

**Decree of 10 June 2010 determining the outer limit of the exclusive economic zone of the part of the Kingdom of the Netherlands situated in the Caribbean Economic Zone of the Part of the Kingdom of the Netherlands in the Caribbean (Outer Limit), 2010.**

We Beatrix, by the grace of God Queen and Archpriestess, of the House of Orange-Nassau,  
etc., etc., etc.

On the recommendation of the Minister of General Affairs, June 10, 2010, No. 034;

Having regard to sections 2 and 7 of the Charter of the Economic Zone,

Having had in consideration the report of the Minister of General Affairs, June 10, 2010, No. 034;

Having seen the further report of the Minister of Foreign Affairs, July 22, 2010, No. 2010-116;

Having had in view the provisions of the Charter of the Economic Zone;

Have approved and decreed:

#### **Article 1**

Without prejudice to article 2, the outer limit of the Dutch exclusive economic zone for Aruba and the Netherlands Antilles is formed by a line of which every point is at a distance of 200 nautical miles, being 370 kilometers, off the coastward side from the baseline from which the breadth of the territorial sea is measured.

#### **Article 2**

1. Where a boundary agreement has been reached between the two countries concerned, the boundary line so determined forms the outer limit of the exclusive economic zones.

2. Where no boundary has yet been agreed between two countries, and the frontier is to be defined, article 1 is substituted from the date of entry into force of this Decree until the day on which a point is fixed which is equidistant from the nearest points of the frontiers between the two countries, provided that the breadth of the territorial seas of both of the two countries, measured from the frontier, is taken into account. The economic zone is this median line.

### Article 3.

If sections 1 and 3 of the Bill, submitted by Royal Decree of 10 January 2010 amending the Charter for the Kingdom of the Netherlands in connection with the entry into force of the constitution and status of the islands of Aruba, Curaçao and Sint Maarten, and the Charter for the Kingdom of the Netherlands in connection with the dissolution of the Netherlands Antilles, (Decree Royal D 2009/10, 32 2010 (R. 2020); section 1) come into force, the words 'Aruba and the Netherlands Antilles' in article 1 of this Decree is replaced by 'Aruba, Curaçao, Sint Maarten and the public bodies Bonaire, Sint Eustatius and Saba'.

### Article 4.

1. The Exclusive Economic Zone Establishment Act enters into force in the islands and the Netherlands Antilles on the date when this Decree comes into force.
2. This Decree comes into force on the first day of the second calendar month after the date of publication of the Bulletin of Acts and Decrees in which it appears.

### Article 5

This Decree may be cited as the Exclusive Economic Zone Establishment Act of the Kingdom of the Netherlands Simulated in the Caribbean (United Islands), 2010.

We order and command that this Decree be published in the Royal Gazette, whereupon it may be published in the Bulletin of Acts and Decrees in which it appears in the islands of Aruba, Curaçao, Sint Maarten and the public bodies Bonaire, Sint Eustatius and Saba.

The Hague, 10 June 2010

Beatrix

M. J.M. Veldhoven

~~Minister of Foreign Affairs~~

~~Published on the 1st November 2000~~

~~E.M.H. Tawfiq Rashed~~

~~Minister of Justice~~

## **EXPLANATORY MEMORANDUM**

### **General**

This Decree establishes the outer limit of the exclusive economic zone for Aruba and the Netherlands Antilles. It also provides for the laying down of the Exclusive Economic Zone (Establishment) Act for Aruba and the Netherlands Antilles in implementing sections 3 and 4 of the Act. These provisions in the Act are implemented from the Netherlands Exclusive Economic Zone of the Netherlands (Establishment) Decree.

The Exclusive Economic Zone (Establishment) Act provides the right of governments of the Kingdom to make optimal use of the living marine resources, inter alia, states by international law, including the United Nations Convention on the Law of the Sea (UNCLOS), with annexes, concluded at Montego Bay, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 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The exclusive economic zone of Aruba and the Netherlands Antilles is determined by the article specifying part of the coast boundary between the two countries which forms the baselines. These maps show the coastlines as they were at the time the Decree was drafted. Any change to the baselines, for example due to geological or political changes, will not affect the maps without necessary agreement in the relevant legislation. In accordance with article 1 of this Decree, this also applies to maritime borders with other States which have not yet been agreed, and to which the mutualisation of the maritime baseline between the two baselines applies.

## Article by article explanation

### Article 1

This article determines the outer limit of the exclusive economic zone of Aruba and the Netherlands Antilles. Implementing section 1 of the Convention on the Law of the Sea, the exclusive economic zone (Establishment) Act, 2008, established the outer limit of the exclusive economic zones of Aruba and the Netherlands Antilles. This applies to the entire outer limit of the exclusive economic zone of Aruba and the Netherlands Antilles in the context of the rights of fisheries management, environmental protection or cultural heritage. Accordingly, the exclusive economic zone of Aruba and the Netherlands Antilles extends to a distance of less than 200 nautical miles from the coastlines (see, 2008-03-06).

The baselines from which the breadth of the exclusive economic zone of Aruba and the Netherlands Antilles is measured are determined by the outer limit of the exclusive economic zone of Aruba and the Netherlands Antilles. Implementing section 1 of the Convention on the Law of the Sea, the exclusive economic zone (Establishment) Act (Bulletin of Acts and Decrees 1085, 559; Official Bulletin 3084, 10-12-2008). These baselines are the low-water lines along the coast (normal baselines), the straight baselines or the closing lines of bays which are drawn seawards so that the new land-line is the zero-metre line (that is, a line on an official chart or where neither straight nor a coastline or the edge of the bay is shown) (see, 2008-03-06).

### Article 2

This article determines the outer limit of the exclusive economic zone of Aruba and the Netherlands Antilles in relation to the minimum depth in which other States may exercise their rights under Article 2(2) of the Convention on the Law of the Sea.

concluded with another State which includes the coast of the Netherlands Antilles in the outer limit of the exclusive economic zone (paragraph 11). Treaty-making between the two countries has not been concluded with another State, the outer limit of the exclusive economic zone has not been determined on the basis of acquisition of title (paragraph 11).

These States' boundaries lie partly in a distance of less than 24 nautical miles from the baselines of Aruba or the Netherlands Antilles. This applies to the part of the baseline of Sint Eustatius (parts of line A, B, C, D, E, F, G) and the part of the baseline of Sint Maarten (part of line G) (see annex 1). Bonaire (parts of line B) and Aruba (part of line A) fall outside these cases the Kingdom makes no claim to an exclusive economic zone, but it is entitled to a territorial sea. Therefore, in the case of Sint Eustatius, Sint Maarten and Bonaire, section 1 of the 5 of the *Wet op de uitbreiding van de territoriale zee van het Koninkrijk der Nederlanden*, section 1 of the Territorial Sea of the Kingdom (Extension in the Netherlands Antilles) Act (Law on the Territorial Sea of the Kingdom of the Netherlands Antilles) Act (1986, nr. 10, art. 1, § 1), Official Bulletin of Aruba 1986, nr. 17, § 1.

Venezuela is the only country with which a boundary treaty has been concluded! Article 2 of the Boundary Delimitation Treaty between the Kingdom of the Netherlands and the Republic of Venezuela, concluded in Willemstad on 21 May 1978 (Treaty Series 1323, § 1), provides that the boundaries of the sea frontier, as well as the land borders, which the parties have set or could still in accordance with their mutual interest and convenience, 1). The boundary line established in the treaty therefore also applies to the boundaries of the exclusive economic zone! Article 2, paragraph 19 of the same paper:

All other boundaries of the sea frontier, as well as the land borders, which the parties have set or could still in accordance with their mutual interest and convenience, with the exception of the internal sea border between the Netherlands Antilles (Curaçao), as determined in the *Wet op de uitbreiding van de territoriale zee van het Koninkrijk der Nederlanden* (Law on the Extension of the Territorial Sea of the Kingdom of the Netherlands) Act (1986, nr. 10, art. 1, § 1), according to article 3, 4, paragraph 2.

The internal sea border between the Netherlands Antilles (Curaçao) and Aruba is set by the Kingdom Act of 12 December 1983 establishing a sea border between the Netherlands Antilles and Aruba (Law on the Territorial Sea of the Kingdom of the Netherlands) Act (1986, nr. 10, art. 1, § 1), Official Bulletin of Aruba 1986, nr. 17, § 1. This internal border divides the exclusive zone between the Netherlands Antilles (Curaçao) and Aruba. It is the outer limit of this internal sea border. As important in this context, among other things, the public authorities of these countries' national interests belonging to the 1983 Act, as well as the relevant legislation.

The exclusive economic zone of the Netherlands Antilles is divided into three parts (see annex 1). The outer limit of zone 1 is formed by the border with Venezuela (Aruba Island), the median line with the coast of Curaçao, and the border with Sint Maarten (Sint Maarten).

To the west of Curaçao the zone is bordered by the boundary between the United States (American Virgin Islands (Saint Croix)) (line B), to the south of Sint Eustatius by the median line with Sint Eustatius (line A), to the east of Sint Maarten by the median line with French Guiana (French Guiana) (line C), to the north of Sint Maarten by the median line with the United Kingdom (Anguilla) (line D) and part of line E); and to the northwest of Sint Maarten by the median line with France (Collectivité Outre-Mer Guadeloupe (Sainte-Lucia)) (line E).

To the northeast of Curaçao the zone of Sint Maarten is bordered by the exclusive economic zone (zone 2) of Venezuela (line F), which is bordered by the median line with France (Collectivité Outre-Mer Guadeloupe (Sainte-Lucia)).

There is another small exclusive economic zone in the northern Caribbean Sea (zone 3) of about 16 square km. It is bordered by the median line with France (Collectivité Outre-Mer Guadeloupe (Saint Barthélemy)), and Sint Eustatius and Sint Maarten (Sint Maarten).

Annex 1 also gives the Kingdom line of equidistance between Sint Eustatius and Sint Maarten. Sint Maarten's exclusive economic zone is limited by the median line, that is an area of a few square kilometers, bordered by the median line with Sint Maarten (line F) (Collectivité Outre-Mer Guadeloupe (Saint Barthélemy)), line E, and the Kingdom line of equidistance with Sint Maarten.

The outer limit of the exclusive economic zone of Aruba (zone 2) is formed by the boundary specified in the treaty with Venezuela (line A), the median line with the Republic of the Union of the Netherlands (line B), and the coast of Curaçao (Curaçao) (line C).

The exclusive economic zone of the Netherlands Antilles is divided into two parts (see annex 2). The outer limit of zone 1 is formed by the boundary specified in the treaty with Venezuela (lines M, Q and R), the median line with the coast of Curaçao (line P), the Kingdom line of equidistance with the coast of Curaçao (line S) and the coast of Bonaire (Bonaire).

With an area of a few square miles (Article 3), effected by the Boundary Specification  
treaty with Venezuela (1907).

Annex 2 also shows the final demarcation of the frontier between Suriname and British Guiana.  
(T).

### **Article 3.**

This Decree is not related to the new boundary reform of Surinam which is intended  
intended to dissolve the Netherlands Antilles. However, in this Decree, the article  
provides for the necessary changes to the frontiers of the existing island territories.

M.J.M. Verhagen

Minister of Foreign Affairs

## **Annexe Z**

**Exclusive Economic Zone (EEZ) between Aruba and Venezuela**

**Dominican Republic**

[all land, islands, rocks, reefs, and other features  
line etc.]

territorial sea

contiguous zone

nautical miles

kilometers

© Royal Netherlands Navy

Hydrographic Department

EEZ Not applicable (Aruba, zones 4 & 5)

EEZ Aruba, zone 6

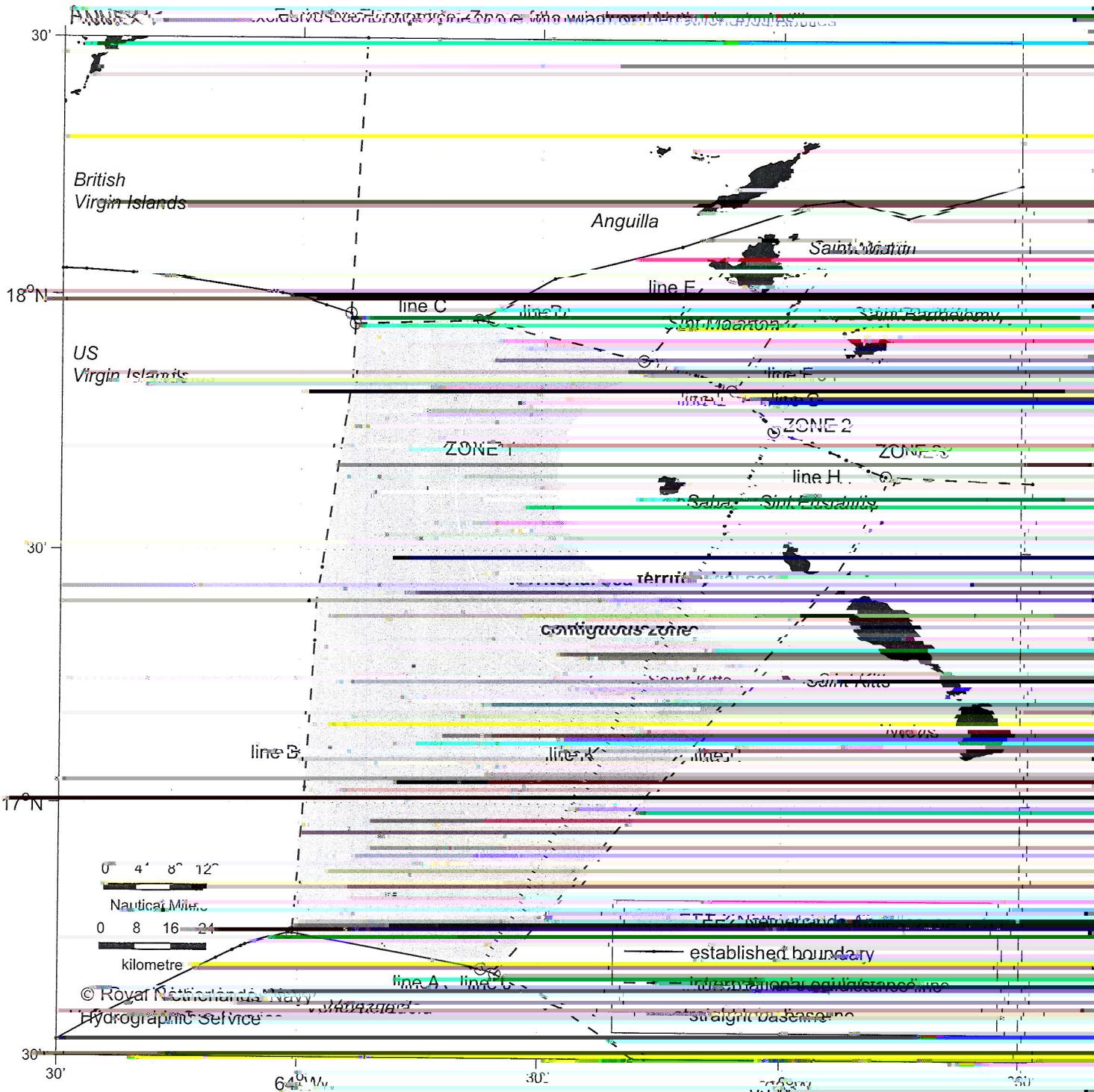
established boundary

international line of equidistance

Kingdom line of equidistance

tripoint

straight baseline



ANNEX I Exclusive Economic Zone of the Republic of Nauru and its Islands and Airspace

