

# Pacific Islands Regional Maritime Boundaries

Supporting Pacific Islands to delimit, negotiate, and declare their Maritime Boundaries since 2001

## What is a Maritime Boundary?

For Pacific island countries and territories, maritime boundaries are national borders. A State's maritime boundary can lie adjacent to the high seas, or be shared with another country.

The UN Convention on the Law of the Sea (UNCLOS) is the international agreement that establishes all coastal States' rights to a marine jurisdiction. Under UNCLOS, all coastal States are entitled to a territorial sea, extending 12 nautical miles (~22 km) from the baseline, which is generally the coastline. They are also entitled to a contiguous zone extending 24 nautical miles (~45 km) from the baseline, an EEZ extending to 200 nautical miles (~370 km) from the baseline. Some coastal States may also be entitled to an extended continental shelf or archipelagic waters. Where countries' entitlements to maritime zones overlap, they need to negotiate a shared boundary.

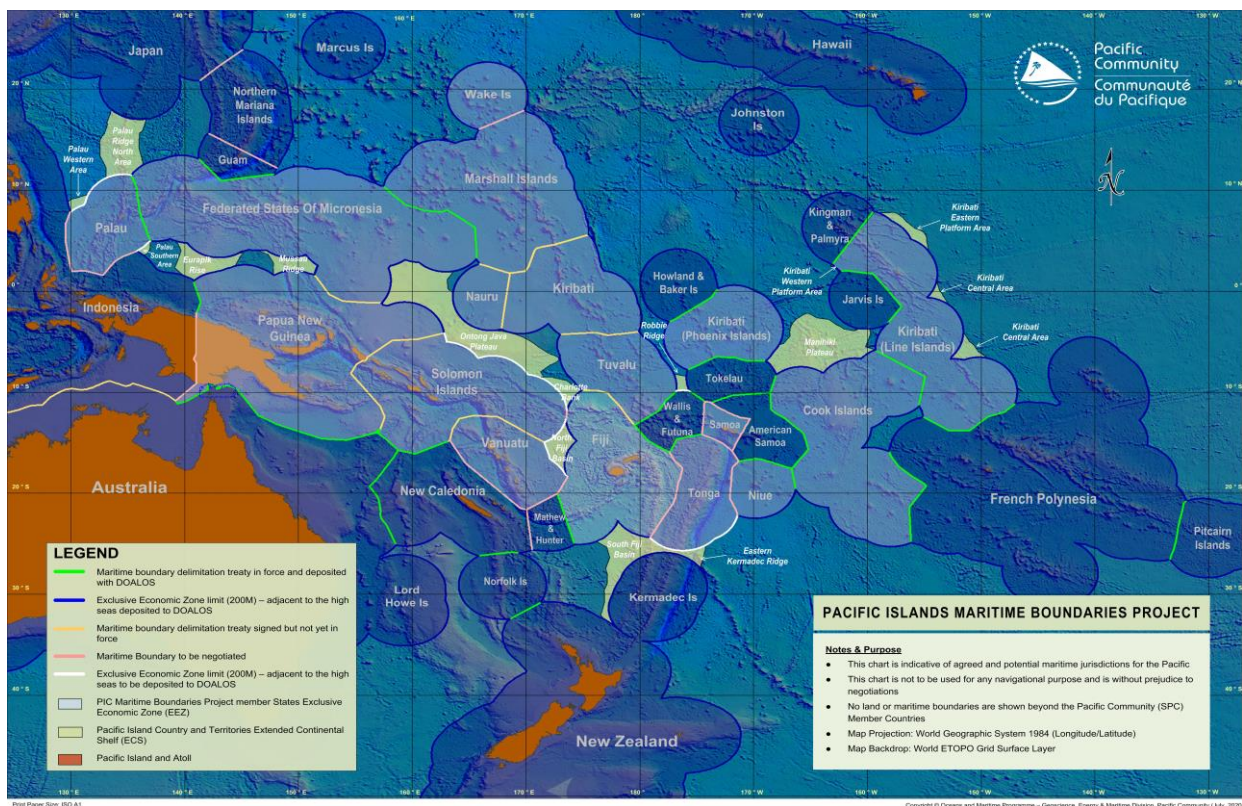


Figure 1 The status of Pacific maritime boundaries as of July 2020.

## What is the current status of Maritime Boundaries in the Pacific?

There are 48 shared or overlapping boundaries between countries in the Pacific Islands region. As of July 2020, 35 of these boundaries have been formalised, and there are 13 outstanding bilateral and five high seas boundaries remaining to be declared. Out of the 17 existing extended continental shelf submissions, one was recommended in 2019.

## How are Maritime Boundaries established?

The process for declaring maritime boundaries includes:

- **Technical elements-** mapping;
- **Legal elements-** drafting and review of law;
- **Political elements-** advocacy and negotiations where required, including treaty-making; and
- Submission of maritime boundaries to the United Nations.
- Publication of official maritime boundary information for all marine users.



Figure 2 Representatives from RMI depositing their maritime boundaries with the UN in New York

## Why are Maritime Boundaries a priority for the Pacific Islands Region?

Maritime boundaries are critical for governance, security, law enforcement, and natural resource management within a country.

For example, maritime boundaries enable enforcement of fisheries rights or protection of the marine environment within a country's EEZ.

Similarly, maritime boundaries strengthen prosecution of crimes at sea and issues pertaining to customs, biosecurity, and border-control.

At the Pacific Islands Forum leaders' meeting in September 2019, leaders acknowledged *"the urgency and importance of securing the region's maritime boundaries as a key issue for the development and security of our region, and thereby for the security and well-being of the Blue Pacific Continent."*



**Figure 3** Surveying basepoints in Kiribati.

## How could climate change impact Maritime Boundaries?

The land and marine features that define maritime zones often consist of low elevation islands, atolls, sand bars, rocks, and reefs. The permanence of these features, and their ability to define maritime zones, are at risk due to climate change impacts and environmental changes. Settling maritime boundaries is therefore an urgent action to ensure that compounding stresses do not result in reduced jurisdiction of PICTs.

However, UNCLOS does not provide absolute certainty over ocean space in the face of climate change, and the Maritime Boundaries Project is currently examining technical and legal options to safeguard maritime boundaries. Our Pacific Leaders are also committed to advocating on behalf of the region to protect their sovereign right to govern and manage the resources within their maritime zones.

## The Pacific Regional Maritime Boundaries Project

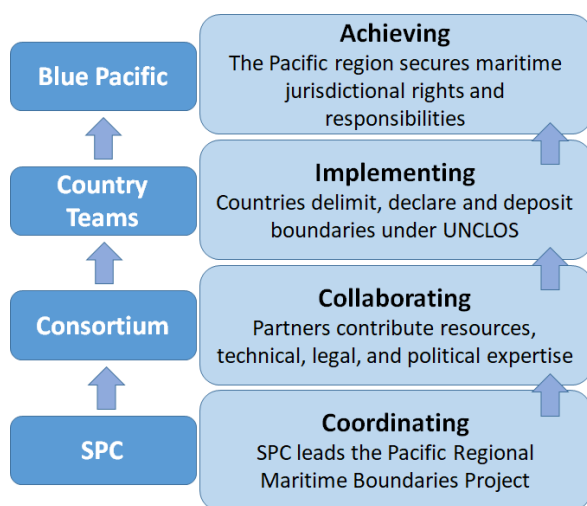
The Project was originally established to assist Pacific countries to obtain greater certainty in the limits of their EEZs to support fisheries management and enforcement.

The Project has supported the successful declaration of 19 shared boundaries between countries since 2001. This rate of progress is unprecedented elsewhere in the world. It underscores the strength of relationships between countries and partners as well as the commitment of all parties to progress this critical work.

The Project supports and builds the capacity of 14 Pacific island countries and territories in all aspects of maritime boundaries work. The overall objective is aligned with priority one of the Framework for a Pacific Oceanscape, which is to secure maritime jurisdictional rights and responsibilities.

As the Project lead, SPC, through its Geoscience, Maritime and Energy (GEM) Division, coordinates and supports a range of activities including regional working sessions, workplace attachments, in-country workshops and placements, legal drafting, political advocacy, negotiations, technical assessments and field surveys.

The Project is supported by a Consortium of partners including the Pacific Island Forum Secretariat, Office of the Pacific Ocean Commissioner, Forum Fisheries Agency, Department of Foreign Affairs and Trade (DFAT), Geoscience Australia, Attorney Generals Department - Australia, University of Sydney, Ministry of Foreign Affairs and Trade (MFAT), and GRID-Arendal, European Union and Sweden.



**Figure 3** A schematic illustrating maritime boundaries partners and responsibilities.

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