

PERMANENT COURT OF ARBITRATION



PRESS RELEASE

The Arbitral Tribunal constituted to establish a maritime boundary between Barbados and the Republic of Trinidad and Tobago under the 1982 United Nations Convention on the Law of the Sea (“1982 Convention”) today issued its Award to the Parties.

The Award, which includes a finding of jurisdiction to consider the Parties’ maritime delimitation claims, establishes a single maritime boundary between Barbados and Trinidad and Tobago that differs from the boundaries claimed by each of the Parties in their pleadings before the Arbitral Tribunal. The boundary for the most part follows the equidistance line between Barbados and Trinidad and Tobago, but, in its eastern, Atlantic sector, adjusts that line to take account of the coasts of Trinidad and Tobago that abut upon the area of overlapping claims.

The Arbitral Tribunal describes the boundary as follows:

The delimitation shall extend from the junction of the line that is equidistant from the low water line of Barbados and from the nearest turning point of the archipelagic baselines of Trinidad and Tobago with the maritime zone of a third State that is to the west of Trinidad and Tobago and Barbados. The line of delimitation then proceeds generally south-easterly as a series of geodetic line segments, each turning point being equidistant from the low water line of Barbados and from the nearest turning point or points of the archipelagic baselines of Trinidad and Tobago until the delimitation line meets the geodetic line that joins the archipelagic baseline turning point on Little Tobago Island with the point of intersection of Trinidad and Tobago’s southern maritime boundary [. . .] with its 200 nm EEZ limit. The boundary then continues along that geodetic line to the point of intersection just described.

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The Arbitral Tribunal additionally held that it lacked jurisdiction to render a substantive decision about a fisheries regime to apply inside Trinidad and Tobago's Exclusive Economic Zone, but found that:

Trinidad and Tobago and Barbados are under a duty to agree upon the measures necessary to co-ordinate and ensure the conservation and development of flyingfish stocks, and to negotiate in good faith and conclude an agreement that will accord fisherfolk of Barbados access to fisheries within the Exclusive Economic Zone of Trinidad and Tobago, subject to the limitations and conditions of that agreement and to the right and duty of Trinidad and Tobago to conserve and manage the living resources of waters within its jurisdiction.

Background

The arbitral proceedings were initiated by Barbados on 16 February 2004 pursuant to Article 286 and Annex VII of the 1982 Convention. Written pleadings were filed pursuant to the Rules of Procedure adopted by the Arbitral Tribunal, and hearings were held in London in October 2005.

The Arbitral Tribunal constituted to decide the dispute is composed of Judge Stephen M. Schwebel (President), Mr. Ian Brownlie CBE QC, Professor Vaughan Lowe, Professor Francisco Orrego Vicuña, and Sir Arthur Watts, KCMG QC. The Permanent Court of Arbitration serves as registry for the Arbitral Tribunal.

The text of the Award as well as other documents related to the arbitration have been posted on the website of the Permanent Court of Arbitration (www.pca-cpa.org).

THE HAGUE
11 April 2006