

Agreement between the Republic of Trinidad and Tobago and the Republic of Venezuela on the delimitation of marine and submarine areas, 18 April 1990

The Government of the Republic of Trinidad and Tobago and the Government of the Republic of Venezuela, hereinafter referred to as the Contracting Parties;

Resolving in a true spirit of cooperation and friendship to settle permanently as good neighbours the limits of the marine and submarine areas within which the respective Governments exercise sovereignty, sovereign rights and jurisdiction through the establishment of a precise and equitable maritime boundary between the two countries;

Taking into account the rules of international law and the development of the new law of the sea;

Have agreed as follows:

Article I

The maritime boundary between the Republic of Trinidad and Tobago and the Republic of Venezuela referred to in this Treaty is the maritime boundary with respect to the territorial seas, the continental shelves and the exclusive economic zones and to any other marine and submarine areas which have been or might be established by the Contracting Parties in accordance with international law.

Article II

1. The delimitation lines with respect to the marine and submarine areas in the Caribbean, the Gulf of Paria, the Serpent's Mouth and the Atlantic Ocean are geodesics connecting the following geographical coordinates:

- |             |                    |           |                  |
|-------------|--------------------|-----------|------------------|
| 1. Latitude | 11° 10' 30" North; | Longitude | 61° 43' 46" West |
| 2. Latitude | 10° 54' 40" North; | Longitude | 61° 43' 46" West |
| 3. Latitude | 10° 54' 15" North; | Longitude | 61° 43' 52" West |
| 4. Latitude | 10° 48' 41" North; | Longitude | 61° 45' 47" West |
| 5. Latitude | 10° 47' 38" North; | Longitude | 61° 46' 17" West |

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\* Communicated by the Permanent Mission of Venezuela to the United Nations on 5 November 1991. Entered into force on 23 July 1991.

6.	Latitude	10° 42' 52" North;	Longitude	61° 48' 10" West
7.	Latitude	10° 35' 20" North;	Longitude	67° 48' 10" West
8.	Latitude	10° 35' 19" North;	Longitude	61° 51' 45" West
9.	Latitude	10° 02' 46" North;	Longitude	62° 04' 59" West
10.	Latitude	10° 00' 29" North;	Longitude	61° 58' 25" West
11.	Latitude	09° 59' 12" North;	Longitude	61° 51' 18" West
12.	Latitude	09° 59' 12" North;	Longitude	61° 37' 50" West
13.	Latitude	09° 58' 12" North;	Longitude	61° 30' 00" West
14.	Latitude	09° 52' 33" North;	Longitude	61° 13' 24" West
15.	Latitude	09° 50' 55" North;	Longitude	60° 53' 27" West
16.	Latitude	09° 49' 55" North;	Longitude	60° 39' 51" West
17.	Latitude	09° 53' 26" North;	Longitude	60° 16' 02" West
18.	Latitude	09° 57' 17" North;	Longitude	59° 59' 16" West
19.	Latitude	09° 58' 11" North;	Longitude	59° 55' 21" West
20.	Latitude	10° 09' 59" North;	Longitude	58° 49' 12" West
21.	Latitude	10° 16' 01" North;	Longitude	58° 49' 12" West

and from point 1 northerly in constant and true direction following the meridian 61° 43' 46" West up to the point at which it meets the jurisdiction of a third State, and from point 21 along an azimuth of 067 degrees up to the outer limit of the exclusive economic zone and thereafter towards point 22, with the following geographic coordinates: Latitude 11° 24' 00" North and Longitude 56° 06' 30" West which is situated approximately on the outer edge of the continental margin which delimits the national jurisdiction of the Republic of Trinidad and Tobago and of the Republic of Venezuela and the international seabed area which is the common heritage of mankind.

2. Both parties reserve the right, in case of determining that the outer edge of the continental margin is located closer to 350 nautical miles from the respective baselines, to establish and negotiate thier respective rights up to this outer edge in conformity with the provisions of international law; no provision of the present Treaty shall in any way prejudice or limit these rights or the rights of third parties.

### Article III

It is understood by the Contracting Parties that in the Caribbean Sea and the Gulf of Paria, the Republic of Trinidad and Tobago to the west and south of the said maritime boundary and the Republic of Venezuela to the east and north of that boundary; and in the Atlantic, the Republic of Trinidad and Tobago to the south of the said maritime boundary, and the Republic of

Venezuela to the north of that boundary, shall not, for any purpose, claim or exercise sovereignty, sovereign rights or jurisdiction over the marine and submarine areas to which article 1 of the present Treaty refers.

#### Article IV

1. The positions of the aforementioned points have been defined by latitude and longitude of the 1956 Provisional South American Datum (International Ellipsoid 1924).
2. The limits and points previously indicated have been drawn solely by way of illustration on the map accepted by the parties and annexed to this Treaty.

#### Article V

1. The Contracting Parties agree to create a Trinidad and Tobago/Venezuela Mixed Demarcation Commission. The Commission shall be responsible for the actual demarcation of the points and lines referred to above to the extent possible and all related activities.
2. The demarcation referred to in paragraph I of this article shall be effected by such aids to navigation as the Commission deems appropriate.
3. The Commission shall be comprised of three (3) representatives of each country together with such advisors as may be deemed necessary and whose names shall be duly communicated through diplomatic channels.
4. The Commission shall convene within three (3) months following the date of the entry into force of the present Treaty and thereafter whenever requested by either Contracting Party or by the Commission itself. Meetings of the Commission shall be held alternatively in the Republic of Trinidad and Tobago and the Republic of Venezuela.

#### Article VI

Without prejudice to the rights of navigation and overflight recognized under international law in the other areas under the sovereignty and/or jurisdiction of the Contracting Parties, in the existing strait between the island of Trinidad and the island of Tobago, Venezuelan vessels and aircraft shall enjoy freedom of navigation and overflight for the sole purpose of expeditious and uninterrupted transit through the maritime areas in question, which shall henceforth be termed the right of transit passage. Transit passage does not preclude passage through or over maritime areas for the purpose of entering or leaving Trinidad and Tobago subject to the conditions regulating entry into ports or similar access conditions. In the other straits which exist in the Gulf of Paria, innocent passage shall apply.

#### Article VII Unity of deposits

If any single geological petroleum structure or petroleum field, or any single geological structure or field of any other mineral deposit, including sand and gravel, extends across the delimitation line and the part of such structure or field which is situated on one side of the delimitation line is exploitable, wholly or in part, from the other side of the said line, the Contracting Parties shall, after holding the appropriate technical

consultations, seek to reach agreement as to the manner in which the structure or field shall be most effectively exploited and the manner in which the costs and benefits arising from such exploitation shall be apportioned.

#### Article VIII

In cases where either of the two Contracting Parties decides to carry out or to permit drilling activities for exploration or exploitation in areas five hundred metres (500m) away from the delimitation line, such activities should be made known to the other Party.

#### Article IX

The Contracting Parties shall adopt all measures for the preservation of the marine environment in the marine areas to which the present Treaty refers. Consequently, the Parties agree:

- (a) To provide the other Party with information on the legal provisions and on its experience in the preservation of the marine environment;
- (b) To provide information on the authorities which are competent for ascertaining and taking decisions on pollution matters;
- (c) To inform each other about any indication of actual, imminent or potential pollution of a serious nature which occurs in the maritime frontier zone.

#### Article X.

##### Settlement of disputes

Any difference or dispute arising out of the interpretation or application of this Treaty shall be settled peacefully by direct consultation or negotiation between the Contracting Parties.

#### Article XI

1. This Treaty shall be subject to ratification and shall enter into force from the date of the exchange of instruments of ratification which shall take place in Port of Spain as soon as possible.
2. The Treaty between His Majesty in respect of the United Kingdom and the President of the United States of Venezuela relating to the submarine areas of the Gulf of Paria, signed at Caracas on 26 February 1942, and the Agreement between the Government of the Republic of Trinidad and Tobago and the Government of the Republic of Venezuela on the delimitation of marine and submarine areas (First Phase), signed at Port of Spain on 4 August 1989, shall cease to have effect between the Contracting Parties on their becoming bound by this Treaty.

DONE in the City of Caracas, on the 18th day of the month of April, One Thousand Nine Hundred and Ninety, in duplicate in the English and Spanish languages, both texts being equally authoritative.

