

THREE TREATIES ESTABLISHING MARITIME
BOUNDARIES BETWEEN THE UNITED STATES AND
MEXICO, VENEZUELA AND CUBA

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

THREE TREATIES ESTABLISHING MARITIME BOUNDARIES:
THE TREATY ON MARITIME BOUNDARIES BETWEEN THE
UNITED STATES OF AMERICA AND THE UNITED MEXICAN
STATES, SIGNED AT MEXICO CITY, MAY 4, 1978 (EX. F,
96-1); THE MARITIME BOUNDARY TREATY BETWEEN THE
UNITED STATES OF AMERICA AND THE REPUBLIC OF
VENEZUELA, SIGNED AT CARACAS ON MARCH 28, 1978
(EX. G, 96-1); AND THE MARITIME BOUNDARY AGREE-
MENT BETWEEN THE UNITED STATES OF AMERICA AND
THE REPUBLIC OF CUBA, SIGNED AT WASHINGTON, DE-
CEMBER 16, 1977 (EX. H, 96-1)



JANUARY 23, 1979.—Treaties were read the first time and, together with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed for the use of the Senate

U. S. GOVERNMENT PRINTING OFFICE

LETTER OF TRANSMITTAL

THE WHITE HOUSE, *January 19, 1978.*

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to ratification, three treaties establishing maritime boundaries: the Treaty on Maritime Boundaries between the United States of America and the United Mexican States, signed at Mexico City on May 4, 1978; the Maritime Boundary Treaty between the United States of America and the Republic of Venezuela, signed at Caracas on March 28, 1978; and the Maritime Boundary Agreement between the United States of America and the Republic of Cuba, signed at Washington, December 16, 1977.

These treaties are necessary to delimit the continental shelf and overlapping claims of jurisdiction resulting from the establishing of a 200 nautical mile fishery conservation zone off the coasts of the United States in accordance with the Fishery Conservation and Management Act of 1976, and the establishment of 200 nautical mile zones by these neighboring countries.

The treaty with Mexico establishes the maritime boundary between the United States and Mexico for the area between twelve and two hundred nautical miles off the coasts of the two countries in the Pacific Ocean and Gulf of Mexico. In this regard, it supplements the Treaty to Resolve Pending Boundary Differences and Maintain the Rio Grande and Colorado River as the International Boundary between the United States of America and the United Mexican States, signed at Mexico November 23, 1970, which establishes maritime boundaries out to twelve nautical miles off the respective coasts. The treaty with Venezuela establishes the maritime boundary between the two countries in the Caribbean Sea, between Puerto Rico and the U.S. Virgin Islands and Venezuela where the 200 nautical mile zones overlap. The treaty with Cuba establishes the maritime boundary between the two countries in the Straits of Florida area and the eastern Gulf of Mexico where the 200 nautical mile zones overlap.

I believe that these treaties are in the United States interest. They are consistent with the United States interpretation of international law that maritime boundaries are to be established by agreement in accordance with equitable principles in the light of relevant geographic circumstances. They will facilitate law enforcement activities, and provide for certainty in resource development.

I also transmit for the information of the Senate the report of the Department of State with respect to each of these treaties.

I recommend that the Senate give early consideration to these treaties and advice and consent to their ratification.

JIMMY CARTER.

LETTER OF SUBMITTAL

DEPARTMENT OF STATE,
Washington, December 27, 1978.

The PRESIDENT,
The White House.

THE PRESIDENT: I have the honor to submit to you, with a view to the transmittal thereof to the Senate for its advice and consent to ratification, the Maritime Boundary Treaty between the United States of America and the Republic of Venezuela, signed at Caracas on March 28, 1978. The Treaty establishes the maritime boundary between the United States and Venezuela in the area where 200 nautical mile zones established from both coasts overlap.

The establishment of a 200 nautical mile fishery conservation zone off the coasts of the United States, including Puerto Rico and the U.S. Virgin Islands, pursuant to the Fishery Conservation and Management Act of 1976, and of a 200 nautical mile zone off the coast of Venezuela, created the need for agreement on maritime boundaries in order to avoid enforcement problems and to provide for certainty in the development of resources in the area where such 200 nautical mile zones would overlap.

After a preliminary exchange of views through diplomatic channels in early 1978, negotiations were held in Washington on March 13 and 14, 1978, at which time the text of an agreement was developed. During these discussions the two countries referred to the delimitation principles of the 1958 Geneva Convention on the Continental Shelf to which the United States and Venezuela are both parties, and the criteria set forth by the International Court of Justice in the *North Sea Continental Shelf* Cases. The agreement was signed by Secretary Vance and Foreign Minister Consalvi on the occasion of the President's visit to Caracas on March 28, 1978.

The operative portion of the treaty consists of six articles.

Article I provides that the sole purpose of the treaty is to establish the location of the maritime boundary between the two countries.

Article II sets out the specific geographic coordinates which define the maritime boundary. This maritime boundary is approximately 299 nautical miles in length, and consists of twenty-two segments. Its easternmost point is an agreed trijunction point, approximately 67 nautical miles from Dutch, Venezuelan, and United States (St. Croix) territory. The turning points are negotiated points along the course of the boundary. The westernmost point of the boundary will be defined, in accordance with a formula set forth in the Article, when the maritime boundary between the United States and the Dominican Republic is established. The maritime boundary described in Article II is a negotiated boundary developed on the basis of equitable principles in light of the relevant geographic circumstances.

Article III provides that the coordinates set forth in Article II have been determined by reference to the 1927 North American Datum and the Clarke 1866 ellipsoid. Also, Article III notes the annexation of DMAHTC chart 25000 depicting the maritime boundary, but emphasizes that the chart is for illustrative purpose only.

Article IV describes the legal effect of the maritime boundary. It provides that neither country shall claim or exercise for any purpose sovereign rights or jurisdiction over the waters or seabed and subsoil on the other country's side of the maritime boundary. Article IV also contains a disclaimer which makes clear that agreement on the maritime boundary does not constitute recognition of the jurisdiction that the other country may claim to exercise in the delimited area beyond that otherwise recognized by each country. In this connection the United States and Venezuela maintain different positions concerning the breadth of the territorial sea and the nature of jurisdiction that may be exercised within the 200 nautical mile zone.

Article V calls for direct negotiations between the two governments in the event of a dispute concerning the interpretation or application of the provisions of the treaty.

Article VI provides that the treaty will enter into force on the date of exchange of instruments of ratification.

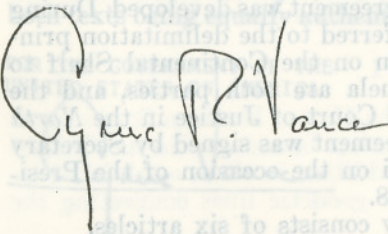
I recommend that this treaty be transmitted to the Senate as soon as possible for its advice and consent to ratification.

Respectfully submitted,

CYRUS VANCE.

Done at Caracas, March 28, 1978, in two copies, each in English and Spanish, both texts being equally authentic.

For the Government of the United States of America :




For the Government of the Republic of Venezuela :

MARITIME BOUNDARY TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF VENEZUELA

The Government of the United States of America and the Government of the Republic of Venezuela,

Reaffirming the cordial relations between the two countries,

Conscious of the need to establish a precise and equitable maritime boundary,

Have agreed as follows:

ARTICLE 1

The sole purpose of this Treaty is to establish, in accordance with international law, the maritime boundary between the United States of America and the Republic of Venezuela.

ARTICLE 2

The maritime boundary between the United States of America and Venezuela is determined by the geodetic lines connecting points 1-22, having the following coordinates:

<i>Latitude (north)</i>	<i>Longitude (west)</i>
1. 16°44'49''	64°01'08''
2. 16°43'22''	64°06'31''
3. 16°43'10''	64°06'59''
4. 16°42'40''	64°08'06''
5. 16°41'43''	64°10'07''
6. 16°35'19''	64°23'39''
7. 16°23'30''	64°45'54''
8. 15°39'31''	65°58'41''
9. 15°30'10''	66°07'09''
10. 15°14'06''	66°19'57''
11. 14°55'48''	66°34'30''
12. 14°56'06''	66°51'40''
13. 14°58'27''	67°04'19''
14. 14°58'45''	67°05'17''
15. 14°58'58''	67°06'11''
16. 14°59'10''	67°07'00''
17. 15°02'32''	67°23'40''
18. 15°05'07''	67°36'23''
19. 15°10'38''	68°03'46''
20. 15°11'06''	68°09'21''
21. 15°12'33''	68°27'32''
22. 15°12'51''	68°28'56''

and along an azimuth of 274.23 degrees true from point 22, in the event that the maritime boundary of the United States of America extends westward, until the trijunction with a third State is reached. In no case shall this trijunction point be further westward than latitude $15^{\circ}14'28''$ N longitude $68^{\circ}51'44''$ W.

ARTICLE 3

The latitude and longitude of the points described in Article 2 have been determined on the 1927 North American Datum, Clarke 1866 ellipsoid.

The maritime boundary has, for illustrative purposes only, been depicted on nautical chart No. 25000, published by the Hydrographic Center, Defense Mapping Agency, Washington, D.C., Sixth Edition, February 12, 1977, which is annexed to and forms an integral part of this Treaty.

ARTICLE 4

It is understood by the two Governments that south of the maritime boundary the United States of America shall not, and north of the maritime boundary the Republic of Venezuela shall not, for any purpose, claim or exercise sovereign rights or jurisdiction over the waters or seabed and subsoil. The establishment of this maritime boundary does not affect or prejudice in any manner the positions of either Government with respect to the sovereign rights or jurisdiction of either State, the rules of international law concerning the exercise of jurisdiction over the waters or seabed and subsoil, or any other matter relating to the law of the sea.

ARTICLE 5

Any dispute concerning the interpretation or application of the provisions of this Treaty shall be resolved by direct negotiations between the two Governments.

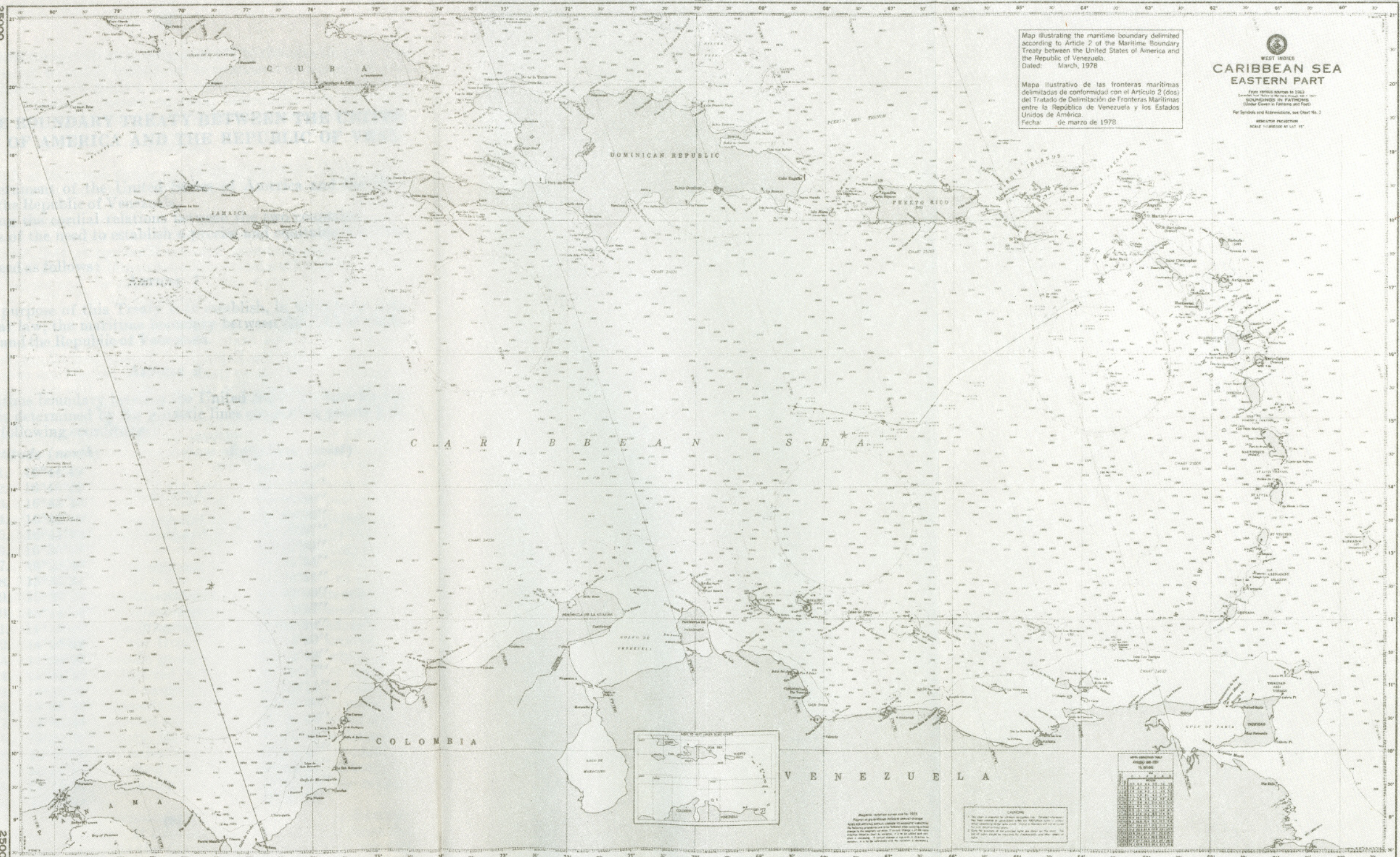
ARTICLE 6

This Treaty is subject to ratification in accordance with the constitutional procedures of the two States, and will enter into force on the date of exchange of instruments of ratification.

Map illustrating the maritime boundary delimited according to Article 2 of the Maritime Boundary Treaty between the United States of America and the Republic of Venezuela.
 Dated: March, 1978

WEST INDIES
CARIBBEAN SEA
EASTERN PART
 From 1968 edition to 1963
 SOUNDINGS IN FATHOMS
 (Color Chart in Fathoms and Feet)
 For Symbols and Abbreviations, see Chart No. 1
 NAVIGATOR PUBLISHER
 SCALE 1:100,000 AT LAT. 15°

Mapa ilustrativo de las fronteras marítimas delimitadas de conformidad con el Artículo 2 (dos) del Tratado de Delimitación de Fronteras Marítimas entre la República de Venezuela y los Estados Unidos de América.
 Fecha: de marzo de 1978



Scale 1:100,000 at Lat. 15°
 1:100,000 at Lat. 15°
 1:100,000 at Lat. 15°
 1:100,000 at Lat. 15°

SOUNDINGS IN FATHOMS AND FEET
 OF THE COASTS IN FATHOMS

NAVIGATOR PUBLISHER
 1600 EASTERN AVENUE
 MIAMI BEACH, FLORIDA 33139

NOT TO BE USED FOR NAVIGATION

CAUTION
 This chart is published for general information only. It is not intended for use in navigation. It is not a substitute for a current nautical chart. It is not to be used for navigation.

DEPTH IN FATHOMS	DEPTH IN FEET
1	6
2	14
3	22
4	30
5	38
6	46
7	54
8	62
9	70
10	78
11	86
12	94
13	102
14	110
15	118
16	126
17	134
18	142
19	150
20	158
21	166
22	174
23	182
24	190
25	198
26	206
27	214
28	222
29	230
30	238
31	246
32	254
33	262
34	270
35	278
36	286
37	294
38	302
39	310
40	318
41	326
42	334
43	342
44	350
45	358
46	366
47	374
48	382
49	390
50	398
51	406
52	414
53	422
54	430
55	438
56	446
57	454
58	462
59	470
60	478
61	486
62	494
63	502
64	510
65	518
66	526
67	534
68	542
69	550
70	558
71	566
72	574
73	582
74	590
75	598
76	606
77	614
78	622
79	630
80	638
81	646
82	654
83	662
84	670
85	678
86	686
87	694
88	702
89	710
90	718
91	726
92	734
93	742
94	750
95	758
96	766
97	774
98	782
99	790
100	798

25000
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