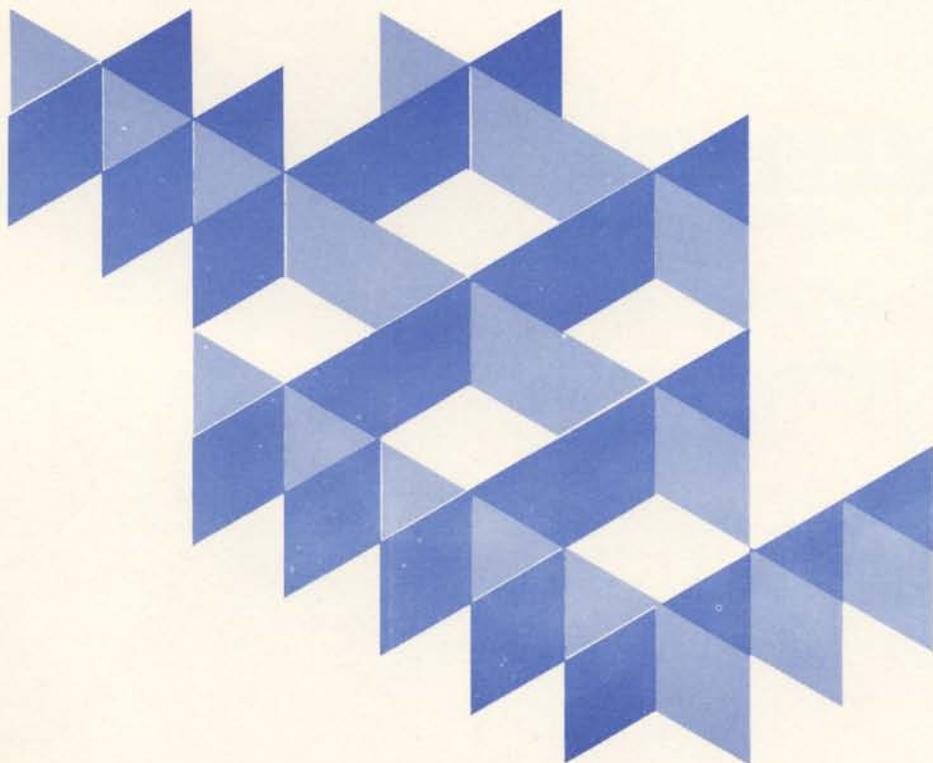




Limits in the Seas

No. 115

UNITED STATES - UNITED KINGDOM
MARITIME BOUNDARIES IN THE CARIBBEAN



This paper is one of a series issued by the Office of Ocean Affairs, Bureau of Oceans and International Environmental and Scientific Affairs in the Department of State. The aim of the series is to set forth the basis of national arrangements for the measurement of marine areas by coastal states. It is intended for background use only. This paper does not necessarily represent an official acceptance by the United States Government of the limits claimed.

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LIMITS IN THE SEAS

No. 115

**UNITED STATES - UNITED KINGDOM
MARITIME BOUNDARIES
IN THE CARIBBEAN**

April 11, 1994

Office of Ocean Affairs
Bureau of Oceans and International
Environmental and Scientific Affairs

INTRODUCTION

On November 5, 1993, in London, the Governments of the United States and the United Kingdom signed two treaties delimiting maritime boundaries between their respective territories in the Caribbean. The first treaty divides the maritime jurisdiction between Puerto Rico and the U.S. Virgin Islands, on the one side, and the British Virgin Islands, on the other side. The boundary terminates east of the U.S. Virgin Islands at the tripoint with Anguilla. The second agreement establishes a short one segment boundary that begins at this tripoint and extends less than 2 miles to a tripoint with the Netherlands.¹

The two treaties are subject to ratification by each side and will enter into force upon the exchange of instruments of ratification. President Clinton transmitted the treaties to the senate on March 9, 1994, seeking the advice and consent to ratification.²

BACKGROUND

On March 1, 1977, the United States enacted the Fishery Conservation and Management Act of 1976, which established a fisheries zone contiguous to the territorial sea of the United States, including the territorial sea around Puerto Rico and the U.S. Virgin Islands. To the north of Puerto Rico the fishery zone is able to extend 200 miles, the maximum breadth permitted under international law. However, to the east, south, and west of Puerto Rico and the U.S. Virgin Islands, the United States has foreign neighbors situated less than 400 miles away (the United Kingdom, Netherlands, Venezuela, and the Dominican Republic) requiring maritime boundaries. Thus, subject to boundary treaties with these neighbors, the United States in 1977 unilaterally claimed fishery limits based on equidistant lines.³ In 1983, these limits defined the United States exclusive economic zone.⁴ The three-mile territorial sea of the United States, including these U.S. territories, was extended to 12 miles in 1988.⁵

On March 9, 1977, by Proclamation of the Governor of the British Virgin Islands, a fisheries zone was established contiguous to the territorial sea of the British Virgin Islands.⁶ In 1981 the United Kingdom extended the fishery limits of Anguilla to 200 miles.⁷ Presently, both the British Virgin Islands and Anguilla have 3 mile territorial seas and 200 mile fishery zones.

On March 27, 1979, the United States and the United Kingdom signed a reciprocal fisheries agreement applying to the waters between the United States Caribbean territories and the British Virgin Islands. This agreement entered into force upon the

¹ All mileage is nautical miles. One nautical mile equals 1,852 meters.

² This study expands on the information and analysis supplied to the Senate by the President; see *Two Treaties with the United Kingdom Establishing Caribbean Maritime Boundaries*, Treaty Doc. 103-23, 103rd Congress, 2nd Session, March 9, 1994.

³ The limits are described in the *Federal Register*, Vol. 42, No. 44, March 7, 1977, at 12938-39.

⁴ Presidential Proclamation No. 5030, March 10, 1983.

⁵ Presidential Proclamation No. 5928, December 27, 1988.

⁶ Proclamation No. 4, March 9, 1977.

⁷ Proclamation No. 28, November 6, 1981.

exchange of instruments of ratification on March 10, 1983, following the advice and consent to ratification by the Senate (TIAS 10545). In this agreement, the two Governments noted that they had a common approach based on the use of an equidistant line regarding the limits of their respective fishery jurisdiction as between the British Virgin Islands and the United States.

In 1980, both Governments agreed to conduct the technical work needed to determine equidistant lines between the United States and the British Virgin Islands and between the United States and Anguilla. Information from new coastline surveys were used to determine the exact location of the base points on the relevant islands that would influence the calculation of equidistant lines. This determination involved placing all geographic locations on a common datum, the North American Datum 1983 (NAD 83). The technical data was available by the early 1990s and the calculations were completed by mid-1993.

Negotiation of the texts of the treaties was achieved primarily through diplomatic correspondence.

ANALYSIS

Both Treaties

Article I of both treaties confirms that the sole purpose of the treaties is to establish a maritime boundary between our respective Caribbean territories.⁸

Article III in both treaties provides that each party shall not claim or exercise for any purpose sovereignty, sovereign rights, or jurisdiction with respect to the waters or seabed or subsoil on the side of the boundary adjacent to the other Party.

Article IV in both treaties provides that the maritime boundary shall not affect or prejudice either Party's position with respect to the rules of international law relating to the law of the sea.

And, Article V in both treaties provides that the treaty will enter into force on the date of exchange of instruments of ratification.

Puerto Rico/U.S. Virgin Islands - British Virgin Islands Boundary

Article II refers to an Annex which lists 50 boundary turning or terminal points which are to be connected by geodetic lines (see map 1)⁹. The article also states that the geodetic and computational bases used in determining the boundary are the North American Datum 1983 ("NAD 83") which is essentially the same as the World Geodetic

⁸ The text of the treaty delimiting the boundary between Puerto Rico and the U.S. Virgin Islands and the British Virgin Islands is reproduced in Annex 1 of this study.

⁹ The two maps that appear in this study were made for sole purpose of illustrating this analysis.

System 1984 ("WGS 84"). Citation is given to a map which is annexed to the treaty for illustrative purposes only.

The total length of this boundary is 288 miles. In the north the boundary begins at a point 200 miles from the coasts of Puerto Rico and the British Virgin Islands. Table 1 shows the distance from each turning point to the respective coasts and the distances between the turning points. From the north, the first 134 miles of the equidistant line is calculated from Puerto Rico's coast. Point 6 of the boundary is equally distant (74.6 miles) from the coasts of Puerto Rico, the U.S. Virgin Islands, and the British Virgin Islands. From this point to the southern terminus (the tripoint with Anguilla) the influencing base points that determine the course of the equidistant line are situated on the U.S. Virgin Islands and British Virgin Islands.

TABLE 1
Puerto Rico/U.S. Virgin Islands-
British Virgin Islands
Maritime Boundary: Distances (Miles)

Boundary Pt.	Dist to coast	Dist. To next boundary pt.	Boundary pt.	Dist. To coast	Dist to next boundary pt.
1	200	7.29	26	0.3	0.19
2	192.9	43.86	27	0.5	0.61
3	150.7	11.31	28	0.4	0.48
4	140.0	50.32	2	0.4	0.44
5	93.4	20.82	30	0.6	1.02
6	74.6	28.63	31	0.8	0.81
7	47.7	27.62	32	1.0	1.79
8	20.7	4.06	33	1.7	0.49
9	16.9	13.01	34	1.5	0.76
10	4.5	1.81	35	1.0	1.41
11	2.9	2.33	36	0.8	0.16
12	1.6	0.90	37	0.8	2.14
13	1.7	0.66	38	2.1	0.68
14	2.0	0.45	39	2.6	5.03
15	2.0	1.03	40	7.0	8.53
16	2.1	0.60	41	15.3	8.07
17	2.1	0.75	42	16.9	2.42
18	2.2	1.06	43	17.9	5.65
19	2.3	0.92	44	21.0	0.95
20	2.2	1.12	45	21.6	4.30
21	1.4	1.00	46	24.1	12.68
22	0.4	0.72	47	33.4	1.40
23	0.3	0.10	48	34.6	4.02
24	0.3	0.21	49	37.7	3.11
25	0.3	0.67	50	40.2	

Most of the boundary turning points are situated in the area where the U.S. Virgin Islands and British Virgin Islands are quite close. The two territories are, at one point, about 0.5 miles apart; thus the boundary comes within approximately 0.25 miles of each coast. At the tripoint with Anguilla the boundary is about 40 miles from the respective coasts.

The equidistant line that was first calculated used all possible coastal points of Puerto Rico, the U.S. Virgin Islands and the British Virgin Islands. This calculation produced a line consisting of 125 turning/terminal points. Both sides agreed to simplify the line by

discarding turning points that had minimal effect, if any, on the course of the boundary. With the goal of creating a simplified equidistant line in which neither side "gained" or "loss" area, geodetic computations and digitizing were used to calculate areas displaced in this process.

The procedure of discarding 75 turning points resulted in essentially no net area gain or loss by either side.¹⁰

U.S. Virgin Island - Anguilla Boundary

Article II of this treaty defines the maritime boundary, which comprises one segment 1.34 miles in length (see map 2).¹¹ This is probably one of the shortest maritime boundaries in the world. The boundary is approximately 40 miles from the respective coasts. The northern terminus is the tripoint with the British Virgin Islands boundary; the southern terminus is a tripoint equally distant from St. Croix (U.S.), Anguilla (U.K.) and Saba Island (Netherlands).¹² Similar to the British Virgin Islands boundary treaty, Article II also refers to the use of "NAD 83" and to the fact that an illustrative map is attached to the treaty.

Other Puerto Rico/U.S. Virgin Islands maritime boundaries

On March 28, 1978, the Governments of the United States and Venezuela signed an agreement delimiting a maritime boundary in the east-central Caribbean. This treaty entered into force on November 24, 1980.¹³ Boundary treaties remain to be negotiated with the Netherlands and the Dominican Republic.

The area of the exclusive economic zone surrounding Puerto Rico and the U.S. Virgin Islands is approximately 198,803 square kilometers (58,400 square nautical miles).¹⁴

¹⁰ The areas were computed either by geodetic computations or derived by digitizing methods using scaled plots of the line of 1:10,000 or 1:25,000. Digitizing was also used to verify all the areas computed by geodetic methods. The calculated net area exchanged by discarding 75 points was 0.0045 square nautical miles (about 3.8 acres), in the U.S. favor. But, given the probability of error involved in the entire process, this should be viewed as net area exchange of zero.

¹¹ The text of this treaty is reproduced in Annex 2 of this study.

¹² The Netherlands Government provided the geographic coordinates for the relevant Saba Island base point that determined the U.S.-U.K.-Netherlands tripoint.

¹³ See *Limits in the Seas* No. 91, "Maritime Boundary: United States - Venezuela", December 16, 1980, for an analysis of this agreement.

¹⁴ Memorandum for the Record, "Area of the U.S. Exclusive Economic Zone." By Millington Lockwood (USGS-NOAA Joint Office of Mapping and Research), April 30, 1993.

ANNEX 1

TREATY
BETWEEN THE GOVERNMENT OF
THE UNITED STATES OF AMERICA
AND THE GOVERNMENT OF
THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
ON THE DELIMITATION IN THE CARIBBEAN
OF A MARTIME BOUNDARY
RELATING TO PUERTO RICO/U.S. VIRGIN ISLANDS
AND THE BRITISH VIRGIN ISLANDS

The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter the "parties");

Recalling the tradition of cooperative relations and close ties between the people of the United States of America and the people of the United Kingdom of Great Britain and Northern Ireland;

Desiring to establish a maritime boundary between the United States of America (Puerto Rico and the U.S. Virgin Islands) and the United Kingdom of Great Britain and Northern Ireland (British Virgin Islands) in the Caribbean on the basis of equidistance;

Taking note of the Reciprocal Fisheries Agreement between the Government of the United States of America and the Government of the United Kingdom and Northern Ireland, signed on March 27, 1979;

Have agreed as follows:

Article I

The purpose of this Treaty is to establish, in accordance with international law, the maritime boundary between the United States of America (Puerto Rico and the U.S. Virgin Islands) and the United Kingdom of Great Britain and Northern Ireland (British Virgin Islands).

Article II

(1) The maritime boundary between the United States of America (Puerto Rico and the U.S. Virgin Islands) and the United Kingdom of Great Britain and Northern Ireland (British Virgin Islands) in the Caribbean is determined by geodetic lines connecting points 1-50, as specified in the Annex to this Treaty.

(2) The geodetic and computational bases used are the North American Datum 1983 ("NAD 83"). For the purpose of illustration only, the boundary line has been drawn on the map annexed to this Treaty.

Article III

On the side of the maritime boundary adjacent to the United Kingdom of Great Britain and Northern Ireland (British Virgin Islands), the United States shall not, and on the side of the maritime boundary adjacent to the United States of America (Puerto Rico and the U.S. Virgin Islands), the United Kingdom shall not, claim or exercise for any purpose sovereignty, sovereign rights, or jurisdiction with respect to the waters or seabed or subsoil.

Article IV

The maritime boundary established by this Treaty shall not affect or prejudice in any manner either Party's position with respect to the rules of international law relating to the law of the sea, including those concerned with the exercise of sovereignty, sovereign rights, or jurisdiction with respect to the waters or seabed or subsoil.

Article V

This Treaty shall be subject to ratification and shall enter into force on the date of the exchange of instruments of ratification.

In witness whereof, the undersigned, being duly authorized by their respective Governments, have signed this Treaty.

Done in duplicate at London this 5th day of November 1993.

FOR THE GOVERNMENT OF
THE UNITED STATES OF AMERICA:

/s/ David A. Colson

FOR THE GOVERNMENT OF
THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND:

/s/ D.H. Anderson

ANNEX

The maritime boundary positions set forth in this Annex are on the North American Datum 1983 ("NAD 83"). The maritime boundary between the United States of America (Puerto Rico and the U.S. Virgin Islands) and the United Kingdom of Great Britain and Northern Ireland (British Virgin Islands) is defined by connecting the following geographic coordinates by geodetic lines:

No.	North Latitude	West Longitude	No.	North Latitude	West Longitude
1.	21° 48' 33"	65° 50' 31"	31.	18° 22' 23"	64° 40' 59"
2.	21° 41' 20"	65° 49' 13"	32.	18° 21' 58"	64° 40' 15"
3.	20° 58' 05"	65° 40' 30"	33.	18° 21' 51"	64° 38' 22"
4.	20° 46' 56"	65° 38' 14"	34.	18° 21' 22"	64° 38' 16"
5.	19° 57' 29"	65° 27' 21"	35.	18° 20' 39"	64° 38' 32"
6.	19° 37' 29"	65° 20' 57"	36.	18° 19' 16"	64° 38' 13"
7.	19° 12' 25"	65° 06' 08"	37.	18° 19' 07"	64° 38' 16"
8.	18° 45' 14"	65° 00' 22"	38.	18° 17' 24"	64° 39' 37"
9.	18° 41' 14"	64° 59' 33"	39.	18° 16' 43"	64° 39' 41"
10.	18° 29' 22"	64° 53' 50"	40.	18° 11' 34"	64° 38' 58"
11.	18° 27' 36"	64° 53' 22"	41.	18° 03' 03"	64° 38' 03"
12.	18° 25' 22"	64° 52' 39"	42.	18° 02' 57"	64° 29' 35"
13.	18° 24' 31"	64° 52' 19"	43.	18° 02' 52"	64° 27' 03"
14.	18° 23' 51"	64° 51' 50"	44.	18° 02' 30"	64° 21' 08"
15.	18° 23' 43"	64° 51' 23"	45.	18° 02' 31"	64° 20' 08"
16.	18° 23' 37"	64° 50' 18"	46.	18° 02' 01"	64° 15' 39"
17.	18° 23' 48"	64° 49' 42"	47.	18° 00' 12"	64° 02' 29"
18.	18° 24' 11"	64° 49' 01"	48.	17° 59' 58"	64° 01' 02"
19.	18° 24' 29"	64° 47' 57"	49.	17° 58' 47"	63° 57' 00"
20.	18° 24' 18"	64° 47' 00"	50.	17° 57' 51"	63° 53' 53"
21.	18° 23' 14"	64° 46' 37"			
22.	18° 22' 38"	64° 45' 21"			
23.	18° 22' 40"	64° 44' 42"			
24.	18° 22' 42"	64° 44' 36"			
25.	18° 22' 37"	64° 44' 24"			
26.	18° 22' 40"	64° 43' 42"			
27.	18° 22' 30"	64° 43' 36"			
28.	18° 22' 25"	64° 42' 58"			
29.	18° 22' 27"	64° 42' 28"			
30.	18° 22' 16"	64° 42' 03"			

ANNEX 2

TREATY
BETWEEN THE GOVERNMENT OF
THE UNITED STATES OF AMERICA
AND THE GOVERNMENT OF
THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
ON THE DELIMITATION IN THE CARIBBEAN
OF A MARITIME BOUNDARY
RELATING TO THE U.S. VIRGIN ISLANDS
AND ANGUILLA

The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter the "Parties");

Recalling the tradition of co-operative relations and close ties between the people of the United States of America and the people of the United Kingdom of Great Britain and Northern Ireland;

Desiring to establish a maritime boundary between the United States of America (U.S. Virgin Islands) and the United Kingdom of Great Britain and Northern Ireland (Anguilla) in the Caribbean on the basis of equidistance;

Have agreed as follows:

Article I

The purpose of this Treaty is to establish, in accordance with international law, the maritime boundary between the United States of America (U.S. Virgin Islands) and the United Kingdom of Great Britain and Northern Ireland (Anguilla).

Article II

(1) The maritime boundary between the United States of America (U.S. Virgin Islands) and the United Kingdom of Great Britain and Northern Ireland (Anguilla) in the Caribbean is determined by a geodetic line connecting the following points:

1. 17° 57' 51" N., 63° 53' 53" W.
2. 17° 56' 37" N., 63° 53' 20" W.

(2) The geodetic and computational bases used are the North American Datum 1983 ("NAD 83"). For the purpose of illustration only, the boundary line has been drawn on the map annexed to this Treaty.

Article III

On the side of the maritime boundary adjacent to the United Kingdom of Great Britain and Northern Ireland (Anguilla), the United States shall not, and on the side of the maritime boundary adjacent to the United States of America (U.S. Virgin Islands), the United Kingdom shall not, claim or exercise for any purpose sovereignty, sovereign rights, or jurisdiction with respect to the waters or seabed or subsoil.

Article IV

The maritime boundary established by this Treaty shall not affect or prejudice in any manner either Party's position with respect to the rules of international law relating to the law of the sea, including those concerned with the exercise of sovereignty, sovereign rights, or jurisdiction with respect to the waters or seabed and subsoil.

Article V

This Treaty shall be subject to ratification and shall enter into force on the date of the exchange of instruments of ratification.

In witness whereof, the undersigned, being duly authorized by their respective Governments, have signed this Treaty.

Done in duplicate at London this 5th day of November 1993.

FOR THE GOVERNMENT OF
THE UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF
THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND:

/s/ David A. Colson

/s/ D.H. Anderson

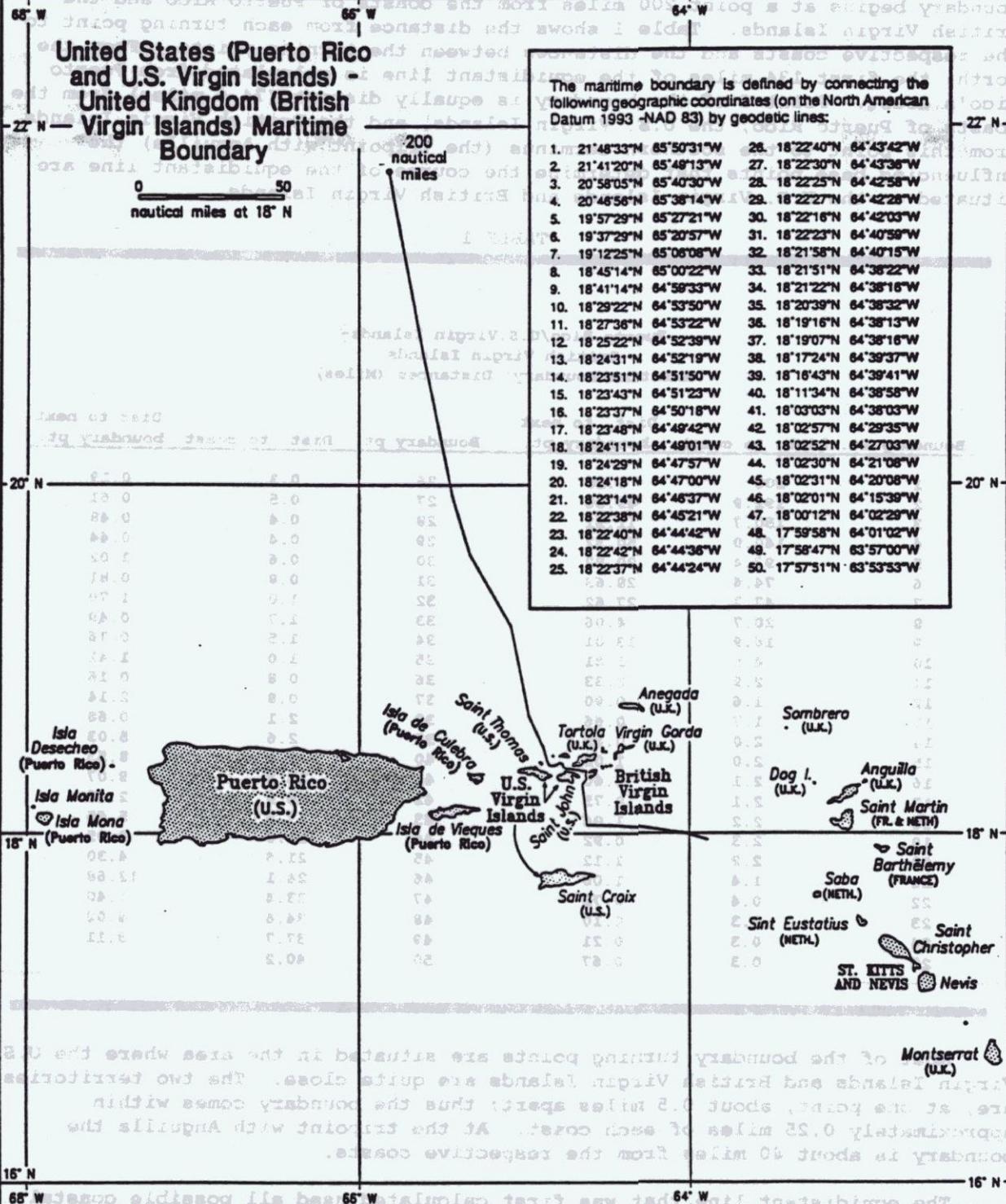
United States (Puerto Rico and U.S. Virgin Islands) - United Kingdom (British Virgin Islands) Maritime Boundary

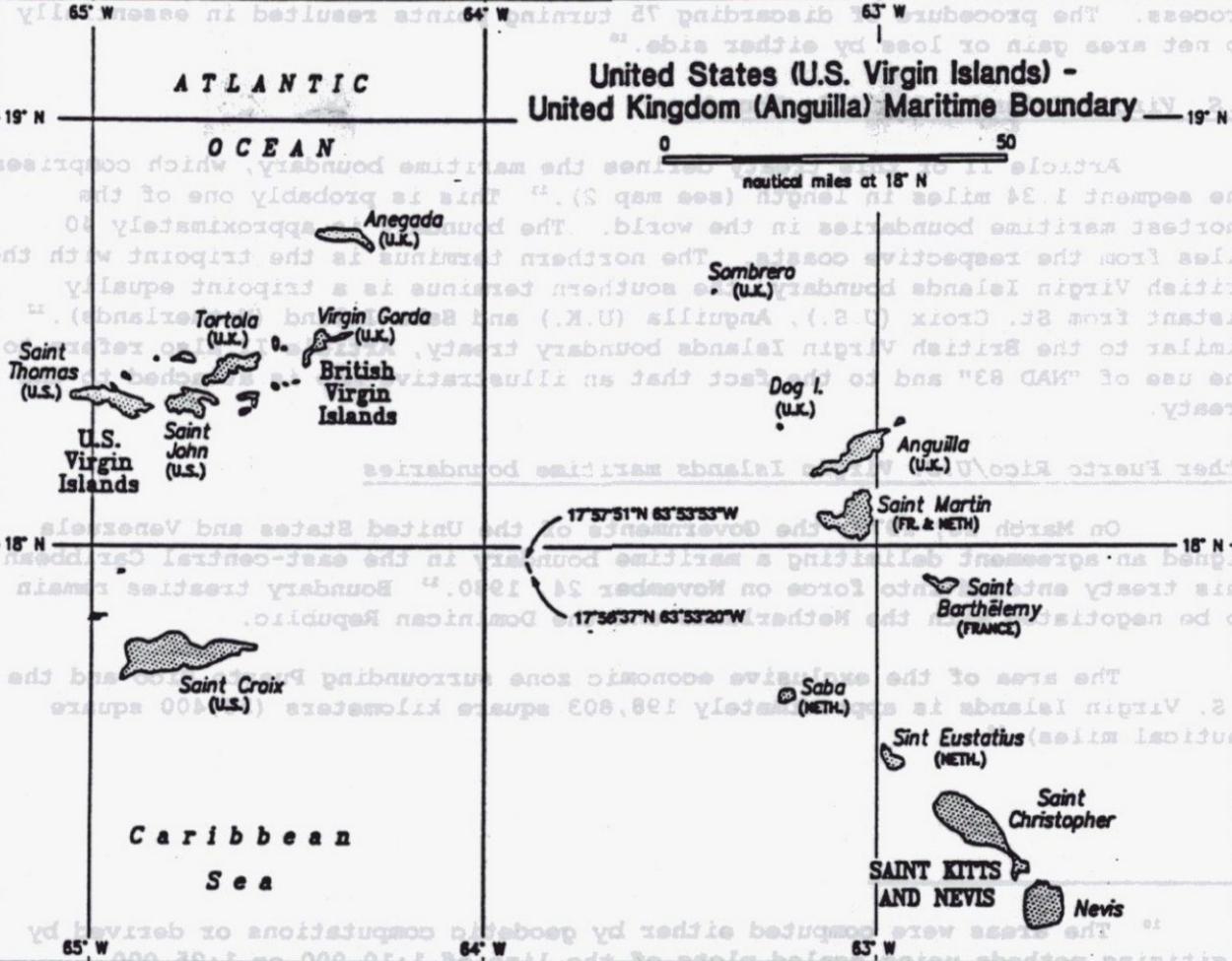
0 50
nautical miles at 18° N

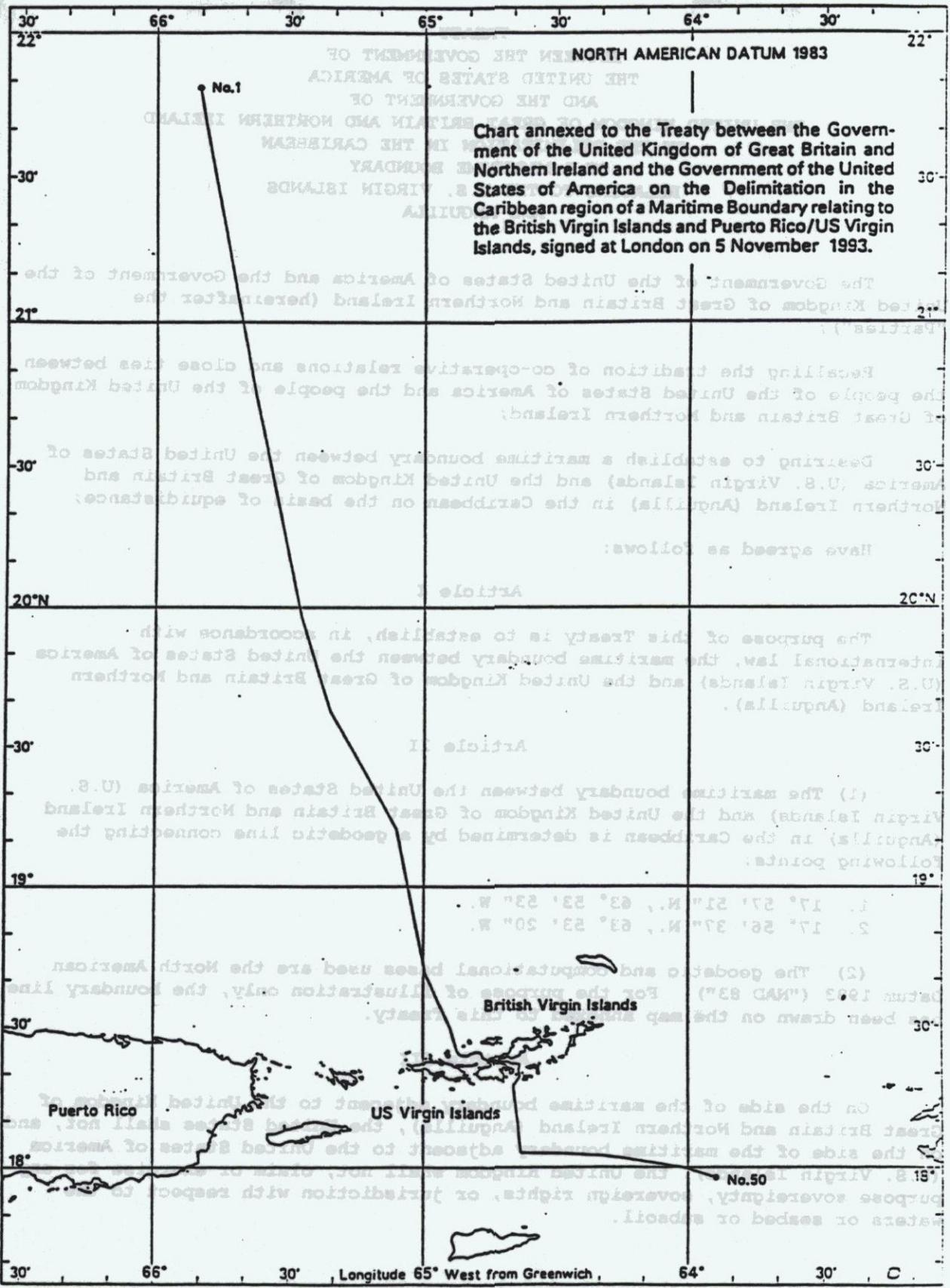
200
nautical
miles

The maritime boundary is defined by connecting the following geographic coordinates (on the North American Datum 1993 - NAD 83) by geodetic lines:

- | | | | | | |
|-----|------------|------------|-----|------------|------------|
| 1. | 21°48'33"N | 65°50'31"W | 26. | 18°22'40"N | 64°43'42"W |
| 2. | 21°41'20"N | 65°48'13"W | 27. | 18°23'07"N | 64°43'36"W |
| 3. | 20°58'05"N | 65°40'30"W | 28. | 18°22'25"N | 64°42'58"W |
| 4. | 20°46'56"N | 65°38'14"W | 29. | 18°22'27"N | 64°42'28"W |
| 5. | 19°57'29"N | 65°27'21"W | 30. | 18°22'16"N | 64°42'03"W |
| 6. | 19°37'29"N | 65°20'57"W | 31. | 18°22'23"N | 64°40'59"W |
| 7. | 19°12'25"N | 65°06'08"W | 32. | 18°21'58"N | 64°40'15"W |
| 8. | 18°45'14"N | 65°00'22"W | 33. | 18°21'51"N | 64°38'22"W |
| 9. | 18°41'14"N | 64°59'33"W | 34. | 18°21'22"N | 64°38'16"W |
| 10. | 18°29'22"N | 64°53'50"W | 35. | 18°20'39"N | 64°38'32"W |
| 11. | 18°27'36"N | 64°53'22"W | 36. | 18°19'16"N | 64°38'13"W |
| 12. | 18°25'22"N | 64°52'39"W | 37. | 18°19'07"N | 64°38'16"W |
| 13. | 18°24'31"N | 64°52'19"W | 38. | 18°17'24"N | 64°39'37"W |
| 14. | 18°23'51"N | 64°51'50"W | 39. | 18°16'43"N | 64°39'41"W |
| 15. | 18°23'43"N | 64°51'23"W | 40. | 18°11'34"N | 64°38'58"W |
| 16. | 18°23'37"N | 64°50'18"W | 41. | 18°03'03"N | 64°38'03"W |
| 17. | 18°23'48"N | 64°49'42"W | 42. | 18°02'57"N | 64°29'35"W |
| 18. | 18°24'11"N | 64°49'01"W | 43. | 18°02'52"N | 64°27'03"W |
| 19. | 18°24'29"N | 64°47'57"W | 44. | 18°02'30"N | 64°21'08"W |
| 20. | 18°24'18"N | 64°47'00"W | 45. | 18°02'31"N | 64°20'08"W |
| 21. | 18°23'14"N | 64°46'37"W | 46. | 18°02'01"N | 64°15'39"W |
| 22. | 18°22'38"N | 64°45'21"W | 47. | 18°00'12"N | 64°02'29"W |
| 23. | 18°22'40"N | 64°44'42"W | 48. | 17°59'58"N | 64°01'02"W |
| 24. | 18°22'42"N | 64°44'36"W | 49. | 17°58'47"N | 63°57'00"W |
| 25. | 18°22'37"N | 64°44'24"W | 50. | 17°57'51"N | 63°53'33"W |







NORTH AMERICAN DATUM 1983

Chart annexed to the Treaty between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America on the Delimitation in the Caribbean region of a Maritime Boundary relating to the Anguilla and the US Virgin Islands, signed at London on 5 November 1993.

18°N

St. Croix

No.1
No.2

Longitude 64° West from Greenwich

Anguilla

St. Martin

Saba

63°

18°N

63°