



**INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
TRIBUNAL INTERNATIONAL DU DROIT DE LA MER**

Press Release

***DISPUTE CONCERNING DELIMITATION OF THE MARITIME BOUNDARY
BETWEEN BANGLADESH AND MYANMAR IN THE BAY OF BENGAL
(BANGLADESH/MYANMAR)***

JUDGMENT DELIVERED ON 14 MARCH 2012

Hamburg, 14 March 2012. At a public sitting held today, the International Tribunal for the Law of the Sea rendered its judgment in the *Dispute concerning delimitation of the maritime boundary between Bangladesh and Myanmar in the Bay of Bengal (Bangladesh/Myanmar)*. The Judgment was read by Judge José Luis Jesus, who is presiding over the Tribunal in this case.

The dispute concerns the delimitation of the maritime boundary between Bangladesh and Myanmar in the Bay of Bengal with respect to the territorial sea, the exclusive economic zone and the continental shelf. It is the first case of the Tribunal relating to the delimitation of maritime boundaries.

Proceedings in the case were instituted before the Tribunal on 14 December 2009. Further to the filing of written pleadings by the Parties, the hearing took place in September 2011.

In its judgment, the Tribunal had to address a number of issues raised by the Parties. Those included: the claim made by Bangladesh that the delimitation of the territorial sea had already been agreed by the Parties in 1974; and the delimitation of the exclusive economic zone and continental shelf within 200 nautical miles from the baselines from which the breadth of the territorial sea is measured. In addition, the Tribunal had to deal with the request of Bangladesh that the continental shelf beyond 200 nautical miles limit be delimited, a request which was opposed by Myanmar. The Tribunal then had to decide whether it could and should exercise its jurisdiction in respect of the delimitation of the continental shelf beyond 200 nautical miles.

The full text of the Judgment and of the declarations and dissenting and separate opinions appended thereto is available on the website of the Tribunal.

The operative clauses of the Judgment are given below. Two of the sketch maps included in the Judgment are attached to this press release:

For these reasons,

THE TRIBUNAL,

(1) Unanimously,

Finds that it has jurisdiction to delimit the maritime boundary of the territorial sea, the exclusive economic zone and the continental shelf between the Parties.

(2) By 21 votes to 1,

Finds that its jurisdiction concerning the continental shelf includes the delimitation of the continental shelf beyond 200 nm;

FOR: President JESUS; Vice-President TÜRK; Judges MAROTTA RANGEL, YANKOV, NELSON, CHANDRASEKHARA RAO, AKL, WOLFRUM, TREVES, COT, LUCKY, PAWLAK, YANAI, KATEKA, HOFFMANN, GAO, BOUGUETAIA, GOLITSYN, PAIK; Judges ad hoc MENSAH, OXMAN;

AGAINST: Judge NDIAYE.

(3) By 20 votes to 2,

Finds that there is no agreement between the Parties within the meaning of article 15 of the Convention concerning the delimitation of the territorial sea;

FOR: President JESUS; Vice-President TÜRK; Judges MAROTTA RANGEL, YANKOV, NELSON, CHANDRASEKHARA RAO, AKL, WOLFRUM, TREVES, NDIAYE, COT, PAWLAK, YANAI, KATEKA, HOFFMANN, GAO, GOLITSYN, PAIK; Judges ad hoc MENSAH, OXMAN;

AGAINST: Judges LUCKY, BOUGUETAIA.

(4) By 21 votes to 1,

Decides that starting from point 1, with the coordinates 20° 42' 15.8" N, 92° 22' 07.2" E in WGS 84 as geodetic datum, as agreed by the Parties in 1966, the line of the single maritime boundary shall follow a geodetic line until it reaches point 2 with the coordinates 20° 40' 45.0" N, 92° 20' 29.0" E. From point 2 the single maritime boundary shall follow the median line formed by segments of geodetic lines connecting the points of equidistance between St. Martin's Island and Myanmar through point 8 with the coordinates 20° 22' 46.1" N, 92° 24' 09.1" E. From point 8 the single maritime boundary follows in a northwesterly direction the 12 nm envelope of arcs of the territorial sea around St Martin's Island until it intersects at point 9 (with the coordinates 20° 26' 39.2" N, 92° 9' 50.7" E) with the delimitation line of the exclusive economic zone and continental shelf between the Parties;

FOR: President JESUS; Vice-President TÜRK; Judges MAROTTA RANGEL, YANKOV, NELSON, CHANDRASEKHARA RAO, AKL, WOLFRUM, TREVES,

NDIAYE, COT, PAWLAK, YANAI, KATEKA, HOFFMANN, GAO, BOUGUETAIA, GOLITSYN, PAIK; Judges ad hoc MENSAH, OXMAN;

AGAINST: Judge LUCKY.

(5) By 21 votes to 1,

Decides that, from point 9 the single maritime boundary follows a geodetic line until point 10 with the coordinates 20° 13' 06.3" N, 92° 00' 07.6" E and then along another geodetic line until point 11 with the coordinates 20° 03' 32.0" N, 91° 50' 31.8" E. From point 11 the single maritime boundary continues as a geodetic line starting at an azimuth of 215° until it reaches the 200 nm limit calculated from the baselines from which the breadth of the territorial sea of Bangladesh is measured;

FOR: President JESUS; Vice-President TÜRK; Judges MAROTTA RANGEL, YANKOV, NELSON, CHANDRASEKHARA RAO, AKL, WOLFRUM, TREVES, NDIAYE, COT, PAWLAK, YANAI, KATEKA, HOFFMANN, GAO, BOUGUETAIA, GOLITSYN, PAIK; Judges ad hoc MENSAH, OXMAN;

AGAINST: Judge LUCKY.

(6) By 19 votes to 3,

Decides that, beyond that 200 nm limit, the maritime boundary shall continue, along the geodetic line starting from point 11 at an azimuth of 215° as identified in operative paragraph 5, until it reaches the area where the rights of third States may be affected.

FOR: President JESUS; Vice-President TÜRK; Judges MAROTTA RANGEL, YANKOV, NELSON, CHANDRASEKHARA RAO, AKL, WOLFRUM, TREVES, COT, PAWLAK, YANAI, KATEKA, HOFFMANN, BOUGUETAIA, GOLITSYN, PAIK; Judges ad hoc MENSAH, OXMAN;

AGAINST: Judges NDIAYE, LUCKY, GAO.

Judges Nelson, Chandrasekhara Rao, Cot, Wolfrum, Treves, Mensah and Oxman have appended declarations to the Judgment. Judges Ndiaye, Cot and Gao have appended separate opinions to the Judgment. Judge Lucky has appended a dissenting opinion to the Judgment.

Note: The press releases of the Tribunal do not constitute official documents and are issued for information purposes only.

The press releases of the Tribunal, documents and other information are available on the Tribunal's websites (<http://www.itlos.org> and <http://www.tidm.org>) and from the Registry of the Tribunal. Please contact the Press Office at: Am Internationalen Seegerichtshof 1, 22609 Hamburg, Germany, Tel.: +49 (40) 35607-227; Fax: +49 (40) 35607-245; E-mail: press@itlos.org



