Agreement

between

the Government of New Zealand

and

the Government of the Cook Islands

cconcerning

the Delimitation of the Maritime Boundaries between

Tokelau

and

the Cook Islands
The Government of New Zealand and the Government of the Cook Islands,

Desirous of strengthening the bonds of neighbourliness and friendship between Tokelau and the Cook Islands,

Recognising the need to effect a precise and equitable delimitation of the maritime boundaries between Tokelau and the Cook Islands,

Recalling the rules and principles of relevant international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982,

Have agreed as follows,

Article 1

The boundary between the maritime areas of Tokelau and the Cook Islands is a line of equidistance, determined by using the nearest baselines from which, in each case, the territorial sea is measured.

Article 2

2.1 The boundary between the maritime areas of Tokelau and the Cook Islands is the line formed by the geodesics joining the following geographical co-ordinates;

<table>
<thead>
<tr>
<th>Latitude (South)</th>
<th>Longitude (West)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 8° 15' 10&quot;</td>
<td>168° 00' 10&quot;</td>
</tr>
<tr>
<td>2. 8° 51' 50&quot;</td>
<td>168° 10' 58&quot;</td>
</tr>
<tr>
<td>3. 9° 48' 51&quot;</td>
<td>168° 27' 52&quot;</td>
</tr>
<tr>
<td>4. 10° 01' 26&quot;</td>
<td>168° 31' 25&quot;</td>
</tr>
</tbody>
</table>

2.2 The geographical co-ordinates referred to in paragraph 1 are based on the World Geodetic System (WGS 84) with the exception of the fourth point which is based on the World Geodetic System (WGS 72). The fourth point is a tripoint with the Cook Islands – United States of America

2.3 This line is depicted for illustrative purposes on the chart annexed to this Agreement.

**Article 3**

If it becomes necessary to extend the line of delimitation referred to in Article 2 for the purpose of further delimiting areas of the continental shelf adjacent to Tokelau and the Cook Islands which are beyond both their respective exclusive economic zones, that line shall be extended by agreement in accordance with international law.

**Article 4**

Each Party shall notify the other in writing of the completion of the constitutional procedures required for the entry into force of this Agreement. The Agreement shall enter into force on the date of receipt of the later of these notifications.

In witness thereof, the representatives of the two Governments, being duly authorised for this purpose, have signed this Agreement.

Done in duplicate at Rongelap Island on 29 May 2010, in the English and Tokelauan languages, of which the English text will be the authentic text.

For the Government of New Zealand

For the Government of the Cook Islands
MĀLILIEGA

i te va o

te Mālō o Niu Hila

ma te Mālō o te Atu Kuki

e uiga ki te

faiga o nā tuākoī o te tai i te va o

Tokelau

ma

te Atu Kuki
Ko te Mālō o Niu Hiia ma te Mālō o te Atu Kuki:

I he fakanaunauga ke fakamāloha āti nā hokotaga vāvālalata a nā fenua tuākoi ma te fakauō i te va o Tokelau ma te Atu Kuki,

I te taliagia o te manakoga ke fakatino i he faiga e patino ma tūlaga tonu nā tuākoi o te tai i te va o Tokelau ma te Atu Kuki,

I toe faka-manatua maiga o nā tūlāfono ma nā agaga taki o nā tūlāfono fakavā–o-mālō e talafeagai, e vēia o atafia i nā Māliliega a Mālō Kaufakatahi ki nā Tūlāfono o te Tai o te aho 10 Tehema 1982.

Kua mālilie vēene:

Vāega 1

Ko te tuākoi i te va o nā kogāmoana o Tokelau ma te Atu Kuki, ko he laina e fua tutuha ai te mamao mai ona itu uma e faka-patino i te fakaaoogā o nā laina taki fakavae pito o piil mai tēia, e fua ai nā kogāmoana tau fenua.

Vāega 2

2.1 Ko te tuakoi i te va o nā kogāmoana o Tokelau ma te Atu Kuki ko he laina e oho ake mai ina laina hili te pupuku i te va o ni pine e lua (geodesics) e hohoko i nā fakatūlagaga (geographical co-ordinates) iē inei:

<table>
<thead>
<tr>
<th>Latitude (laina fakatakamilo)</th>
<th>Longitude (laina fano ki lugana ma lalo)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 8° 15' 10&quot;</td>
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</tr>
</tbody>
</table>

2.2 Ko nā fakatūlagaga pe ko nā geographical co-ordinates iēia e tākua i te palakalafa 1 i lugana, e fatu āgai ki te World Geodetic System (WGS 84) vaganā ai te vāega 4 tēia e fatu āgai ki te World Geodetic System (WGS 72). Ko tona fa o mata (point) e fakahino ki he mata-tolu (tripoint) e aofia ai te Feagaiga o te 1980 i te va o te Atu Kuki ma te Mālō o Amelika (Amelika Samoa) ma te Feagaiga o te 1980 i te va o Niu Sila (Tokelau) ma te Malo o Amelika (Amelika Samoa) ma ko nā feagaiga íenā e fatu āgai ki te World Geodetic System (WGS 72). Ko te fakakupuga tutuha o te mata-tolu i te World Geodetic System (WGS84) ko te Laina fakatakamilo (Latitude) 10° 01' 25.858°S, mate fua fano ki lugana ma lalo (Longitude) 168° 31' 24.446°W.
2.3 Ko te laina tēnei kua fakaali atu vēnei i loto o te ata (chart) e fakapipiki atu ki te Mālliega tēnei ke atili fakamāi̍na atili ai.

Vāega 3

Kafai kua talafeagai ke toe fakaopoopo he vāega o te laina tuākoi tēia e tākua i te Vāega 2 kae ke toe fai ni vavāega o he laina tuākoi ki ni kogāfenua o te alititai (continental shelf) tēia i tafa o Tokelau ma te Atu Kuki ma e hilia ki mua o nā hone fāgota o kilāua, ko te laina tēnā ka toe fakaopoopo i luga o he mālliega fakatahi e tuha ai ma nā tōlāfono fakavā-o-māliō.

Vāega 4

Ko nā irtū takitahi ka fakatau fakailoa e tētahi ki tētahi i ni tuhituhiga kafai kua uma te fakatūlaga faka-te-tulafono e vē i ni manakomia ke fakahai o te fakahai o te Mālliega tēnei. Ko te Mālliega e aloakia i te aho e mua ai te fakahai o te fakahai o te Mālliega iēnei.

I te molaimau ki nā mea kua tākua, ko nā hui o nā Mālō e lua, kua fakahai iēnega mo te hainiga o te Mālliega tēnei.

Kua faia i ni kopi e lua i Pele-te-Mālō i te aho 4.1.2010 i te gagana Peletânia ma te gagana Tokelau, ka ko te tuhituhiga faka-Peletânia ko te tuhituha aloakia ia.

Mō te Mālō o Niu Hila

Mō te Mālō o te Atu Kuki