

1942 TREATY BETWEEN GREAT BRITAIN AND NORTHERN IRELAND AND VENEZUELA RELATING TO THE SUBMARINE AREAS OF THE GULF OF PARIA

Signed in Caracas, Venezuela on 26 February 1942

No. 4829. — TREATY 1 BETWEEN HIS MAJESTY IN RESPECT OF THE UNITED KINGDOM AND THE PRESIDENT OF THE UNITED STATES OF VENEZUELA RELATING TO THE SUBMARINE AREAS OF THE GULF OF PARIA. SIGNED AT CARACAS, FEBRUARY 26th, 1942.

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:

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: Mr. Donald ST. CLAIR GAINER, C.M.G., O.B.E., his Envoy Extraordinary and Minister Plenipotentiary at Caracas; THE PRESIDENT OF THE UNITED STATES OF VENEZUELA: Dr. Caracciolo PARRA-PÉREZ, Minister of Foreign Relations:

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 E-Y and Y-X respectively described in Article 3 of the present Treaty, and that he will recognise 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 recognise 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 map¹ and are defined as follows :

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 said Island, the approximate coordinates of which are: Latitude 10° 35' 04" N., Longitude 61° 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° 05' 08" W., the approximate latitude of which is 10° 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° 57' 30" N., the approximate longitude of which is 61° 56' 40" W. Line Y-X runs from Point Y, already established, and follows the said parallel of 9° 57' 30" N. to Point X, situated on the meridian of 61° 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 subsoil 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, BY 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.

¹ Not reproduced.

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 recognised in International Law.

ARTICLE 10

The present Treaty shall be ratified in conformity with the respective laws of the High Contracting Parties and shall come into force upon the exchange of ratifications which shall take place in London.

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

Done in duplicate in the English and Spanish languages at Caracas, the 26th day of February, 1942.

(L. S.) D. ST. CLAIR GAINER

(L. S.) C. PARRA-PÉREZ