

No. C 17666/76/29



FOREIGN OFFICE, S.W.I.

25th November, 1939.

Sir,

With reference to my note C 12650/1910/29 of the 1st November 1938 and to previous correspondence relating to the delimitation of the boundary between British Guiana and Surinam, I have the honour to transmit herewith the revised English text of the draft of a treaty to be concluded for this purpose, and to invite attention, in particular, to the amended texts of Articles 1 and 2.

2. I have the honour to enquire whether your Government concur in the draft treaty and are prepared to proceed to signature, in which event I shall be glad if you will be so good as to furnish me with a Dutch text of the treaty.

I have, the honour to be,
with the highest consideration,

Sir,
Your obedient Servant,
(For the Secretary of State)

(Sd.) R. M. MAKINS

Jonkheer W. Michiels van Verduynen,
etc., etc., etc.

16

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Ref: **CO11757/5**
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*Exempted
in 16*

(C 17666/76/29).

DRAFT TREATY.

His Majesty The King of Great Britain, Ireland
and the British Dominions beyond the Seas, Emperor of
India, and Her Majesty the Queen of the Netherlands,

Desiring that the frontier between Surinam and
British Guiana shall be clearly defined and that
provision shall be made with regard to the exercise of
rights over rivers which lie along the frontier, have
decided to conclude a treaty for this purpose and have
accordingly appointed as their Plenipotentiaries:

His Majesty The King of Great Britain, Ireland
and the British Dominions beyond the Seas, Emperor
of India: (hereinafter referred to as His Majesty
The King)

For the United Kingdom of Great Britain and Northern
Ireland:

.....
and

Her Majesty the Queen of the Netherlands:
.....

who having communicated to each other their full powers
found in good and due form have agreed as follows:-

Article 1.

(1) The boundary between British Guiana and
Surinam shall be formed by the line of the left bank of
the River Courantyne from the sea southwards to a point
near its source. Where a side channel (itabu) exists,
the left bank of the river is the bank of the most

leftward/

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leftward channel which normally contains water at all seasons of the year.

(2) The beginning of the left bank of the River Courantyne at the sea shall be the point at which the prolongation of the line joining two concrete marks, on the left bank of the River Courantyne, intersects the shore-line. On this same line which has a true bearing 10° East of True North, a large triangular wooden beacon, 10 metres high, visible from the sea, has been erected. The approximate position of the more seaward of the two concrete marks is:-

Latitude 5°59'53.8" North.

Longitude 57°08'51.5" West of Greenwich.

(3) The river named by Schomburgh the River Kutari shall be considered to constitute the upper reaches of the River Courantyne, and the boundary shall follow the left bank of the principal course of the Kutari.

(4) That branch of the River Kutari which was found to be the longest by the Mixed Commission appointed for the fixing of the Southern Terminal of the Boundary, shall be deemed to be its principal course, irrespective of any future changes in the headwaters of the River Kutari.

Article/

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Article 2.

(1) From a point on the principal course of the River Kutari, about 300 Metres East of its source, the boundary shall leave the left bank of the River Kutari, and shall follow the centre of a tongue of rock in a general S.S.E. direction to a concrete mark erected on the watershed between the basins of the Amazon and of the Courantyne. This mark is distant 320 metres on a true bearing of 162° from the point of departure of the Boundary from the principal course of the River Kutari.

(2) This mark is built on top of a large bare rock surface, and its approximate position is:-

Latitude 01° 56' 58".2 North

Longitude 56° 28' 24".5 West of Greenwich

Height above M.S.L. 463 Metres.

(3) This mark shall continue to define the point of convergence of the frontier of British Guiana and Surinam with that of the United States of Brazil, irrespective of any future or more accurate determination of its position.

Article 3.

The boundary between the territorial waters of Surinam and British Guiana is formed by the prolongation seawards of the line drawn on a bearing of 10° East of True North of the landmark referred to in Article 1(2) above.

Article 4./

Article 4.

The Waters of the River Courantyne (as defined in Article 1 above) shall, whatever the fluctuations of its volume, be considered as being within the territory of Surinam and the land confining them on the left bank as defined in Article 1 as being within the territory of British Guiana, and consequently no change of sovereignty over such land shall ensue upon any rise or fall of the waters of the river.

Article 5.

Over the whole course of the River Courantyne (as defined in Article 1),

(1) The subjects of both High Contracting parties shall enjoy freedom of navigation, including the use of the water as a landing place for hydroplanes.

(2) The subjects of His Majesty the King shall have full liberty to drive piles, construct wharves, boathouses or any other structures, on the left bank of the river, always provided that such structures do not impede navigation and do not project beyond the thalweg of the channel of the river which flows by that bank, or at any place above a point 10 miles upstream from the beacon referred to in Article 1(2) do not project further than half the breadth of that part of the river and in no case more than 50 metres from the low-water mark into the waterchannel of the river. No prescriptive rights of any kind against Her Majesty the Queen of the Netherlands shall be derived from the existence of such works either on the river or on its bed.

(3) The subjects of His Majesty the King shall be permitted to draw water from the river for irrigation and other /

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other purposes, provided that the navigability of the river is not interfered with, and that no works employing the waters of the river for the generation of power shall be constructed without the explicit and written authorisation of the Government of Surinam.

(4) All existing rights of the subjects of His Majesty The King in regard to fishing in the river and camping, transporting passengers or goods, on islands in the river or on either bank hereof, when travelling by boat, shall be respected by Her Majesty the Queen of the Netherlands, provided such rights do not interfere with the navigability of the river.

(5) Her Majesty the Queen of the Netherlands will not permit the navigability of the river to be affected or impeded by the withdrawal of water from the right bank of the river for irrigation or for the generation of power or for any other purpose, or by the erection of any structures on the right bank of the river.

(6) The rights secured under the previous paragraphs of this Article for the benefit of the subjects of either High Contracting Party shall be enjoyed also by persons under the protection of, companies incorporated in any part of the territories of, and by any Government or administration of such High Contracting Party.

(7) No charges or dues shall be levied in respect of the enjoyment of the rights secured under the previous paragraphs of this article otherwise than by agreement between the Governments of Surinam and British Guiana.

Article 6.

The High Contracting Parties agree that if in the future it should be found necessary to take steps with a view to the conservancy, improvement, or lighting of the River

Courantyne /

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Courantyne and its estuaries, for the establishment of buoys, the erection, inspection and maintenance of beacons, the provision or improvement of portage facilities on its banks or islands or for the levying of dues or charges, representatives of the Governments of Surinam and British Guiana shall be appointed to meet in order that the share of the cost to be borne by each of the above Governments in proportion to their respective interests and the apportionment of the proceeds of dues or charges levied on navigation may be determined by agreement, and that proposals with regard to any of these matters may be made by either Government to the other.

Article 7.

The present treaty shall be ratified and the ratifications shall be exchanged at LONDON as soon as possible. It shall come into force on the date of exchange of ratifications.

In witness whereof the above named Plenipotentiaries have signed the present treaty and have affixed thereto their seals.

Done at LONDON this day of 193
in duplicate in the English and Netherlands languages, both texts being equally authentic.

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1961 BRITISH DRAFT TREATY

BRITISH GUIANA-SURINAM BOUNDARY

Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth, and Her Majesty the Queen of the Netherlands:

Desiring that the boundary between Surinam and British Guiana and the waters and continental shelves of, or appertaining to, these territories shall be clearly defined;

And desiring that provision shall be made with regard to the exercise of rights over rivers which lie along the frontier;

Have decided to conclude a Treaty for these purposes and have accordingly appointed as their Plenipotentiaries:

Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of her other Realms and Territories, Head of the Commonwealth (hereafter referred to as "Her Britannic Majesty"):

.....

and

Her Majesty the Queen of the Netherlands:

.....

Who, having communicated to each other their Full Powers found in good and due form, have agreed as follows:-

PART I

ARTICLE I

(1) The boundary between British Guiana and Surinam shall be formed by the line of the left bank of the River Corantyne from the sea southwards to a point near its source. Where a side channel (itabu) exists, the left bank of the river is the bank of the most leftward channel which normally contains water at seasons of the year.

(2) The beginning of the left bank of the River Corentyne at the sea shall be the point at which the prolongation of the line joining two concrete marks, on the left bank of the River Corentyne, intersects the shore-line. On this same line which has a true bearing 10° East of true North, a large triangular wooden beacon, 10 metres high, visible from the sea, has been erected. The approximate position of the more seaward of the two concrete marks is:-

Latitude $5^{\circ} 59' 53.8''$ North.

Longitude $57^{\circ} 08' 51.5''$ West of Greenwich.

(3) The river named by Schomburgh the River Kutari shall be considered to constitute the upper reaches of the River Corentyne, and the boundary shall follow the left bank of the principal course of the River Kutari.

(4) That branch of the River Kutari which was found to be the longest by the Mixed Commission appointed for the fixing of the Southern Terminal of the boundary shall be deemed to be its principal course, irrespective of any future changes in the headwaters of the River Kutari.

ARTICLE II

(1) From a point on the principal course of the River Kutari, about 100 metres East of its source, the boundary shall leave the left bank of the River Kutari, and shall follow the centre of a tongue of rock in a general S.E. direction to a concrete mark erected on the watershed between the basins of the River Amazon and of the River Corentyne. This mark is distant 320 metres in a true bearing of 162° from the point of departure of the boundary from the principal course of the River Kutari.

(2) This mark is built on top of a large bare rock surface, and its approximate position is:-

Latitude $01^{\circ} 56' 58''.2$ North.

Longitude $56^{\circ} 28' 24''.5$ West of Greenwich.

Height above M.S.L. 463 metres.

(3) This mark shall continue to define the point of convergence of the frontier of British Guiana and Surinam with that of the United States of Brazil, irrespective of any future or more accurate determination of its position.

ARTICLE III

The waters of the River Corentyne (as defined in Article I above) all, whatever the fluctuations of its volume, be considered as being within the territory of Surinam, and the land confining the territory of Surinam on the left bank as defined in Article I as being within the territory of British Guiana, and no change of sovereignty over such land shall ensue upon any rise or fall of the waters of the river.

ARTICLE IV

(1) Over the whole course of the River Corentyne the following provisions shall apply:-

- (i) Freedom of navigation shall be accorded to the vessels (other than warships) of all nations. In the exercise of such navigation the subjects, property and flags of all nations shall be treated on a footing of perfect equality. The laws and regulations of Surinam relating to customs, public health, precautions against diseases of animals and plants, emigration and immigration and to the import and export of prohibited goods shall not, without good reason, impede the freedom of navigation and shall only be applied so far as strictly necessary to vessels, passengers and goods in transit between different parts of British Guiana or between British Guiana and any country other than Surinam and then only in a manner no more onerous than in the case of vessels, passengers and goods in transit between British Guiana; in particular customs duties (including export duties) shall not be levied under such laws and regulations on the aforesaid vessels, passengers and goods.
- (ii) The warships of the High Contracting Parties shall enjoy freedom of navigation.

4.

(iii) Aircraft operated by the subjects of the High Contracting Parties or registered in their territories shall enjoy freedom to make use of the waters as an alighting site and the subjects of Her Britannic Majesty shall for such purpose have full liberty to drive piles and erect structures in the river; provided always that any such pile or structure is not of such a nature as to impede navigation.

(2) The subjects of Her Britannic Majesty have always had and shall continue to have full liberty to drive piles and construct wharves, boathouses and other structures on or adjacent to the left bank of the River Corentynet provided always that such piles and structures do not impede navigation and do not project -

(1) beyond the deepest part of the channel of the river which flows by the left bank;

(ii) at any place above a point ten miles upstream from the beacon referred to in Article I(2), either further than half the breadth of that part of the river or more than fifty metres from low-water mark into the water-channel of the river.

(3) All piles, wharves, boathouses and other structures driven or erected (whether before or after the coming into operation of this Treaty) in pursuance of paragraphs 1(iii) and (2) of this Article, and any craft or other things moored thereto or to the left bank, shall be deemed to be within the territory of British Guiana; provided always that no prescriptive rights of any kind against Her Majesty the Queen of the Netherlands shall be derived from the existence of such piles or structures, either in the river or on its bank, or from the fact that they or anything moored to them are deemed to be within the territory of British Guiana.

6.

apportionment of the proceeds of dues or charges levied on navigation may be determined by agreement, and that proposals with regard to any of these matters may be made by either Government to the other.

ARTICLE VI

Any member of the Police Force or Customs and Excise Department of British Guiana may, on any part of the River Corentyne, arrest and convey to the left bank of the river any person who is suspected of having committed any offence against the laws of British Guiana and who is believed to be a subject of Her Britannic Majesty, and may, on any part of the River Corentyne, convey to the left bank any person arrested on any structure, craft or other thing referred to in paragraph (3) of Article IV on suspicion of having committed within the territory of British Guiana any offence against the laws of British Guiana, whether or not he is a subject of Her Britannic Majesty.

PART II

ARTICLE VII

The boundary between the territorial seas and contiguous zones (so far as they respectively extend) and the continental shelves of British Guiana and Surinam shall be formed by the prolongation seawards of the line drawn on a bearing of 010 degrees referred to in Article I (2) to a distance of 6 miles from the more seaward of the concrete marks referred to, thence on a bearing of 033 degrees for a distance of 35 miles, thence on a bearing of 038 degrees for a distance of 28 miles, thence on a bearing of 028 degrees to a point of intersection with the edge of the continental shelves as defined by international law.

ARTICLE VIII

In the preceding Article -

- (1) bearings are given by the true compass reckoned clockwise from 000 degrees (North) to 359 degrees, and
- (11) miles are sea miles, each comprising one-sixtieth of a degree of latitude.

7.

PART III

ARTICLE IX

The present Treaty shall be ratified and the instruments of ratification shall be exchanged as soon as possible. It shall come into force on the date of exchange of ratifications.

In witness where of the above named Plenipotentiaries have signed the present Treaty.

Done at this day of
196 in duplicate in the English and Dutch languages, both texts
being equally authentic.

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Left hand page start

Memorial of Guyana
Annex 91

Received file 161

AMBASSADE VAN HET KONINKRIJK DER NEDERLANDEN

ROYAL NETHERLANDS
EMBASSY

38 Hyde Park Gate,
London, S.W.7.

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Received
Lind. R.L.
1962*

No. 18509-4121.

17th September, 1962.

Dear Mr. Piper,

./.. Please find enclosed the promised draft Treaty, together with an Aide Memoire on the Surinam/British Guyana boundary, which I presented today to Mr. R.M.K. Slater, Head of the American Department, Foreign Office.

Should the contents of this draft meet the approval of the British Government, my Government would appreciate early talks in The Hague on the definite form of the boundary Treaty. In case you feel that further comments would be necessary Surinam advisors at the moment in The Hague could discuss the matter preliminarily and supply some technical details.

In view of the forthcoming talks in The Hague I would be grateful to know the composition of the British delegation as well as by whom this delegation will be headed.

Yours sincerely,

A. Mansvelt
First Secretary of Embassy

R.W. Piper, Esq.,
West Indian Department,
Colonial Office,
London, S.W.1.

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Treaties and Agreements
(Including Drafts)

F 11331b/62

Draft

Treaty between the Kingdom of the Netherlands and the
United Kingdom of Great Britain and Northern
Ireland establishing the frontier between
Surinam and British Guiana

Her Majesty the Queen of the Netherlands
and

Her Majesty the Queen of the United Kingdom of Great
Britain and Northern Ireland and of Her other Realms and
Territories, Head of the Commonwealth;

Desiring that the frontier between Surinam and British Guiana
on land, in the rivers between the two countries and in the
sea be clearly established;

Desiring to make the necessary arrangements in connection with
establishing that frontier;

Have decided to conclude a Treaty for the purpose and have
appointed as their Plenipotentiaries,

Her Majesty the Queen of the Netherlands:

His Excellency Dr. S.D. Emanuels,

Prime Minister of Surinam,

and

Her Majesty the Queen of the United Kingdom of Great Britain
and Northern Ireland, etc.:

His Excellency Dr. C.B. Jagan,

Prime Minister of British Guiana;

Who, having exchanged their credentials found in due and
proper form,

Have agreed as follows.

- Article 1 -

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- 2 -

Article 1

1. The High Contracting Parties designate the New River from its source to its confluence with the Corentyne and the Corentyne from its confluence with the New River to the sea as the boundary rivers between Surinam and British Guiana.
2. The source of the New River shall be deemed to be the source located nearest point B/BG 54/84 indicated on the map compiled by the Cartographic Section of the Department of Lands and Mines, Georgetown, British Guiana, Scale 1: 500,000.
- 3a. The Corentyne shall be deemed to end at the line with a true bearing 100° East of true North from the point on the left bank where the river debouches into the sea.
- b. The point on the left bank where the river debouches into the sea shall be the point at which the prolongation of the line joining two concrete marks on the left bank of the Corentyne intersects the shoreline. On this same line which has a true bearing 10° East of true North a triangular wooden beacon 10 metres high, visible from the sea has been erected. The position of the seaward of the two concrete marks is:

Latitude $5^{\circ}59'53.8''$ North,
Longitude $57^{\circ}08'51.5''$ West of Greenwich.

Article 2

1. The frontier in the boundary rivers shall commence at the point where the line with a true bearing 100° East of true North referred to in Article 1, Paragraph 3a, is intersected by the present "thalweg".
2. From the end of the Corentyne's "thalweg" thus established to the source of the New River referred to in Article 1, Paragraph 2, the frontier shall follow the proportional line which is the locus of points whose position bears the same ratio

- relative -

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- 3 -

relative to either bank as the end of the "thalweg" bears to the banks at the moment this Treaty enters into force. The method by which that proportional line shall be plotted is described in the Appendix A to this Treaty.

3. The islands in the boundary rivers shall be Surinam territory.

Article 3

On land the frontier between the two countries shall follow a straight line from the source referred to in Article 1, Paragraph 2, to the point mentioned in said Paragraph.

Article 4

In the sea and on the bottom of the sea the frontier shall follow the line with a true bearing 10° East of true North from the end of the "thalweg" mentioned in Article 2, Paragraph 1.

Article 5

At the moment this Treaty enters into force a commission for the implementation of the foregoing Articles appointed by the Governments of Surinam and British Guiana shall establish the actual frontier and make the necessary demarcations. The commission shall draw up an official report on their work, which report shall constitute Appendix B of this Treaty.

Article 6

1. If the Government of Surinam or the Government of British Guiana should desire to carry out maintenance work or improvements or to place buoys, beacons or lighting in the boundary
- rivers -

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rivers and in the sea approaches to the Corentyne, the other Government shall be given timely notice of such intentions. The two Governments shall consult together to regulate such matters without delay.

The expense entailed shall be apportioned according to the interest that either country has in the work and according to the share of the work that either country has done.

2. Either Government shall undertake to grant facilities to the other for the making of hydrographic surveys.

Article 7

1. Ships of all nations except warships shall have the right of free navigation on the boundary rivers. When exercising that right the subjects of all States, their property and their goods shall be treated with complete equality and without any flag-discrimination.
2. The warships of the High Contracting Parties shall have the right of free navigation on the boundary rivers. No admission shall be granted to warships of other States without the permission of both High Contracting Parties.
3. Aircraft owned or operated by nationals of the High Contracting Parties may use the water of the boundary rivers to land on or to take off from. The provisions concerning warships in Paragraph 2 of this article shall also apply to military aircraft.

- Article 8 -

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- 5 -

Article 8

1. Nationals of the High Contracting Parties shall have the right to fish in the boundary rivers, provided it does not interfere with shipping on those rivers.
2. When travelling by boat on the boundary rivers, British nationals shall have the right to camp on the islands with their passengers and goods and to transport same along the islands in so far as it is necessary to facilitate such travel.

Article 9

1. The exercise of the rights and freedoms laid down in Articles 7, Paragraphs 1 and 3, and 8 shall be subject only to such taxes, duties and fees as have been agreed upon by the Governments of Surinam and British Guiana.
2. The rights and freedoms laid down in Articles 7, Paragraphs 1 and 3, and 8 shall be enjoyed also by enterprises registered in any territory of, and by the Governments and authorities of the High Contracting Parties.

Article 10

Joint regulations concerning the safety of shipping, public health, the prevention of animal and plant diseases, migration, imports and exports and concerning other spheres of co-operation with respect to the boundary rivers shall be agreed upon by the Governments of Surinam and British Guiana in the spirit of the present Treaty.

Article 11

1. The Parties shall give each other timely notice of any plans to abstract water from the boundary rivers for irrigation and other purposes which may be expected to result in an appreciable
- change -

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- 6 -

change in the territory's water economy or unreasonably to harm the interests of the other Party. They shall carry out such plans only after mutual agreement.

2. The same shall apply to plans for artificial changes in the course of the boundary rivers.

Article 12

1. Either of the Governments of Surinam and British Guiana shall have the right to construct civil engineering and hydraulic works in the boundary rivers, with due observance of the provisions of Paragraph 2 and 3 of this Article, and after the frontier has been fixed locally in accordance with the situation in the rivers prevailing at the time.
2. If the Governments of either Surinam or British Guiana intend to construct such works they shall give timely notice of their intention to the other Government.
Both Governments shall thereupon as soon as possible conclude agreements concerning the preparation, construction and operation of such works and co-operation in same.
Such agreements shall also cover inundation and its possible consequences.
The Governments shall also consult each other on the effect of the construction of such works on the navigability of the river in question.
3. In apportioning the energy to be generated and the water to be impounded the ratio between the areas of the Corentyne and New River basins lying in Surinam and British Guiana respectively, shall be taken into account.

Article 13

(Arbitration clause)

- Article 14 -

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Article 14

This Treaty shall be ratified and the instruments of ratification shall be exchanged as soon as possible at

This Treaty shall enter into force on the day of the exchange of the instruments of ratification.

In witness whereof the above-mentioned Plenipotentiaries have signed this Treaty.

Done at The Hague on, in two copies, each in the Netherlands and English languages, both texts being equally authentic.

For the Kingdom of the
Netherlands:

For the United Kingdom of
Great Britain and Northern
Ireland:

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APPENDIX A.

DEFINITIONS

Parallel - A line with a bearing of 100° East of true North

Parallel section - Section of line that is part of a parallel joining the left and right banks without intersecting a radial line.

Radial line - Section of line joining a nodal point with a point on the opposite bank without intersecting a parallel.

Nodal point - Point where a parallel or radial line touches a bank.

Fixed proportion - Ratio between distances from the beginning of the "thalweg" to either bank of the Corentyne measured along a parallel.

Method of plotting points along the proportional line.

The locus of a point is obtained by dividing a parallel or a radial line in the fixed ratio.

Radial lines shall be used in sharp bends where parallels do not intersect both banks.

Frontier line

The frontier line is obtained by joining all the points plotted by the foregoing method. Therefore it is the line joining points dividing the parallels and radial lines in the fixed ratio.

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CONFIDENTIAL

DRAFT

TREATY BETWEEN THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND AND THE KINGDOM
OF THE NETHERLANDS FOR THE DEFINITION OF THE
FRONTIER BETWEEN BRITISH GUYANA AND SURINAM.

Her Majesty The Queen of the United Kingdom of Great
Britain and Northern Ireland and of Her other Realms and
Territories, Head of the Commonwealth, and Her Majesty The Queen
of the Netherlands:

Desiring that the boundary between British Guiana and
Surinam and the waters and continental shelves of, or appertaining
to these territories shall be clearly defined;

Desiring that provision shall be made with regard to
the exercise of rights over rivers which lie along the frontier;

Have decided to conclude a Treaty for these purposes
and have accordingly appointed as their Plenipotentiaries:

Her Majesty The Queen of the United Kingdom of Great
Britain and Northern Ireland and of Her other Realms and
Territories, Head of the Commonwealth (hereinafter referred to
as "Her Britannic Majesty"):

For the United Kingdom of Great Britain and Northern Ireland:

.....

Her Majesty The Queen of the Netherlands:

.....

Who, having communicated to each other their Full
Powers found in good and due form, have agreed as follows:

PART I

ARTICLE I

(1) The boundary between British Guiana and Surinam
shall be formed by the line of the left bank of the River
Corentyne from the sea southwards to a point near its source.
Where a side channel (itabu) exists, the left bank of the river
is the bank of the most leftward channel which normally contains
water at all seasons of the year.

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(2) The beginning of the left bank of the River Corentyne at the sea shall be the point of intersection of the shore-line and the boundary defined in Article VII of the present Treaty.

(3) The river named by Schomburgk the River Kutari shall be considered to constitute the upper reaches of the River Corentyne and the boundary shall follow the left bank of the principal course of the River Kutari.

(4) That branch of the River Kutari which was found to be the longest by the mixed Commission appointed for the fixing of the Southern Terminal of the Boundary shall be deemed to be its principal course, irrespective of any future changes in the headwaters of the River Kutari.

ARTICLE II

(1) From a point on the principal course of the River Kutari, about 300 metres East of its source, the boundary shall leave the left bank of the River Kutari, and shall follow the centre of a tongue of rock in a general S.S.E. direction to a concrete mark erected on the watershed between the basins of the River Amazon and of the River Corentyne. This mark is distant 320 metres on a true bearing of 162° from the point of departure of the boundary from the principal course of the River Kutari.

(2) This mark is built on top of a large bare rock surface, and its approximate position is:-

Latitude 01° 56' 58" .2 North
Longitude 56° 28' 24" .5 West of Greenwich
Height above M.S.L. 463 metres.

(3) This mark shall continue to define the point of convergence of the frontier of British Guiana and Surinam with that of the United States of Brazil, irrespective of any future or more accurate determination of its position.

ARTICLE III

The waters of the River Corentyne (as defined in Article I above) shall, whatever the fluctuations of its volume be considered as being within the territory of Surinam, and the

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land confining them on the left bank as defined in Article I as being within the territory of British Guiana, and no change of sovereignty over such land shall ensue upon any rise or fall of the waters of the river.

ARTICLE IV

- (1) Over the whole course of the River Corentyne the following provisions shall apply:
- (a) Freedom of navigation shall be accorded to the vessels (other than warships) of all nations. In the exercise of such navigation the subjects, property and flags of all nations shall be treated on a footing of perfect equality. The laws and regulations of Surinam relating to customs, public health, precautions against diseases of animals and plants, emigration and immigration and to the import and export of prohibited goods shall not, without good reasons, impede the freedom of navigation and shall only be applied so far as strictly necessary to vessels, passengers and goods in transit between different parts of British Guiana or to and from British Guiana and any country other than Surinam and then only in a manner no more onerous than in the case of vessels, passengers and goods in transit to and from Surinam; in particular customs duties (including export duties) shall not be levied under such laws and regulations on the former vessels, passengers and goods.
 - (b) The warships of the High Contracting Parties shall enjoy freedom of navigation.
 - (c) Aircraft operated by the subjects of the High Contracting Parties or registered in their territories shall enjoy freedom to make use of the waters as an alighting site and the subjects of Her Britannic Majesty shall for such purpose have full liberty to drive piles and erect structures in the river; provided always that any

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such pile or structure is not of such a nature as to impede navigation.

(2) The subjects of Her Britannic Majesty have always had and shall continue to have full liberty to drive piles and construct wharves, boathouses and other structures on or adjacent to the left bank of the River Corentyne; provided always that such piles and structures do not impede navigation and do not project -

- (a) beyond the deepest part of the channel of the river which flows by the left bank;
- (b) at any place above a point ten miles upstream from the beacon referred to in Article VII (2), either further than half the breadth of that part of the river or more than fifty metres from low-water mark into the water-channel of the river.

(3) All piles, wharves, boathouses and other structures driven or erected (whether before or after the coming into operation of this Treaty) in pursuance of paragraphs (1) (c) and (2) of this Article, and any craft or other thing moored thereto or to the left bank, shall be deemed to be within the territory of British Guiana: provided always that no prescriptive rights of any kind against Her Majesty The Queen of the Netherlands shall be derived from the existence of such piles or structures, either in the river or on its bank, or from the fact that they or anything moored to them are deemed to be within the territory of British Guiana.

(4) Subjects of Her Britannic Majesty shall be permitted to draw water from the River Corentyne for irrigation and other purposes, providing that the navigability of the river is not impeded and that no works employing the waters of the river for the generation of power shall be constructed without the explicit and written authorisation of the Government of Surinam.

(5) Subjects of Her Britannic Majesty shall have the right to fish in the river but that right shall not be exercised so as to impede navigation. They shall have the right, when travelling by boat along the river, to camp with their passengers and goods on islands in the river or on the Surinam bank and to transport the same along such islands or that bank in so far as

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this is necessary to facilitate such travel.

(6) Her Majesty The Queen of the Netherlands will not permit the navigability of the River Corentyne to be impeded by the withdrawal of water from the right bank of the river for irrigation or for the generation of power or for any other purpose, or by the driving of piles, or the erection of any structures in the river or on its right bank, or by any other means.

(7) The right secured under the previous paragraphs of this Article for the benefit of the subjects of either High Contracting Party shall be enjoyed also by persons under the protection of, companies incorporated in any part of the territories of, and by any Government or administration of, such High Contracting Party.

(8) No charges or dues shall be levied in respect of the enjoyment of the rights secured under the previous paragraphs of this Article otherwise than by Agreement between the Governments of Surinam and British Guiana.

ARTICLE V.

The High Contracting Parties agree that if in the future it should be found necessary to take steps with a view to the conservancy, improvement, or lighting of the River Corentyne and its estuaries, for the establishment of dykes, the erection, inspection and maintenance of beacons, the provisions or improvement of portage facilities on its banks or islands or for the levying of dues or charges, the Governments of British Guiana and Surinam shall appoint representatives to meet in order that the share of the cost to be borne by each of the above Governments in proportion to their respective interests and the apportionment of the proceeds of dues or charges levied on navigation may be determined by agreement, and that proposals with regard to any of these matters may be made by either Government to the other.

ARTICLE VI

Any member of the Police Force or Customs and Excise Department of British Guiana may, on any part of the River Corentyne, arrest and convey to the left bank of the river any

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person who is suspected of having committed any offence against the laws of British Guiana and who is believed to be a subject of Her Britannic Majesty, and may, on any part of the River Corentyne, convey to the left bank any person arrested on any structure, craft or other thing referred to in paragraph (3) of Article IV on suspicion of having committed within the territory of British Guiana any offence against the laws of British Guiana whether or not he is a subject of Her Britannic Majesty.

PART II

ARTICLE VII

(1) The boundary between the territorial seas, the contiguous zones and the continental shelves, which appertain to British Guiana and Surinam respectively, shall be based on a line formed by the prolongation of the line joining two concrete marks (the positions of which are given in paragraph 2 of this Article) until it intersects the line of mean low-water spring tide level existing at the date of the present Treaty (the position of the point of intersection being.....) and then drawn in accordance with the principle of equidistance from the nearest points of the base lines from which the territorial sea of British Guiana and Surinam respectively is measured.

(2) The two concrete marks mentioned in paragraph (1) of this Article are situated on the left bank of the River Corentyne, the approximate position of the seaward of the two marks being Latitude 5° 59' 53.8" North, Longitude 57° 08' 51.5" West of Greenwich, and the line joining the two marks having a true bearing 10° East of true North.

(3) In implementation of the principle of equidistance mentioned in paragraph (1) of this Article the boundary shall be a series of Great Circles between the following points in the sequence given below:-

(List of co-ordinates)

(4) The boundary has been drawn on the chart annexed to the present Treaty.

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PART III

ARTICLE VIII

The present Treaty shall be ratified and the instruments of ratification shall be exchanged at as soon as possible. It shall come into force on the date of exchange of ratification.

In witness whereof the above-named Plenipotentiaries have signed the present Treaty.

Done in duplicate at this day of
1965, in the English and Wetherlands languages, both
textes being equally authentic.

For Her Britannic Majesty:

.....

For Her Majesty the Queen of the Netherlands:

.....

CONFIDENTIAL

TREATY BETWEEN THE REPUBLIC OF GUYANA AND THE
KINGDOM OF THE NETHERLANDS FOR THE DEFINITION
OF THE FRONTIER BETWEEN GUYANA AND SURINAM

The President of Guyana and Her Majesty The Queen of the
Netherlands:

Desiring that the boundary between Guyana and Surinam and the
waters and continental shelves of, or appertaining to, these territories
shall be clearly defined;

Desiring that provision shall be made with regard to the exercise
of rights over rivers which lie along the frontier;

Have decided to conclude a Treaty for these purposes and have
accordingly appointed as their Plenipotentiaries:

The President of Guyana:

.....
Her Majesty The Queen of the Netherlands:

.....
Who, having communicated to each other their Full Powers found
in good and due form, have agreed as follows:-

PART I

ARTICLE I

(1) The boundary between Guyana and Surinam shall be formed
by the line of the left bank of the River Corentyne from the sea southwards
to a point near its source. Where a side channel (itabu) exists, the left
bank of the river is the bank of the most leftward channel which normally
contains water at all seasons of the year.

(2) The beginning of the left bank of the River Corentyne at the sea shall be the point of intersection of the shore-line and the boundary defined in Article VII of the present Treaty.

(3) The river named by Schomburgk the River Kutari shall be considered to constitute the upper reaches of the River Corentyne, and the boundary shall follow the left bank of the principal course of the River Kutari.

(4) That branch of the River Kutari which was found to be the longest by the Mixed Commission appointed for the fixing of the Southern Terminal of the Boundary shall be deemed to be its principal course, irrespective of any future changes in the headwaters of the River Kutari.

ARTICLE II

(1) From a point on the principal course of the River Kutari, about 300 metres East of its source, the boundary shall leave the left bank of the River Kutari, and shall follow the centre of a tongue of rock in a general S.S.E. direction to a concrete mark erected on the watershed between the basins of the River Amazon and of the River Corentyne. This mark is distant 320 metres on a true bearing of 162° from the point of departure of the boundary from the principal course of the River Kutari.

(2) This mark is built on top of a large bare rock surface, and its approximate position is:-

Latitude $01^{\circ}56' 58'' .2$ North

Longitude $56^{\circ} 28' 24'' .5$ West of Greenwich

Height above M.S.L. 463 Metres.

(3) This mark shall continue to define the point of convergence of the frontier of Guyana and Surinam with that of the United States of Brazil, irrespective of any future or more accurate determination of its position.

ARTICLE III

The waters of the River Corentyne (as defined in Article I above) shall, whatever the fluctuations of its volume, be considered as being within the territory of Surinam, and the land confining them on the left bank as defined

in Article I as being within the territory of Guyana, and no change of sovereignty over such land shall ensue upon any rise or fall of the waters of the river.

ARTICLE IV

(1) Over the whole course of the river Corentyne the following provisions shall apply:-

- (a) Freedom of navigation shall be accorded to the vessels (other than warships) of all nations. In the exercise of such navigation the subjects, property and flags of all nations shall be treated on a footing of perfect equality. The laws and regulations of Surinam relating to customs, public health, precautions against diseases of animals and plants, emigration and immigration and to the import and export of prohibited goods shall not, without good reason, impede the freedom of navigation and shall only be applied so far as strictly necessary to vessels, passengers and goods in transit between different parts of Guyana or to and from Guyana and any country other than Surinam and then only in a manner no more onerous than in the case of vessels, passengers and goods in transit to and from Surinam; in particular customs duties (including export duties) shall not be levied under such laws and regulations on the former vessels, passengers and goods.
- (b) The warships of the High Contracting Parties shall enjoy freedom of navigation.
- (c) Aircraft operated by the subjects of the High Contracting Parties or registered in their territories shall enjoy

freedom to make use of the waters as an alighting site and the citizens of Guyana shall for such purpose have full liberty to drive piles and erect structures in the river; provided always that any such pile or structure is not of such a nature as to impede navigation.

(2) Citizens of Guyana have always had and shall continue to have full liberty to drive piles and construct wharves, boathouses and other structures on or adjacent to the left bank of the River Corentyne; provided always that such piles and structures do not impede navigation and do not project -

(a) beyond the deepest part of the channel of the river which flows by the left bank;

(b) at any place above a point ten miles upstream from the beacon referred to in Article VII (2), either further than half the breadth of that part of the river or more than fifty metres from low-water mark into the water-channel of the river.

(3) All piles, wharves, boathouses and other structures driven or erected (whether before or after the coming into operation of this Treaty) in pursuance of paragraphs (1)(c) and (2) of this Article, and any craft or other thing moored thereto or to the left bank, shall be deemed to be within the territory of Guyana: provided always that no prescriptive rights of any kind against Her Majesty The Queen of the Netherlands shall be derived from the existence of such piles or structures, either in the river or on its bank, or from the fact that they or anything moored to them are deemed to be within the territory of Guyana.

(4) Citizens of Guyana shall be permitted to draw water from the River Corentyne for irrigation and other purposes, provided that the navigability of the river is not impeded and that no works employing the waters of the river for the generation of power shall be constructed without the explicit and written authorisation of the Government of Surinam.

(5) Citizens of Guyana shall have the right to fish in the river but that right shall not be exercised so as to impede navigation. They shall have the right, when travelling by boat along the river, to camp with their

passengers and goods on islands in the river or on the Surinam bank and to transport the same along such islands or that bank is so far as this is necessary to facilitate such travel.

(6) Her Majesty The Queen of the Netherlands will not permit the navigability of the River Corentyne to be impeded by the withdrawal of water from the right bank of the river for irrigation or for the generation of power or for any other purpose, or by the driving of piles, or the erection of any structures in the river or on its right bank, or by any other means.

(7) The rights secured under the previous paragraphs of this Article for the benefit of subjects of Her Majesty The Queen of the Netherlands and citizens of Guyana shall be enjoyed also by persons under the protection of, companies incorporated in any part of the territories of, and by any Government or administration of, such High Contracting Party.

(8) No charges or dues shall be levied in respect of the enjoyment of the rights secured under the previous paragraphs of this Article otherwise than by agreement between the Governments of Surinam and Guyana.

ARTICLE V

The High Contracting Parties agree that if in the future it should be found necessary to take steps with a view to the conservancy, improvement, or lighting of the River Corentyne and its estuaries, for the establishment of buoys, the erection, inspection and maintenance of beacons, the provision or improvement of portage facilities on its banks or islands or for the levying of dues or charges, the Governments of Guyana and Surinam shall appoint representatives to meet in order that the share of the cost to be borne by each of the above Governments in proportion to their respective interests and the apportionment of the proceeds of dues or charges levied on navigation may be determined by agreement, and that proposals with regard to any of these matters may be made by either Government to the other.

ARTICLE VI

Any member of the Police Force or Customs and Excise Department of Guyana may, on any part of the River Corentyne, arrest and convey to the

PART III

left bank of the river any person who is suspected of having committed any offence against the laws of Guyana and who is believed to be a citizen of

Guyana, and may, on any part of the River Corentyne, convey to the left bank. The present Treaty shall be ratified and the instruments of ratification shall be exchanged at as soon as possible. It shall come into force on the date of exchange of ratifications. paragraph (5) of Article IV on suspicion of having committed within the territory of Guyana any offence against the laws of Guyana whether or not he is a citizen of Guyana.

In witness whereof the above-named Plenipotentiaries have signed

PART II

the present Treaty.

ARTICLE VII

(1) The boundary between the territorial seas, the contiguous zones and the continental shelves, which appertain to Guyana and Surinam respectively, shall be based on a line formed by the prolongation of the line joining two

concrete marks (the positions of which are given in paragraph (2) of this Article) until it intersects the line of mean low-water spring tide level existing at the date of the present Treaty (the position of the point of interaction being.....) and then drawn in accordance with the principle of equidistance from the nearest points of the base lines from which the territorial sea of Guyana and Surinam respectively is measured.

(2) The two concrete marks mentioned in paragraph (1) of this Article are situated on the left bank of the River Corentyne, the approximate position of the seaward of the two marks being Latitude 5° 59' 53.8" North, Longitude 57° 08' 51.5" West of Greenwich, and the line joining the two marks having a true bearing 10° East of true North.

(3) In implementation of the principle of equidistance mentioned in paragraph (1) of this Article the boundary shall be arcs of Great Circles between the following points in the sequence given below:-

[List of co-ordinates]

(4) The boundary has been drawn on the chart annexed to the present Treaty.

PART III

ARTICLE VIII

The present Treaty shall be ratified and the instruments of ratification shall be exchanged at _____ as soon as possible. It shall come into force on the date of exchange of ratifications.

In witness whereof the above-named Plenipotentiaries have signed the present Treaty.

Done in duplicate at _____ this _____ day of _____ 1971, in the English and Netherlands languages, both texts being equally authentic.

For the President of Guyana:

For Her Majesty The Queen of the Netherlands:

.....

.....

MEMORANDUM OF UNDERSTANDING
MODALITIES FOR TREATMENT OF THE OFFSHORE AREA
OF OVERLAP BETWEEN GUYANA AND SURINAME AS IT RELATES TO
THE PETROLEUM AGREEMENT SIGNED BETWEEN THE GOVERNMENT OF
GUYANA AND THE LASMO/BHP CONSORTIUM ON 26 AUGUST 1988

INTRODUCTION

In conformity, with the decision of the Presidents of Guyana and Suriname taken on 25th August 1989 in Suriname to the effect that pending settlement of the Border between Guyana and Suriname, the Authorities responsible for petroleum development in the two countries should meet to determine the modalities by which the offshore Area of Overlap between Guyana and Suriname should be treated and further, that concessions granted prior to the date of that decision shall not be disturbed.

Representatives of Staatsolie acting on behalf of the Ministry of Natural Resources and of the Guyana Natural Resources Agency acting on behalf of the Minister Responsible for Mining and Minerals, the authorities responsible for petroleum development in Suriname and Guyana respectively, have met and set out below in discharge of part of their Mandate the modalities for treatment of the Area of Overlap as it relates to the Petroleum Agreement in existence on 25th August 1989.

MODALITIES

The two Governments agree that with respect to that part of the Petroleum Licence granted by the Government of Guyana to the LASMO/BHP Consortium which falls within the Area of Overlap that is to say, the Area bounded by the lines North 10° East and North 30° East, the following shall apply:

- (1) The Rights granted to the LASMO/BHP Consortium in the Area of Overlap shall be fully respected and not be disturbed and further neither Government shall do anything which would impair the Rights of the said LASMO/BHP Consortium in the said Area of Overlap.
- (2) That with respect to the obligations undertaken by the said LASMO/BHP Consortium in the said Area of Overlap, neither Government shall do anything which would increase the obligations of the said Consortium in the Area of Overlap.
- (3) That within thirty (30) days of the signing of this Memorandum of Understanding, the Representatives of the two Governments shall meet to conclude discussions on the Modalities ^{and mechanisms} to be observed for treatment of the Area of Overlap outside that part of the Area of Overlap which forms part of the Petroleum Licence granted to the LASMO/BHP Consortium. The first meeting shall take place during the week beginning March 4 1991.

understand that the Netherlands will also treat any petroleum in the area which forms part of the Petroleum Licence held by LASMO/BHP
DONE at TAKUBA LOUZE, Ministry of Foreign Affairs, Georgetown, GUYANA, this ..^{10th}..... day of February, 1991.

For the Government of the
Cooperative Republic of
Guyana

.....
H.E. Dr. Cedric H. Grant
Ambassador, Special Adviser
to the President of the Republic

For the Government of the
Republic of Suriname

.....
H.E. Dr. John E. Kolader
Ambassador of Suriname
to Guyana

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MEMORANDUM OF UNDERSTANDING
MODALITIES FOR TREATMENT OF THE OFFSHORE AREA OF
OVERLAP BETWEEN GUYANA AND SURINAME AS IT RELATES TO
GRANTING OF PETROLEUM LICENCES

INTRODUCTION

In the light of recent developments in the relations between Guyana and Suriname, the two Governments agreed to meet in Trinidad and Tobago on June 6, 2000.

Representing the Government of Guyana was Hon. Clement J. Rohee MP., Minister of Foreign Affairs, and representing the Government of Suriname was Hon. Errol Snijders, Minister of Foreign Affairs.

The Ministers recalled the decision taken by the Presidents of Guyana and Suriname in 1989 which laid the basis for the signature on February 25, 1991 of a Memorandum of Understanding governing the grant of concessions by the Government of Guyana to LASMO/BHP and which further allowed for the two sides to discuss modalities and mechanisms to be observed for treatment of the Area of Overlap, pending settlement of the border between Guyana and Suriname.

The Ministers agreed to conclude as follows:

MODALITIES

The two Governments agree that with respect to Petroleum Licences already granted by the Government of Guyana up to and including June 14, 1999 which fall within the Area of Overlap that is to say, the area bounded by the lines North 10 East (True) and North 33 East (True), the following shall apply until the border between Guyana and Suriname is determined:

- (1) The Rights granted through these licences in the Area of Overlap shall be fully respected and not be disturbed and further the two Governments agree that nothing should be done that would impair the Rights of the said licencees in the said Area of Overlap.
- (2) That with respect to the obligations undertaken by the licencees in the said Area of Overlap, the Governments agree that nothing should be done which would increase the obligations of the said licencees in the Area of Overlap.

De Ware Tijd, 15 July 2003

Soon delimitation maritime boundary Suriname-French Guiana

Paramaribo - Government and parliament will soon discuss a draft agreement with respect to the delimitation of the maritime boundary between Suriname and French Guiana. The completion of the joint efforts to reach an agreement on this border has been postponed at the very last moment after intervention by the private sector. However, the general developments in Suriname with respect to border issues were the main reasons to stay the adoption of the agreement. This was stated yesterday by President Venetiaan during a reception in Hotel Toranica on the occasion of France's 214th independence celebration.

Venetiaan says to appreciate the co-operation with the French very much following an initiative by Suriname to conduct research on the outer limit of the continental shelf. Meanwhile, Paris has made available geographic data on this to Paramaribo. The bilateral talks on the maritime boundary started in 1999. France also expects that soon this matter can be completed.

The head of state emphasized the commitment of the government to strengthen and broaden the relationship with Paris: "We consider this relationship to be a very special one", according to Venetiaan. With respect to the further approach of making the border between S and French Guiana safe, the head of state announced to hope that soon the draft agreement on the transboundary movements over the Marowijne River could be completed. Also the French Ambassador Olivier Maitland Pelen looks forward to a speedy signing of the agreement. He emphasized the necessity of a structural dialogue between the governments and of the services of both countries on matters such as security, observance of the law, illegal trafficking of persons and exchange of goods.

French Guiana inhabits 25,000 people of Surinamese origin, that is 11 percent of the French Guianese population, according to the diplomat. In recent years considerable progress could be made, in the view of the ambassador, on legal and administrative regulation with respect to traffic of persons and exchange of goods between the two countries. An example is the more transparent treatment of visa requests.

Institutional co-operation between the judicature of Suriname and French Guiana is necessary in order to prevent undesirable situations regarding the joint border. In support of Surinamese efforts France has drafted a program for the institutional strengthening of the police, judiciary and customs, which is currently being carried out. This project will be undertaken in the next three years and has already resulted in exchange of information between the customs offices of the two countries. The ambassador also raised the issue of cooperation in the military field as a co-operation, which could strengthen the improvement of the bilateral ties. In this regard he referred to the frequent joint army exercises on each other's territories and the mutual visits of high army officers. He looks forward to more of such visits in the next twelve years.

Progress

Notwithstanding the progress of the bilateral co-operation in many fields, in the ambassador's view still a lot has to be done for the sake of security and progress of both nations. The co-operation in the border area at the Upper-Tapanahony is already fruitful, according to the diplomat. He also mentioned successes in combating the deadly disease of malaria. Hence he is very eager to see the signing of a technical co-operation agreement between the Ministry of Public Health and the hospital sector of the border place Saint Laurent du Maroni. On the basis of this co-operation not only technical assistance will be provided to the hospital at Albina, but also training of the medical personnel.

Ivan Cairo

De Ware Tijd, 15 July 2003.

dinsdag 15 juli 2003

Vaststelling maritieme grens Suriname-Frans Guyana nabij

PARAMARIBO — Regering en parlement zullen binnenkort een concept-akkoord over de vaststelling van de maritieme grens tussen Suriname en Frans-Guyana met elkaar bespreken. De afronding van de gezamenlijke inspanningen om een akkoord te bereiken over de voornoemde grens is op de valreep uitgesteld na interventie van de particuliere sector. De algemene ontwikkelingen in Suriname met betrekking tot grenskwesties waren echter de belangrijkste redenen om het sluiten van de overeenkomst aan te houden. Dat zei president Ronald Venetiaan gisteren tijdens de receptie in hotel Torarica ter gelegenheid van Frankrijks 214ste onafhankelijkheidsviering.

Venetiaan zegt de samenwerking van de Fransen op prijs te stellen nadat Suriname het initiatief had genomen om onderzoek te doen naar de buitengrens van het continentaal plateau. Parijs heeft inmiddels geografische data hierover aan Paramaribo beschikbaar gesteld. De bilaterale besprekingen over de maritieme grens zijn in 1999 begonnen. Frankrijk verwacht ook dat op korte termijn deze zaak kan worden afgerond.

Het staatshoofd benadrukte de commitment van de regering om de relatie met Parijs te verstevigen en te verbreden. "Wij beschouwen deze relatie als zeer speciaal", aldus Venetiaan. Met betrekking tot de verdere aanpak van de beveiliging van de grens tussen Suriname en Frans-Guyana voerde het staatshoofd aan, te hopen, dat het concept-akkoord over de regulering van de grensoverschrijdende bewegingen over de Marowijne-rivier op korte termijn zal worden afgerond. Ook de Franse ambassadeur Olivier Maitland Pelen kijkt uit naar een spoedige ondertekening van dit akkoord. Hij benadrukte dat een structureel dialoog tussen de regeringen en diensten van beide landen over zaken zoals veiligheid, eerbiediging van de wet, illegaal personen- en goederenverkeer noodzakelijk is.

In Frans-Guyana wonen 25.000 mensen van Surinaamse komaf, die 11 procent uitmaken van de Frans-Guyanese bevolking, weet de diplomaat. De afgelopen jaren is er, aldus de ambassadeur, veel bereikt op het stuk van wettelijke en administratieve regelgeving met betrekking tot personen- en goederenverkeer tussen de twee landen. Zo is de behandeling van visumaanvragen transparanter gemaakt.

Om ongewenste situaties met betrekking tot de gezamenlijke grens te voorkomen is institutionele samenwerking tussen justitie Suriname en Frankrijk noodzakelijk, zegt Pelen. Ter ondersteuning van de Surinaamse inspanningen heeft Frankrijk een programma opgesteld voor institutionele versterking van de politie, justitie en douane, die nu wordt uitgevoerd. Dit project wordt de komende drie jaar uitgevoerd en heeft inmiddels als resultaat dat er informatie-uitwisseling plaatsvindt tussen de douanekorpsen van beide landen. De ambassadeur stelde ook de samenwerking op militair gebied aan de orde, een samenwerking die bijdraagt aan versteviging van de bilaterale banden. Zo wees hij op de vele gezamenlijke legeroefeningen die op elkaars grondgebied worden uitgevoerd en wederzijdse bezoeken van hoge legerofficieren. Hij verwacht de komende twaalf jaren nog meer van dergelijke bezoeken.

Vooruitgang

Ofschoon er in de bilaterale samenwerking op vele gebieden vooruitgang is geboekt, is aldus de ambassadeur nog veel te doen in belang van veiligheid en vooruitgang van beide naties. De samenwerking in het grensgebied aan de Boven-Tapanahony werpt, aldus de diplomaat al vruchten af. Zo noemde hij de successen bij de bestrijding van de dodelijke ziekte malaria. Hij kijkt derhalve reikhalzend uit naar de ondertekening van een technische samenwerkingsovereenkomst tussen het Ministerie van Volksgezondheid en de Ziekenhuissector van het grensplaatsje Saint Laurent du Maroni. Op basis van die samenwerking zal niet alleen technische assistentie gegeven worden aan het ziekenhuis te Albina, maar zullen ook trainingen worden verzorgd voor het medisch-verplegend personeel.

Ivan Cairo

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EXCLUSIVE ECONOMIC ZONE CO-OPERATION TREATY

BETWEEN THE REPUBLIC OF GUYANA AND THE STATE OF BARBADOS

CONCERNING THE EXERCISE OF JURISDICTION IN THEIR EXCLUSIVE
ECONOMIC ZONES IN THE AREA OF BILATERAL OVERLAP WITHIN
EACH OF THEIR OUTER LIMITS AND BEYOND THE OUTER LIMITS OF
THE EXCLUSIVE ECONOMIC ZONES OF OTHER STATES

THE REPUBLIC OF GUYANA AND THE STATE OF BARBADOS (hereinafter
referred to as the *Parties*);

REAFFIRMING the friendly relations between them;

MINDFUL of their long-standing spirit of bilateral co-operation and good-
neighbourliness;

EMPHASIZING the universal and unified character of the United Nations Convention on
the Law of the Sea (hereinafter referred to as *the Convention*) and its fundamental
importance for the maintenance and strengthening of international peace and security, as
well as for the sustainable development of the oceans and seas;

RECOGNISING that the delimitation of the exclusive economic zone between States
with opposite or adjacent coasts shall be effected by agreement on the basis of
international law, as referred to in Article 38 of the Statute of the International Court of
Justice, in order to achieve an equitable solution;

RECOGNISING the relevance and applicability of paragraph 3 of Article 74 of the
Convention, which establishes that, pending such delimitation, States, in a spirit of
understanding and co-operation, shall make every effort to enter into provisional
arrangements of a practical nature and, during this transitional period, not to jeopardize or
hamper the reaching of the final agreement;

A handwritten signature or set of initials in black ink, located in the bottom right corner of the page.

RECOGNISING that such provisional arrangements shall be without prejudice to the final delimitation;

CONFIRMING their intention to act in accordance with generally accepted principles of international law and the Convention;

MINDFUL of the legitimate interests of other States and the need to respect the rights and duties of other States in conformity with generally accepted principles of international law and the Convention;

ACKNOWLEDGING the existence of an area of bilateral overlap within the outer limits of their exclusive economic zones and beyond the outer limits of the exclusive economic zones of other States;

DESIROUS of establishing a precise and equitable regime for the orderly and co-operative exercise of jurisdiction in the area of bilateral overlap of their exclusive economic zones, whilst taking into account the legitimate interests of other States;

CONSCIOUS of the need to agree upon the environmentally responsible management and the sustainable development of living and non-living natural resources in this area; and

ACTING in accordance with the spirit of friendship and solidarity in the Caribbean Community and the Organization of American States;

HAVE AGREED as follows:

Article 1: Co-operation Zone

1. This Treaty establishes and regulates, in accordance with generally accepted principles of international law and the Convention, a co-operation zone (hereinafter referred to as the *Co-operation Zone*) for the exercise of joint jurisdiction, control, management, development, and exploration and exploitation of living and non-living natural resources, as well as all other rights and duties established in the Convention, within the area over which a bilateral overlap occurs between their exclusive economic zones and beyond the outer limits of the exclusive economic zones of other States.
2. This Treaty and the Co-operation Zone established thereunder are without prejudice to the eventual delimitation of the Parties' respective maritime zones in accordance with generally accepted principles of international law and the Convention.
3. The Parties agree that nothing contained in the Treaty nor any act done by either Party under the provisions of the Treaty will represent a derogation from or



diminution or renunciation of the rights of either Party within the Co-operation Zone or throughout the full breadth of their respective exclusive economic zones.

Article 2: The Geographical Extent of the Co-operation Zone

1. The Parties agree that the Co-operation Zone is the area of bilateral overlap between the exclusive economic zones encompassed within each of their outer limits measured to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured, and beyond the outer limits of the exclusive economic zones of other States at a distance of 200 nautical miles measured from the baselines from which their territorial sea is measured. For the purposes of this Treaty, the term "exclusive economic zone" and its legal regime shall have the meaning ascribed to them in Part V of the Convention.
2. The precise geographical extent of the Co-operation Zone is defined in Annex 1 to this Treaty.
3. The Parties contemplate that they may, by agreement at a later date, delimit an international maritime boundary between them.

Article 3: Exercise of Civil and Administrative Jurisdiction in the Co-operation Zone

1. The Parties shall exercise joint civil and administrative jurisdiction within and in relation to the Co-operation Zone. In exercising their jurisdiction the Parties shall act at all times in accordance with generally accepted principles of international law and the Convention.
2. The exercise of joint jurisdiction by the Parties in any particular instance shall be evidenced by their agreement in writing, including by way of an exchange of diplomatic notes.
3. For further clarity, the failure of the Parties to reach agreement in writing in relation to the exercise of their joint jurisdiction in the Co-operation Zone in any particular instance means that neither Party can exercise its jurisdiction in that instance.

Article 4: Rights and Duties of Other States in the Co-operation Zone

The Parties shall have due regard to the rights and duties of other States in the Co-operation Zone in accordance with generally accepted principles of international law and the Convention, and in particular the provisions of Article 58 of the Convention.



Article 5: Jurisdiction over Living Natural Resources

1. The Parties shall exercise joint jurisdiction over living natural resources within the Co-operation Zone. In exercising their joint jurisdiction, the Parties shall act at all times in accordance with generally accepted principles of international law and the Convention, including the Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks.
2. In order to exercise environmentally responsible management and to ensure sustainable development in the Co-operation Zone, the exercise of joint jurisdiction over living resources by the Parties in any particular instance shall be governed by a Joint Fisheries Licensing Agreement and evidenced by their agreement in writing, including by way of an exchange of diplomatic notes as provided in Article 3.
3. Within three months of the date on which this Treaty enters into force, the Parties shall in good faith commence the negotiation of a Joint Fisheries Licensing Agreement within the Co-operation Zone.
4. Either Party shall be entitled to enforce the provisions of the Joint Fisheries Licensing Agreement against any persons through the application of its relevant national law. Each Party undertakes to inform the other in writing of such enforcement.
5. For further clarity, the failure of the Parties to reach agreement in writing in relation to the exercise of their joint jurisdiction over living resources in the Co-operation Zone in any particular instance means that neither Party can exercise its jurisdiction in that instance.
6. The Parties shall take steps to co-ordinate between them the management of the living natural resources within the Co-operation Zone subject to their obligations under any relevant agreement to which they are both parties.

Article 6: Jurisdiction over Non-Living Natural Resources

1. The Parties shall exercise joint jurisdiction over non-living natural resources within the Co-operation Zone. In exercising their joint jurisdiction, the Parties shall act at all times in accordance with generally accepted principles of international law and the Convention.
2. The exercise of joint jurisdiction over non-living resources by the Parties in any particular instance shall be managed by a Joint Non-Living Resources Commission and evidenced by their agreement in writing, including by way of an exchange of diplomatic notes as provided in Article 3.

3. The Joint Non-Living Resources Commission shall be established at such time as agreed by the Parties.
4. For further clarity, the failure of the Parties to reach agreement in writing in relation to the exercise of their joint jurisdiction over non-living resources in the Co-operation Zone in any particular instance means that neither Party can exercise its jurisdiction in that instance.
5. Any single geological structure or field of non-living natural resources that lies wholly within the Co-operation Zone shall be shared equally between the Parties.
6. For the purpose of this Article 6, any single geological structure or field of non-living natural resources that lies in whole or in part across the outer limit of the Co-operation Zone shall be considered to straddle the Co-operation Zone.
7. Any single geological structure or field of non-living natural resources that straddles the outer limit of the Co-operation Zone from the exclusive economic zone of either Party shall be apportioned between them based on unitisation arrangements, as specifically provided by the Joint Non-Living Resources Commission.
8. Marine scientific research, exploration and exploitation or development of non-living natural resources that lie wholly within the Co-operation Zone shall only take place with the agreement of both Parties as provided in Article 3. If no such agreement is reached, no scientific research, exploration, exploitation or development can take place.
9. Each Party shall provide the other with the results of any scientific research or exploration as soon as possible after the conclusion of any survey.

Article 7: Jurisdiction over Security Matters

1. The Parties acting in good faith shall establish the procedures for the conduct of activities to police the Co-operation Zone.
2. Within three months of the date on which this Treaty enters into force, the Parties shall in good faith commence the negotiation of a security agreement in relation to activities to be undertaken within the Co-operation Zone, which may address among others:
 - a. Enforcement of regulations over natural resources;
 - b. Terrorism;
 - c. Prevention of illicit narcotics trafficking;



- d. Trafficking in firearms, ammunition, explosives and other related materials;
 - e. Smuggling;
 - f. Piracy;
 - g. Trafficking in persons; and
 - h. Maritime policing and search and rescue.
3. Until a security agreement as contemplated in Article 7 (2) is in force, and unless otherwise provided for in this Treaty, each Party shall unilaterally exercise defence and criminal jurisdiction within and in relation to the Co-operation Zone to the same extent that it may do so within and in relation to that part of its exclusive economic zone that lies outside the Co-operation Zone.

Article 8: Protection of the Marine Environment of the Co-operation Zone

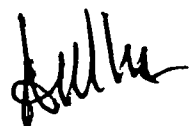
1. The Parties shall, consistent with their international obligations, endeavour to co-ordinate their activities so as to adopt all measures necessary for the preservation and protection of the marine environment in the Co-operation Zone.
2. The Parties shall provide each other as soon as possible with information about actual or potential threats to the marine environment in the Co-operation Zone.

Article 9: Consultation and Communications

1. Either Party may request consultations with the other Party in relation to any matter arising out of this Treaty or otherwise concerning the Co-operation Zone.
2. The Parties shall designate their respective Ministers of Foreign Affairs to be responsible for all communications required under this Treaty, including under this Article 9, and Articles 3, 5, 6 and 10. Either Party can change its designation upon written notice to the other Party.

Article 10: Dispute Resolution

1. Any dispute concerning the interpretation or application of the provisions of this Treaty shall be resolved by direct diplomatic negotiations between the two Parties.
2. If no agreement can be reached within a reasonable period of time, either Party may have recourse to the dispute resolution provisions contemplated under the Convention.



3. Any decision or interim order of any court or tribunal constituted pursuant to Article 10 (2) shall be final and binding on the Parties. The Parties shall carry out in good faith all such orders and decisions.

Article 11: Registration


Upon entry into force, this Treaty shall be registered with the Secretary-General of the United Nations in accordance with Article 102 of the Charter of the United Nations and the Secretary-General of the Caribbean Community.

Article 12: Entry into Force and Duration

1. This Treaty shall enter into force 30 days after the date on which the Parties have notified each other in writing that their respective requirements for the entry into force of this Treaty have been met.
2. This Treaty shall remain in force until an international maritime boundary delimitation agreement is concluded between the Parties.
3. This Treaty shall be subject to review at the request of either Party.
4. Any amendment to this Treaty shall be by mutual agreement through the exchange of diplomatic notes.

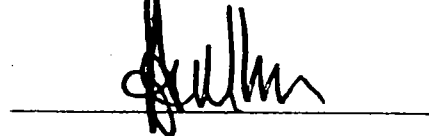
DONE at *London* on *2nd December*, 2003, in two duplicate copies.

For the Republic of Guyana



His Excellency Bharrat Jagdeo
President

For the State of Barbados



The Rt. Honourable Owen S. Arthur
Prime Minister



Annex I: The Geographical Extent of the Co-operation Zone

1. General Description

The Co-operation Zone is the area of bilateral overlap between the exclusive economic zones of the Parties encompassed within each of their outer limits at a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured, and beyond 200 nautical miles measured from the baselines from which the breadth of the territorial sea of any third State is measured.

2. Definition

The area encompassed in the Co-operation Zone is defined as a triangle formed by sections of arc of radius 200 nautical miles, joining the points CZ1, CZ2 and CZ3.

CZ1 is the point of intersection of the 200 nautical mile exclusive economic zone limits generated from the Barbados base point B and the Guyana base point G listed in paragraph 3.

CZ2 is the point of intersection of a line every point of which is 200 nautical miles from the nearest point of the baseline from which breadth of the territorial sea is measured by any third State and the 200 nautical mile exclusive economic zone limit generated from the Guyana base point G.

CZ3 is the point of intersection of a line every point of which is 200 nautical miles from the nearest point of the baseline from which breadth of the territorial sea is measured by any third State and the 200 nautical mile exclusive economic zone limit generated from the Barbados base point B.

3. Normal Baselines

The outer limits of the exclusive economic zones of Guyana and Barbados, which bound the outer limits of the Co-operation Zone, are measured respectively from:

G: 8° 2' 54" N 59° 8' 31" W, being the closest normal baseline point of Guyana, taken from UKHO Chart 517/1992 edition correct to NM 4206/2002; and

B: 13° 5' 11" N 59° 27' 35" W, being the closest normal baseline point of Barbados, taken from UKHO Chart 2485, 1987 Edition corrected to NM 516/2002.

The co-ordinates of all points are referred to the World Geodetic Reference System of 1984 (WGS84).

B.J



4. Co-ordinate Corrections

The positions of the normal baselines of Barbados taken from UKHO charts are related to WGS84 by fitting chart Images to a WGS84 template.

The positions of normal baselines of Guyana taken from UKHO charts are related to WGS84 by means of the Molodensky co-ordinate transformation model recommended in US NIMA TR8350.2, 4 July 1997.

The positions of all normal baselines are rounded to the nearest second of arc.

5. Graphic Description

The Co-operation Zone is shown in figures 1 and 2, attached hereto.



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Figure 1

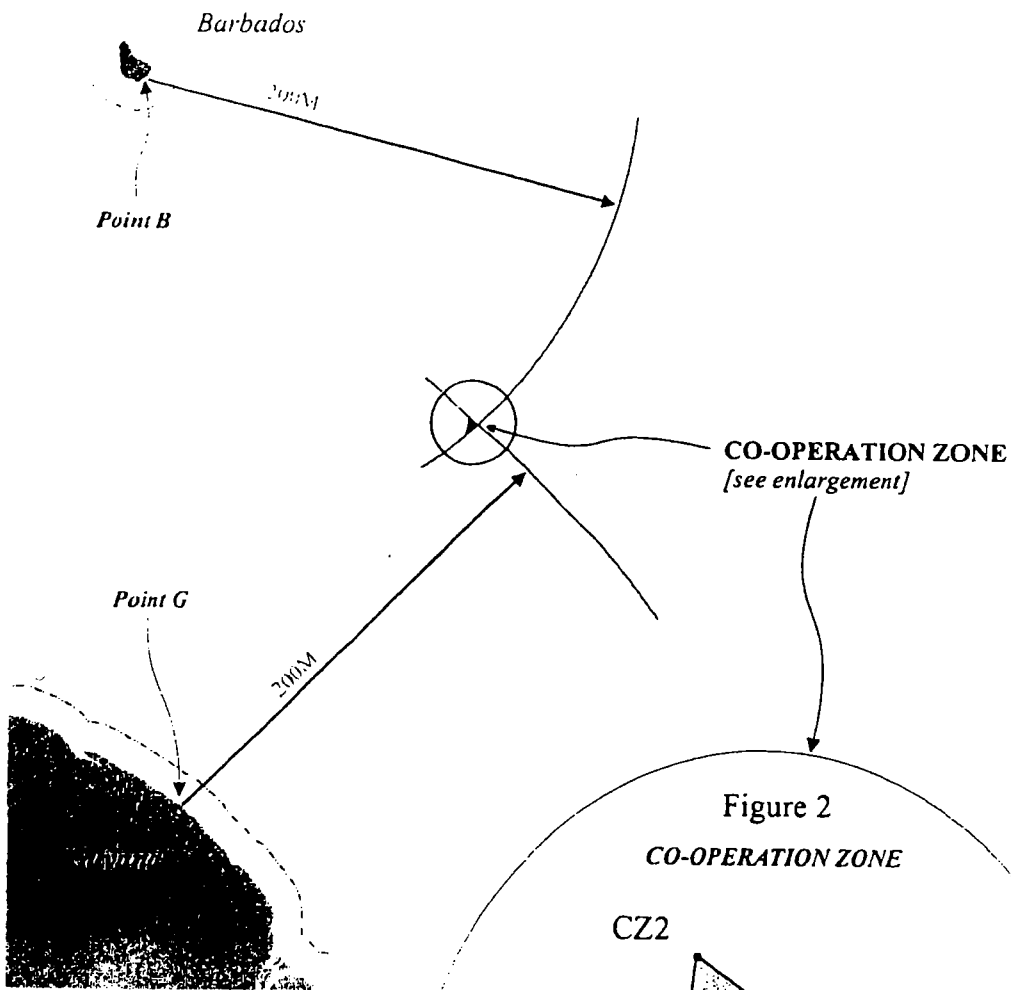
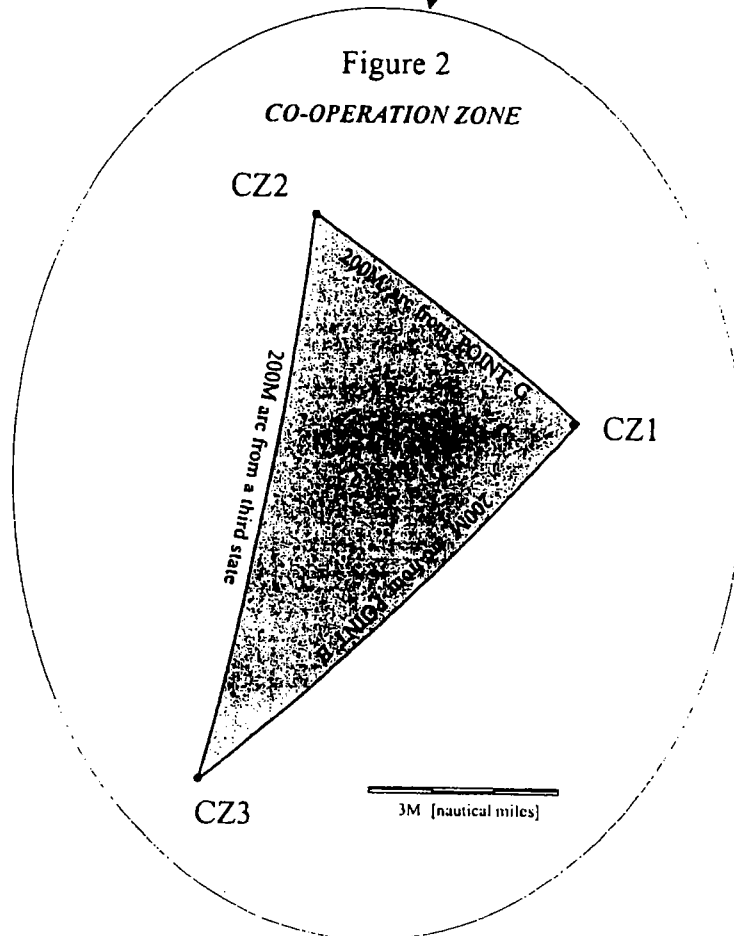


Figure 2



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