

EXPLANATORY MEMORANDUM ON THE EXCHANGE OF LETTERS BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE KINGDOM OF BELGIUM AMENDING THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE KINGDOM OF BELGIUM RELATING TO THE DELIMITATION OF THE CONTINENTAL SHELF UNDER THE NORTH SEA BETWEEN THE TWO COUNTRIES, DONE AT BRUSSELS ON 29 MAY 1991, AS AMENDED BY THE EXCHANGE OF LETTERS OF 21 MARCH AND 7 JUNE 2005

Title of the Treaty

Exchange of Letters between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Belgium amending the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Belgium relating to the Delimitation of the Continental Shelf under the North Sea between the Two Countries, done at Brussels on 29 May 1991, as amended by the Exchange of Letters of 21 March and 7 June 2005

Command Paper Number: 8723

Subject Matter

This Exchange of Letters provides for previously agreed continental shelf boundary between the two countries to also delimit the Exclusive Economic Zone boundary between the two. It also provides for the coordinates of the continental shelf boundary to be expressed in modern datum.

Ministerial responsibility

The Rt. Hon. Baroness Warsi PC, Senior Minister of State, has responsibility for maritime issues within the Foreign and Commonwealth Office. Other Ministers with an interest include the Rt. Hon. Michael Fallon MP, Minister of State for Energy, Department for Energy and Climate Change, and Mr Richard Benyon MP, Parliamentary Under-Secretary for Natural Environment, Water and Rural Affairs, in the Department for Environment, Food and Rural Affairs.

Policy considerations

General

Under the UN Convention on the Law of the Sea there are essentially two kinds of maritime zones which can be declared beyond the territorial sea, namely the continental shelf and the Exclusive Economic Zone (EEZ). The former is concerned with the sea bed and the subsoil and the latter, the water column. The UK has not so far declared an EEZ although we have made use of the EEZ powers available to a coastal state under the UN Convention to regulate a number of the relevant issues. However, this has led to a plethora of differently named zones dealing, for example, with fisheries, marine pollution and wind farms. It was concluded that it would be better to declare an EEZ which would encompass all of the existing zones. Power to declare one was taken in the Marine and Coastal Access Act 2009, but before this can happen we need to conclude bilateral arrangements with all our maritime neighbours on an EEZ boundary.

Financial

There are no financial implications arising from this Exchange of Letters.

Reservations and Declarations

Not applicable.

Implementation

The Exchange of Letters will enter into force on the date of the receipt of the later of the notifications by the two Governments of the completion of all necessary constitutional and legal procedures. The Government's current intention is to bring the Exchange of Letters into force when the EEZ around the UK is declared.

Consultations

DEFRA and DECC have been informed of the negotiations with all our maritime neighbours.

A handwritten signature or set of initials, possibly "S.D.", written in black ink.