United Kingdom/Republic of Ireland

Continental Shelf Agreement between the UK and Eire

The sea-bed boundary between the United Kingdom and the Republic of Ireland, which was the subject of a delimitation agreement between the two states in November 1988, is one of the last sea-bed boundaries to be determined by the United Kingdom and its maritime neighbours. Following the enactment of the Continental Shelf Act 1964 and British ratification of the Geneva Convention on the Continental Shelf 1958 the United Kingdom entered into bilateral discussions with all neighbouring states. Following these discussions agreements were concluded with Norway, Denmark, the Federal Republic of Germany and the Netherlands. Agreement with France was forthcoming in 1982 after the decision of the arbitral tribunal in the Anglo-French Continental Shelf Case. Negotiations between the United Kingdom and the Republic of Ireland were not successful and both states decided in 1980 to enter into an ad hoc arbitration to determine the sea-bed boundary between them. It was subsequently decided in examining the terms for arbitration to narrow the scope of the matters at issue in order to achieve a speedier conclusion and to reduce costs. The agreement which resulted from these discussions eliminated the need for arbitration and allowed the states to proceed to an agreement settling their sea-bed boundary.

The United Kingdom–Irish Republic Continental Shelf Agreement was signed on 7 January 1988 by the United Kingdom Secretary of State for Foreign and Commonwealth Affairs, Sir Geoffrey Howe, and Mr. Brian Lenihan, Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Ireland. In accordance with Article 5 of the Agreement, it will enter into force on the date on which the British and Irish Governments exchange notification of their acceptance of the Agreement. The Agreement lays down the boundaries between the United Kingdom and the Republic of Ireland in the Irish and Celtic Seas, and in the area to the west of Scotland and to the north of Ireland. Significantly, no boundary is determined in the North Channel between Northern Ireland and Scotland, nor is there any direct reference to the still-extant dispute between the United Kingdom and the Republic of Ireland over Rockall. These two states did, however, indicate that they both rejected claims to Rockall by Denmark and Iceland.

1 C. 79.
2 UKTS (1964) 39; Cmnd. 2422; 499 UNTS 311
3 Cmnd. 2626; UKTS (1965) 71
4 Cmnd. 2973; UKTS (1966) 1
5 Cmnd. 4881; UKTS (1972) 1
6 Cmnd. 2830; UKTS (1965) 1
7 Cmnd. 7438; (1979) XVIII ILM 397 (Arbitral Award); Cmnd. 8859; UKTS (1983) 20 (Delimitation Treaty). And see above pp. 155–57.
10 The Editor is grateful to Dr Symmons for pointing out that both these points were noticed in the Irish parliamentary debates on the agreement. See Dáil Debates, vol. 383, col. 2059 (8 November 1988), and vol. 384, col. 2177 (28 November 1988).
With the settlement of the boundary between the United Kingdom and the Republic of Ireland, the way is now clear for both states to authorize prospecting for oil in the Irish and Celtic Seas. The full text of the Agreement is reproduced in Appendix 1.\textsuperscript{11}

Text of the Agreement Between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Ireland Concerning the Delimitation of Areas of the Continental Shelf Between the Two Countries

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Ireland,

Wishing to open up further opportunities for their respective off-shore petroleum and related industries by establishing boundaries between their respective parts of the continental shelf,

Have agreed as follows:

\textit{Article 1}

\textit{Irish Sea and South-West Area}

1. The boundary between the parts of the continental shelf which appertain to the United Kingdom and the Republic of Ireland, respectively, in the area south of latitude 53° 39' North shall be a line composed of parallels of latitude and meridians of longitude joining, in the sequence given in Schedule A to this Agreement, the points set out in that Schedule.

2. This line, described as "Line A", has been drawn by way of illustration on Map A annexed to this Agreement.

\textit{Article 2}

\textit{North-West Area}

1. The boundary between the parts of the continental shelf which appertain to the United Kingdom and the Republic of Ireland, respectively, in the area west of longitude 6° 45' West shall be a line composed of parallels of latitude and meridians of longitude joining, in the sequence given in Schedule B to this Agreement, the points set out in that Schedule.

2. This line, described as "Line B", has been drawn by way of illustration on Map B annexed to this Agreement.

\textit{Article 3}

\textit{Cross-Boundary Fields}

If any oil, gas or condensate field extends across Line A or Line B and the part of such field which is situated on one side of the line is exploitable, wholly or in part, from the other side of the line, the two Governments shall make determined efforts to reach agreement as to the exploitation of such field.

\textit{Article 4}

\textit{Continental Margin}

Nothing in this Agreement affects the position of either Government concerning the location of the outer edge of its continental margin.

\textit{Article 5}

\textit{Entry into Force}

This Agreement shall enter into force on the date on which the two Governments exchange notifications of their acceptance of this Agreement.

\textsuperscript{11} Reproduced from FCO Press Release, No. 102 (7 Nov. 1988).