

PERMANENT COURT OF ARBITRATION



PRESS RELEASE

The Arbitral Tribunal constituted to establish a maritime boundary between Guyana and Suriname under the 1982 United Nations Convention on the Law of the Sea (“1982 Convention”) today made its Award public. The Award, which includes a finding of jurisdiction to consider the Parties’ maritime delimitation claims, establishes a single maritime boundary between Guyana and Suriname 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 Guyana and Suriname. However, in the territorial sea, the boundary follows a N10°E line from the starting point to the three nautical mile limit, and then a diagonal line, from the intersection of the N10°E line and the three nautical mile limit, to the intersection of the twelve nautical mile limit and the equidistance line.

The Arbitral Tribunal describes the boundary in the territorial sea as follows:

The delimitation line commences at Point 1, being the intersection of the low water line of the west bank of the Corentyne River and the geodesic line of N10°E which passes through Marker “B” established in 1936. ... The Tribunal holds that the 10° Line is established between the Parties from the starting point to the 3 nm limit. [Thereafter,] the Tribunal arrives at a line continuing from the seaward terminus of the N10°E line at 3 nm, and drawn diagonally by the shortest distance to meet the line adopted ... to delimit the Parties’ continental shelf and exclusive economic zone.

The line adopted by the Tribunal to delimit the Parties’ continental shelf and exclusive economic zone follows an unadjusted equidistance line.

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The Arbitral Tribunal additionally held that both Guyana and Suriname violated their obligations under the 1982 Convention to make every effort to enter into provisional arrangements of a practical nature and not to hamper or jeopardize the reaching of a final agreement. Moreover, Suriname was found to have acted unlawfully when it expelled a drilling rig licensed by Guyana from the disputed area.

Background

The arbitral proceedings were initiated by Guyana on 24 February 2004 pursuant to Articles 286 and 287 and Annex VII of the 1982 Convention. Written pleadings were filed pursuant to the Rules of Procedure adopted by the Arbitral Tribunal on 30 July 2004, and hearings were held in Washington, D.C. in December 2006. The Arbitral Tribunal constituted to decide the dispute is composed of H.E. Judge L. Dolliver M. Nelson (President), Professor Thomas M. Franck, Dr. Kamal Hossain, Professor Ivan Shearer, and Professor Hans Smit. The Permanent Court of Arbitration serves as registry for the Arbitral Tribunal. The text of the Award has been posted on the website of the Permanent Court of Arbitration (www.pca-cpa.org).

THE HAGUE
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