

[TRANSLATION — TRADUCTION]

AGREEMENT RELATING TO A SPECIAL MARITIME FRONTIER ZONE

The Governments of the Republics of Chile, Ecuador and Peru, in conformity with the provisions of Resolution X of 8 October 1954, signed at Santiago de Chile by the Standing Committee of the Conference on the Exploitation and Conservation of the Maritime Resources of the South Pacific,

Having noted the proposals and recommendations approved in October of this year by the said Standing Committee,

Have appointed as their Plenipotentiaries:

His Excellency the President of the Republic of Chile: His Excellency Mr. Alfonso Bulnes Calvo, Ambassador Extraordinary and Plenipotentiary of Chile in Peru;

His Excellency the President of the Republic of Ecuador: His Excellency Mr. Jorge Salvador Lara, Chargé d'affaires a.i. of Ecuador in Peru; and

His Excellency the President of the Republic of Peru: His Excellency Mr. David Aguilar Cornejo, Minister for Foreign Affairs of Peru,

who,

Considering that:

Experience has shown that innocent and inadvertent violations of the maritime frontier between adjacent States occur frequently because small vessels manned by crews with insufficient knowledge of navigation or not equipped with the necessary instruments have difficulty in determining accurately their position on the high seas;

The application of penalties in such cases always produces ill-feeling in the fishermen and friction between the countries concerned, which may affect adversely the spirit of co-operation and unity which should at all times prevail among the countries signatories to the instruments signed at Santiago; and

It is desirable to avoid the occurrence of such unintentional infringements, the consequences of which affect principally the fishermen;

Have agreed as follows:

1. A special zone is hereby established, at a distance of 12 nautical miles from the coast, extending to a breadth of 10 nautical miles on either side of the parallel which constitutes a maritime boundary between the two countries.

2. The accidental presence in the said zone of a vessel of either of the adjacent countries, which is a vessel of the nature described in the paragraph beginning with the words "Experience has shown" in the preamble hereto, shall not be considered to be a violation of the waters of the maritime zone, though this provision shall not be construed as recognizing any right to engage, with deliberate intent, in hunting or fishing in the said special zone.

3. Fishing or hunting within the zone of 12 nautical miles from the coast shall be reserved exclusively to the nationals of each country.

4. All the provisions of this Agreement shall be deemed to be an integral and supplementary part of, and not in any way to abrogate, the resolutions and decisions adopted at the Conference on the Exploitation and Conservation of the Maritime Resources of the South Pacific, held in Santiago de Chile in August 1952.

In witness whereof, the respective Plenipotentiaries of the Governments of Chile, Ecuador and Peru have signed this Agreement in three copies at Lima on 4 December 1954.

For the Government of Chile:

ALFONSO BULNES CALVO

For the Government of Ecuador:

JORGE SALVADOR LARA

For the Government of Peru:

DAVID AGUILAR CORNEJO