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TS IN THE SEA

TRINIDAD & TOBAGO - VENEZUELA

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LIMITS IN THE SEAS

No. 11

CONTINENTAL SHELF BOUNDARY: Trinidad and Tobago-Venezuela

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Office of the Geographer
Bureau of Intelligence and Research

CONTINENTAL SHELF BOUNDARY: TRINIDAD AND TOBAGO-VENEZUELA

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of Venezuela signed an Agreement on February 26, 1942, relating to the division of the submarine areas of the Gulf of Paria. Ratifications were exchanged and the Agreement came into force on September 22, 1942.

The Gulf of Paria is a shallow inlet of the Atlantic Ocean between Venezuela and the island of Trinidad. The maximum depth is 150 fathoms in the Boca Grande, which is the northern entrance into the Gulf of Paria. This depth is outside the area delimited by the Agreement dividing the Gulf of Paria. In the middle of the Gulf the depths average from 10 to 20 fathoms.

This Agreement relating to the Gulf of Paria was the first international accord reached concerning the division of the continental shelf. Since the establishment of the Agreement, the then British colony of Trinidad and Tobago has become the independent country of Trinidad and Tobago. The new country acceded to the provisions of the Agreement. Both Trinidad and Tobago and Venezuela are parties to the Geneva Convention on the Continental Shelf.

The Agreement set forth the following principles:

Article 1

In this Treaty the term "submarine areas of the Gulf of Paria" denotes the sea-bed and sub-soil outside of the territorial waters of the High Contracting Parties to one or the other side of the lines A-B, B-Y and Y-X.

Article *2*

(1) His Majesty the King declares that he for his part will not assert any claim to sovereignty or control over those parts of the submarine areas of the Gulf of Paria which lie westerly of the line A-B or southerly of the lines B-Y and Y-X respectively described in Article 3 of the present Treaty and that he will recognize any rights of sovereignty or control which have been or may hereafter be lawfully acquired by the United States of Venezuela over the said parts of the submarine areas of the Gulf of Paria.

(2) The President of the United States of Venezuela declares that he for his part will not assert any claim to sovereignty or control over those parts of the submarine areas of the Gulf of Paria which lie easterly of the line A-B or northerly of the lines B-Y and Y-X respectively, described in Article 3 of the present Treaty and that he will recognize any rights of sovereignty or control which have been or may hereafter be lawfully acquired by His Majesty the King over the said parts of the submarine areas of the Gulf of Paria.

Article 3

The lines A-B, B-Y and Y-X mentioned in the preceding Article are drawn on the annexed map and are defined as follows:

Line A-B runs from Point A, which is the intersection of the central meridian of the Island of Patos with the Southern limit of the territorial waters of the said Island, the approximate coordinates of which are: Latitude 10º 35' 04" N, Longitude 61º 51' 53" W. From there the line runs straight to Point B which is situated at the limit of the territorial waters of Venezuela at the point of their intersection with the meridian 62º 05' 08" W, the approximate latitude of which is 10º 02' 24" N.

Line B-Y runs from Point B, already established, and follows the limits of the territorial waters of Venezuela to Point Y, where the said limits intersect the parallel of 9º 57' 30" N, the approximate longitude of which is 61º 56' 40" W.

Line Y-X runs from Point Y, already established, and follows the said parallel of 9º 57' 30" N. to Point X, situated on the meridian of 61º 30' 00" W.

The Longitude of the central meridian of the Island of Patos to which this Article refers shall be determined by taking the mathematical half of the most eastern and the most western longitudes of the said Island.

Should the straight lines A-B or Y-X described in this Article intersect in their course the outside limit of the territorial waters of either of the two High Contracting Parties, the dividing line shall follow along the said limit until it reaches again the intersecting straight line in conformity with the stipulations in Article 1 and 5 of this Treaty, which exclude the bed of the sea and the subsoil of territorial waters.

The coordinates of points A, B and Y which are here given approximately shall be determined with exactness by the Commission provided for in Article 4 of this Treaty.

Article 4

(1) The High Contracting Parties shall, as soon as practicable after the coming into force of this Treaty, appoint a mixed Commission to take all necessary steps to demarcate the lines A-B, B-Y and Y-X by means of buoys or other visible methods on the surface of the sea or on the land as the case may be. Any buoys or other means employed shall, however, conform in all respects to the provisions of Article 6 of this Treaty.

(2) The manner in which this mixed Commission shall be constituted and the instructions to which it shall be subject for the fulfillment of its duties shall be laid down in a special protocol or by an exchange of notes.

Article 5

This Treaty refers solely to the submarine areas of the Gulf of Paria, and nothing herein shall be held to affect in any way the status of the islands, islets or rocks above the surface of the sea together with the territorial waters thereof.

Article 6

Nothing in this Treaty shall be held to affect in any way the status of the waters of the Gulf of Paria or any rights of passage or navigation on the surface of the seas outside the territorial waters of the Contracting Parties. In particular passage or navigation shall not be closed or be impeded by any works or installations which may be erected, which shall be of such a nature and shall be so constructed, placed, marked, buoyed and lighted, as not to constitute a danger or obstruction to shipping.

Article 7

Each of the High Contracting Parties shall take all practical measures to prevent the exploitation of any submarine areas claimed or occupied by him in the Gulf from causing the pollution of the territorial waters of the other by oil, mud or any other fluid or substance liable to contaminate the navigable waters or the foreshore and shall concert with the other to make the said measures as effective as possible.

Article 8

Each of the High Contracting Parties shall cause to be inserted in any concession which may be granted for the exploitation of submarine areas in the Gulf of Paria stipulations for securing the effective observance of the two preceding Articles, including a requirement for the use by the concessionaire of modern equipment, and shall cause the operation of any such concession to be supervised in order to ensure that the provisions of the present Treaty are complied with.

Article 9

All differences between the High Contracting Parties relating to the interpretation or execution of this Treaty shall be settled by such peaceful means as are recognized in International Law.

Article 10

The present Treaty shall be ratified in conformity with the respective laws of the High Contracting Parties and shall come into force upon the exchange of ratifications which shall take place in London.

In witness whereof the above named Plenipotentiaries have signed the present Treaty and

have affixed thereto their seals.
Done in duplicate in the English and Spanish languages at Caracas, the 26th day of February of 1942.

ANALYSIS

The map accompanying this study shows two different interpretations of the continental shelf boundary as delimited in the 1942 Agreement. The discrepancy in the two boundaries may be attributed to the difference in hydrographic charts used in delimiting the boundary.

The Line A-B-Y-X is the CSB agreed upon at the time the Agreement was signed in 1942. However, in applying the Agreement to more recent hydrographic charts, the CSB becomes Line 1-2-3-4-5-6-7-X. The factor causing the difference in the two CSB's is the use of the Venezuelan three-mile territorial sea as a segment in the boundary.

Based on U.S. Navy Hydrographic Chart No. 5587 (3rd Ed.), 1964, the following comments can be made on locational changes on the original Agreement Map.

Point A of the original CSB was to be located at "the intersection of the central meridian of the Island of Patos with the Southern limit of the territorial waters of said island." The point fitting this locational description is not Point A, but rather it is Point 1.

The Agreement stated that Point B should be at the "limit of the territorial waters of Venezuela." The correct location of this site is Point 2.

In the Agreement it states that Line B-Y "follows the limits of the territorial waters of Venezuela." However, the correct line is 2-3-4-5. Within this segment of the revised CSB, there is the problem of the territorial seas of Trinidad and Tobago and Venezuela overlapping, i.e., segment 3-4. Segment 6-7 represents another alteration in the CSB as a result of the location of the Venezuelan territorial sea.

The Agreement states that, "Should the straight lines A-B or Y-X intersect in their course the outside limit of the territorial waters of either of the two countries, the dividing line shall follow along the said limit until it reaches the intersecting straight line." This statement supports the acceptance of the revised CSB as delimited by Line 1-2-3-4-5-6-7-X.

Accordingly, using the cited U.S. Hydrographic Chart, the revised CSB, Line 1-2-3-4-5-6-7-X more accurately reflects the articles of the Agreement then does Line A-B-Y-X. The locational difference of Points A and 1 may be attributed to the difference in hydrographic charts, and this may also explain the changes in the location of other CBS points. The shift of the location of the Venezuelan territorial sea may be the result of the geomorphic changes in the Venezuela coastline, which in the vicinity of the Western Channel and the Serpents Mouth is composed of mud flats. The deposition along the coast is apparently heavy and the fluctuating oceanic currents could alter the coastal configuration significantly

over time. Simply stated, further coastal deposition extends seaward the point from which the territorial sea is measured.

The analysis of the physical characteristics of the two CSB's does not present a significantly different picture.

The original CSB extends for a distance of 71.5 nautical miles with an average distance between the four points of 23.8 nautical miles. The water depth at the CSB points ranges from to 22 fathoms, with an average depth of 12 fathoms at the points.

In contrast, the revised CSB extends for a distance of 72 nautical miles with an average distance between the eight points of 10.3 nautical miles. The water depth at the CSB points ranges from 3 to 22 fathoms.

TABLE 1. TREATY LIMITS (ORIGINAL)
PHYSICAL CHARACTERISTICS OF TRINIDAD AND TOBAGO AND VENEZUELA CONTINENTAL SHELF BOUNDARY

Terminal or Turning Points	Distance Between Points (nautical miles)	Depth (fathoms)	Venezuela Territory	Distance, Land CSB Point (nautical miles)		Trinidad and Tobago Territory
A		22	Isla Patos	3.25	8.25	Chacachacare
	35.25					
B		10	Mainland	2.50	4.50	Pelican Rocks
	9.75					
Y		2	Mainland	2.50	5.75	Trinidad
	26.50					
X		14	Mainland	5.50	6.75	Trinidad

TABLE 2. TREATY LIMITS (REVISED)
PHYSICAL CHARACTERISTICS OF THE TRINIDAD AND TOBAGO-VENEZUELA CONTINENTAL SHELF BOUNDARY

Terminal or Turning Points	Distance Between Points (nautical miles)	Depth (fathoms)	Venezuela Territory	Distance, Land CSB Point (nautical miles)		Trinidad and Tobago Territory
1		21	Isla Patos	3	8	Chacachacare
	35					
2		10	Mainland	3	4.50	Pelican Rocks
	2.25					
3		18	Mainland	3	3	Pelican Rocks
	2.75					
4		22	Mainland	3	3	Pelican Rocks
	5.75					
5		3	Mainland	3	5.50	Trinidad
	14.75					
6		20	Mainland	3	6.75	Trinidad
	5					
7		14	Mainland	3	6.75	Trinidad
	6.50					
X		14	Mainland	5.50	6.75	Trinidad

SUMMARY

The Trinidad and Tobago-Venezuela CSB was not delimited according to the equidistance principle. Only at two points of the revised CSB is the terminal or turning point equidistant between the two countries.

The question remains as to which interpretation of the Agreement will be accepted as an operational CSB. If the language of the Agreement has precedence over the map drafted in 1942, the revised CSB would become the accepted boundary line. Also in question is the overlapping of the territorial seas of Trinidad and Tobago and Venezuela between Points 3 and 4 of the revised CSB.

1st Ed - May 1934

Trinidad and Tobago - Venezuela Continental Shelf Boundary

VENEZUELA

GULF OF PARIA

DRAGONS MOUTH (CHART 1964)

BOCA GRANDE

TRINIDAD and TOBAGO

PORT-OF-SPAIN

SAN FERNANDO ANCHORAGE (CHART 135)

SERPENTS MOUTH

WESTERN CHANNEL

Treaty Limits

A.	10° 35′ 04″ N.	61° 51′ 53″ W.
B.	10° 02′ 24″ N.	62° 05′ 08″ W.
Y.	9° 57′ 30″ N.	61° 56′ 40″ W.
X.	9° 57′ 30″ N.	61° 30′ 00″ W.

Treaty Limits Revised

1.	10° 35′ 17″ N.	61° 51′ 53″ W.
2.	10° 02′ 56″ N.	62° 05′ 08″ W.
3.	10° 02′ 07″ N.	62° 03′ 07″ W.
4.	10° 00′ 50″ N.	62° 00′ 34″ W.
5.	9° 57′ 30″ N.	61° 55′ 53″ W.
6.	9° 57′ 30″ N.	61° 41′ 07″ W.
7.	9° 57′ 30″ N.	61° 36′ 21″ W.

Source of Data: Office of the Geographer, Department of State

DIRECTION AND RATE OF TIDAL CURRENTS

Hours		A 10°37′25″N 61°49′51″W Direction	Rate (kn) Sp.	Rate (kn) Np.	B 10°20′25″N 61°48′51″W Direction	Rate (kn) Sp.	Rate (kn) Np.	C 10°10′25″N 61°51′51″W Direction	Rate (kn) Sp.	Rate (kn) Np.	D 10°04′25″N 61°58′51″W Direction	Rate (kn) Sp.	Rate (kn) Np.	E 9°58.7′25″N 61°27.7′51″W Direction	Rate (kn) Sp.	Rate (kn) Np.	Hours
Before H.W. Georgetown	6	205°	0.3	0.1	063°	0.1	0.0	231°	0.4	0.2	164°	0.9	0.4	084°	0.2	0.1	6
	5	230°	0.3	0.1	247°	0.1	0.1	229°	0.7	0.3	172°	1.3	0.6	298°	0.4	0.1	5
	4	221°	0.8	0.3	246°	0.3	0.1	228°	0.8	0.3	174°	1.4	0.6	290°	0.7	0.2	4
	3	229°	1.1	0.5	249°	0.4	0.2	229°	0.6	0.3	180°	0.9	0.4	279°	0.8	0.2	3
	2	241°	0.7	0.3	255°	0.5	0.2	231°	0.4	0.2	045°	0.3	0.1	256°	1.1	0.3	2
	1	264°	0.3	0.1	254°	0.3	0.2	253°	0.1	0.0	013°	0.9	0.4	265°	0.8	0.2	1
	H.W.	018°	0.2	0.1	270°	0.1	0.0	035°	0.3	0.1	002°	0.7	0.3	263°	0.2	0.1	H.W.
After H.W. Georgetown	1	064°	0.8	0.3	063°	0.1	0.1	044°	0.5	0.2	351°	0.8	0.3	120°	0.2	0.0	1
	2	068°	0.9	0.4	077°	0.3	0.1	049°	0.6	0.3	340°	0.9	0.4	098°	0.5	0.1	2
	3	061°	0.6	0.2	073°	0.4	0.2	051°	0.6	0.3	342°	0.8	0.4	096°	0.8	0.2	3
	4	038°	0.4	0.2	073°	0.4	0.2	053°	0.5	0.2	354°	0.5	0.2	106°	1.3	0.3	4
	5	000°	0.4	0.2	073°	0.4	0.2	062°	0.2	0.1	147°	0.2	0.1	092°	1.0	0.3	5
	6	229°	0.1	0.1	066°	0.2	0.1	229°	0.2	0.1	161°	0.7	0.3	086°	0.5	0.1	6

Hours: Before H.W. Georgetown / After H.W. Georgetown

From H.O. 5587, 3rd Edition, March 26, 1962, Revised 7/4/66

LEGEND

- Treaty limits
- Treaty limits (revised)
- Overlap of territorial sea claims
- Terminal or turning point

CONTINUED ON CHART 5586