

Memorandum

On July 29, 1993, an agreement was concluded between the Republic of Lithuania and the Republic of Latvia on the restoration of the land border that provided for the conclusion of a separate agreement on the sea border.

The problems concerning the sea border between Lithuania and Latvia have been discussed at high inter-state levels – in August, 1993 at the meeting between the State Presidents and in both January and December, 1994 between the Heads of the Governments of Lithuania and Latvia.

The main areas of contention concern the delimitation of the economic zone. Since it was not international practice of the pre-war period to draw such borders, it has never been done before. The Lithuanian delegation has rejected the initial proposal of the Latvian delegation to delimit the border of the economic zone as a direct extension of the land border to comply with the principles under which the two countries agreed upon to determine the border of the territorial waters in 1927. In addition, Lithuania does not accept the determination of the economic zone according to the method of equal distance prescribed by Article 15 of the 1982 Law of the Sea Convention. The Lithuanian Party has proposed to determine the sea border parallel to the furthest point of the land border resulting in a shift of the economic zone border further north which is not in the interest of the Latvian Party.

The fact that one of the potential locations of petroleum resources is in the zone of contention and that the decision concerning the borders can determine which country will possess these resources, aggravate the concluding of the agreement.

In spite of the above mentioned disagreement, the Heads of States and Governments of Lithuania and Latvia recognise that in the negotiations between both Parties common understanding is becoming evident.

Having expressed their wish to find a solution concerning the sea border as soon as possible that is in interest of maintaining of good neighbourly relations and that complies with norms and principles of international law, and that is based on the informal agreement between the Heads of the Governments of Lithuania and Latvia in December 1994, the Heads of the States and the Governments of Lithuania and Latvia have agreed as follows:

1. The territorial sea border is to be determined accordance with Article 12 of the 1958 Convention of the Territorial Sea by the method of equal distances.
2. The economic zone border is to be determined as the middle line between the proposals offered by both Parties extending from 55°58'3" latitude to the economic zone of Sweden.
3. No co-operation with third countries in exploitation of the sea resources is to be undertaken before the delimitation of the Lithuanian Latvian sea border.

Done at 19, on 20 May, 1995

On behalf of the Republic of Lithuania
A.Brazauskas

On behalf of the Republic of Latvia
G.Ulmanis