

CHAPTER 2. INTERNATIONAL TREATIES AND SUPPLEMENTARY LEGISLATION

1. United Kingdom — Venezuela

- (a) TREATY RELATING TO THE SUBMARINE AREAS OF THE GULF OF PARIA, 26 FEBRUARY 1942. "BRITISH TREATY SERIES", NO. 10 (1942), CMD. 6400.

His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and the President of the United States of Venezuela.

Desiring in a spirit of goodwill to make provision for and to define as between themselves their respective interests in the submarine areas of the Gulf of Paria,

Have decided to conclude a treaty for that purpose and, to that end, have named as their Plenipotentiaries: . . .

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

Article 1. In this treaty the term "submarine areas of the Gulf of Paria" denotes the sea-bed and sub-soil outside of the territorial waters of the High Contracting Parties to one or the other side of the lines A-B, B-Y and Y-X.

Article 2. (1) His Majesty The King declares that he for his part will not assert any claim to sovereignty or control over those parts of the submarine areas of the Gulf of Paria which lie westerly of the line A-B, or southerly of the lines B-Y and Y-X respectively described in article 3 of the present treaty, and that he will recognize any rights of sovereignty or control which have been or may hereafter be lawfully acquired by the United States of Venezuela over the said parts of the submarine areas of the Gulf of Paria.

(2) The President of the United States of Venezuela declares that he for his part will not assert any claim to sovereignty or control over those parts of the submarine areas of the Gulf of Paria which lie easterly of the line A-B or northerly of the lines B-Y and Y-X respectively, described in article 3 of the present treaty, and that he will recognize any rights of sovereignty or control which have been or may hereafter be lawfully acquired by His Majesty The King over the said parts of the submarine areas of the Gulf of Paria.

Article 3. The lines A-B, B-Y and Y-X mentioned in the preceding article are drawn on the annexed map* and are defined as follows:

* Not reproduced.

Line A-B runs from point A, which is the intersection of the central meridian of the island of Patos with the southern limit of the territorial waters of the island, the approximate co-ordinates of which are: latitude $10^{\circ} 35' 04''$ N., longitude $61^{\circ} 51' 53''$ W. From there the line runs straight to point B which is situated at the limit of the territorial waters of Venezuela at the point of their intersection with the meridian of $62^{\circ} 05' 08''$ W., the approximate latitude of which is $10^{\circ} 02' 24''$ N.

Line B-Y runs from point B, already established, and follows the limits of the territorial waters of Venezuela to point Y, where the said limits intersect the parallel of $9^{\circ} 57' 30''$ N., the approximate longitude of which is $61^{\circ} 56' 40''$ W.

Line Y-X runs from point Y, already established, and follows the said parallel of $9^{\circ} 57' 30''$ N. to point X, situated on the meridian of $61^{\circ} 30' 00''$ W.

The longitude of the central meridian of the island of Patos to which this article refers shall be determined by taking the mathematical half of the most eastern and the most western longitudes of the said island.

Should the straight lines A-B or Y-X described in this article intersect in their course the outside limit of the territorial waters of either of the two high contracting parties, the dividing line shall follow along the said limit until it reaches again the intersecting straight line in conformity with the stipulations in articles 1 and 5 of this treaty, which exclude the bed of the sea and the sub-soil of territorial waters.

The co-ordinates of points A, B and Y which are here given approximately shall be determined with exactness by the Commission provided for in article 4 of this treaty.

Article 4. (1) The high contracting parties shall, as soon as practicable after the coming into force of this treaty, appoint a mixed Commission to take all necessary steps to demarcate the lines A-B, B-Y and Y-X by means of buoys or other visible methods on the surface of the sea or on the land as the case may be. Any buoys or other means employed shall, however, conform in all respects to the provisions of article 6 of this treaty.

(2) The manner in which this mixed Commission shall be constituted and the instructions to which it shall be subject for the fulfilment of its duties shall be laid down in a special protocol or by an exchange of notes.

Article 5. This treaty refers solely to the submarine areas of the Gulf of Paria, and nothing herein shall be held to affect in any way the status of the islands, islets or rocks above the surface of the sea together with the territorial waters thereof.

Article 6. Nothing in this treaty shall be held to affect in any way the status of the waters of the Gulf of Paria or any rights of passage or navigation on the surface of the seas outside the territorial waters of the contracting parties. In particular passage or navigation shall not be closed or be impeded by any works or installations which may be erected, which shall be of such a nature and shall be so constructed, placed, marked, buoyed and lighted, as not to constitute a danger or obstruction to shipping.

Article 7. Each of the high contracting parties shall take all practical measures to prevent the exploitation of any submarine areas claimed or occupied by him in the Gulf from causing the pollution of the territorial

waters of the other by oil, mud or any other fluid or substance liable to contaminate the navigable waters or the foreshore and shall concert with the other to make the said measures as effective as possible.

Article 8. Each of the high contracting parties shall cause to be inserted in any concession which may be granted for the exploitation of submarine areas in the Gulf of Paria stipulations for securing the effective observance of the two preceding articles, including a requirement for the use by the concessionaire of modern equipment, and shall cause the operation of any such concession to be supervised in order to ensure that the provisions of the present treaty are complied with.

Article 9. All differences between the high contracting parties relating to the interpretation or execution of this treaty shall be settled by such peaceful means as are recognized in international law.

(b) UNITED KINGDOM (TRINIDAD AND TOBAGO). SUBMARINE AREAS OF THE GULF OF PARIA (ANNEXATION) ORDER IN COUNCIL, 6 AUGUST 1942. "UNITED KINGDOM, STATUTORY RULES AND ORDERS, 1942", VOL. I, P. 919.

Whereas the Gulf of Paria and the adjacent waters are bounded by the coasts of Venezuela and the island of Trinidad respectively:

And whereas the Government of the Republic of Venezuela have annexed to Venezuela certain parts of the submarine areas of the Gulf of Paria:

And whereas it is expedient that the rest of the submarine areas of the Gulf of Paria should be annexed to and form part of His Majesty's dominions and should be attached to the Colony of Trinidad and Tobago for administrative purposes:

Now, therefore, His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Submarine Areas of the Gulf of Paria (Annexation) Order 1942.

2. In this Order the expression "submarine areas of the Gulf of Paria" means the sea bed and subsoil situated beneath the waters, excluding territorial waters, bounded as follows:

(a) By the parallel of $10^{\circ} 44'$ N. from its intersection with the coast of Venezuela in the Bocas del Dragon to its intersection with the coast of the island of Trinidad;

(b) Thence southward by the coast of the island of Trinidad to Roja Point; lat. $10^{\circ} 04'$ N., long. $61^{\circ} 30'$ W.;

(c) Thence by the meridian of $61^{\circ} 30'$ W. to its intersection with the coast of Venezuela;

(d) Thence by the coast of Venezuela to the point where it is intersected by the parallel of $10^{\circ} 44'$ N. in the Bocas del Dragon.

3. As from the date of this Order all the submarine areas of the Gulf of Paria which lie to the eastward and northward of a line drawn:

Point A from a point $10^{\circ} 35' 04''$ N., $61^{\circ} 51' 53''$ W.

Point B to a point $10^{\circ} 02' 24''$ N., $62^{\circ} 05' 08''$ W. thence along the limit of Venezuelan territorial waters.

Point Y to a point $9^{\circ} 57' 30''$ N., $61^{\circ} 56' 40''$ W.

Point X thence to a point $9^{\circ} 57' 30''$ N., $61^{\circ} 30' 00''$ W. shall be annexed to and form part of His Majesty's dominions and shall be attached to the Colony of Trinidad and Tobago for administrative purposes, and the said submarine areas are annexed and attached accordingly.

4. Nothing in this Order shall:

(a) Affect, or imply any claim to, any territory above the surface of the sea or any part of the high seas, or

(b) Prejudice any rights of passage or navigation on the surface of the sea.

5. The Governor of the said Colony shall, as soon as may be after the date of this Order, make regulations to ensure:

(1) That the marine areas within the limits specified in section 2 of this Order shall not be closed to navigation, and that any works or installations which may be erected shall be of such nature and shall be so constructed, placed, marked, buoyed and lighted as not to constitute a danger or obstruction to shipping.

(2) That all practicable measures shall be taken to prevent the exploitation of any of the said submarine areas from causing the pollution of coastal waters by oil, mud or any other fluid or substance calculated to contaminate the sea water or shore line.

6. His Majesty may at any time revoke, alter, add to or amend this Order.