on 17 December 1971) in a north-westerly direction to a point L whose co-ordinates are Latitude $07^{\circ} 46' .1$ N. Longitude $95^{\circ} 33' .1$ E.

2. The co-ordinates of the points specified in paragraph 1 are geographical co-ordinates and the straight line connecting them is indicated on British Admiralty Chart No.830 attached as an Annex to this Agreement.

3. The actual location of the above-mentioned points at sea shall, at the request of either Government, be determined by a method to be mutually agreed upon by the competent authorities of the two Governments.

4. For the purpose of paragraph 3, the term "competent authorities" in relation to the Republic of Indonesia refers to Ketua Badan Ko-ordinasi Survey dan Pemetaan Nasional (Chief of the Co-ordinating Body for National Survey and Mapping) and includes any person authorized by him; and in relation to the Kingdom of Thailand refers to Chao Krom Uthoksat (Director of the Hydrographic Department) and includes any person authorized by him.

Article II

If any single geological petroleum or natural gas structure extends across the boundary line referred to in

Article I and the part of such structure which is situated on one side of the said line is exploitable, wholly or in part, from the other side of the said line, the two Governments shall seek to reach agreement as to the manner in which that structure shall be most effectively exploited.

Article III

Any dispute between the two Governments arising out of the interpretation or implementation of this Agreement shall be settled peacefully by consultation or negotiation.

Article IV

This Agreement shall be ratified in accordance with the legal requirements of the two countries.

Article V

This Agreement shall enter into force on the date of the exchange of the Instruments of Ratification.

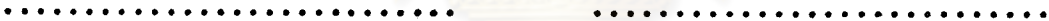
IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Agreement.

DONE IN DUPLICATE at Jakarta this 11st day of December one thousand nine hundred and seventy five in the Indonesian, Thai

and English languages. In the event of any conflict between the texts, the English text shall prevail.

FOR THE GOVERNMENT OF THE
REPUBLIC OF INDONESIA

FOR THE GOVERNMENT OF THE
KINGDOM OF THAILAND



ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย

เอกสารประกอบหมายเลข ๑๕

(สำเนา)

อนุสัญญาระหว่างกษัตริย์สยามกับข้าหลวงใหญ่แห่งอินเดียนว่าด้วยเรื่อง
กำหนดเขตแดนบนผืนแผ่นดินใหญ่ ระหว่างราชอาณาจักรสยามและมณฑล

ของอังกฤษ คือ เทนเนสเซอริม

ลงนาม ณ กรุงเทพฯ เมื่อวันที่ ๔ กุมภาพันธ์ ค.ศ. ๑๘๖๘

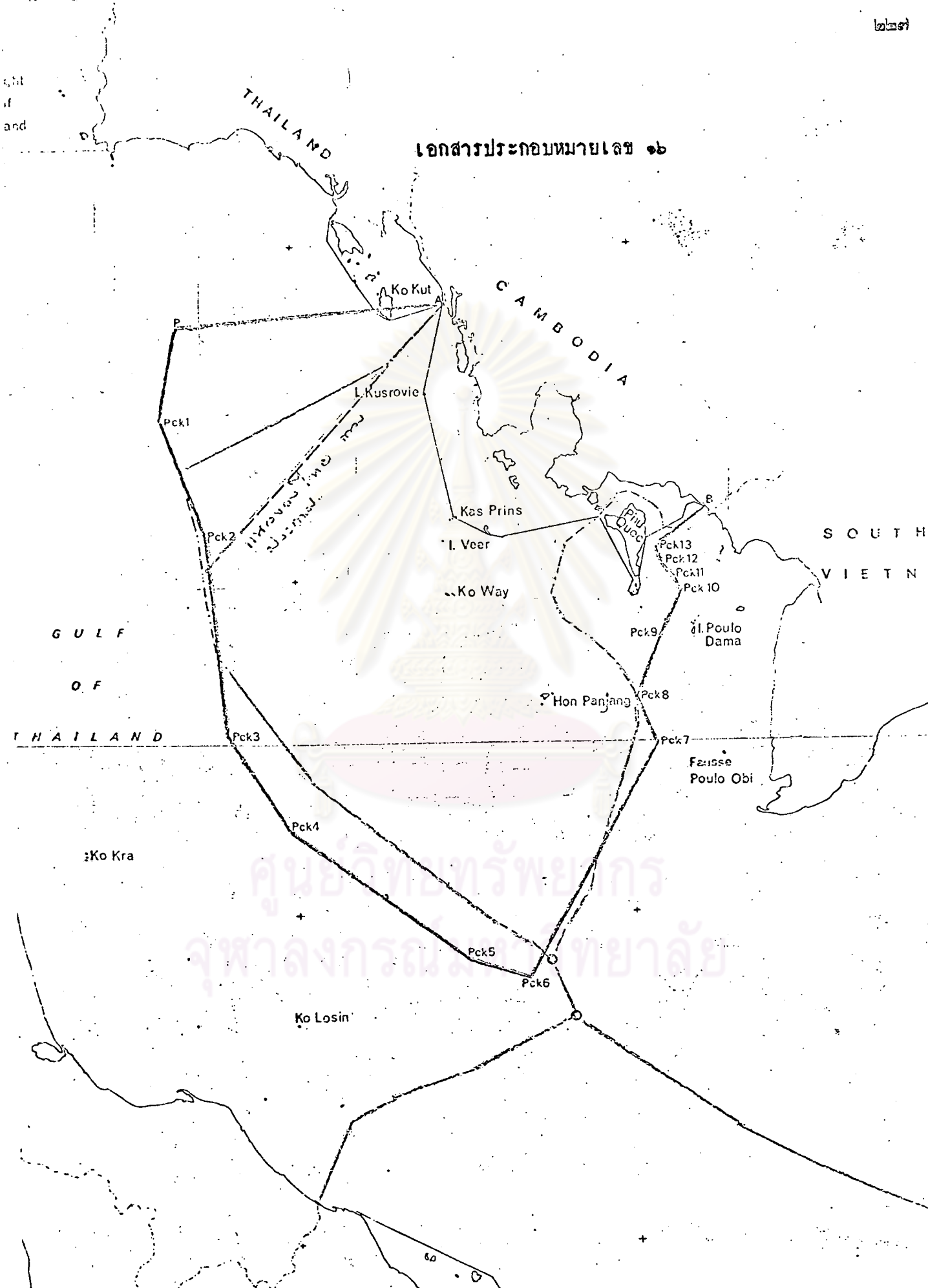
แลกเปลี่ยนสัตยาบัน ณ กรุงเทพฯ เมื่อ ๓ กรกฎาคม ค.ศ.

๑๘๖๘ (พ.ศ. ๒๔๑๑)

ความสัตย์ซื่อพร้อมกัน เจ้าพระยาศรีสุริยวงษ์ที่สมุหพระกระลาโหม
ซึ่งไต่บังคับหัวเมืองเขตรแดนกรุงสยามฝ่ายใต้ เฝยงวันตก เจ้าพระยา
ภุชภยที่สมุหนายก ซึ่งไต่บังคับหัวเมืองเขตรแดนกรุงสยามฝ่ายเหนือ เฝยง
วันตก ไต่ถืออำนาจเต็มแต่พระบาทสมเด็จพระเจ้ากรุงสยาม แล เลฟเตเนล
อาระเตแมรก กอมมิสเนอ ผู้ไต่ถืออำนาจแต่เซอยอนแลร์คมีวาลอเรนช
ไวสะรอยอินเดียน พร้อมกันทำสัญญาควยเรื่องที่เขตรแดนบนบกกรุงสยามกับ
แคนตนาสเรม ซึ่งเป็นแวนแควนของอังกฤษโดยมีสำคัญ

ฝ่ายเหนือ เอล่าน้ำที่ไทยเรียกชื่อแม่เมย พมาเรียกทองยงล้านน้ำ
นั้นเป็นกลาง จนสิ้นปลายน้ำถึงเขาปะวอเขตรแดนฝ่ายไทยอยู่ฝยงวันออก
เขตรแดนฝ่ายอังกฤษอยู่ฝยงวันตก ตั้งแต่เขาปะวอมาถึงเขาที่ไทยเรียกว่า
กระคูกหมู พมาเรียกหมูกะคกทองแขวงเมืองสี่สะวัตสำคัญเขาเป็นเขตรแดน

เอกสารประกอบหมายเลข ๑๖



ศูนย์วิจัยทรัพยากร
 จุฬาลงกรณ์มหาวิทยาลัย

ประวัติการศึกษา

นายวศิน ชีรเวชญาณ สำเร็จการศึกษาชั้นนิติศาสตรบัณฑิต จากคณะรัฐศาสตร์ จุฬาลงกรณ์มหาวิทยาลัย ในปี ๒๕๑๕ และได้รับ ประกาศนียบัตรจากสำนักอบรมศึกษากฎหมายแห่งเนติบัณฑิตสภา ในปี ๒๕๑๖

ปัจจุบัน นายวศิน ชีรเวชญาณ รับราชการกระทรวงการต่างประเทศ ในตำแหน่งรองกงสุล ณ เมืองมาเก๊า ปฏิบัติราชการ ในตำแหน่งรองกงสุล ณ เมืองฮ่องกง

ในการเขียนวิทยานิพนธ์เรื่องนี้ นายวศิน ชีรเวชญาณ ได้รับทุนอุดหนุนการวิจัยจากสภาวิจัยแห่งชาติ ในปี ๒๕๑๔

