

A. JURISDICTIONAL PROVISIONS

1. - Public Necessity - Jurisdiction

2. - Jurisdiction, administration and control of and over the territorial waters, maritime domain and defence areas of Our Empire, and of and over Ethiopian ships and vessels on the high seas and elsewhere, and of and over the marine industries and enterprises established or to be established within Our Empire, are hereby declared and determined to be of public necessity and of primary concern to the national defence and to the regulation of foreign and interstate commerce and of external and interstate communications, including ports. The said jurisdiction, administration and control shall be vested exclusively in the Imperial Ethiopian Government except in so far as specified portions of the maritime domain and defence areas may be declared by Imperial Decrees to be not subject to the exclusive jurisdiction and control of the said Government.

3. - The establishment of defence areas along or in the vicinity of Our coasts and elsewhere within Our Empire is declared to be of public necessity and of primary concern to the national defence. Such defence areas may include ports.

4. - Our Ministry of National Defence shall have general and exclusive supervision of the territorial waters, the maritime domain and the defence areas of Our Empire, of all Ethiopian merchant ships and vessels, and of the crews of the same, and of all marine industries and enterprises within Our Empire. It shall also be charged with the direction of Our Coast Guard and, except as otherwise ordered by Us, with the direction of all activities on behalf of Our Government within the territorial waters and the maritime domain of Our Empire. It shall issue all such regulations as may be necessary and appropriate, in conformity with the provisions of the present Proclamation, in the exercise of the said supervision and in the direction of the said activities.

5. - Jurisdiction over and administration and control of all means of marine telecommunications and telecommunications utilized for marine transportation are declared to be of public necessity for the national defence as well as for external and interstate communications, including ports and as such shall be subject to such measures and regulations as shall from time to time be promulgated by Our Minister of National Defence and Our Imperial Board of Telecommunications.

B. MERCANTILE MARINE PROVISIONS

1. - Definitions

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6. - For the purposes of this Proclamation and the regulations and instructions to be issued in conformity therewith,

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- (f) The territorial waters of Our Empire are defined as extending from the extremity of sea-board at maximum annual high tide of the Ethiopian continental coast and of the coasts of Ethiopian islands, in parallel line on the entire sea-board and to an outward distance of twelve nautical miles, except that in the case of the Dahlac archipelago the seaward limit of the territorial waters shall be that defined in Our Federal Revenue Proclamation N° 126 of 1952, and that in the case of pearl and other sedentary fisheries the seaward limit of the territorial waters shall extend to the limits of the said fisheries. The Imperial Ethiopian Government have full dominion over the said waters and exclusive control over the natural resources within and beneath the said waters. Fishing of all sorts, including pearl fishing, within the said territorial waters shall be reserved exclusively to nationals of Our Empire except as provided in article (9) of this Proclamation.
- (g) The maritime domain of Our Empire is defined as extending inward from the extremity of sea-board at maximum annual high tide to a distance of one hundred meters along each of the aforesaid coasts and as including, in addition, the gulfs and bays along the said coasts; the areas heretofore reserved, on or near the said coasts, for military, naval and aeronautical installations; and the port areas defined in regulations of Our Ministry of National Defence. The said domain shall be within the exclusive jurisdiction and control of the Imperial Ethiopian Government except in so far as may be otherwise determined by Imperial Decree.

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IV. Protective Measures

9. - The right to transport persons or goods, for profit, from one point to another on Our coasts and the right to engage in fishing, towing or salvage within the territorial waters of Our Empire are reserved to Ethiopian merchant ships and vessels and, with the exemption of pearl fishing, to such foreign ships and vessels as may be accorded these rights for limited periods within three years from the date of this Proclamation, by Our Ministry of National Defence, upon the application of marine industries and enterprises duly registered under the regulations of the said Ministry.

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E. PENAL PROVISIONS

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VIII - Confiscation of Ships or Vessels

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98. - The regulations that may be issued by Our Ministry of National Defence for the supervision and control of fishing within Our territorial waters may provide that any ship or vessel of whatever registration engaged in such fishing without authorization as required by law or using means of fishing prohibited by the said regulations, as being wantonly destructive of marine life, shall be subject to condemnation and confiscation by decree of a division of Our Federal High Court sitting in admiralty in an appropriate proceeding. Any ship or vessel condemned and confiscated pursuant to the provisions of this article shall be transferred in title and possession to Our Ministry of National Defence.

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F. FINAL PROVISIONS

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102. - The present law shall not be construed to exclude the application within the territorial waters or maritime domain of Our Empire or upon Ethiopian ships on the high seas, of any other federal laws including federal laws made in execution of international treaties or obligations or concerning foreign and interstate commerce or external and interstate communications.

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