

Exchange of Notes dated 18 October 2001 and 31 October 2001 between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland constituting an agreement pursuant to Article 83 paragraph 3 of the United Nations Convention on the Law of the Sea 1982 on the provisional delimitation of an area of the continental shelf(1)

I

Presented to Dáil Éireann by the Minister for Foreign Affairs
Office of the Minister for the Marine and Natural Resources
18 October 2001

Dear Secretary of State,

I have the honour to refer to the discussions between the officials of the Irish and British Governments concerning the proposed construction of an interconnector pipeline between Beattock near Moffat in Scotland and Gormanston in Ireland for the transmission of natural gas.

The proposed route of that interconnector would pass over sea bed which does not lie under the jurisdiction of either Ireland or the United Kingdom of Great Britain and Northern Ireland and which has not been the subject of an agreement between the two Governments concerning the delimitation of areas of the Continental Shelf between the two States. It is necessary to ensure that the relevant legislation of one or other of the two States will be applicable to the entire length of the proposed pipeline without prejudice to any future agreement between the two Governments concerning the delimitation of this area of the Continental Shelf between the two States.

Accordingly, in accordance with Article 83(3) of the United Nations Convention on the Law of the Sea done at Montego Bay on 10 December 1982, I have the honour to propose on behalf of the Government of Ireland that, as a provisional arrangement of a practical nature, in the area north of latitude 53 degrees 46 minutes North and south of latitude 54 degrees North, the Irish Government shall designate under its Continental Shelf legislation the area south of the straight (geodesic) line going through the following points (WGS 84 Datum in degrees minutes and seconds):

Point C	53° 52' 13.42"N	05° 49' 33.47"W
Point 2	53° 46' 00.00"N	05° 22' 00.00"W

and the British Government shall designate under its Continental Shelf legislation the area north of the line going through the points set out above. I further propose that the said designations shall be without prejudice to any future agreement between the two Governments on the delimitation of the Continental Shelf in the area referred to above.

If the foregoing proposal is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland I have the honour to propose that this Note and your reply to that effect shall constitute an agreement between our two Governments, which shall enter into force on the date of your reply.

Yours sincerely,

Frank Fahey, T.D.
Minister for the Marine and Natural Resources

II

Foreign and Commonwealth Office

The Rt. Hon. Peter Hain MP
Minister for Europe

Frank Fahey T.D.
Minister for the Marine and Natural Resources
Leeson Lane
Dublin 2

31 October 2001

Dear Mr. Fahey

I have the honour to refer to your letter dated 18 October that reads as follows:

“Dear Minister of State

I have the honour to refer to the discussions between the officials of the Irish and British Governments concerning the proposed construction of an interconnector pipeline between Beattock near Moffat in Scotland and Gormanston in Ireland for the transmission of natural gas.

The proposed route of that interconnector would pass over sea bed which does not lie under the jurisdiction of either Ireland or the United Kingdom of Great Britain and Northern Ireland and which has not been the subject of an agreement between the two Governments concerning the delimitation of areas of the Continental Shelf between the two States. It is necessary to ensure that the relevant legislation of one or other of the two States will be applicable to the entire length of the proposed pipeline without prejudice to any future agreement between the two Governments concerning the delimitation of this area of the Continental Shelf between the two States.

Accordingly, in accordance with Article 83(3) of the United Nations Convention on the Law of the Sea done at Montego Bay on 10 December 1982, I have the honour to propose, on behalf of the Government of Ireland that, as a provisional arrangement of a practical nature, in the area north of latitude 53 degrees 46 minutes North and south of latitude 54 degrees North, the Irish Government shall designate under its Continental Shelf legislation the area south of the straight (geodesic) line going through the following points (WGS 84 Datum in degrees minutes and seconds):

Point C	53° 52' 13.42"N	05° 49' 33.47"W
Point 2	53° 46' 00.00"N	05° 22' 00.00"W

and the British Government shall designate under its Continental Shelf legislation the area to the north of the line going through the points set out above. I further propose that the said designations shall be without prejudice to any future agreement between the two Governments on the delimitation of the Continental Shelf in the area referred to above.

If the foregoing proposal is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland I have the honour to propose that this Note and your reply to that effect shall constitute an agreement between our two Governments, which shall enter into force on the date of your reply.”

I have the honour to inform you that the foregoing proposal is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, and therefore agree that your Letter and the present reply shall constitute an Agreement between our two Governments which shall enter into force on the date of this reply”.

I have the honour to convey to you Sir the assurances of my highest consideration.

Peter Hain

Endnotes

1 (Note - Note)

Source: IRELAND TREATY SERIES 2002

N° 8

Entered into force on 31 October 2001.