

**No. 54767\***

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**Micronesia (Federated States of)  
and  
Palau**

**Treaty between the Federated States of Micronesia and the Republic of Palau concerning maritime boundaries and cooperation on related matters (with annex and map). Majuro, 16 July 2006**

**Entry into force:** *16 February 2016 by the exchange of the instruments of ratification, in accordance with article 9*

**Authentic text:** *English*

**Registration with the Secretariat of the United Nations:** *Micronesia (Federated States of), 1 November 2017*

*\*No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

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**Micronésie (États fédérés de)  
et  
Palaos**

**Traité entre les États fédérés de Micronésie et la République des Palaos relatif aux frontières maritimes et à la coopération dans les matières connexes (avec annexe et carte). Majuro, 16 juillet 2006**

**Entrée en vigueur :** *16 février 2016 par l'échange des instruments de ratification, conformément à l'article 9*

**Texte authentique :** *anglais*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *Micronésie (États fédérés de), 1<sup>er</sup> novembre 2017*

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**TREATY  
BETWEEN  
THE FEDERATED STATES OF MICRONESIA  
AND  
THE REPUBLIC OF PALAU  
CONCERNING MARITIME BOUNDARIES  
AND  
COOPERATION ON RELATED MATTERS**

The sovereign countries of the Federated States of Micronesia and the Republic of Palau,  
Desiring to establish maritime boundaries and to provide for certain other related matters  
in the maritime zone between the two countries,

Resolving, as good neighbors and in the spirit of cooperation and friendship, to settle  
permanently the limits of the maritime area within which the Federated States of  
Micronesia and the Republic of Palau shall respectively exercise sovereign rights with  
regard to the exploration, management, protection, and exploitation of their respective  
sea, seabed, and subsoil resources, and

Taking into account the 1982 United Nations Convention on the Law of the Sea to which  
both the Federated States of Micronesia and the Republic of Palau are a party, and, in  
particular, Articles 74 and 83 which provide that the delimitation of the continental shelf  
and Exclusive Economic Zone between States with opposite coasts shall be effected by  
agreement on the basis of international law in order to achieve an equitable solution,

HEREBY AGREE AS FOLLOWS:

**ARTICLE 1**

**Definitions**

In this Treaty –

- (a) “Exclusive Economic Zone” means the adjacent waters, including seabed and subsoil, over which each respective Party has sovereign and exclusive jurisdiction and rights for the purpose of exploring, protecting, utilizing, exploiting, conserving, regulating, and managing natural resources, whether living or non-living. Supplemental to and without prejudice to the foregoing sentence, the term

“Exclusive Economic Zone” shall also include all rights and jurisdiction provided for in the 1982 United Nations Convention on the Law of the Sea (the “Convention”) to the extent not inconsistent with this Treaty.

- (b) “Party” means either the Federated States of Micronesia or the Republic of Palau, or both, depending on the context in which the term is used. “Parties” refers to both countries.

## **ARTICLE 2**

### **Maritime Jurisdiction**

1. The maritime boundary between the area of seabed and subsoil that is adjacent to and appertains to the Federated States of Micronesia and the area of seabed and subsoil that is adjacent to and appertains to the Republic of Palau is set forth in Annex 1 to this Treaty. Annex 1 describes a boundary, which is a series of geodesic line segments of finite length and no breadth, comprised of a series of latitude and longitude coordinate points referenced to the World Geodetic System 1984 (WGS84) with connecting directions between each coordinate point. Each point on the component geodesic line segments (boundary line) is equidistant from the nearest points on the baselines from which the breadth of the territorial seas of each of the two Parties is measured, and at no point is the boundary line greater than 200 nautical miles from the baseline of either Party. The boundary described in Annex 1 is shown on the map incorporated into this Treaty as Annex 2.
2. The maritime boundary line referred to in paragraph 1 of this Article shall be the boundary of the respective Exclusive Economic Zones of the Federated States of Micronesia and the Republic of Palau. The maritime boundary line shall also be the boundary of the Parties’ respective continental shelves, as the term “continental shelf” is defined and used in Part VI of the Convention.
3. Notwithstanding paragraphs 1 and 2 of this Article, nothing in this Treaty shall prejudice each Party’s right to claim an extended continental shelf pursuant to Part VI of the Convention and the rules and procedures established by the United Nations Commission on the Limits of the Continental Shelf. Nevertheless, no Party shall claim an extended continental shelf that intrudes into the Exclusive Economic Zone, as delimited by Annex 1, of the other Party.
4. The location of the maritime boundary line has been determined by a joint effort between the Federated States of Micronesia and the Republic of Palau based upon a decision by the Parties not to use archipelagic baselines for the specific purpose of determining the location of the maritime boundary line. This agreement does not prejudice the rights of either Party with respect to any future archipelagic claims affecting non-Parties.

### **ARTICLE 3**

#### **Hydrocarbon and Mineral Resources Straddling the Boundary**

If any single accumulation or deposit of liquid hydrocarbon, natural gas, or other mineral extends across the maritime boundary line described in Annex 1, and if one Party by exploiting that accumulation or deposit would withdraw, deplete, or draw down the portion of the accumulation or deposit that is on the other Party's side of the boundary line, then before the accumulation or deposit is exploited, the Parties shall consult with a view toward reaching an agreement on the manner in which the accumulation or deposit may be most effectively exploited and on the equitable sharing of the benefits from such exploitation.

### **ARTICLE 4**

#### **Cooperation on Living Resources**

As circumstances permit, the Parties shall consult with a view toward cooperation regarding the management, conservation, and utilization of the living resources of their respective Exclusive Economic Zones, with particular regard to highly migratory species, sustainability, and the participation by non-Parties in the exploitation of the living resources of such zones.

### **ARTICLE 5**

#### **Protection of the Marine Environment**

As circumstances permit, the Parties shall consult with a view toward coordination of their policies, in accordance with international law, with respect to the protection of the marine environment and the conduct of marine research in their respective Exclusive Economic Zones. This includes exploring possibilities for cooperation in the area of maritime enforcement of environmental and fishing laws and regulations.

### **ARTICLE 6**

#### **Settlement of Disputes**

Any dispute between the Parties arising out of the interpretation or implementation of this Treaty shall be settled by consultation or negotiation.