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HYDROGRAPHIC DEPARTMENT
ADMIRALTY, LONDON, S.W.1
Whitehall 9000, ext 1561

IN REPLYING PLEASE ADDRESS
THE HYDROGRAPHER
ADMIRALTY
LONDON, S.W.1

QUOTING HW 496/57
16th. October 1962

Dear Huijsman,

(141)
Captain Ritchie has asked me to reply to your letter (A.1082/7 : WIS 220/440/01) of 11th October to Miss Hutchinson, in which you ask for the comments of the Hydrographic Department on the Dutch draft treaty for the boundary between British Guiana and Surinam.

2. C
As regards the boundary in the sea and in the navigable portions of the Corentyne River, it would seem necessary for both sides to agree to a chart on which to plot the various lines and positions. The Admiralty chart (No. 99) is based on the Dutch Chart (No. 2228), with the exception of the British Guianan topography; both charts are drawn to a scale of 1:75,000 or about an inch to the nautical mile. It would seem logical to choose the Dutch chart, being the original; the most recent edition is dated 1962 and it incorporates corrections from hydrographic surveys carried out in 1961. There are some discrepancies of geographical position and orientation between the British and Dutch surveys hereabouts and these should either be cleared up or at least their existence admitted and allowed for before negotiations start. These discrepancies were discussed in Commander Kennedy's letter to Miss Collings, dated 18th. November 1958, a copy of which was sent to Scarlett of your Department.

X 3. A further point is the nature of a Thalweg. An Admiralty/Foreign Office definition given in September 1946 was :-

"The middle of the deepest navigable channel, which is a channel within a river or estuary limited in width by such depths of water as permit free and safe navigation by the largest ships normally able to use it at low water. A 2 to 3 feet clearance over draft is sufficient to ensure this in still waters; in open waters subject to swell it might be necessary to agree to 8 or 10 feet"

This definition was quoted in reference to the Shatt-el-Arab. The important point is that the thalweg is not merely the deepest continuous line of soundings, but that it is the centre of the deepest navigable channel which permits free and safe navigation. In their aide memoir the Dutch choose for their thalweg the western of the two channels leading into the river on the grounds that it possesses the greatest average depth throughout its length; they fail to say that this channel is so set about with shoals and is so tortuous as to render it unsafe for navigation in comparison with the eastern channel which is the one normally used by shipping. Since navigation on the Corentyn River is limited by the least depth in the eastern channel, a depth of 8 feet at

/low water

N. B. J. Huijsman Esq.,
Colonial Office,
Great Smith Street,
S. W. 1.

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low water on the bar of the river, it would seem reasonable that the thalweg should be the median line of the channel having a least depth of 8 feet throughout its length. Even if this principle is discarded and the Dutch scheme is adopted it is considered that the "end of the Corentyn's thalweg" referred to in para 2 of Art. 2 of the Dutch draft treaty should be at the centre of the eastern channel, the one actually used by shipping, rather than the western one which has no real navigational significance.

4. The shoreline should be the low water line, which approximates to the line of Mean Low water Springs tides, as shown on the largest scale charts; this is in accordance with the principle established in Article 3 of the 1958 Geneva Convention on the Territorial Sea and Contiguous Zone. This question has been discussed between our Departments, Kennedy's letter to Scarlett, copied to Killick at the Foreign Office, dated 15th January 1959, refers.

5. I think that the Directorate of Overseas Surveys' criticism of the line of bearing of 100°, given in para 3(a) of the Dutch draft treaty, largely disappears when one looks at the large scale nautical chart of the entrance of the river; the line in question crosses the eastern shore near the entrance to the Nickerie River. However, it would be a decided advantage to have beacons on both banks at either end of the line, as damage to one set would not cause the complete loss of the line.

6. I thoroughly agree with the comments of D.O.S. about describing the beacons and their positions (Para 3b of article 1 of the Dutch draft treaty).

7. The D.O.S. suggestion that on the day the treaty comes into force a line of soundings should be run across the mouth of the Corentyn to establish where this line meets the banks and where the deepest point is found is attractive in its simplicity, but to my mind it would be better to follow normal practice and accept the latest Dutch chart in its entirety, perhaps arranging for a small hydrographic survey to be carried out to define the low water line in the vicinity of the beacons on the western shore. This would have the advantage of showing the boundary in relation to the navigable channel and other features, such as the low water line, at a recent date. Furthermore, the same chart can be used for constructing the inshore end of the median line for the division of the continental shelf.

8. The Dutch proposal is not clear enough to say what effect it would have on the division of the Continental Shelf. I presume that Article 4 refers only to the Territorial Sea and beyond the 3-mile limit a median line division of the continental shelf would be agreed upon; if this is so, then the further east the thalweg, the greater our advantage. If, however, the Dutch proposal means that the line bearing 310° should divide the continental shelf as well as the territorial sea, then this would be greatly to our advantage (as shown on the attached chart cutting).

9. I have copied this letter to Miss Hutchinson at the Foreign Office.

Yours sincerely
J.C.E. White
(J.C.E. White)

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TO

(J. C. E. White)

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