

Abstract

Technical and legal issues concerning the baselines in Ireland

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Ireland enacted legislation on the territorial sea baselines in 1950s which provides for use of different types of baseline on the Irish coast. This paper reviews this legislation and makes a number of suggestions for the reform of the law in light of a number of High Court decisions and in conformity with international law. Special emphasis is placed on the technical and legal issues that may arise in the prosecution of criminal offences in sea areas under national jurisdiction. Brief mention is made of a number of difficulties that may be encountered under current legislation in the implementation of European legal instruments such as the Water Framework Directive and the Habitats Directive. In addition, some of the difficulties posed by the use of different maritime limits under the baselines and the foreshore legislation for the development of new offshore industries are assessed.