

**AGREEMENT**

**BETWEEN**

**TUVALU**

**AND**

**KIRIBATI**

**CONCERNING**

**THEIR MARITIME BOUNDARY**

## AGREEMENT BETWEEN TUVALU AND KIRIBATI CONCERNING THEIR MARITIME BOUNDARY

The sovereign States of Tuvalu and Kiribati,

**DESIRING** to strengthen the bonds of friendship between the two States,

**RECOGNISING** the need to effect a precise and equitable delimitation of the respective maritime areas in which the two States exercise sovereign rights, and

**ACKNOWLEDGING** the rules and principles of international law as reflected in the *United Nations Convention on the Law of the Sea*, done at Montego Bay on 10 December 1982, to which both Tuvalu and Kiribati are party, and, in particular, Articles 74 and 83 which provide that the delimitation of the exclusive economic zone and continental shelf between States with opposite or adjacent coasts shall be effected by agreement on the basis of international law in order to achieve an equitable solution,

**HAVE AGREED AS FOLLOWS:**

### ARTICLE 1

#### Boundary between Tuvalu and Kiribati

(1) The boundary between the exclusive economic zones and continental shelves of Tuvalu and Kiribati lies seaward of Nanumea and Niutao in Tuvalu on the one hand and Tabiteuea, Tamana and Arorae in Kiribati on the other hand, along the geodesics connecting the following points, defined by their coordinates, in the order stated:

Point Identifier	Latitude	Longitude
1	4° 17' 49.25" S	172° 58' 44.44" E
2	4° 17' 32.56" S	172° 59' 45.09" E
3	4° 07' 52.74" S	173° 34' 31.07" E
4	4° 06' 35.94" S	174° 23' 40.51" E
5	4° 06' 24.42" S	174° 33' 23.74" E
6	4° 05' 37.24" S	175° 12' 58.04" E
7	4° 05' 15.68" S	175° 31' 12.29" E
8	4° 04' 50.79" S	175° 51' 52.69" E
9	4° 04' 30.72" S	176° 08' 51.89" E
10	4° 07' 46.81" S	176° 21' 02.32" E
11	4° 09' 42.69" S	176° 28' 25.32" E
12	4° 11' 14.84" S	176° 34' 31.13" E
13	4° 13' 30.88" S	176° 43' 40.38" E
14	4° 17' 27.37" S	176° 59' 41.16" E
15	4° 21' 42.11" S	177° 16' 58.11" E

Point Identifier	Latitude	Longitude
16	4° 17' 03.38" S	177° 48' 17.68" E
17	4° 12' 44.47" S	178° 17' 11.74" E
18	4° 09' 32.47" S	178° 38' 31.34" E
19	3° 57' 56.03" S	179° 55' 23.82" E
20	3° 57' 47.21" S	179° 56' 23.79" E

(2) The geographical coordinates given in this Agreement are determined by reference to the geodetic reference system WGS 84 (World Geodetic System 1984).

(3) This Agreement shall define the boundary between the exclusive economic zones and continental shelves over which the Parties exercise, or will exercise, sovereign rights and jurisdiction in accordance with international law.

(4) The boundary line drawn on the chart in the Annex to this Agreement is drawn for illustrative purposes only.

## **ARTICLE 2**

### **Dispute Resolution**

Any dispute between the Parties concerning the interpretation or application of this Agreement shall be settled peacefully by consultation and negotiation, in accordance with international law.

## **ARTICLE 3**

### **Hydrocarbon and Mineral Resources Straddling the Boundary**

If any single accumulation or deposit of liquid hydrocarbon, natural gas, or other mineral extends across the maritime boundary line described in Article 1, and if one Party by exploiting that accumulation or deposit would withdraw, deplete, or draw down the portion of the accumulation or deposit that is on the other Party's side of the boundary line, then before the accumulation or deposit is exploited, the Parties shall consult with a view toward reaching an agreement on the manner in which the accumulation or deposit may be most effectively exploited and on the equitable sharing of the benefits from such exploitation.

## **ARTICLE 4**

### **Entry into Force**

Each Party shall notify the other of the completion of its national procedures to bring this Agreement into force. The Agreement shall enter into force on the later of those notifications.

**ARTICLE 5**

**Agreement Deposit**

Upon completion of the national procedures bringing this Agreement into force, each Party shall take all the required steps to lodge this Agreement, including the coordinates in Article 1, with the appropriate International Bodies.

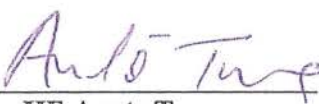
IN WITNESS WHEREOF, the representatives of the two States, being duly authorized for this purpose, have signed this Agreement.

DONE IN DUPLICATE at Rarotonga, Cook Islands this Wednesday 29<sup>th</sup> August 2012.

**FOR TUVALU**

  
\_\_\_\_\_  
**Hon. Willy Telavi**  
**Prime Minister**

**FOR KIRIBATI**

  
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**HE Anote Tong**  
**President**



# Annex

