

**ANNEX 2**

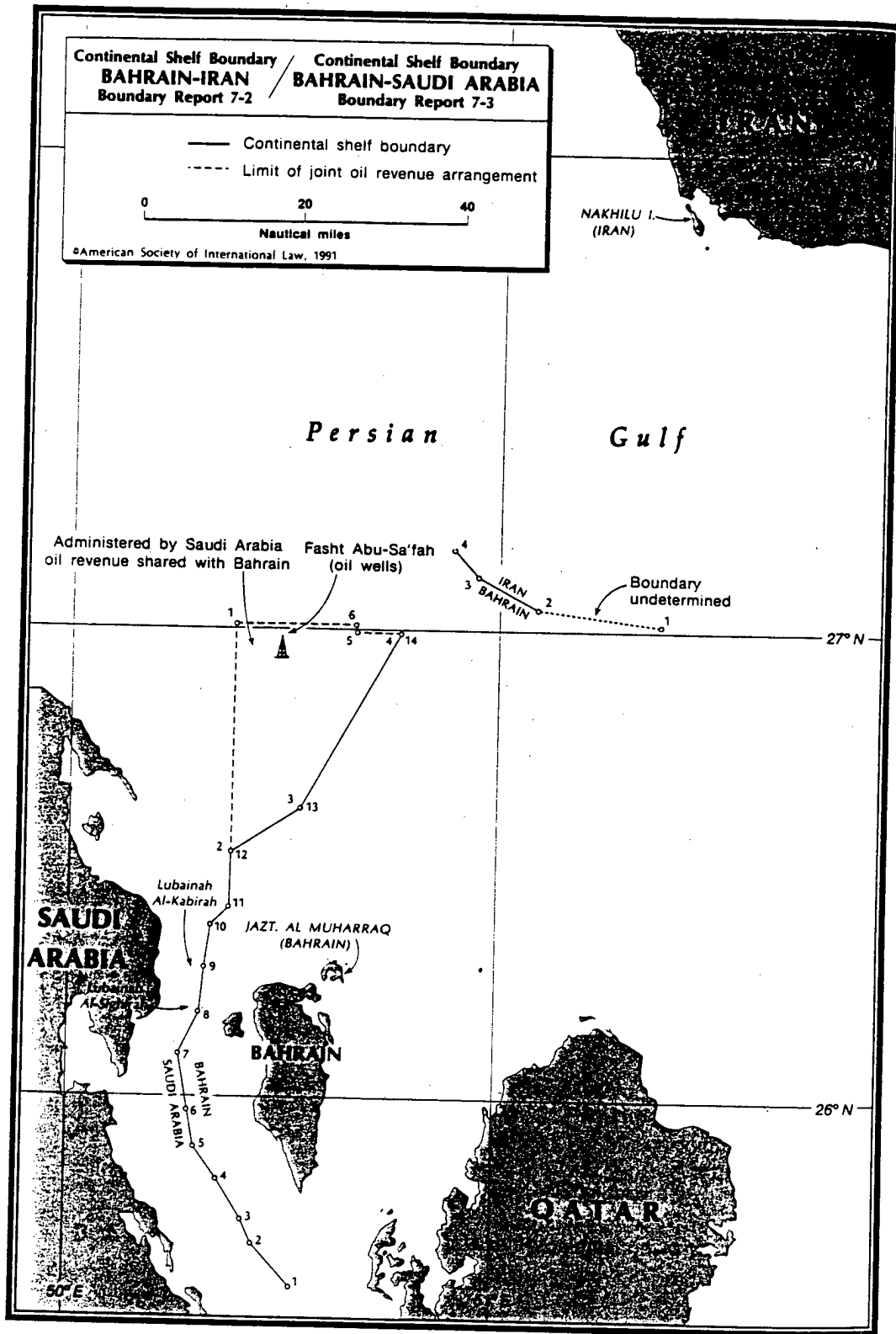
**BAHRAIN - SAUDI ARABIA**

**Agreement between the Government of Bahrain  
and the Kingdom of Saudi Arabia  
Concerning Delimitation of the Continental Shelf**

Signed: 22 February 1958

Entered into force: 26 February 1958

Attached map and text of agreement taken from Charney and Alexander (eds), *International Maritime Boundaries, Vol. II*, Martinus Nijhoff Publishers, 1991, 1494-1497.



### **Bahrain-Saudi Arabia Boundary Agreement Dated 22 February 1958**

Whereas the regional waters between the Kingdom of Saudi Arabia and the Government of Bahrain meet together in many places overlooked by their respective coasts,

And in view of the royal proclamation issued by the Kingdom of Saudi Arabia on the 1st Sha'aban in the year 1368 (corresponding to 28th May 1949) and the ordinance issued by the Government of Bahrain on the 5th June 1949 about the exploitation of the sea-bed,

And in view of the necessity for an agreement to define the underwater areas belonging to both countries,

And in view of the spirit of affection and mutual friendship and the desire of H.M. the King of Saudi Arabia to extend every possible assistance to the Government of Bahrain,

the following agreement has been made:

#### *First clause*

1. The boundary line between the Kingdom of Saudi Arabia and the Bahrain Government will begin, on the basis of the middle line from point 1, which is situated at the mid-point of the line running between the tip of the Ras al Bar (A) at the southern extremity of Bahrain and Ras Muharra (B) on the coast of the Kingdom of Saudi Arabia.
2. Then the above-mentioned middle line will extend from point 1 to point 2 situated at the mid-point of the line running between Point (A) and the northern tip of the island of Zakhuniya (C).
3. Then the line will extend from point 2 to point 3 situated at the mid-point of the line running between point A and the tip of Ras Saiya (D).
4. Then the line will extend from point 3 to point 4, which is defined on the attached map and which is situated at the mid-point of the line running between the two points E and F which are both defined on the map.
5. Then the line will extend from point 4 to point 5, which is defined on the map and which is situated at the point (sic) of the line running between the two points G and H which are defined on the map.
6. Then the line will extend from point 5 to point 6, which is defined on the map and which is situated at the mid-point of the line running between the two points I and J which are defined on the map.
7. Then the line will extend from point 6 to point 7 situated at the mid-point of the line running between the south-western tip of the island of Umm Nasan (K) and Ras Al Kureya (L).
8. Then the line will extend from point 7 to point 8 situated at the western extremity of the island Al Baina As Saghir, leaving the island to the Government of Bahrain.
9. Then the line will extend from point 8 to point 9 situated at the eastern extremity of the island Al Baina Al Kabir, leaving the island to the Kingdom of Saudi Arabia.
10. Then the line will extend from point 9 to point 10 situated at the mid-point of the line running between the north-western tip of Khor Fasht (M) and the southern end of the island of Chaschus (N).
11. Then the line will extend from point 10 to point 11 situated at the mid-point of the line running between point O situated at the western edge of Fasht Al Jarim and point N referred to in subsection 10 above.
12. Then the line will extend from point 11 to point 12 situated at latitude 26° 31' 48" north and longitude 50° 23' 15" east approximately.
13. Then the line will extend from point 12 to point 13 situated at latitude 26° 37' 15" north and longitude 50° 33' 24" east approximately.

14. Then the line will extend from point 13 to 14 situated at latitude  $26^{\circ} 59' 30''$  north and longitude  $50^{\circ} 46' 24''$  east approximately, leaving the Rennie Shoals (known as Najwat Al Riqai and Fasht Al Anawiyah) to the Kingdom of Saudi Arabia.

15. Then the line will extend from point 14 in a north-easterly direction to the extent agreed upon in the royal proclamation issued on the 1st Sha'aban in the year 1368 (corresponding to 28th May, 1949) and in the ordinance issued by the Government of Bahrain on the 5th June, 1949.

16. Everything that is situated to the left of the above-mentioned line in the above subsections belongs to the Kingdom of Saudi Arabia and everything to the right of that line to the Government of Bahrain, with the obligation of the two governments to accept what will subsequently appear in the second clause below.

#### *Second Clause*

The area situated within the six defined sides is as follows:

1. A line beginning from a point situated at latitude  $27^{\circ}$  north and longitude  $50^{\circ} 23'$  east approximately.
2. From there to a point situated at latitude  $26^{\circ} 31' 48''$  north and longitude  $50^{\circ} 23' 15''$  east approximately.
3. From there to a point situated at latitude  $26^{\circ} 37'$  north and longitude  $50^{\circ} 33'$  east approximately.
4. From there to a point situated at latitude  $26^{\circ} 59' 30''$  north and longitude  $50^{\circ} 46' 24''$  east approximately.
5. From there to a point situated at latitude  $26^{\circ} 59' 30''$  north and longitude  $50^{\circ} 40'$  east.
6. From there to a point situated at latitude  $27^{\circ}$  north and longitude  $50^{\circ} 40'$  east approximately.
7. From there to the starting point.

This area cited and defined above shall be in the part falling to the Kingdom of Saudi Arabia in accordance with the wish of H.H. the Ruler of Bahrain and the agreement of H.M. the King of Saudi Arabia. The exploitation of the oil resources in this area will be carried out in the way chosen by His Majesty on the condition that he grants to the Government of Bahrain one half of the net revenue accruing to the Government of Saudi Arabia and arising from this exploitation, and on the understanding that this does not infringe the right of sovereignty of the Government of Saudi Arabia nor the right of administration over this above-mentioned area.

#### *Third Clause*

Two copies of a map shall be attached to this agreement, making as clear as possible the positions and points referred to in the foregoing subsections, subject to the map being made final by the expert knowledge of the committee defined in the fourth clause below. This map shall become final and an integral part of this agreement after approval and signature by the accredited representatives of the two governments on behalf of the two parties.

*Fourth Clause*

The two parties shall choose a technical body to undertake the necessary measures to confirm the boundaries in accordance with the provisions of this agreement on the condition that this body shall complete its work two months at the most after the date of execution of this agreement.

*Fifth Clause*

After the committee referred to in the fourth clause has completed its work and the two parties agree on the final map which it will have prepared, a body of technical delegates from both sides shall undertake the placing of signs and the establishing of the boundaries in accordance with the detailed announcements made clear in the final map.

*Sixth Clause*

This agreement shall come into effect from the date on which it is signed by the two parties.

## Bahrain-Saudi Arabia

*Report Number 7-3*

### Agreement between the Government of Bahrain and the Kingdom of Saudi Arabia Concerning Delimitation of the Continental Shelf

*Signed:* 22 February 1958

*Entered into force:* 26 February 1958

*Published at:* National Legislative Series, UN Doc. No.  
ST/LEG/SER. B/16, p. 409 (1974)  
Limits in the Seas No. 12 (1970)  
I Canadian Annex 83 (1983)  
II Libyan Annex No. 5 (1983)  
I Conforti & Francalanci 103 (1979)  
I Basic Oil Laws and Concession Contracts (Middle East) (1959)  
I International Law of Ocean Development: Basic Documents 420  
(1976)

#### I SUMMARY

Bahrain and Saudi Arabia are situated as opposite states on the Arabian side of the Persian Gulf. Their continental shelf boundary – the first to be delimited in the Gulf – extends for a distance of 98.5 nautical miles (n.m.) and involves 14 points connected by straight lines. The agreement delimiting this boundary also delimits an area on the Saudi side of the boundary, the so-called Fasht Abu-Sa 'fah' Hexagon, in which the two governments share income derived from petroleum operations. Two distinct methods of delimitation were involved. For approximately two-thirds of its length the boundary was delimited using a variation of the equidistance method. The remainder of the boundary was delimited so as to coincide with the limits of the Fasht Abu-Sa'fah oil field. Ratifications were exchanged on 26 February 1958, and the agreement came into force on that date.

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## II CONSIDERATIONS

1 *Political, Strategic, and Historical Considerations*

The agreement between Bahrain and Saudi Arabia resolved a longstanding dispute over the islands of Lubainah Al-Kabirah and Lubainah Al-Saghirah, as well as a dispute over the Fasht Abu-Sa'fah oil field. In 1941, the Bahrain Petroleum company (BAPCO) was granted exploration rights in this field. When Saudi Arabia objected, BAPCO suspended operations and the two governments entered into negotiations. Bahrain offered to cede Lubainah Al-Kabirah to Saudi Arabia in return for recognition of its sovereignty over Lubainah Al-Saghirah. Bahrain also proposed a division of the Fasht Abu-Sa'fah field. When the parties were unable to agree on how the field should be divided, they agreed to delimit the northern sector of their continental shelf boundary so as to coincide with the limits of the field (placing the field entirely on Saudi Arabia's side of the boundary), and to share equally in the oil revenues derived from the field.

2 *Legal Regime Considerations*

The agreement delimits the respective continental shelf jurisdictions of the parties and, in addition, carves out an area on Saudi Arabia's continental shelf in which Bahrain is entitled to share equally in the revenues generated by petroleum development. The agreement explicitly states that this revenue-sharing arrangement does not affect Saudi Arabian sovereignty over the area, subject to revenue-sharing.

There are no provisions for dispute settlement or provisions dealing with common structures.

3 *Economic and Environmental Considerations*

Economic considerations motivated the delimitation and ultimately affected the location of the boundary. The parties' dispute over the Fasht Abu-Sa'fah field and the resulting suspension of operations there provided the impetus for the boundary negotiations. ~~Approximately one-third of the boundary was delimited so as to coincide with the limits of the field.~~ Approximately one-third of the boundary was delimited so as to coincide with the limits of the field. While the agreement places the field entirely on Saudi Arabia's side of the boundary and makes clear that it is subject to Saudi sovereignty and control, Bahrain is entitled to share equally in all petroleum revenues derived from the field.

Environmental considerations were not involved in the delimitation.

4 *Geographic Considerations*

The parties' use of a variation of the equidistance method to delimit almost

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two-thirds of the boundary reflects the fact that Saudi Arabia and Bahrain have opposite coastlines.

*5 Islands, Rocks, Reefs, and Low-Tide Elevations Considerations*

Bahrain is an island state and, with respect to that part of the boundary that was delimited using a variation of the equidistance method, Bahrain was given full effect. Certain small islands and drying reefs belonging to both parties were also given full effect. Other small islands and low-tide elevations were ignored. The allocation of Lubainah Al-Saghirah to Bahrain and Lubainah Al-Kabirah to Saudi Arabia determined the location of part of the boundary, since turning points are located on both of these islands.

*6 Baseline Considerations*

Although Saudi Arabia declared a system of straight baselines shortly before the continental shelf agreement was signed, this claim did not affect the location of the boundary.

*7 Geological and Geomorphological Considerations*

Geology was a factor in the delimitation in the sense that the limits of the Fasht Abu-Sa'fah field define approximately one-third of the continental shelf boundary.

Geomorphology did not influence the boundary. The seabed in the vicinity of the boundary lies at very shallow depths (approximately 10-50 meters) and is devoid of any distinguishing geomorphologic features.

*8 Method of Delimitation Considerations*

For almost two-thirds of its length, the boundary was delimited using what the parties described as a 'middle line' connecting the mid-points of lines drawn between specified points on the parties' coast (most English translations of the agreement use the term 'median line'; however, the Arabic text - *Al-Khatal Wasat* - correctly translated means 'middle line').

The remainder of the boundary was delimited so as to coincide with the limits of the Fasht Abu-Sa'fah field.

The agreement allocated Lubainah Al-Saghirah to Bahrain and Lubainah Al-Kabirah to Saudi Arabia.

The agreement does not specify the coordinates of the terminal points and turning points of the boundary. In the south, where the boundary was delimited as a 'middle line,' the terminal point and turning points are defined simply as 'mid-points' of lines connecting specified points on the parties' coasts, except for two points which are located on Lubainah Al-Saghirah and Lubainah Al-Kabirah, respectively. In the north, where the boundary was delimited on



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the basis of the Fasht Abu-Sa'fah field, the turning points are defined in terms of approximate intersections of specified parallels of latitude and meridians of longitude.

Beyond the last turning point (Point 14), the boundary is described as proceeding in a northeasterly direction to the extent consistent with the parties' respective continental shelf proclamations. The terminal point of the Saudi Arabia-Bahrain boundary has now been established approximately 12.25 n.m. northeast of Point 14, when the Bahrain, Iran, and Iran-Saudi Arabia boundaries were delimited.

#### 9 *Technical Considerations*

At the time of the agreement, hydrographic charts of the parties' coasts were not sufficiently accurate to permit the construction of precise equidistant lines. The agreement provides for the establishment of a joint commission to carry out the surveys necessary to establish the boundary delimited by the agreement and to demarcate the points used in the delimitation. The agreement also provides for the preparation of a map illustrating the boundary. After being approved by the parties, this map became an 'integral part' of the agreement.

#### 10 *Other Considerations*

None.

### III CONCLUSIONS

Economic considerations motivated the delimitation. The parties recognized that offshore petroleum exploration could not proceed until the boundary was established. The location of the boundary was determined by (1) the opposite relationship of the parties coasts, (2) the agreed upon allocation of two disputed islands, and (3) the limits of the Fasht Abu-Sa'fah field.

### IV RELATED LAW IN FORCE

#### A *Law of the Sea Conventions*

Bahrain: Party to the 1982 LOS Convention  
Saudi Arabia: None

#### B *Maritime Jurisdiction Claimed at the Time of Signature*

Both states had issued general continental shelf proclamations without defining

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the limits of this claim. Bahrain claimed a 30-mile territorial sea, and Saudi Arabia claimed 12 miles, measured in part from straight baselines

*C Maritime Jurisdiction Claimed Subsequent to Signature*

There have been no changes in territorial sea claims. Saudi Arabia in 1974 claimed an exclusive economic zone of unspecified breadth

V REFERENCES AND ADDITIONAL READINGS

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