International Boundary Study

SERIES A

LIMITS IN THE SEAS

Straight Baselines

PORTUGUESE GUINEA

BUREAU OF INTELLIGENCE AND RESEARCH

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INTERNATIONAL BOUNDARY STUDY

Series A

LIMITS IN THE SEAS

No. 30

STRAIGHT BASELINES: PORTUGUESE CHINA

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

STRAIGHT BASELINES: PORTUGUESE GUINEA

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 right 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 preceding 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 Portuguese Guinea are as follows:[1]

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

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 1, Article 1, of Law No. 2130 of August 22, 1966;

By virtue of Section I, Article 2, thereof;

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:

...

(2) Straight closing lines and baselines supplementing the normal baseline in Guinea:

	Points	Latitude N.	Longitude W.
1.	Ponta de Jufunco	12° 11' 53"	16° 29' 42"
2.	Point N.W. of ilheu de Caio	11° 50' 42"	16° 20' 09"
3.	Ponta Acudama	11° 31' 36"	16° 25' 32"
4.	Ponta Igom	11° 19' 24"	16° 28' 57"
5.	Ponta Anolaada (extreme W.)	11° 17' 40"	16° 29' 19"
6.	Ponta (extreme South)	11° 16' 18"	16° 28' 53"
7.	Ponta Ancumbe	11° 01' 34"	16° 11' 04"
8.	Ilheu do Poilao	10° 51' 25"	15° 43' 35"
9.	Pedras Mas E. of do Mcio	10° 58' 48"	15° 37' 58"
10.	Ilha Joao Vieira	11° 02' 24"	15° 36' 36"
11.	Ilha de Melo	10° 56' 40"	15° 16' 27"
12.	Point South of ilha de Canefaque	10° 53' 53"	15° 06' 18"

Ilheu and Ilha = Island.

The twelve points of the decree have been plotted on USNOO Chart 2342, Africa-West

Coast, Ponta Caió to Cap Verga, 1:294,500 (at lat. 11º N.), 7th Edition, Revised 3/2/70. Problems in geographic positioning have resulted from this exercise. For example, many of the points do not plot on the specific feature. In addition, several of the straight baseline segments intersect portions of land; it is assumed that had the plotting been done on large-scale Portuguese charts, based upon a different geodetic system, the intersections would not have occurred.

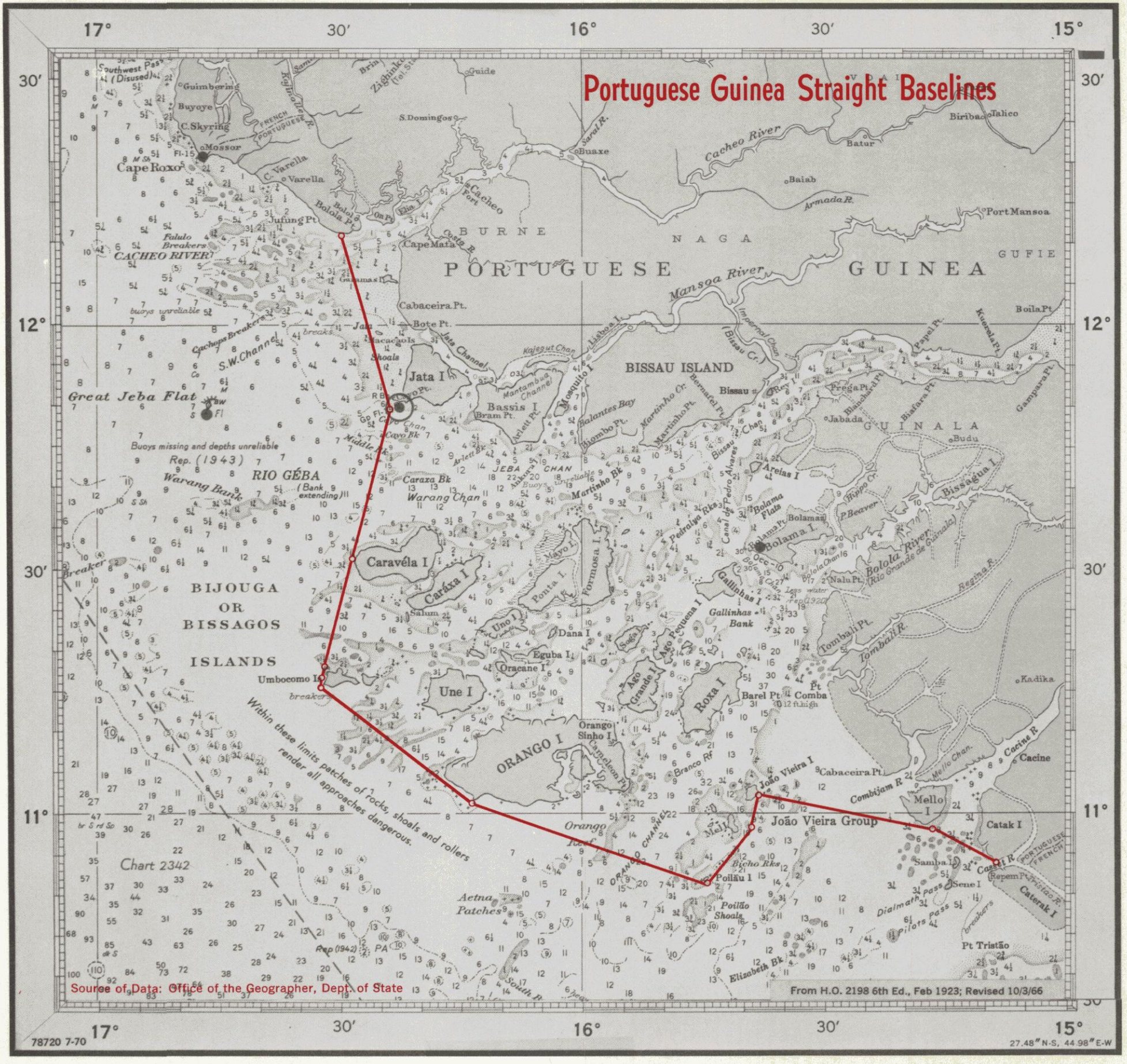
The lengths of the segments, however, have been given on the basis of the plotted positions and not on the mapped.

Segment	Distance (n.m.)	Comments
1 – 2	22.0	The segment of the straight baseline closes theR. Cache by joining a natural entrance point on the north with a point on Caió. To accomplish this closing, Pt. Cabaceira would appear to have been a more logical choice for the southern point. However, large-scale charts show the presence of extensive low-tide elevations (spits) southwest of the point and northwest of I. Jata. If these spits are utilized, the segment 1-2 coincides with the general direction of the coast; otherwise, the departure of the straight baseline is approximately 25º.
2 – 3	19.8	The segment joins I. Caió with Caravéla utilizing the outer-most points of the islands.
3 – 4	12.75	The segment joins the outer-most points of Caravéla with the outer-most (northwestern) point of Umbocomo (Unhocomo).
4 – 5	1.7	The two small segments joining the western and southwestern points of the same island and mark the change in direction of the straight baseline. Segments 2 – 6 create virtually a single azimuth.
5 – 6	1.4	
6 – 7	23.0	The segment joins the southwestern cape to I. Orango, the largest island of the Bijagós archipelago. The segment passes within 5 nautical miles of I. Une (Uno).
7 – 8	29.0	The longest segment of the system of straight baselines joins I. Orango with I. Poilãu (Poilão) which marks the southern limit of the system. The segment closes the Orango Channel, the principal access to Bissau from the south.
8 – 9	9.25	The two-segmented line turn northeastward in continuing the practice of joining the outer-most points of the islands of the archipelago. An extensive reef area, northeast of Poilãu, remains outside of the straight baselines on the USNOO chart.
9 – 10	4.0	
10 – 11	20.8	The segment connects the offshore islands with I. Melo, an island which is essentially a part of the mainland of Portuguese Guinea.

Segment	Distance (n.m.)	Comments
11 – 12	10.25	The straight baseline system terminates on I. Catak, an island adjacent to the boundary with Guinea. The segment closes the Rio Cacine estuary.

Over two-thirds of Portuguese Guinea is masked completely from the open ocean by the several hundred islands of the Bijagos archipelago. While the main axis of the islands is aligned from northeast to the southwest, the straight baselines join the outer-most points of the closing islands. A few low tide elevations have been left beyond the limits of the system; none are used as base points of themselves. Islands and associated low-tide elevations are situated quite equally throughout the area enclosed by the straight baseline system. As a result, relatively little of what would be considered high seas would be enclosed as internal waters by the system.

The eleven straight baseline segments total 153.95 nautical miles in length. The longest, No. 7 – 8, measures 29.0 nautical miles; the shortest, which marks a major turning point in direction, is 1.4 nautical miles. The average segment is 13.91 nautical miles in length.


Portuguese Guinea Straight Baselines
PORTUGUESE GUINEA
BURNE
NAGA
GUFIE
GUINALA
BISSAU ISLAND
BIJOUGA OR BISSAGOS ISLANDS
RIO GÉBA
Great Jeba Flat
Cape Roxo
CACHEO RIVER
Cacheo River
Mansoa River
Bolola River (Rio Grande de Guinala)
Bissau
Bolama I.
Bolama Flats
Bassis I
Jata I
Caravéla I
Caráxa I
Uno I
Une I
Dana I
Eguba I
Oracane I
Umbocomo I
ORANGO I
Orango Sinho I
Roxa I
Gallinhas I
Gallinhas Bank
João Vieira I
João Vieira Group
Poilão I
Poilão Shoals
Mello I
Catak I
Caterak I
Cacine
Cabaceira Pt
Port Mansoa
Batur
Baiab
Buaxe
Biriba
Talico
Guide
S. Domingos
Mossor
Varella
Cape Mata
Cabaceira Pt.
Bote Pt.
Jufung Pt
Bolola Pt
Bissau
Jabada
Budu
Boila Pt
Papel Pt.
Kuesela Pt.
Gampara Pt.
Bissagua I.
Areias I
Nalu Pt.
Barel Pt
Pt Comba
Tombali Pt.
Tombali R.
Kadika
Samba I
Sene I
Repem Pt
Pt Tristão
Within these limits patches of rocks, shoals and rollers render all approaches dangerous.
Buoys missing and depths unreliable
Rep. (1943)
Rep (1942)
Chart 2342
Aetna Patches
Source of Data: Office of the Geographer, Dept. of State
From H.O. 2198 6th Ed., Feb 1923; Revised 10/3/66
78720 7-70
27.48" N-S, 44.98" E-W