

U.S. Department of
Homeland Security

United States
Coast Guard



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United States Coast Guard

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COMDTNOTE 16000

03 JUN 2004

CANCELLED: 02 JUN 2005

COMMANDANT NOTICE 16000

Subj: CH-2 TO MARINE SAFETY MANUAL, VOLUME VII, PORT SECURITY, COMDTINST M16000.12

Ref: (a) Marine Safety Manual, Volume VII, Port Security, COMDTINST M16000.12

1. PURPOSE. This Notice promulgates change two to reference (a).
2. ACTION. Area, district, and sector commanders and commanding officers of subordinate units shall ensure that the provisions of this Notice are followed. Internet release not authorized.
3. DIRECTIVES EFFECTED. None.
4. SUMMARY OF CHANGES. This change is being made because the legal concept of innocent passage as it applies to vessels transiting certain U.S. waters to Canadian ports is incorrectly described in chapter 8. The doctrine of innocent passage only applies to vessels transiting territorial seas, not internal waters. Chapter 8 incorrectly states, however, that vessels traveling the Saint Lawrence Seaway and Great Lakes are engaged in innocent passage and therefore not subject to notification or permission requirements from the United States. The waters subject to the jurisdiction of the United States within the Saint Lawrence Seaway and Great Lakes are internal waters, not territorial seas. Therefore, the legal doctrine of innocent passage does not apply to these bodies of water. Captains of the port may exercise their statutory authority over vessels transiting these bodies of water, consistent with applicable international law and agreements. In the Great Lakes, units dealing with situations involving a foreign vessel bound for a Canadian port or in Canadian waters should contact the D9 legal office before exercising their authority. Units dealing with situations regarding vessels transiting the Strait of Juan De Fuca should contact the D13 legal office.

DISTRIBUTION – SDL No. 141

	a	b	c	d	e	f	g	h	i	j	k	l	m	n	o	p	q	r	s	t	u	v	w	x	y	z
A							1		1	1	1	1		1				1				1				
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NON-STANDARD DISTRIBUTION:*(See page 2).

COMDTNOTE 16000

5. PROCEDURES. Remove and insert the following pages.

Remove

Pages 8-29 thru 8-34, CH 1

Insert

Pages 8-29 thru 8-34, CH 2

L. L. HERETH /s/
Rear Admiral, U. S. Coast Guard
Director of Port Security

Encl: (1) CH-2 to Marine Safety Manual, Volume VII, Port Security, COMDTINST M16000.12

Non-Standard Distribution:

B:c Except MLCLANT, MLCAPAC
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C:m New York (5), St. Ignace, Sturgeon Bay (1).
D:1 CG Liaison Officer U.S. Army Corps of Engineers, CG Liaison Officer MILSEALIFT COM, CG Liaison Officer RSPA, CG Liaison Officer MARAD, CG Liaison Officer American Samoa CG Liaison Officer JUSMAGPHIL, CG Advisor NWC, CG Advisor Panama Canal Commission (1).
E:0 New York (8) (extra), Muskegon (4), Long Island Sound (3), Sault Ste. Marie (1).

DOJ Torts Branch (Washington DC, New York, San Francisco only) (1).
World Maritime University (1).