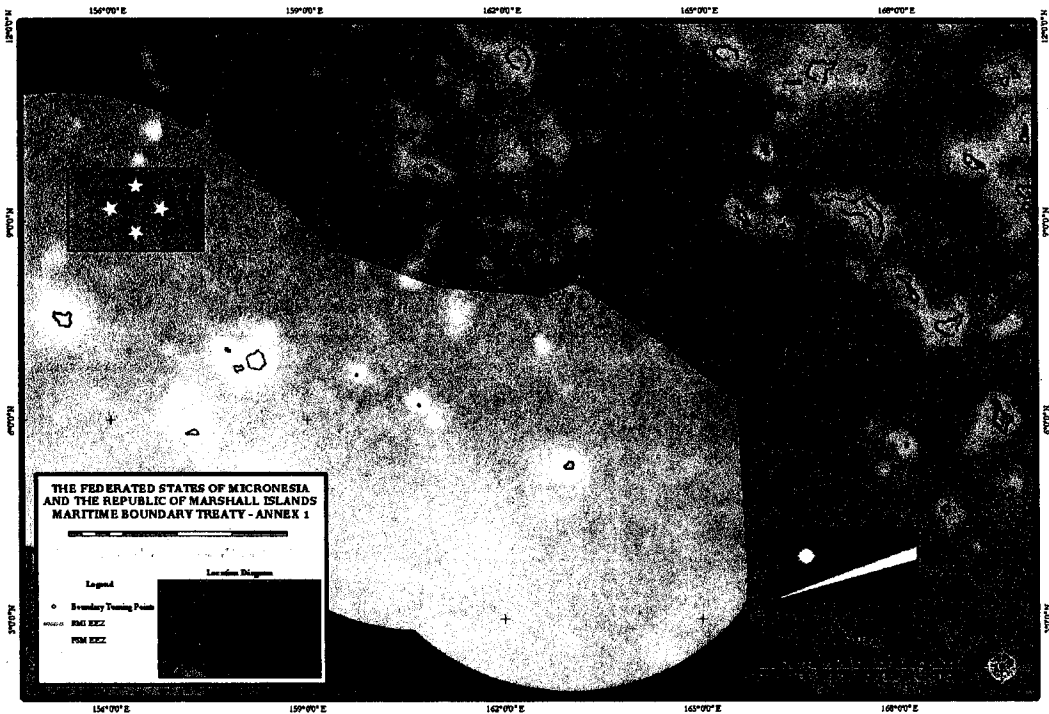


TREATY
BETWEEN
THE FEDERATED STATES OF MICRONESIA
AND
THE REPUBLIC OF THE MARSHALL ISLANDS
CONCERNING
MARITIME BOUNDARIES
AND
COOPERATION ON RELATED MATTERS



**TREATY BETWEEN THE FEDERATED STATES OF MICRONESIA
AND THE REPUBLIC OF THE MARSHALL ISLANDS CONCERNING
MARITIME BOUNDARIES AND COOPERATION ON RELATED MATTERS**

The sovereign countries of the Federated States of Micronesia and the Republic of the Marshall Islands;

DESIRING to strengthen the bonds of friendship between the two countries;

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

TAKING INTO ACCOUNT the rules and principles of international law as reflected in the 1982 United Nations Convention on the Law of the Sea.

HAVE AGREED AS FOLLOWS:

ARTICLE 1

Definitions

In this Treaty –

- (a) “Exclusive Economic Zone” means the adjacent waters, including seabed and subsoil, over which each respective Party has sovereign rights and exclusive jurisdiction for the purpose of exploring, protecting, utilizing, exploiting, conserving, regulating, and managing natural resources, whether living or non-living. Supplemental to and without prejudice to the foregoing sentence, the term “Exclusive Economic Zone” shall also include all rights and jurisdiction provided for in the 1982 United Nations Convention on the Law of the Sea to the extent not inconsistent with this Treaty.
- (b) “Party” means either the Federated States of Micronesia or the Republic of the Marshall Islands, or both, depending on the context in which the term is used. “Parties” refers to both countries.

ARTICLE 2

Maritime Jurisdiction

1. The line of delimitation between the exclusive economic zones and the continental shelves over which each Party respectively exercises sovereign rights in accordance with international law lies seaward of the islands of Kosrae, Pingelap, Mokil, Pohnpei, and Pakin, on the one hand and the island of Ebon, Namidrik, Ujae, and Ujelang on the other hand, along the geodesics connecting the following points, defined by their coordinates, in the order stated:

- a) commencing at the point of Latitude $10^{\circ}25'25''$ North, Longitude $157^{\circ}27'50''$ East;
 - b) running thence south-easterly along the geodesic to the point of Latitude $09^{\circ}39'44''$ North, Longitude $158^{\circ}10'26''$ East;
 - c) thence south-easterly along the geodesic to the point of Latitude $08^{\circ}33'26''$ North, Longitude $159^{\circ}24'13''$ East;
 - d) thence south-easterly along the geodesic to the point of Latitude $08^{\circ}18'31''$ North, Longitude $160^{\circ}09'47''$ East;
 - e) thence south-easterly along the geodesic to the point of Latitude $07^{\circ}59'10''$ North, Longitude $161^{\circ}00'01''$ East;
 - f) thence easterly along the geodesic to the point of Latitude $07^{\circ}51'24''$ North, Longitude $162^{\circ}37'27''$ East;
 - g) thence north-easterly along the geodesic to the point of Latitude $08^{\circ}03'31''$ North, Longitude $163^{\circ}04'18''$ East;
 - h) thence south-easterly along the geodesic to the point of Latitude $07^{\circ}11'01''$ North, Longitude $164^{\circ}20'22''$ East;
 - i) thence south-easterly along the geodesic to the point of Latitude $06^{\circ}17'01''$ North, Longitude $165^{\circ}30'35''$ East;
 - j) thence south along the geodesic to the point of Latitude $03^{\circ}33'25''$ North, Longitude $165^{\circ}40'34''$ East;
 - k) thence south along the geodesic to the point of Latitude $03^{\circ}11'29''$ North, Longitude $165^{\circ}38'06''$ East.
2. The geographical coordinates referred to in this Article are expressed in terms of the World Geodetic System 1984 (WGS84). Where for the purpose of this Agreement it is necessary to determine the position on the surface of the Earth of a point, line or area, that position may be determined by reference to WGS84 in respect of a spheroid having its centre at the centre of the Earth, and a major (equatorial) radius of 6,378,137 meters and a flattening of $1/298.257\ 223\ 563$.
 3. The line described in paragraph 1 of this Article is drawn for illustrative purposes on the map forming Annex 1 to this Agreement.
 4. This Agreement shall define the boundary between the zones over which the Parties exercise, or will exercise, jurisdiction or sovereign rights in accordance with international law.
 5. Should future surveys indicate significant shifts in the geographic location of islands used as base points in determining the line of delimitation, technical experts nominated by both parties shall collaborate in recommending revised coordinates of the agreed line, in accordance with the principles used for this agreement.

6. The revised recommended coordinates, determined in accordance with paragraph 4, shall be implemented after agreement in writing by both parties.

ARTICLE 3

Dispute Resolution

Any dispute between the two Governments over the interpretation or implementation of this Agreement shall be settled peacefully by consultation and negotiation. Such dispute resolution shall be in accordance with the generally accepted International Law principles for peaceful resolution of Treaty disagreements.

ARTICLE 4

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 paragraph 1 of Article 2, 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 5

Cooperation on Living Resources

As circumstances permit, the Parties shall consult with a view toward cooperation regarding the management, conservation, and utilization of the living resources of their respective Exclusive Economic Zones, with particular regard to highly migratory species, sustainability, and the participation by non-Parties in the exploitation of the living resources of such zones.

ARTICLE 6

Protection of the Marine Environment

As circumstances permit, the Parties shall consult with a view toward coordination of their policies, in accordance with international law, with respect to the protection of the

marine environment and the conduct of marine research in their respective Exclusive Economic Zones. This includes exploring possibilities for cooperation in the area of maritime enforcement of environmental and fishing laws and regulations.

ARTICLE 7

Entry into Force

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

ARTICLE 8

Treaty Deposit

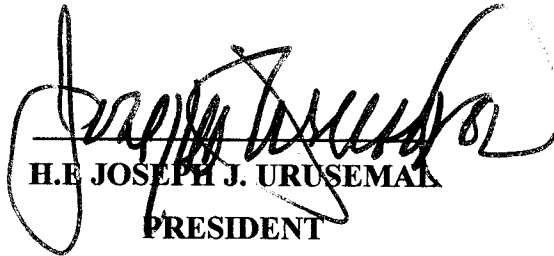
Upon completion of the constitutional procedures bringing this Agreement into force, each party shall take all the required steps to lodge this Agreement, in particular the coordinates in Article 2, with the appropriate International Bodies.

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

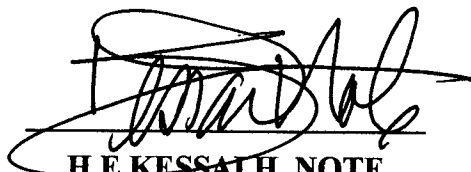
DONE IN DUPLICATE at **MAJURO**, REPUBLIC OF THE MARSHALL ISLANDS this
5th day of JULY 2006.

**FOR THE GOVERNMENT OF THE FEDERATED STATES OF
MICRONESIA**



H.E. JOSEPH J. URUSEMAR
PRESIDENT

**FOR THE GOVERNMENT OF THE REPUBLIC OF THE MARSHALL
ISLANDS**



H.E. KESSATH H. NOTE
PRESIDENT

156°0'0"E

159°0'0"E

162°0'0"E

165°0'0"E

168°0'0"E

9°0'0"N

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6°0'0"N

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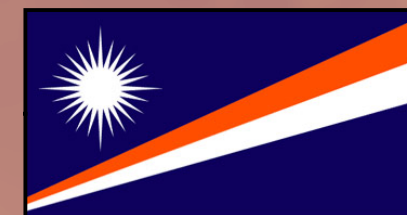
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THE FEDERATED STATES OF MICRONESIA AND THE REPUBLIC OF MARSHALL ISLANDS MARITIME BOUNDARY TREATY - ANNEX 1

Map produced by the National Oceanic Resources Management Authority (NORMA), Federated States of Micronesia and the Marshall Islands Marine Resources Authority (MIMRA), Republic of Marshall Islands

2006

Location Diagram

Legend

- Boundary Turning Points
- RMI EEZ
- FSM EEZ

Pakin

Pohnpei

Mokil

Pingelap

Kosrae

Namorik

Ebon

Ujelang

Ujae

01

02

03

04

05

06

07

08

09

10

11

NOTE :

ILLUSTRATIVE DIAGRAM ONLY
NOT TO BE USED FOR NAVIGATION

