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Protocol

to the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland, on the one hand, and the Government of the Kingdom of Denmark together with the Home Government of the Faroe Islands, on the other hand, relating to the Maritime Delimitation in the area between the Faroe Islands and the United Kingdom, Done at Tórshavn on 18 May 1999, (“The Agreement”)

London, 25 April 2012

[The Protocol entered into force on 31 March 2014]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
September 2014*

Cm 8934



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PROTOCOL TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, ON THE ONE HAND, AND THE GOVERNMENT OF THE KINGDOM OF DENMARK TOGETHER WITH THE HOME GOVERNMENT OF THE FAROE ISLANDS, ON THE OTHER HAND, RELATING TO THE MARITIME DELIMITATION IN THE AREA BETWEEN THE FAROE ISLANDS AND THE UNITED KINGDOM, DONE AT TÓRSHAVN ON 18 MAY 1999¹, (“THE AGREEMENT”)

The Government of the United Kingdom of Great Britain and Northern Ireland, on the one hand, and the Government of the Kingdom of Denmark together with the Government of the Faroes, on the other hand, (“the Parties”),

Wishing to establish exclusive economic zones and in such zones to exercise full jurisdiction and all rights conferred upon them by international law,

Recalling that Article 3 of the Agreement defines an all purpose maritime boundary between points A – L and R – T in Schedule B to the Agreement,

Recalling that Article 4 of the Agreement defines the Special Area, described in Schedule C to the Agreement,

Recalling that Articles 5 – 6 of the Agreement lay down the rules for the exercise by the Parties of fisheries and continental shelf jurisdiction and rights in the Special Area,

Mindful of the mutual obligation in Article 7 of the Agreement, to refrain from the exercise in the Special Area of other coastal states jurisdiction and rights without the agreement of the other Party, and to co-operate regarding the exercise of such rights,

Recalling the mutual obligation in Article 8 of the Agreement to consult on any issues pertaining to Articles 5, 6 and 7 of the Agreement,

Considering their joint interest in protecting the marine environment throughout the Special Area;

Furthermore, wishing to update the datum in which the points on certain boundary lines of the Agreement are defined from European Datum 1950 (ED50) to the European Terrestrial Reference System 1989 (ETRS89),

Have agreed as follows:

¹ Treaty Series No. 076 (1999) Cm 4514

ARTICLE 1

In the Special Area defined by Article 4 of the Agreement, the Parties shall exercise jurisdiction and rights which are conferred on coastal States by international law, other than such jurisdiction or rights that follow directly from continental shelf or fisheries jurisdiction as follows:

(1) The Parties may extend their marine environmental protection legislation (apart from rules related to management of fisheries and of continental shelf resources) to the whole of the Special Area. The Parties shall enforce such legislation in conformity with international law vis-à-vis third State ships. Ships flying the flag of any of the Parties shall exclusively be subject to flag State jurisdiction.

(2) The Parties, whilst reaffirming that each of them has the right to authorise marine scientific research relating to fisheries resources or the resources of the continental shelf within their respective jurisdictions in the Special Area in accordance with Articles 5 and 6 of the Agreement, enjoy also the right to authorise other kinds of marine scientific research in the Special Area, but shall notify the other Party in advance if the vessel conducting the research is a third State vessel.

ARTICLE 2

The Parties shall co-operate in the Special Area, notably on measures to protect the marine environment.

ARTICLE 3

The Parties shall not exercise or permit any activities related to utilizing the water surface or the water column of the Special Area for economic purposes, other than fisheries and continental shelf purposes, such as the production of energy from the water, currents and winds, without prior consent from the other Party.

ARTICLE 4

The points listed in Schedules B and C of the Agreement, which are defined in the European Datum 1950 (ED50), shall like the points listed in Schedule A of the Agreement, be defined in the European Terrestrial Reference System 1989 (ETRS89).

A reproduction of Schedule A of the Agreement, as well as updated versions of Schedule B and C of the Agreement, all in European Terrestrial Reference System (ETRS89), are included in the Annex to this Protocol.

ARTICLE 5

(1) Each Party shall notify the other of the completion of its internal procedures required to enable this Protocol to enter into force.

(2) This Protocol shall enter into force on the date of receipt of the later of these notifications.

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed this Protocol.

Done in triplicate at London this twenty-fifth day of April, 2012 in the Danish, the Faroese and the English languages, all three texts being equally authoritative.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

LORD HOWELL OF GUILDFORD

For the Government of the Kingdom of Denmark:

ANNE HEDENSTEAD STEFFENSEN

For the Government of the Faroes:

KAJ LEO JOHANNESSEN

ANNEX

Schedule A (Continental Shelf)

A	63° 53'.224 N	00° 29'.444 W
B	63° 40'.649 N	00° 47'.736 W
C	61° 59'.233 N	03° 03'.325 W
D	61° 52'.114 N	03° 11'.729 W
E	61° 21'.611 N	03° 47'.898 W
F	61° 07'.651 N	03° 59'.619 W
G	61° 04'.449 N	04° 02'.425 W
H	61° 02'.757 N	04° 03'.859 W
I	60° 54'.979 N	04° 10'.497 W
J	60° 51'.809 N	04° 14'.008 W
K	60° 47'.717 N	04° 18'.541 W
L	60° 24'.077 N	04° 44'.272 W
M	60° 21'.101 N	04° 56'.672 W
N	60° 18'.754 N	05° 24'.195 W
O	59° 56'.450 N	09° 00'.660 W
P	60° 00'.951 N	10° 20'.853 W
Q	60° 02'.137 N	10° 50'.778 W
R	60° 02'.833 N	11° 16'.458 W
S	60° 07'.306 N	12° 17'.622 W
T	60° 09'.031 N	13° 16'.199 W

The points are defined by geographic latitude and longitude in accordance with European Terrestrial Reference System 1989 (ETRS89).

Schedule B (Fishing Zone)

A	63° 53'.224 N	00° 29'.444 W
B	63° 40'.649 N	00° 47'.736 W
C	61° 59'.233 N	03° 03'.325 W
D	61° 52'.114 N	03° 11'.729 W
E	61° 21'.611 N	03° 47'.898 W
F	61° 07'.651 N	03° 59'.619 W
G	61° 04'.449 N	04° 02'.425 W
H	61° 02'.757 N	04° 03'.859 W
I	60° 54'.979 N	04° 10'.497 W
J	60° 51'.809 N	04° 14'.008 W
K	60° 47'.717 N	04° 18'.541 W
L	60° 24'.077 N	04° 44'.272 W
R	60° 02'.833 N	11° 16'.458 W
S	60° 07'.306 N	12° 17'.622 W
T	60° 09'.031 N	13° 16'.199 W

The points are defined by geographic latitude and longitude in accordance with European Terrestrial Reference System 1989 (ETRS89).

Schedule C (Special Area)

L	60° 24'.077 N	04° 44'.272 W
S1	60° 21'.101 N	04° 56'.672 W
S2	60° 18'.754 N	05° 24'.195 W
S3	60° 13'.128 N	06° 25'.047 W
S4	59° 59'.536 N	09° 43'.613 W
S5	60° 02'.419 N	10° 33'.611 W
S6	60° 03'.090 N	10° 52'.953 W
R	60° 02'.833 N	11° 16'.458 W
L	60° 24'.077 N	04° 44'.272 W
F1	60° 21'.886 N	04° 46'.621 W
F2	60° 09'.891 N	05° 13'.717 W
F3	60° 01'.549 N	05° 32'.169 W
F4	59° 56'.494 N	06° 04'.907 W
F5	59° 49'.792 N	08° 38'.602 W
F6	59° 50'.490 N	09° 34'.037 W
F7	59° 57'.425 N	10° 29'.895 W
R	60° 02'.833 N	11° 16'.458 W

The points are defined by geographic latitude and longitude in accordance with European Terrestrial Reference System 1989 (ETRS89).

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