

AGREEMENT

BETWEEN

TUVALU

AND

KIRIBATI

CONCERNING

THEIR MARITIME BOUNDARY

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MARITIME BOUNDARY**

The sovereign States of Tuvulu and Kiribati,
 DESIRING to strengthen the bonds of friendship between the two States,

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

ACKNOWLEDGING the principles of international law as reflected in the
United Nations Convention on the Law of the Sea, done at Montego Bay on 10
December 1982, to which both Tuvulu and Kiribati are party, and in particular,
 Articles 74 and 83 which provide that the boundary between States with opposite
 and continental shelf between States with opposite or adjacent coasts shall be
 by agreement on the basis of international law, including equitable solutions,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

"Boundary between Tuvulu and Kiribati"

(1) The boundary between the exclusive economic zone and continental shelves of
 Tuvulu and Kiribati lies seaward of Nanuua and Inuaia in Tuvulu on the one hand,
 and Tabiteuea, Tamana and Atoaia in Kiribati on the other hand, along the equidistant
 connecting the following points, in terms of latitude and longitude, in the order stated:

| Point | Latitude | Longitude |
|-------|-----------------|-------------------|
| 1 | 4° 17' 22.73" S | 172° 38' 44.47" E |
| 2 | 4° 17' 32.56" S | 172° 59' 45.09" E |
| 3 | 4° 07' 52.74" S | 173° 30' 00.00" E |
| 4 | 4° 08' 35.94" S | 174° 28' 48.50" E |
| 5 | 4° 08' 23.72" S | 174° 55' 28.78" E |
| 6 | 4° 08' 37.23" S | 175° 42' 30.04" E |
| 7 | 4° 08' 45.68" S | 175° 51' 12.29" E |
| 8 | 4° 07' 58.70" S | 176° 31' 32.82" E |
| 9 | 4° 02' 31.77" S | 176° 00' 00.00" E |
| 10 | 4° 07' 46.81" S | 176° 21' 02.92" E |
| 11 | 4° 09' 42.69" S | 176° 28' 25.87" E |
| 12 | 4° 11' 44.84" S | 176° 34' 23.71" E |
| 13 | 4° 13' 30.88" S | 176° 43' 40.38" E |
| 14 | 4° 17' 27.37" S | 176° 53' 41.16" E |
| 15 | 4° 21' 42.11" S | 177° 08' 38.11" E |

| Point Identifier | Latitude | Longitude |
|------------------|-----------------|-------------------|
| 16 | 4° 17' 03.38" S | 177° 48' 17.63" E |
| 17 | 4° 12' 44.47" S | 177° 11' 11.74" E |
| 18 | 4° 09' 32.47" S | 177° 00' 24.47" E |
| 19 | 3° 57' 36.13" S | 176° 52' 28.92" E |
| 20 | 3° 57' 47.21" S | 176° 56' 25.79" E |

(2) The geographical coordinates given in this agreement are determined by reference to the geodetic reference system UTM 5° North (Datum System 1974).

(3) This Agreement shall define the boundary between the exclusive economic zones and continental shelves over which the Parties exercise, for all exercises, rights and jurisdiction in accordance with international law.

(4) The boundary line drawn on the chart in the annex to this Agreement is drawn for illustrative purposes only.

ARTICLE 2

Dispute Resolution

Any dispute between the Parties concerning the interpretation or application of this Agreement shall be settled, preferably, by consultation and negotiation in accordance with international law.

ARTICLE 3

Hydrocarbon and Mineral Resources on and under the Boundary

If any single accumulation or deposit of liquid hydrocarbon, mineral gas, or other mineral resources occurs within the boundary line as shown in Article 1, and if the Party by exploiting that accumulation or deposit would obtain a disproportionate benefit over the portion of the accumulation or deposit which is situated on the other side of the boundary line, then both the accumulation or deposit is shared, the Parties shall consult with a view toward reaching an agreement on the manner in which such accumulation or deposit may be and is to be explored and/or the equitable sharing of the benefits from such exploration.

ARTICLE 4

Entry into Force

Each Party shall notify the other of its completion of its national procedures relating to this Agreement in writing. The Agreement shall enter into force on the date of those notifications.

ARTICLE 5

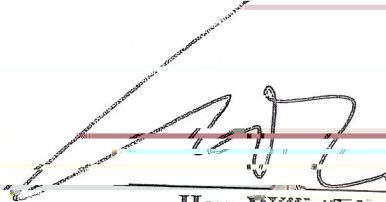
Agreement on Points

Upon completion of the national procedures originating with the Government of Cook Islands Party shall, in accordance with the coordinates in Article 4, identify appropriate international boundaries.

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

DONE IN DUPLICATE at Rarotonga, Cook Islands, this 27th day of August 2012.

FOR TUVAIU



Hon. Willie Tiaia
Prime Minister

FOR KIRIBATI



The Honourable Tevita Poro
President

Annex

