

[29 June 2022]

Comments by Ireland on Sea-Level Rise in relation to the Law of the Sea

Ireland thanks the Study Group of the International Law Commission on Sea-Level Rise in relation to International Law for its work to date on this important subject. Ireland notes that the Commission would appreciate receiving from States examples of their practice that may be relevant (even if indirectly) to sea-level rise or other changes in circumstances of a similar nature and welcomes the opportunity to provide information on relevant practice in Ireland.

Ireland's baselines consist of a combination of normal and straight baselines, depending on the configuration of the coastline and the presence of offshore islands and low tide elevations in any given area. The baselines are prescribed by and under the Maritime Jurisdiction Act 2021, a copy of which is attached to these comments.

Ireland notes that its practice in this field to date has not been formulated expressly in contemplation of sea-level rise.

In Ireland normal baselines are ambulatory and are determined by the low-water line along the coast as marked on the officially recognised large scale charts. These charts are revised from time to time and accordingly the normal baselines may change over time depending on natural processes such as coastal erosion and accretion, and on human activity such as land reclamation from the sea and the construction of harbours and piers.

Ireland first prescribed a system of straight baselines in 1959. The fifty points from which these baselines are drawn were resurveyed in 2015 using modern techniques that allow for much greater precision than was possible in 1959. The 1959 system was replaced in 2016 by a new system which also took account of natural and other changes that had occurred to the relevant parts of the coastline during the intervening period.

A system of bay closing lines has operated in Ireland since before Independence. The natural entrance points to the three bays concerned were resurveyed in 2019 and new closing lines were prescribed by the Government under the maritime jurisdiction legislation then in operation.

Ireland has deposited the lists of geographical coordinates of its straight baselines and bay closing lines with the Secretary-General of the United Nations in accordance with Article 16, paragraph 2 of the 1982 United Nations Convention on the Law of the Sea ([IRELAND \(un.org\)](https://www.un.org)). Copies of the relevant statutory instruments are attached to these comments.

Ireland notes that in contrast to straight baselines, coastal states are not required by the Convention to deposit details of normal baselines with the Secretary-General as the low water line along the coast may be established from the relevant official large-scale charts, being nautical charts produced to the relevant international standard, suitable and reliable for navigation. Ireland understands that the rationale for the obligations under the Convention to deposit details of straight baselines with the Secretary-General and otherwise to give them due publicity is that these baselines may not be marked on the relevant nautical charts, in which case they could not be ascertained.

Ireland has concluded agreements with the United Kingdom establishing boundaries between the two countries' exclusive economic zones and parts of their continental shelves, copies of which are attached to these comments. None of these agreements would be affected by changes to baselines.