

Act No. 1-81 of 18 December 1980,
Promulgated by Dahir No. 1-81-179
of 8 April 1981, establishing a 200-nautical-mile
Exclusive Economic Zone off the Moroccan coasts

Article 1

There is hereby established an area called the "exclusive economic zone" which is beyond and adjacent to the territorial waters.

This zone shall extend for a distance of 200 nautical miles, measured from the straight or normal baselines used to determine the breadth of the territorial sea.

Article 2

In this zone, the Moroccan State shall exercise sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the seabed and its subsoil and of the waters superjacent to the seabed, and with regard to other activities for the economic exploration and exploitation of the zone, such as the production of energy from the water, currents and winds.

Article 3

The exercise of fishing rights in this zone shall be exclusively reserved to vessels flying the Moroccan flag or operated by Moroccan natural or juridical persons in accordance with the modalities and subject to the penalties set forth in the Dahir concerning Act No. 1-73-255 of 27 Shawwal 1393 (23 November 1973) setting forth regulations on sea fishing.

Article 4

The Moroccan State, without prejudice to other rights recognized by international law, has exclusive competence in this zone with respect to:

1. The establishment and use of artificial islands, installations and structures;
2. Marine scientific research;
3. The preservation of the marine environment.

Article 5

Any scientific or archeological research or exploration undertaken by a foreign State or by nationals of a foreign State in the exclusive economic zone shall be subject to the prior authorization of the Moroccan administration.

Article 6

1. The establishment of the exclusive economic zone shall not affect, beyond the outer limit of the territorial sea, freedom of navigation, or overflight and of the laying of submarine cables and pipelines and other internationally

lawful uses of the sea related to these freedoms, such as those associated with the operation of ships, aircraft and submarine cables and pipelines;

2. The exercise of the freedoms mentioned in paragraph 1 of this article by foreign States and their nationals shall have due regard to the sovereign rights of the Moroccan State, and shall comply with the laws and regulations adopted by it, in accordance with international law;

3. In exercising freedom of navigation, all foreign vessels shall be prohibited from engaging in this zone in any fishing activity, including the stowing of fishing equipment and gear, research and any act polluting or threatening the marine environment that is prejudicial to the resources of that zone or to the economic security of the Moroccan State.

Article 7

In a zone, described as the contiguous zone, which is beyond and adjacent to the territorial sea and extends up to 24 nautical miles measured from the straight or normal baselines used to determine the breadth of the territorial sea, the Moroccan State shall exercise the control necessary to:

Prevent infringement of its customs, fiscal, sanitary or immigration laws within its territory or territorial sea;

Punish infringements of the above laws committed in its territory or territorial sea.

In order to permit the prevention and punishment of the infringements mentioned above, article 25 of the Customs and Indirect Taxes Code, concerning the administration of customs and indirect taxes, approved by Dahir No. 1-77-339 of 25 Shawwal 1397 (9 October 1977), is hereby amended as follows:

"Article 25:

1. The customs area includes a maritime zone and a land zone.
2. The maritime zone of the customs area corresponds to the Moroccan territorial waters and the contiguous zone.
3. The land zone extends to:"

(The rest remains unchanged.)

Article 8

The title of the Dahir concerning Act No. 1-73-211 of 26 Muharram 1393 (2 March 1973) is hereby amended as follows:

"Dahir concerning Act No. 1-73-211 of 26 Muharram 1393 (2 March 1973) establishing the limits of the territorial waters".

Articles 4, 5 and 6 of the said Dahir are repealed.

Article 9

In the Dahir concerning Act No. 1-73-255 of 27 Shawwal 1393 (23 November 1973) regulating sea fishing, the term "exclusive economic zone" shall replace the term "exclusive fishing zone" in articles 2, 36 and 37 of the said Dahir.

Article 10

The provisions of Dahir No. 1-58-227 of 4 Muharram 1378 (21 July 1958) concerning the code of research and exploitation of hydrocarbon deposits shall be applicable to the exploration and exploitation of the resources of the soil and subsoil of the exclusive economic zone.

Article 11

Without prejudice to geographical or geomorphological circumstances in which, taking into account all relevant factors, the delimitation must be effected in accordance with the equitable principles laid down by international law, through bilateral agreements between States, the outer limit of the exclusive economic zone shall not extend beyond a median line every point of which shall be equidistant from the nearest points on the baselines of the Moroccan coasts and the coasts of foreign countries opposite to Moroccan coasts or which border them.

Article 12

The provisions of article 3 of Dahir No. 1-58-227 of 4 Muharram 1378 (21 July 1958) concerning the code of research and exploitation of hydrocarbon deposits are hereby supplemented by the following paragraph 4:

"The provisions of paragraphs 2 and 3 above shall be applicable without prejudice to special geographical or geomorphological circumstances in which, taking into account all relevant factors and in accordance with the equitable principles laid down by international law, the delimitation of the sea area shall be effected through bilateral agreements between States."

Article 13

The provisions of this Act shall not be an obstacle to the principles of international cooperation to which Morocco subscribes and to which effect is given through agreements with other States, without prejudice to its rights of sovereignty and with respect for its national interests.

In particular, within the context of African solidarity, Morocco adheres to the principle of privileged cooperation, concerning the living resources, with neighbouring land-locked countries, the modalities of which shall be established through bilateral, regional and subregional agreements.