

Text of the Treaty of Arbitration signed at Washington on 2nd February, 1897 between Great Britain and the U.S.V. and the Award of the Tribunal of Arbitration constituted under Article I of the Treaty, dated 3rd October, 1899.

WHEREAS, on the 2nd day of February, 1897, a Treaty of Arbitration was concluded between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the United States of Venezuela in the terms following—

“Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the United States of Venezuela, being desirous to provide for an amicable settlement of the question which has arisen between their respective Governments concerning the boundary between the Colony of British Guiana and the United States of Venezuela, have resolved to submit to arbitration the question involved, and to the end of concluding a Treaty for that purpose have appointed as their respective Plenipotentiaries:

“Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Sir Julian Pauncefote, a Member of Her Majesty’s Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, and of the Most Distinguished Order of St. Michael and St. George, and Her Majesty’s Ambassador Extraordinary and Plenipotentiary to the United States:

“And the President of the United States of Venezuela, Senor Jose Andrade, Envoy Extraordinary and Minister Plenipotentiary of Venezuela to the United States of America:

“Who, having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following Articles—

#### “ARTICLE I

“An Arbitral Tribunal shall be immediately appointed to determine the boundary-line between the Colony of British Guiana and the United States of Venezuela.

“ARTICLE II

“The Tribunal shall consist of five jurists: two on the part of Great Britain, nominated by the members of the Judicial Committee of Her Majesty’s Privy Council, namely, the Right Honourable Baron Herschell, Knight Grand Cross of the Most Honourable Order of the Bath, and the Honourable Sir Richard Henn Collins, Knight, one of the Justices of Her Britannic Majesty’s Supreme Court of Judicature; two on the part of Venezuela, nominated, one by the President of the United States of Venezuela, namely, the Honourable Melville Weston Fuller, Chief Justice of the United States of America, and one nominated by the Justices of the Supreme Court of the United States of America, namely, the Honourable David Josiah Brewer, a Justice of the Supreme Court of the United States of America; and of a fifth jurist to be selected by the four persons so nominated, or in the event of their failure to agree within three months from the date of the exchange of ratifications of the present Treaty, to be selected by His Majesty the King of Sweden and Norway. The jurist so selected shall be President of the Tribunal.

“In case of the death, absence, or incapacity to serve of any of the four Arbitrators above named, or in the event of any such Arbitrator omitting or declining or ceasing to act as such, another jurist of repute shall be forthwith substituted in his place. If such vacancy shall occur among those nominated on the part of Great Britain, the substitute shall be appointed by the members for the time being of the Judicial Committee of Her Majesty’s Privy Council, acting by a majority, and if among those nominated on the part of Venezuela, he shall be appointed by the Justices of the Supreme Court of the United States, acting by a majority. If such vacancy shall occur in the case of the fifth Arbitrator, a substitute shall be selected in the manner herein provided for with regard to the original appointment.

“ARTICLE III.

“The Tribunal shall investigate and ascertain the extent of the territories belonging to, or that might lawfully be claimed by the United Netherlands or by the Kingdom of Spain respectively at the time of the acquisition by Great Britain of the Colony of British Guiana, and shall determine the boundary-line between the Colony of British Guiana and the United States of Venezuela.

**"ARTICLE IV.**

**"In deciding the matters submitted, the Arbitrators shall ascertain all facts which they deem necessary to a decision of the controversy, and shall be governed by the following Rules, which are agreed upon by the High Contracting Parties as Rules to be taken as applicable to the case, and by such principles of international law not inconsistent therewith as the Arbitrators shall determine to be applicable to the case—**

***"Rules.***

**" (a) Adverse holding or prescription during a period of fifty years shall make a good title. The Arbitrators may deem exclusive political control of a district, as well as actual settlement thereof, sufficient to constitute adverse holding or to make title by prescription.**

**" (b) The Arbitrators may recognise and give effect to rights and claims resting on any other ground whatever valid according to international law, and on any principles of international law which the Arbitrators may deem to be applicable to the case, and which are not in contravention of the foregoing rule.**

**" (c) In determining the boundary-line, if territory of one Party be found by the Tribunal to have been at the date of this Treaty in the occupation of the subjects or citizens of the other Party, such effect shall be given to such occupation as reason, justice, the principles of international law, and the equities of the case shall, in the opinion of the Tribunal, require.**

**"ARTICLE V.**

**"The Arbitrators shall meet at Paris, within sixty days after the delivery of the printed arguments mentioned in Article VIII, and shall proceed impartially and carefully to examine and decide the questions that have been, or shall be, laid before them, as herein provided, on the part of the Governments of Her Britannic Majesty and the United States of Venezuela respectively.**

**"Provided always that the Arbitrators may, if they shall think fit, hold their meetings, or any of them, at any other place which they may determine.**

"All questions considered by the Tribunal, including the final decision, shall be determined by a majority of all the Arbitrators.

"Each of the High Contracting Parties shall name one person as its Agent to attend the Tribunal, and to represent it generally in all matters connected with the Tribunal.

"ARTICLE VI.

"The printed Case of each of the two Parties accompanied by the documents, the official correspondence, and other evidence on which each relies, shall be delivered in duplicate to each of the Arbitrators and to the Agent of the other Party as soon as may be after the appointment of the members of the Tribunal, but within a period not exceeding eight months from the date of the exchange of the ratifications of this Treaty.

"ARTICLE VII.

"Within four months after the delivery on both sides of the printed Case, either Party may in like manner deliver in duplicate to each of the said Arbitrators, and to the Agent of the other Party, a Counter-Case, and additional documents, correspondence, and evidence, in reply to the Case; documents, correspondence, and evidence so presented by the other Party.

"If in the Case submitted to the Arbitrators either Party shall have specified or alluded to any report or document in its own exclusive possession, without annexing a copy, such Party shall be bound, if the other Party thinks proper to apply for it, to furnish that Party with a copy thereof, and either Party may call upon the other, through the Arbitrators, to produce the originals or certified copies of any papers adduced as evidence, giving in each instance notice thereof within thirty days after delivery of the Case, and the original or copy so requested shall be delivered as soon as may be, and within a period not exceeding forty days after receipt of notice.

"ARTICLE VIII.

"It shall be the duty of the Agent of each Party, within three months after the expiration of the time limited for the delivery of the Counter-Case on both sides, to deliver in duplicate to each

of the said Arbitrators, and to the Agent of the other Party, a printed argument showing the points, and referring to the evidence upon which his Government relies, and either Party may also support the same before the Arbitrators by oral argument of Counsel; and the Arbitrators may, if they desire further elucidation with regard to any point, require a written or printed statement or argument, or oral argument by Counsel upon it; but in such case the other Party shall be entitled to reply either orally or in writing, as the case may be.

“ARTICLE IX.

“The Arbitrators may, for any cause deemed by them sufficient, enlarge either of the periods fixed by Articles VI, VII and VIII by the allowance of thirty days additional.

“ARTICLE X.

“The decision of the Tribunal shall, if possible, be made within three months from the close of the argument on both sides.

“It shall be made in writing and dated, and shall be signed by the Arbitrators who may assent to it.

“The decision shall be in duplicate, one copy whereof shall be delivered to the Agent of Great Britain for his Government, and the other copy shall be delivered to the Agent of the United States of Venezuela for his Government.

“ARTICLE XI.

“The Arbitrators shall keep an accurate record of their proceedings, and may employ the necessary officers to assist them.

“ARTICLE XII.

“Each Government shall pay its own Agent and provide for the proper remuneration of the Counsel employed by it, and of the Arbitrators appointed by it or in its behalf, and for the expense of preparing and submitting its Case to the Tribunal. All other expenses connected with the Arbitration shall be defrayed by the two Governments in equal moieties.

“ARTICLE XIII.

“The High Contracting Parties engage to consider the result of the proceeds of the Tribunal of Arbitration as a full, perfect, and final settlement of all the questions referred to the Arbitrators.

“ARTICLE XIV.

“The present Treaty shall be duly ratified by Her Britannic Majesty and by the President of the United States of Venezuela, by and with the approval of the Congress thereof, and the ratifications shall be exchanged in London or in Washington within six months from the date hereof.

“In faith whereof we, the respective Plenipotentiaries, have signed this Treaty and have hereunto affixed our seals.

“Done in duplicate, at Washington, the second day of February, one thousand eight hundred and ninety-seven.

“L.S. JULIAN PAUNCEFOTE.

“L.S. JOSE ANDRADE.”

AND WHEREAS the said Treaty was duly ratified, and the ratifications were duly exchanged in Washington on the 14th day of June, 1897, in conformity with the said Treaty;

AND WHEREAS since the date of the said Treaty, and before the arbitration thereby contemplated had been entered upon, the said Right Honourable Baron Herschell departed this life;

AND WHEREAS the Right Honourable Charles Baron Russell, of Killowen, Lord Chief Justice of England, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, has, conformably to the terms of the said Treaty, been duly nominated by the members of the Judicial Committee of Her Majesty's Privy Council to act under the said Treaty in the place and stead of the said late Baron Herschell;

AND WHEREAS the said four Arbitrators, namely: the said Right Honourable Lord Russell of Killowen, the Right Honourable Sir Richard Henn Collins, the Honourable Melville Weston Fuller, and the Honourable David Josiah Brewer, have, conformably to the terms of the said Treaty, selected his Excellency Frederic de Martens, Privy Councillor, Permanent Member of the Council of the Ministry of Foreign Affairs in Russia, LL.D. of the Universities of Cambridge and Edinburgh, to be the fifth Arbitrator;

AND WHEREAS the said Arbitrators have duly entered upon the said arbitration, and have duly heard and considered the oral and written arguments of the Counsel representing respectively Her Majesty the Queen and the United States of Venezuela, and have impartially and carefully examined the questions laid before them, and have investigated and ascertained the extent of the territories belonging to or that might lawfully be claimed by the United Netherlands or by the Kingdom of Spain respectively at the time of the acquisition by Great Britain of the Colony of British Guiana:

Now, we the undersigned Arbitrators do hereby make and publish our decision, determination, and Award of, upon and concerning the questions submitted to us by the said Treaty of Arbitration, and do hereby, conformably to the said Treaty of Arbitration, finally decide, award, and determine that the boundary-line between the Colony of British Guiana and the United States of Venezuela is as follows—

Starting from the coast at Point Playa, the line of boundary shall run in a straight line to the River Barima at its junction with the River Mururuma, and thence along the mid-stream of the latter river to its source, and from that point to the junction of the River Haiowa with the Amakuru, and thence along the mid-stream of the Amakuru to its source in the Imataka Ridge, and thence in a south-westerly direction along the highest ridge of the spur of the Imataka Mountains to the highest point of the main range of such Imataka Mountains opposite to the source of the Barima, and thence along the summit of the main ridge in a south-easterly direction of the Imataka Mountains to the source of the Acarabisi, and thence along the mid-stream of the Acarabisi to the Cuyuni, and thence along the northern bank of the River Cuyuni westward to its junction with the Wenamu, and thence following the mid-stream of the Wenamu to its westernmost source, and thence in a direct line to the summit of Mount Roraima, and from Mount Roraima to the source of the Cotinga, and along the mid-stream of that river to its junction with the Takutu, and thence along the mid-stream of the Takutu to its source, thence in a straight line to the westernmost point of the Akarai Mountains, and thence along the ridge of the Akarai Mountains to the source of the Corentin called the Cutara River:

Provided always that the line of delimitation fixed by this Award shall be subject and without prejudice to any questions.

now existing, or which may arise, to be determined between the Government of Her Britannic Majesty and the Republic of Brazil, or between the latter Republic and the United States of Venezuela.

In fixing the above delimitation the Arbitrators consider and decide that in times of peace the Rivers Amakuru and Barima shall be open to navigation by the merchantships of all nations, subject to all just regulations and to the payment of light or other like dues:

Provided that the dues charged by the Republic of Venezuela and the Government of the Colony of British Guiana in respect of the passage of vessels along the portions of such rivers respectively owned by them shall be charged at the same rates upon the vessels of Venezuela and Great Britain, such rates being no higher than those charged to any other nation:

Provided also that no customs' duties shall be chargeable either by the Republic of Venezuela or by the Colony of British Guiana in respect of goods carried on board ships, vessels, or boats passing along the said rivers, but custom's duties shall only be chargeable in respect of goods landed in the territory of Venezuela or Great Britain respectively.

Executed and published in duplicate by us in Paris this 3rd day of October, A.D. 1899.

*(Signed)* F. DE MARTENS.  
MELVILLE WESTON FULLER.  
DAVID J. BREWER.  
RUSSELL of Kn.  
R. HENN COLLINS.



**AGREEMENT BETWEEN THE  
BRITISH AND VENEZUELAN BOUNDARY COMMISSIONERS,  
WITH REGARD TO THE MAP OF THE BOUNDARY**

*[Published as Sessional Paper No. 266 of the Combined Court,  
Annual Session, 1905].*

In the City of Georgetown, Capital of the Colony of British Guiana, on the tenth (10th) day of the month of January, 1905, met together Harry Innes Perkins, Companion of the Imperial Service Order of His Majesty King Edward VII, and Senior Commissioner of the Boundary Commission of the Colony with the Republic of Venezuela; Charles Wilgress Anderson, Second Commissioner of the same Colony; Doctor Abraham Tirado, Civil Engineer of the United States of Venezuela and Chief of the Boundary Commission between that Republic and the Colony of British Guiana; and Doctor Elias Toro, Surgeon Doctor of the Illustrious Central University of Venezuela, and Second Commissioner on behalf of the aforesaid Republic, with the object of stating in this Agreement the results of their work in the demarcation of the Boundary between the territories, and

1st. Whereas the credentials which authorise them as lawful Representatives of their respective Governments, have been regularly presented and accepted in conformity with the powers thereby conferred; and

2nd. Whereas the journey has been accomplished from the Akarabisi River to Roraima Mountain, and all the Astronomical, Geodesical, and Topographical observations at all the most important points along the Boundary line, as laid down by the Arbitral Award given in Paris on 3rd October, 1899, were taken during the said journey; and

3rd. Whereas the special instructions given to both Commissioners impose upon them for sake of greater clearness, the necessity of stating on a General Map of the Boundary, the results of the work done whereon can be seen all the details; and

4th. Whereas both Governments ought to possess authentic documents of like tenure which set forth their respective rights in the territory which has been demarcated, they agree and declare:—

1st. That they regard this Agreement as having a perfectly official character with respect to the acts and rights of both Governments in the territory demarcated; that they accept the positions of the points mentioned below as correct, the result of the mean of the observations and calculations made by both Commissions together or separately, as follows:—

	Latitude N.	Longitude W. of Greenwich
Akarabisi River Head ..	7 08 27. 7	60 20 51. 1
Akarabisi River Mouth ..	6 55 47. 1	60 22 01. 7
Camp No. 3 ..	6 49 23. 9	60 39 12. 8
Camp No. 4 Awatabaru ..	6 47 04. 8	60 46 36. 3
Ekereku River Mouth ..	6 43 02. 8	60 56 23. 7
Wenamnu River Mouth ..	6 42 40. 9	61 08 00. 7
Pathawaru, Wenamu River ..	6 26 02. 3	61 07 54. 1
Arawai Fall ..	6 19 36. 5	61 09 22. 1
Tshuau Village ..	6 11 45. 8	61 07 22. 1
Kura Falls ..	6 03 42. 5	61 16 46. 6
Dead Man's Camp ..	5 58 06.	61 22 55. 7
Westernmost source ..	5 56 55. 4	61 23 24. 7
Paruima River Camp ..	5 51 01. 7	61 03. 08. 1
Kamarang River Camp ..	5 43 27. 2	61 04 13. 5
Arriwe Matai ..	5 36 35.	61 21 15. 3
Yuruanni River ..	5 11 00.	60 58 36. 5
Kamaiwawong Village ..	5 06 11. 1	60 47 45. 3
Boundary Mark Mt. Roraima ..	5 10 09. 6	60 45 58. 2

3rd. That the two Maps mentioned in this Agreement, signed by both Commissioners, are exactly the same, one for Government of His Britannic Majesty, and the other for that of Venezuela, containing all the enumerated details relating to the aforesaid demarcation, with a clear specification of the Boundary Line according with the Arbitral Award of Paris.

4th. That they sign in their own handwriting four copies of this Agreement, two in the English and two in the Spanish Language, to be delivered one copy in each language, to their respective Governments.

(Sgd.) H.I. PERKINS,  
*Senior Boundary Commissioner*

(Sgd.) ABRAHAM TIRADO

(Sgd.) C. WILGRESS ANDERSON,  
*Junior Boundary Commissioner*

(Sgd.) ELIAS TORO

PETROLEUM PROSPECTING LICENCE

This deed made this <sup>9<sup>th</sup></sup>..... day of December 1998, between the Minister responsible for Petroleum, Her Excellency The President of the Co-operative Republic of Guyana, Janet Jagan, (hereinafter referred to as the "Minister") representing the Government of the Co-operative Republic of Guyana, of the one part;

and

CGX RESOURCES INC. (hereinafter referred to as "CGX"), a company incorporated in the Bahamas with its registered office at Mareva House, 4 George Street, Nassau, Bahamas and registered in Guyana under section 313 of the Companies Act 1991, (Act no. 29 of 1991), with its registered office at Haynes Chambers, 221, South Street, Lacytown, Georgetown, Guyana, of the other part;

WHEREAS in accordance with the Petroleum (Exploration and Production) Act 1986, (Act no. 3 of 1986) and the Regulations made thereunder (hereinafter referred to as the "Act"), and specifically by authority conferred by section 10 of the Petroleum (Exploration and Production) Act 1986, the Minister has entered into an agreement dated 24<sup>th</sup> June 1998 (hereinafter referred to as the "Petroleum Agreement") with CGX for the grant to CGX of a Petroleum Prospecting Licence subject to the terms of the Petroleum Agreement, and further has granted CGX a Petroleum Prospecting Licence dated 24<sup>th</sup> June 1998, (hereinafter referred to as Petroleum Prospecting Licence no. 1");

WHEREAS the parties hereto are desirous of increasing the area and blocks granted to CGX for prospecting and exploration as agreed to under Petroleum Agreement;

WHEREFORE to give effect to that desire and in accordance with the Act, CGX has by a written application dated <sup>9<sup>th</sup></sup>..... day of December 1998, applied to the Minister for the grant of a second Petroleum Prospecting Licence in respect the area constituted by the blocks described and identified in the First Schedule hereto and shown on the attached;



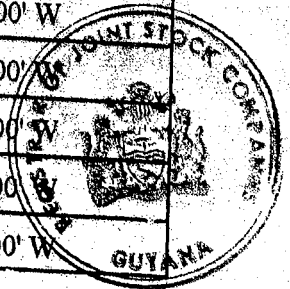
## FIRST SCHEDULE

### DESCRIPTION OF CONTRACT AREA

Description of Area to be granted under Petroleum Prospecting Licence pursuant to Article 3 of the Petroleum Agreement.

The area comprising approximately 5,400 square kilometres described herein consisting of graticular blocks identified herein and shown on the **Block Reference Map** attached.

POINT NO.	LATITUDE	LONGITUDE
1	6° 50.00' N	58° 10.00' W
2	6° 50.00' N	57° 45.00' W
3	6° 35.00' N	57° 45.00' W
4	6° 35.00' N	57° 35.00' W
5	6° 20.00' N	57° 35.00' W
6	6° 20.00' N	57° 20.00' W
7	6° 15.00' N	57° 20.00' W
then east to 8 at the	Suriname/Guyana boundary	
then south to 9 along the	Suriname/Guyana boundary	
10	5° 55.00' N	57° 10.00' W
11	5° 55.00' N	57° 20.00' W
12	6° 00.00' N	57° 20.00' W
13	6° 00.00' N	57° 30.00' W
14	6° 05.00' N	57° 30.00' W
15	6° 05.00' N	57° 35.00' W
16	6° 10.00' N	57° 35.00' W
17	6° 10.00' N	57° 45.00' W
18	6° 15.00' N	57° 45.00' W
19	6° 15.00' N	57° 50.00' W
20	6° 20.00' N	57° 50.00' W
21	6° 20.00' N	57° 55.00' W
22	6° 35.00' N	57° 55.00' W
23	6° 35.00' N	58° 10.00' W



**FIRST SCHEDULE (CONT'D)**

**DESCRIPTION OF CONTRACT AREA**

The following five(5) minute by five(5) minute square graticular blocks describe the area.

These blocks as described are shown on the Block Reference Map attached.

<b>Block W</b>	35, 36, 47, 48, 59, 60
<b>Block X</b>	25-27, 37-39, 49-51, 62-65, 74-77, 86-89, 99-104, 112-119, 120*, 126-130, 131*, 132*, 139-142, 143*
<b>Block DD</b>	9-10

\* denotes part blocks

