

Translated from French

Ambassador of the Netherlands to France

The Embassy of the Netherlands presents its compliments to the Ministry of Europe and Foreign Affairs of France and has the honour to provide the following information.

The Netherlands wishes to protest against Decree No. 2017-1511 of 30 October 2017, submitted by France to the Division for Ocean Affairs and the Law of the Sea of the United Nations on 22 December 2017, which defines the baselines from which the breadth of the territorial sea adjacent to the French Antilles is measured. Article 5 of the Decree refers to a new base point, called SM13.

The Netherlands maintains that its authority extends to all of the waters of the bay of Étang aux Huîtres (Oyster Pond). The new base point included in Decree No. 2017-1511 constitutes a deviation from the points defined by Decree No. 99-324 of 21 April 1999, according to which the baseline is positioned outside the bay of Étang aux Huîtres.

The Netherlands notes that France has not raised any objection to the route of the baseline of the territorial sea of Sint Maarten outside the bay of Étang aux Huîtres, which France itself previously delineated. The Netherlands considers that the addition of a new base point in Decree No. 2017-1511 does not prejudge the demarcation of the border. It is of the view that legislative texts adopted subsequent to the decision to enter into negotiations on the delineation of the land border cannot be considered in that regard.

It is convinced that the divergence of views concerning the status of the bay of Étang aux Huîtres should not call into question either the quality or the consistency of cooperative relations between the two parts of the island and that mutual efforts and dialogue remain necessary to continuing to move forward while advancing and preserving a spirit of cooperation.

The Embassy of the Netherlands takes this opportunity to convey to the Ministry of Europe and Foreign Affairs of France the renewed assurances of its highest consideration.

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