

Instrument of Modification of Joint Boundaries

RECALLING article 17 of the Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil and Other Harmful Substances, 1983 (“the Bonn Agreement”), which provides that two or more Contracting Parties to that Agreement may modify the common boundaries of their zones described in the Annex to the Agreement, and

DESIRING to give effect to the Recommendation on Responsibility Zones adopted on 22 September 2000 by the Contracting Parties to the Bonn Agreement and to the Decision of 21 September 2001 to enable the accession of Ireland to the Agreement,

NOTING that the Government of the Kingdom of Sweden supports that Recommendation and, in consequence, has no objections to the modifications needed to give it effect,

THE GOVERNMENTS OF THE KINGDOM OF BELGIUM, THE KINGDOM OF DENMARK, THE FRENCH REPUBLIC, THE FEDERAL REPUBLIC OF GERMANY, THE KINGDOM OF THE NETHERLANDS, THE KINGDOM OF NORWAY AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, meeting within the framework of the Bonn Agreement,

MODIFY THE BOUNDARIES OF THEIR RESPECTIVE ZONES DESCRIBED IN THE ANNEX TO THE BONN AGREEMENT IN THE FOLLOWING MANNER:

Paragraph 1: Interpretation

(1) The modifications described in the following paragraphs numbered 2 to 11 are for the sole purpose of the Bonn Agreement. The common boundaries established by those modifications have no application to any other question, and shall not be regarded as establishing any precedent in relation to boundaries between the Contracting Parties concerned.

(2) “The 1995 version of the Annex to the Bonn Agreement” means the Annex to the Bonn Agreement as it stood after the entry into force of the 1994 Stockholm Agreement (the Agreement between Denmark, Norway and Sweden on the modification of the Annex to the Agreement of 13 September 1983 for co-operation in dealing with pollution of the North Sea by oil and other harmful substances, done at Stockholm on 25 January 1994).

(3) The positions of the points referred to in these modifications shall be determined according to the European Geodesic System (1950 version).

Paragraph 2: The Netherlands and the United Kingdom

(1) Instead of the common boundaries described in the Annex to the Bonn Agreement in the version of 1 October 1995, the common boundary between the zones of responsibility of the Netherlands and the United Kingdom shall be a series of lines joining the following points in the order in which they are listed:

Point 2.01 51°51' 52.1267" N 2° 31' 48.0975" E
Point 2.02 51° 59' 00.00" N 2° 37' 36.00" E;
Point 2.03 52° 1' 00.00" N 2° 39' 30.00" E;
Point 2.04 52° 5' 18.00" N 2° 42' 12.00" E;
Point 2.05 52° 6' 00.00" N 2° 42' 54.00" E;
Point 2.06 52° 12' 24.00" N 2° 50' 24.00" E;

Point 2.07 52° 17' 24.00" N 2° 56' 00.00" E;
Point 2.08 52° 25' 00.00" N 3° 3' 30.00" E;
Point 2.09 52° 37' 18.00" N 3° 11' 00.00" E;
Point 2.10 52° 47' 00.00" N 3° 12' 18.00" E;
Point 2.11 52° 53' 00.00" N 3° 10' 30.00" E;
Point 2.12 53° 18' 06.00" N 3° 3' 24.00" E;
Point 2.13 53° 28' 12.00" N 3° 1' 00.00" E;
Point 2.14 53° 35' 06.00" N 2° 59' 18.00" E;
Point 2.15 53° 40' 06.00" N 2° 57' 24.00" E;
Point 2.16 53° 57' 48.00" N 2° 52' 00.00" E;
Point 2.17 54° 22' 48.00" N 2° 45' 48.00" E;
Point 2.18 54° 37' 18.00" N 2° 53' 54.00" E;
Point 2.19 55° 45' 54.00" N 3° 22' 13.00" E.

(2) The lines referred to in subparagraph (1) shall be arcs of a great circle.

Paragraph 3: The Netherlands and Germany

1. The outer limits of the zones of national responsibility of the Netherlands and Germany are to be defined by the outer limits of the exclusive economic zones of the Netherlands (Decree of 13 March 2000 by the Kingdom of the Netherlands determining the outer limits of the exclusive economic zone of the Kingdom of the Netherlands and effecting the entry into force of the Kingdom Act of 27 May 1999 concerning the establishment of an exclusive economic zone of the Kingdom of the Netherlands) and of Germany (Proclamation of 25 November 1994 by the Federal Republic of Germany concerning the establishment of an exclusive economic zone of the Federal Republic of Germany in the North Sea and in the Baltic Sea).

2. A zone of joint responsibility of the Netherlands and Germany is to be established.

Instead of the common boundaries described in the Annex to the Bonn Agreement in the version of 1 October 1995, the common boundary between the zones of responsibility of the Netherlands and Germany shall consist of:

(a) a series of geodesic lines joining the following points:

DE8	55° 45' 54.00" N	3° 22' 13.00" E;
DE9	55° 20' 00.00" N	4° 20' 00.00" E;
DE10	55° 0' 00.00" N	5° 0' 00.00" E;
DE11	54° 37' 12.00" N	5° 0' 00.00" E;
DE12	54° 11' 12.00" N	6° 0' 00.00" E;

(b) landwards from point DE12, a line from that point towards point DE13 (that is the next agreed delimitation point 53° 59' 56.80" N and 6° 6' 28.20" E) as far as the intersection of that line with the boundary of the zone of joint responsibility between the Netherlands and Germany described in paragraph 11 below.

The coordinates of the points referred to in subparagraphs (a) and (b) above are defined by latitude and longitude on European Datum 1950 (ED50).

Paragraph 4: Germany and the United Kingdom

(1) Instead of the common boundaries described in the Annex to the Bonn Agreement in the version of 1 October 1995, the common boundary between the zones of responsibility of Germany and the United Kingdom shall be a series of two lines joining the following points in the order in which they are listed:

- Point 4.1: 55° 45' 54.00" N 3° 22' 13.00" E;
- Point 4.2: 55° 50' 06.00" N 3° 24' 00.00" E;
- Point 4.3 55° 55' 09.40" N 3° 21' 00.00" E;

(2) The lines referred to in subparagraph (1) shall be arcs of great circle.

Paragraph 5: Germany and Denmark

1. The outer limits of the exclusive economic zone of Germany (Proclamation of 25 November 1994 by the Federal Republic of Germany concerning the establishment of an exclusive economic zone of the Federal Republic of Germany in the North Sea and in the Baltic Sea) and of Denmark (Executive Order of 24 June 1996 determining the outer limits of the exclusive economic zone of the Kingdom of Denmark) are to be the relevant outer limits.

2. A zone of "joint responsibility" of Germany and Denmark is to be established.

Instead of the common boundaries described in the Annex to the Bonn Agreement in the version of 1 October 1995, the common boundary between the zones of responsibility of Germany and Denmark shall consist of:

(a) a series of geodesic lines joining the following points:

- DE6/DK6 55° 55' 09.40" N 3° 21' 00.00" E
- DE5/DK5 55° 46' 21.80" N 4°15' 00.00" E
- DE4/DK4 55° 24' 15.00" N 4°45' 00.00" E
- DE3/DK3 55° 15' 00.00" N 5° 09' 00.00" E
- DE2/DK2 55° 15' 00.00" N 5° 24' 12.00" E
- DE1/DK1 55° 30' 40.30" N 5° 45' 00.00" E

(b) a line which begins at the intersection of the boundary of the zone of joint responsibility of Denmark and Germany as described in paragraph 10 below with a line between the point 55° 10' 03.40" N 7° 33' 09.60" E and the first point DE1/DK1 and follows this line until the point DE1/DK1.

Paragraph 6: Denmark and the United Kingdom

(1) Instead of the common boundaries described in the Annex to the Bonn Agreement in the version of 1 October 1995, the common boundary between the zones of responsibility of Denmark and the United Kingdom shall be a line joining the following points:

Point 6.1: 55° 55' 09.40" N 3° 21' 00.00" E;

Point 6.2: 56° 5' 12.00" N 3° 15' 00.00" E;

(2) The line referred to in subparagraph (1) shall be an arc of great circle.

Paragraph 7: Norway and the United Kingdom

(1) Instead of the common boundaries described in the Annex to the Bonn Agreement in the version of 1 October 1995, the common boundary between the zones of responsibility of Norway and the United Kingdom shall be a series of lines joining the following points in the order in which they are listed:

Point 7.1 59° 53' 48.00" N 2° 4' 36.00" E;

Point 7.2 59° 17' 24.00" N 1° 42' 42.00" E;

Point 7.3 58° 25' 48.00" N 1° 29' 00.00" E;

Point 7.4 57° 54' 18.00" N 1° 57' 54.00" E;

Point 7.5 56° 35' 42.00" N 2° 36' 48.00" E;

Point 7.6 56° 5' 12.00" N 3° 15' 00.00" E;

(2) The lines referred to in subparagraph (1) shall be arcs of a great circle.

Paragraph 8: Zone of joint responsibility of Belgium, France, the Netherlands and United Kingdom

Instead of the zone of joint responsibility of Belgium, France and the United Kingdom described in the 1995 version of the Annex to the Bonn Agreement, there shall be a zone of joint responsibility of Belgium, France, the Netherlands and the United Kingdom, comprising the sea area between the parallels of latitude 51° 51' 52.1267" N and 51° 06' 00.00" N.

Paragraph 9: Zone of joint responsibility of France and the United Kingdom

Instead of the description of the zone of joint responsibility of France and the United Kingdom described in the 1995 version of the Annex to the Bonn Agreement, that zone shall be the English Channel south-west of parallel 51° 32' 00.00" N to a line which:

(a) commences at the westernmost point of the Isles of Scilly, and joins that point with the point 49°52'00.00"N 7° 44' 00.00"W;

(b) from that point, follows a line drawn 50 nautical miles west of a line joining the Isles of Scilly and the isle of Ushant southwards to its intersection with the parallel of latitude 48° 27' 00.00" N, and

(c) follows that parallel of latitude eastwards to the southernmost point of the isle of Ushant.

Paragraph 10: Zone of joint responsibility of Denmark and Germany

The functional boundaries of the zone of joint responsibility, which corresponds to the "quick response zone" of the bilateral German-Danish Joint Maritime Contingency Plan on Combating Oil and Other Harmful Substances, DANGER Plan, dated 27 October and 18 December 2000, shall be defined as follows:

- (a) to the south, the parallel of latitude 54° 30' 00.00" N westwards from the coast of Germany;
- (b) to the west, the meridian of longitude 6° 30' 00.00" E;
- (c) to the north, the parallel of latitude 55° 50' 00.00" N westwards from the coast of Denmark;
- (d) to the east, the low water line (based on Chart Datum Lowest Astronomical Tide (LAT)), including the Wadden sea area.

The coordinates of these points are defined by latitude and longitude on European Datum 1950 (ED50)."

Paragraph 11: Zone of joint responsibility of Germany and the Netherlands

The functional boundaries of the zone of joint responsibility which corresponds to the "quick response zone" of the bilateral Dutch-German Joint Maritime Contingency Plan on Combating Oil and Other Harmful Substances, NETHGER Plan, dated 4 December and 12 December 1991, shall be defined as follows:

- (a) to the west, the meridian of longitude 6° 0' 0.0"E (ED50), northwards from the coast of the Netherlands;
- (b) to the north, the parallel of latitude 54° 0' 0.0"N (ED50);
- (c) to the east, the meridian of longitude 7° 15' 0.0" E (ED50), northwards from the coast of Germany; and
- (d) to the south, the low water line (based on Chart Datum Lowest Astronomical Tide (LAT)), including the Wadden sea area.

Paragraph 12: Coming into effect

(1) The Secretariat of the meeting of the Contracting Parties to the Bonn Agreement shall communicate these modifications on behalf of all the Governments making the foregoing modifications, to the Embassy in London of the Federal Republic of Germany, with a request that the modifications shall be forwarded to the appropriate authority of the Federal Republic of Germany, as Depository Government of the Bonn Agreement.

(2) In accordance with articles 17 and 23 of the Bonn Agreement, the modifications shall enter into force for all Contracting Parties on the first day of the sixth month following the date of their communication by the Depository Government unless, within a period of three months following that communication, a Contracting Party has expressed an objection or has requested consultation on the matter.