

No. 48458

**Cape Verde, Gambia, Guinea, Guinea-Bissau, Mauritania,
Norway
and
Senegal**

Agreement on technical and financial cooperation between the Republic of Cape Verde, the Republic of the Gambia, the Republic of Guinea-Bissau, the Republic of Guinea, the Islamic Republic of Mauritania and the Republic of Senegal on the one hand and the Kingdom of Norway on the other on intended Norwegian support to the establishment of the outer limits of the continental shelf beyond 200 nautical miles. New York, 21 September 2010

Entry into force: *21 September 2010 by signature, in accordance with article 10*

Authentic texts: *English, French and Portuguese*

Registration with the Secretariat of the United Nations: *Cape Verde, 16 March 2011*

**Cap-Vert, Gambie, Guinée, Guinée-Bissau, Mauritanie, Norvège
et
Sénégal**

Accord de coopération technique et financière entre la République du Cap-Vert, la République de Gambie, la République de Guinée-Bissau, la République de Guinée, la République islamique de Mauritanie et la République du Sénégal d'une part, et le Royaume de Norvège d'autre part, en vue de l'appui que la Norvège entend leur fournir aux fins de la fixation des limites extérieures de leur plateau continental au-delà de 200 milles marins. New York, 21 septembre 2010

Entrée en vigueur : *21 septembre 2010 par signature, conformément à l'article 10*

Textes authentiques : *anglais, français et portugais*

Enregistrement auprès du Secrétariat des Nations Unies : *Cap-Vert, 16 mars 2011*

Agreement on Technical and Financial Cooperation between the Republic of Cape Verde, the Republic of The Gambia, the Republic of Guinea-Bissau, the Republic of Guinea, the Islamic Republic of Mauritania and the Republic of Senegal on the one hand and the Kingdom of Norway on the other on intended Norwegian support to the Establishment of the Outer Limits of the Continental Shelf Beyond 200 Nautical Miles.

The Republic of Cape Verde, the Republic of The Gambia, the Republic of Guinea-Bissau, the Republic of Guinea, the Islamic Republic of Mauritania, the Republic of Senegal (hereinafter collectively referred to as "*the six West African coastal States*") and the Kingdom of Norway (hereinafter referred to as "*Norway*");

Recognizing the important contribution of the United Nations Convention on the Law of the Sea (hereinafter referred to as "*the Convention*") to the maintenance of peace, justice and progress for all peoples of the world;

Aware of the need to delineate the outer limits of the continental shelf beyond 200 nautical miles in accordance with the Convention;

Noting further that it is in the broader interest of the international community that coastal States with a continental shelf beyond 200 nautical miles submit, in accordance with article 76 of the Convention and article 4 of annex II to the Convention, information on the outer limits of the continental shelf beyond 200 nautical miles to the Commission on the Limits of the Continental Shelf (hereinafter referred to as "*the Commission*");

Recalling that the six West African coastal States, with assistance from Norway, have all submitted to the Secretary-General of the United Nations, in accordance with the decision of the Eighteenth Meeting of States Parties to the Convention contained in document SPLOS/183, preliminary information indicative of the outer limits of the continental shelf beyond 200 nautical miles showing that they do all pass the test of appurtenance as described in the Scientific and Technical Guidelines of the Commission;

Recognizing significant development implications for the six West African coastal States of the establishment of the outer limits of their continental shelves beyond 200 nautical miles;

Noting that the six West African coastal States continue to face particular challenges in submitting information to the Commission in accordance

with article 76 of the Convention and article 4 of annex II to the Convention;

Recalling that in its resolution A/RES/64/71, paragraph 20, the General Assembly of the United Nations calls upon States to continue to assist developing States, and in particular the least developed countries and small island developing States, as well as coastal African States, at the bilateral and, where appropriate, multilateral levels, in the preparation of submissions to the Commission regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles, including the assessment of the nature and extent of the continental shelf of a coastal State;

Acting in furtherance of the Praia Action Plan adopted in Praia on 9 September 2009 by the Sub-Regional Workshop on the Extension of the Outer Limits of the Continental Shelf Beyond 200 Nautical Miles, attended by representatives of the six West African coastal States, which calls for *inter alia* the establishment of technical and financial cooperation agreements between the countries concerned and the development partners, notably Norway, in order to carry out the projects for the establishment of the outer limits of the continental shelf beyond 200 nautical miles;

Have agreed as follows:

Article 1

- (1) Subject to the terms of this Agreement and the applicable constitutional requirements concerning Norwegian budgetary appropriations, Norway will provide technical and financial assistance to the six West African coastal States (hereinafter referred to as “the Norwegian assistance”) in the preparation of submissions to the Commission regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles in accordance with the requirements of article 76 of the Convention and article 4 of annex II to the Convention, as well as with the Rules of Procedure and the Scientific and Technical Guidelines of the Commission (hereinafter referred to as “*submissions to the Commission*”).
- (2) The Norwegian assistance will be provided within the framework of the Framework Agreement on Sub-regional Cooperation between the six West African coastal States on the

establishment of the outer limits of the continental shelf beyond 200 nautical miles.

- (3) In the implementation of the present Agreement both Norway and the six West African coastal States may seek the support and cooperation of other parties notably the Commission of the Economic Community of West African States (the ECOWAS Commission) and the United Nations Office for West Africa (UNOWA).
- (4) Norway will take no position on, nor accept any responsibility for, any legal or other issues pertaining to the preparation of the submissions to the Commission, including with regard to any issues pertaining to baselines or any other questions under international law.

Article 2

For the purpose of the present Agreement the term *"the continental shelf of the six West African coastal States"* shall also include relevant portions of the continental shelf where there is or may be an unresolved issue of maritime delimitation between two or more of the six West African coastal States as well as the portion of the continental shelf which is covered by the Management and Cooperation Agreement between the Republic of Senegal and the Republic of Guinea-Bissau of 14 October 1993.

Article 3

The Norwegian assistance will include an assessment of the nature and extent of the continental shelf of the six West African coastal States and the delineation of its outer limits. For this purpose Norway will finance a desktop study of the continental shelf of the six West African coastal States to be based on modern Geographical Information Systems technology (GIS) and provided by the UNEP Shelf Programme, represented by GRID-Arendal, under the Framework Agreement between the Royal Norwegian Ministry of Foreign Affairs and GRID-Arendal (hereinafter referred to as *"the desktop study"*).

Article 4

Each of the six West African coastal States will assist GRID-Arendal in identifying data sources relevant to the desktop study which are not

publicly available, and to obtain permission to access relevant data and information. In cases where permission from the coastal State is necessary to obtain such access, each of the six West African coastal States undertakes to grant such permissions to GRID-Arendal.

Article 5

Norway will ensure that:

- (1) Save with the consent of the coastal State or States in question, GRID-Arendal shall confine access to data and other material in its custody in connection with the desktop study, and not otherwise publicly available, to persons who need such access by reason of their duties in relation to the Norwegian assistance, including the desktop study. Norway will inform the coastal State or States in question of the names and nationality of these persons.
- (2) GRID-Arendal shall require that persons who have access to data and other material in its custody in connection with the desktop study, shall not disclose any information, which is not otherwise publicly available, coming to their knowledge by reason of their duties in relation to the Norwegian assistance, including the desktop study. This applies also after they cease their duties in relation to the Norwegian assistance, including the desktop study.
- (3) GRID-Arendal is responsible, in accordance with Norwegian laws, for ensuring adequate protection of such data and other material as referred to in paragraphs (1) and (2) and for the application of any liabilities.

Article 6

The Norwegian assistance may include an offer to each of the six West African coastal States to send experts to GRID-Arendal in connection with the preparation of the desktop study for the purpose of training and capacity building. The modalities of this offer will be specified later after consultations between Norway and each of the six West African coastal States.