



BY AUTHORITY

47

SOLOMON ISLANDS GAZETTE

NO. 9

Tuesday 31st January

2023

EXTRA-ORDINARY GAZETTE

GAZETTE NOTICE

[49]

THE GOVERNMENT OF SOLOMON ISLANDS

INSTRUMENT OF RATIFICATION TO THE TREATY BETWEEN THE GOVERNMENT OF SOLOMON ISLANDS AND THE GOVERNMENT OF THE REPUBLIC OF FIJI CONCERNING THEIR MARITIME BOUNDARIES

WHEREAS the treaty between the Government of Solomon Islands and the Government of the Republic of Fiji Concerning their Maritime Boundaries, was signed on 11th July 2022, in Suva, Republic of Fiji.

NOW THEREFORE, the Government of Solomon Islands having considered and approved the aforementioned treaty, hereby confirm and ratify the same, and undertakes in accordance with the existence of the *Delimitation of Marine Waters Act (Cap 95)*, with relevant provisions to give effect to the implementation of the treaty.

IN WITNESS WHEREOF, I Honourable Jeremiah Manele, the Minister for Foreign Affairs and External Trade of Solomon Islands hereunto set my hand and affix the National Seal.

Done in Honiara, Solomon Islands on the thirtieth-day of January 2023.

HONOURABLE JEREMIAH MANELE, MP
MINISTRY OF FOREIGN AFFAIRS AND EXTERNAL
TRADE OF SOLOMON ISLANDS

[50]

AGREEMENT BETWEEN THE REPUBLIC OF FIJI AND SOLOMON ISLANDS CONCERNING THEIR MARITIME BOUNDARY

The Sovereign states of the Republic of Fiji ('Fiji') and Solomon Islands;

DESIRING to strengthen the bonds of friendship between the two States;

RECOGNIZING the need to effect a precise and equitable delimitation of the respective maritime areas in which the two States exercise sovereign rights;

BASING themselves on the rules and principles of relevant international law, as they are expressed in the United Nations Convention Law of the Sea, 10 December 1982 to which both Fiji and the Solomon Islands are a party, and, in particular Article 74 which provide that the delimitation of the exclusive economic zone between States with opposite or adjacent coasts shall be effected by agreement on the basis of international law, as referred to in Article 38 of the Statute of the International Court of Justice, in order to achieve an equitable solution; and

DESIROUS of establishing a clear maritime boundary between the Republic of Fiji and the Solomon Islands;

HAVE AGREED AS FOLLOWS:

ARTICLE 1

INTERPRETATION

In this Agreement unless the context otherwise requires:-

“**Agreement**” means this Agreement;

“**continental shelf**” in accordance with Part VI of UNCLOS, includes the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured where the outer edge of the continental margin does not extend up to that distance in accordance with Part VI of UNCLOS;

“**EEZ**” means the Exclusive Economic Zones measured 200 nautical miles from the baselines of each Party as referred to under with Part V of UNCLOS;

“**Parties**” means the Republic of Fiji and the Solomon Islands; and

“**UNCLOS**” means the United Nations Convention on the Law of the Sea 1982.

ARTICLE 2

Purpose

The purpose of this Agreement is to establish in accordance with international law, the maritime boundary between the Republic of Fiji and the Solomon Islands.

ARTICLE 3

Maritime Boundary between Fiji and Solomon Islands

(1) The line of delimitation between the exclusive economic zones and continental shelves over which each State respectively exercises sovereign rights and jurisdiction in accordance with international law lies seaward of Fatutaka in the Solomon Islands and Rotuma in Fiji respectively, along geodesics connecting the following geographical coordinates of points ('points'), defined by their coordinates in the order stated below:

Point Identifier	Latitude	Longitude
FJ_SB MB 1	11°50' 53.09" S	173° 35' 34.62" E
FJ_SB MB 2	11°51' 53.09" S	173°35' 29.20" E
FJ_SB MB 3	12°13' 30.64" S	173°33' 33.05" E
FJ_SB MB 4	12°28' 31. 76" S	173°32' 12.15" E
FJ_SB MB 5	12°35' 08.29" S	173°31' 36.49" E
FJ_SB MB 6	12°36' 08.29" S	173°31' 31.09" E

(2) The line of delimitation referred to in paragraph 1 of this Article is the equidistance line between Fiji and the Solomon Islands.

(3) The geographical coordinates given in this Agreement are determined by reference to the geodetic reference system WGS 84 (World Geodetic Reference System 1984).

(4) The boundary line drawn on the chart in the Annexure to this Agreement is drawn for illustrative purposes only.

ARTICLE 4

Without Prejudice

This Agreement will not prejudice any further negotiations with Solomon Islands relating to international law, the law of the sea including those to do with the regional cooperation, waters, seabed or areas of continental shelf areas.

ARTICLE 5

Sovereign Rights

The lines described in Article 3 of this Agreement shall be the maritime boundary between the areas referred to in Article 3 in which Parties, in accordance with international law and Article 56 of UNCLOS shall exercise their sovereign rights or jurisdiction.

ARTICLE 6

Adjustments to Maritime Boundary

If new surveys or resulting charts and maps should indicate that changes in the base point coordinates are sufficiently significant to require adjustments of the maritime boundary, the Parties agree that an adjustment will be carried out on the basis of the same principles as those used in determining the maritime boundary, and such adjustments shall be provided for in a Protocol to this Agreement.

ARTICLE 7

Dispute Resolution

Any dispute between the parties concerning the interpretation or application of this Agreement shall be settled peacefully through consultation and negotiations between the Parties or through negotiation in accordance with international law as agreed to by the Parties.

ARTICLE 8

Equitable Benefit from Resource Exploitation

If any single accumulation or deposit of liquid hydrocarbon, natural gas, or other mineral lies on the maritime boundary median line, the accumulation or deposit of such resources shall be effectively exploited by either or both Parties and both Parties shall equitably share the benefits of such resource exploitation.

ARTICLE 9

Agreement Deposit

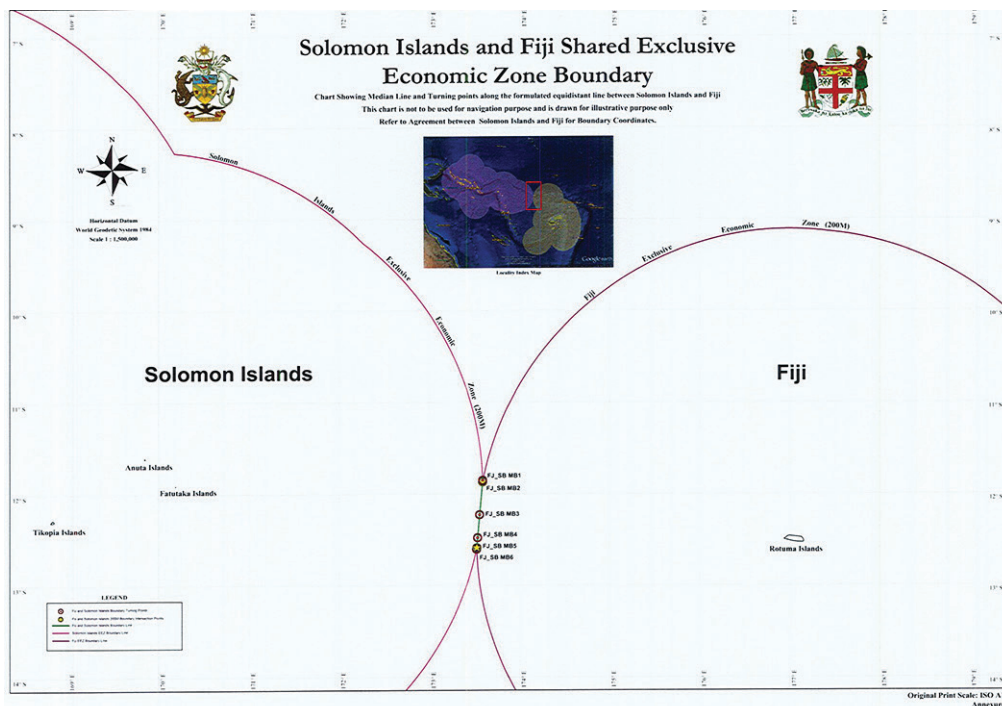
Upon the completion of all national procedures bringing this Agreement into force, each party shall take all the necessary steps to lodge this Agreement, including the coordinates in Article 1, with the appropriate international bodies.

ARTICLE 10

Entry into Force

Each Party shall notify the other of the completion of its national procedures to bring this Agreement into force. This Agreement shall enter into force on the date of the later note in an exchange of notes between Parties indicating that each Party has completed its national procedures for the entry into force of this Agreement.

IN WITNESS WHEREOF, the representatives of the two Governments, being duly authorized for this purpose, have signed this Agreement and have affixed thereto their seals.



DONE at Suva, Fiji on the eleventh-day of July in the year 2022 in two originals, each in the English language.

For the Government
of Solomon Islands

HON. MANASSEH D. SOGAVARE
Prime Minister of Solomon Islands

HON. JOSIA V. BAINIMARAMA
Prime Minister of the Republic of Fiji

For the Government of
the Republic of Fiji

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