# International Boundary Study

SERIES A

# LIMITS IN THE SEAS

## *Straight Baselines*

## MOZAMBIQUE

**BUREAU OF INTELLIGENCE AND RESEARCH**

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INTERNATIONAL BOUNDARY STUDY

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*STRAIGHT BASELINES: MOZAMBIQUE*

The Geographer
Office of the Geographer
Directorate for Functional Research
Bureau of Intelligence and Research

# STRAIGHT BASELINES: MOZAMBIQUE

The Government of Portugal, on August 22, 1966, published Law No. 2130 on the territorial sea of the state and the overseas provinces. The text of the law is as follows:

## LAW OF THE SEA

## PORTUGAL
## LAW 2130

In the name of the Nation, the National Assembly decrees and I promulgate the following law:

### Base I

1. The normal base line from which the width of the territorial sea is measured is defined by the low-tide line along the coast, as it is indicated in maritime maps officially recognized for this purpose by the Portuguese State.

2. The closing between points on its coast and straight base lines will be drawn by the Portuguese State in accordance with International Law and published in a special decree.

### Base II

1. The Portuguese State recognizes the rights of ships of all States to innocent passage through its territorial sea, with the limitations provided by International Law.

2. Passage is not innocent to the extent that it threatens either directly or indirectly the peace, order, or security of the Portuguese State, and specifically when a ship:

(a) does not identify itself by name and flag when asked to;

(b) being a submarine, does not navigate at normal surface level with its flag hoisted;

(c) stops or anchors without a normal navigational reason or force majeure requiring it;

(d) by its proceedings, its objectives, the nature of its cargo, the people on board, or for any other reasons does not meet the standards of Portuguese

law which govern jurisdiction within the territorial sea.

**Base III**

The Portuguese State exercises in the high sea zone contiguous to its territorial sea, up to twelve miles from the base line, powers granted by international law and specifically the control necessary:

(a) to prevent and stop infractions of customs, fiscal, sanitation, or immigration laws in its territory or in its territorial sea;

(b) to guarantee, in case of emergency or when national security is believed threatened, its legitimate defense as permitted by International Law.

**Base IV**

When no agreement to the contrary exists with a State whose coasts are adjacent or facing those of the Portuguese State, the limit of the territorial sea or contiguous zone will not go beyond the median line in which all points are equidistant from the nearest points along the base lines from which the territorial sea of each of the two States are measured.

**Base V**

1. Without prejudice to historical rights, conventions, and other international agreements, the Portuguese State exercises exclusive fishing rights and jurisdiction over fishing matters in the high sea zones adjacent to its territorial sea up to twelve miles from the base line of that sea.

2. In the zone between six and twelve miles from the base line of its territorial sea, it is incumbent upon the Portuguese State to regulate fishing and enforce such regulations, as long as they do not discriminate against foreign ships which have a right to fish in this zone.

3. The outer limits of the fishing zones established in this Base will be reconciled with the provisions of the preceeding Base.

Let it be published and its provisions carried out.

Government of the Republic, August 22, 1966 -- Americo Deus Rodrigues Thomaz.

The law permitted the construction of bay-closing lines or straight baselines by a later law or decree. On June 27, 1967, Decree Law No. 47,771 was issued by the Ministry of the

Navy. The sections applicable to Mozambique are as follows: [1]

## Decree-Law No. 47,771

Whereas it has become necessary to define straight closing lines and baselines to supplement the baseline for the continental European coast and the coasts of the Provinces of Guinea, Angola, and Mozambique established in Section I, Article 1, of Law No. 2130 of August 22, 1966;

By virtue of the authority conferred under Article 109 (2) (1) of the Constitution, the Government decrees and I hereby promulgate the following law:

### Article 1

Along the continental European coast and the coast of the Provinces of Guinea, Angola, and Mozambique, the normal baseline for measuring the breadth of the territorial sea, established in Section I of Law No. 2130, shall be supplemented by the straight closing lines and baselines defined by the points whose geographic coordinates are contained in the following tables:

**...**

(4) Straight closing lines and baselines supplementing the normal baseline in Mozambique:

| | Points | Latitude S. | Longitude E. |
|---|---|---|---|
| (1) | Cabo Delgado | 10° 41' 24" | 40° 38' 54" |
| (2) | Ilha Tecomagi | 10° 45' 24" | 40° 40' 22" |
| (3) | Ilha Rongui | 10° 50' 08" | 40° 41' 38" |
| (4) | Ilha Vamizi | 11° 00' 50" | 40° 43' 53" |
| (5) | Ilha Quero-Niuni | 11° 41' 30" | 40° 39' 12" |
| (6) | Ilha Medjumbi | 11° 49' 09" | 40° 38' 09" |
| (7) | Ilha Querimba | 12° 27' 09" | 40° 38' 40" |
| (8) | Ponta do Diabo | 12° 45' 48" | 40° 38' 09" |
| (9) | Ponta Maunbane | 12° 58' 32" | 40° 36' 02" |
| (10) | Ponta Metampia | 14° 01' 24" | 40° 38' 42" |
| (11) | Point N. da ponta Cogune | 14° 10' 39" | 40° 44' 06" |
| (12) | Point E. of lower end baixo da Pinda | 14° 13' 52" | 40° 47' 49" |
| (13) | Ponta Relamzapo | 14° 27' 43" | 40° 50' 55" |
| (14) | Ilha Quitangonha | 14° 51' 15" | 40° 50' 04" |
| (15) | Ilha Injaca | 15° 00' 12" | 40° 48' 17" |
| (16) | Ilha de Goa | 15° 03' 14" | 40° 47' 33" |
| (17) | Ilha de Sena | 15° 05' 12" | 40° 46' 37" |

[1] See International Boundary Study, Series A, No. 27 – Straight Baselines: Portugal, for the full text of the law.

| | Points | Latitude S. | Longitude E. |
|---|---|---|---|
| (18) | Farol de Infusse | 15° 29' 42" | 40° 33' 54" |
| (19) | Ilha de Mafamede | 16° 21' 38" | 40° 02' 45" |
| (20) | Ilha Puga-Puga | 16° 27' 36" | 39° 57' 12" |
| (21) | Ilha Caldeira | 16° 39' 12" | 39° 43' 52" |
| (22) | Ilha de Moma | 16° 49' 04" | 39° 31' 52" |
| (23) | Ilha Epidendron | 17° 05' 54" | 39° 08' 12" |
| (24) | Ilha Casuarina | 17° 07' 52" | 39° 05' 28" |
| (25) | Ilha do Fogo | 17° 14' 58" | 38° 52' 47" |
| (26) | Ilha Quisungo | 17° 19' 40" | 38° 05' 15" |
| (27) | Point N.E. da ponta Padjini | 25° 17' 12" | 33° 19' 20" |
| (28) | Cabo Inhaca | 25° 58' 10" | 32° 59' 40" |

The coordinates in the act have been plotted on the following medium-scale USNOO nautical charts for analysis:

a) 1605, AFRICA-EAST COAST: Zanzibar to Mozambique Harbor, 1:956,170 (at lat. 11°), 8th ed., Rev. 6/24/68;

b) 1604, AFRICA-EAST COAST: Porto de Mozambique to Rio Inhambane, 1:915,540 (at lat. 20°), 10th ed., Rev. 2/24/69;

c) 1603, AFRICA-EAST COAST: Inhambane to Port Natal, 1:368,400 (at lat. 27°), 13th ed., Rev. 12/25/67.

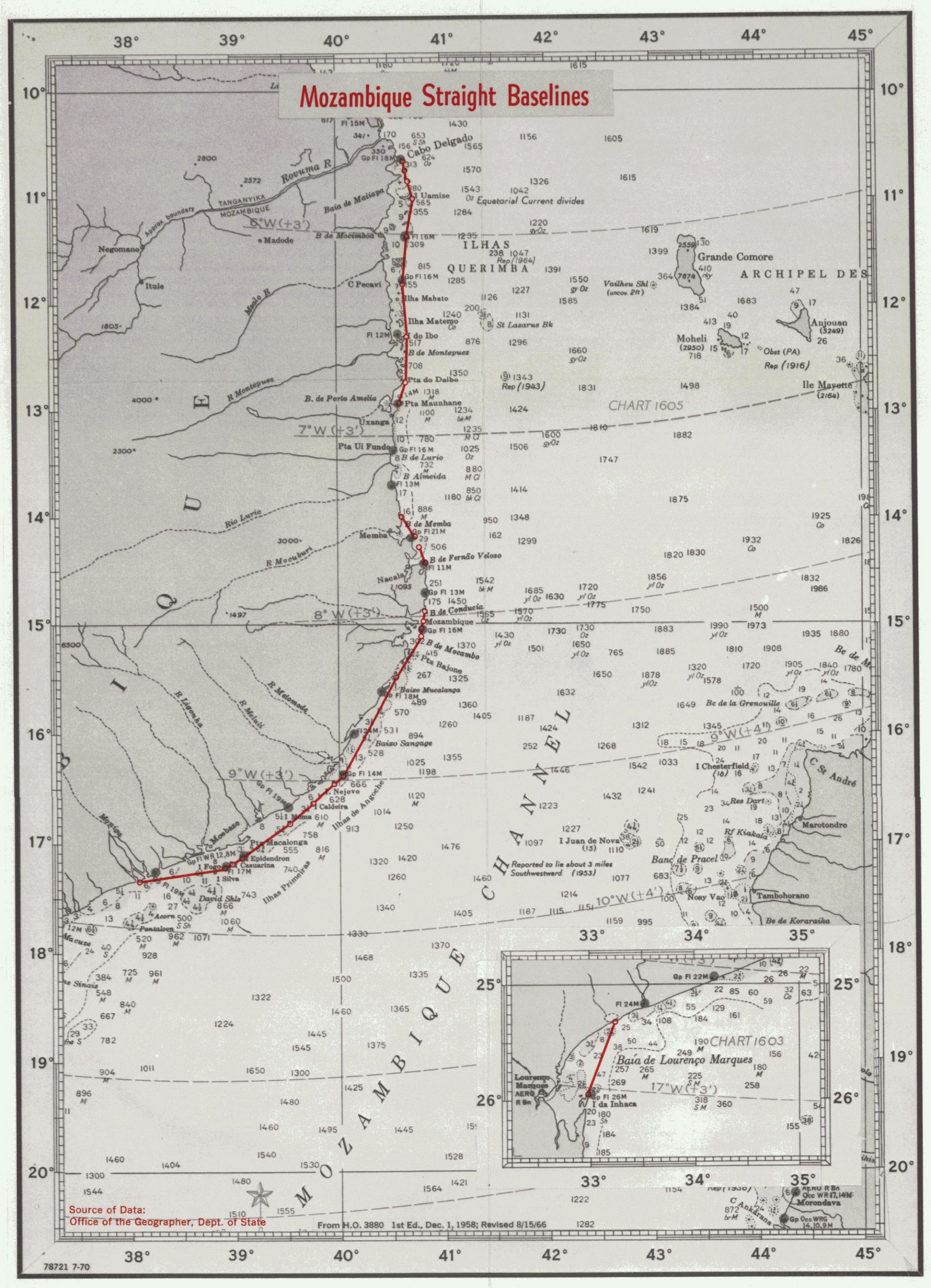
Certain minor problems in the plotting appear to exist due, it is assumed, to difference in the geographic grid. The positional differences are noted in the analysis.

The 28 specified points in the decree law create five straight baseline systems, which, in two cases, connect offshore islands and reefs with the mainland and, in three cases, close bay-like coastal indentations.

| Segment | Length (n.m.) | Comments |
|---|---|---|
| 1 – 2 | 4.5 | The segment connects C. Delgado with the outer point of I. Tecomagi at an angel of 21° to the general direction of the coast. |
| 2 – 3 | 5.0 | The segment varies from the general direction of the coast by approximately 5°. Line 1 – 3 closes Tunghi Bay by using offshore islands. |
| 3 – 4 | 11.5 | The segment continues at nearly the same deviation from the general direction of the coast to enclose Maiyapa Bay. It is a legal bay if the islands are considered to constitute segments of the bay shore. |

| Segment | Length (n.m.) | Comments |
|---|---|---|
| 4 – 5 | 41.0 | The general character of the coast changes from being embayed to lined with numerous shoals and reefs. The segment, on the average, lies approximately 8 nautical miles offshore directly along the seaward limit of the reefs. The general direction of the coast and the segment deviates by approximately 6°. |
| 5 – 6 | 8.0 | As above but the angle is approximately 8°. |
| 6 – 7 | 38.4 | The numerous reefs continue but four large islands are skirted by the segment. The islands mask approximately 40% of the shoreline from the sea. The segment virtually parallels the general direction of the coast. On the larger-scale charts the segment intersects I. Ibo and passes landward of an islet, Manoel da Silva. These deviations from the norm probably result from positional differences rather than intent. |
| 7 – 8 | 18.0 | The segment deviates from the general direction of the coast by approximately 18° as the two lines nearly intersect at point 8. |
| 8 – 9 | 13.4 | The segment rejoins the mainland enclosing Pomba Bay, a legal bay. |
| Sub-total | 139.8 n.m. | |
| 10 – 11 | 10.9 | The segment constitutes a straight baseline and encloses Momba Bay, a legal bay, by using the outermost points as the natural entrance points of the bay. |
| 12 – 13 | 14.2 | Same as above but encloses Veloso Bay. |
| 14 – 15 | 9.1 | The second major straight baseline system closes, on The north, Conducia Bay, a legal bay, and Mozambique (city) harbor, which is also a legal bay. All three segments essentially follow the general direction of the coast. |
| 15 – 16 | 3.0 | |
| 16 – 17 | 2.8 | |
| 17 – 18 | 27.5 | In the north the segment serves to close B. de Mocambo, a legal bay, while extending beyond its confines in the south where the segment connects with an offshore island. |
| 18 – 19 | 60.4 | The longest of the straight baseline segments, it nevertheless remains aligned within 3° of the general direction of the coast at an average distance of 7 nautical miles from the coast. While the enclosed waters are shoal, few islands or reefs "fringe" the coast. |
| 19 – 20 | 7.9 | As above except the angular deviation is approximately 12°. |
| 20 – 21 | 27.3 | The segment skims five major reef areas. The angular deviation decreases to 6°. |
| 21 – 22 | 15.8 | The segment connects the seaward limits of two reef areas and is virtually parallel to the general direction of the coast. |
| 22 – 23 | 27.6 | Same as above. Distance to mainland averages approximately 9 nautical miles. |
| 23 – 24 | 3.6 | The angular deviation increases to 14° due to a major change in the general direction of the coast while the baselines continue at the former azimuth. |

| Segment | Length (n.m.) | Comments |
|---|---|---|
| 24 – 25 | 13.4 | Same as above. |
| 25 – 26 | 45.5 | The segment connects the offshore reefs area with the mainland. |
| Sub-total | 243.9 | |
| 27 – 28 | 44.6 | The segment closes Delgoa Bay by using the natural entrance point of the bay. In the north, an artificial point has been chosen. The bay, which could meet the legal requirements of a bay with a different closing point, is the harbor for Lourenço Marques, the capital of Mozambique. |
| Total | 453.4 n.m. | |

The straight baseline system of Mozambique consists of five sectors, three of which are restricted to "bay" closings. The longest segment measures approximately 60.4 nautical miles in length while the shortest is 2.8 nautical miles. The average segment length is approximately 19.7 nautical miles. Only two of the segments deviate from the general direction of the coast by more than 15°.

# Mozambique Straight Baselines