

U.S. DEPARTMENT OF STATE • BUREAU OF INTELLIGENCE AND RESEARCH • ISSUED BY THE GEOGRAPHER

LIMITS IN THE SEAS



No. 45

MARITIME BOUNDARY

MEXICO-UNITED STATES

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INTERNATIONAL BOUNDARY STUDY

Series A

LIMITS IN THE SEAS

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MARITIME BOUNDARY: MEXICO - UNITED STATES

August 11, 1972

The Geographer
Office of the Geographer
Bureau of Intelligence and Research

MARITIME BOUNDARY: MEXICO - UNITED STATES

On November 23, 1970, the Governments of Mexico and the United States signed a treaty for the clarification of the Rio Grande boundary and the creation of maritime boundaries between the claimed 12-nautical-mile Mexican territorial sea and the territorial sea and contiguous zone of the United States. The treaty delimits, in principle, the lines of separation in the Gulf of Mexico and in the Pacific Ocean. The two governments then established the final lines which were represented, at reduced scales, on two maps affixed to the treaty. Copies of the treaty maps are annexed to this study.

Article V of the treaty, which delimited the maritime boundaries, states:

Article V

The Contracting States agree to establish and recognize their maritime boundaries in the Gulf of Mexico and in the Pacific Ocean in accordance with the following provisions:

A. The international maritime boundary in the Gulf of Mexico shall begin at the center of the mouth of the Rio Grande, wherever it may be located; from there it shall run in a straight line to a fixed point, at 25° 57' 22.18" North latitude, and 97° 8' 19.76" West longitude, situated approximately 2,000 feet seaward from the coast; from this fixed point the maritime boundary shall continue seaward in a straight line the delineation of which represents a practical simplification of the line drawn in accordance with the principle of equidistance established in Articles 12 and 24 of the Geneva Convention on the Territorial Sea and Contiguous Zone. This line shall extend into the Gulf of Mexico to a distance of 12 nautical miles from the baseline used for its delineation. The international maritime boundary in the Gulf of Mexico shall be recognized in accordance with the map entitled International Maritime Boundary in the Gulf of Mexico, which the Commission shall prepare in conformity with the foregoing description and which, once approved by the Governments, shall be annexed to and form a part of this Treaty.

B. The international maritime boundary in the Pacific Ocean shall begin at the westernmost point of the mainland boundary; from there it shall run seaward on a line the delineation of which represents a practical simplification, through a series of straight lines, of the line drawn in accordance with the principle of equidistance established in Articles 12 and 24 of the Geneva Convention on the Territorial Sea and the Contiguous Zone. This line shall extend seaward to a distance of 12 nautical miles from the baselines used for its delineation along the coast of the mainland and the islands of the Contracting States. The international maritime boundary in the Pacific Ocean shall be recognized

in accordance with the map entitled International Maritime Boundary in the Pacific Ocean, which the Commission shall prepare in conformity with the foregoing description and which, once approved by the Governments, shall be annexed to and form a part of this Treaty.

C. These maritime boundaries, as they are shown in maps of the Commission entitled International Maritime Boundary in the Gulf of Mexico and International Maritime Boundary in the Pacific Ocean, shall be recognized as of the date on which this Treaty enters into force. They shall permanently represent the maritime boundaries between the two Contracting States; on the south side of these boundaries the United States shall not, and on the north side of them Mexico shall not, for any purpose claim or exercise sovereignty, sovereign rights or jurisdiction over the waters, air space, or seabed and subsoil. Once recognized, these new boundaries shall supersede the provisional maritime boundaries referred to in the Commission's Minute No. 229.

D. The establishment of these new maritime boundaries shall not affect or prejudice in any manner the positions of either of the Contracting States with respect to the extent of internal waters, of the territorial sea, or of sovereign rights or jurisdiction for any other purpose.

E. The Commission shall recommend the means of physically marking the maritime boundaries and of the division of work for construction and maintenance of the markers. When such recommendations have been approved by the two Governments the Commission shall construct and maintain the markers, the cost of which shall be equally divided between the Contracting States.

The treaty has been ratified by both states and ratifications were exchanged in Washington, D. C. April 18, 1972.

ANALYSIS

The Gulf of Mexico sector of the maritime boundary offers a unique solution to the problem of maritime boundaries tied to ambulatory features. The Mexico-United States terrestrial boundary reaches the sea in the Rio Grande. The river, which is subject to wide fluctuations in level and in course, is particularly susceptible to changes at its mouth. Seeking a relative degree of permanence in the maritime boundary, the two countries agreed that the point of origin would be the center of the mouth of the river, wherever it may be. The second point would be situated 2,000 feet due east of the midpoint of the river mouth at the time of the treaty (in effect at the time of the mapping of the river immediately after the signature of the document). Point one may meander with the mouth but point two will remain constant as a hinge. As a consequence, the stability of most of the boundary is assured. Finally, an equidistance boundary was constructed from the mouth of the river to

the twelve-nautical mile limit measured from the respective low-water baselines and this point of intersection was chosen as the terminal point of the maritime boundary. In fact, the equidistance line did not vary to a great degree from the straight line segment between two points two and three.

The two governments, however, sought a simple limit which would be practical to administer and which would not cause difficulties for fishing craft operating with unsophisticated navigational gear. Provisions exist to establish two markers on the ground, one in each state, to assist in the visual determination of position relative to the maritime boundary. The final segment of the boundary is formed by the great circle connecting the two points. The values of the points, on the North American datum, are given on the attached maps of the boundary. The very nature of the coastline, which is smooth and gently arcuate, favored the simplification of the boundary.

The maritime boundary in the Pacific also followed the principle of equidistance but with a measure of simplification particularly near the continental shore. Full value, as basepoint, was given to the Mexican Islas los Coronados which were situated to the south of the terrestrial boundary. The maritime limit from the shore to the point where the islands began to affect the equidistant line was simplified by an equal exchange of territory. The recalculation of a "terminal" point on the line affected by the Coronados, i.e., the first point after leaving the land terminus, involved a transfer of 608,141 square meters from Mexico to the United States and 608,139 square meters from the United States to Mexico. The difference in transfers were a mere 2 square meters. (Note: The transfers, of course, apply only to the differences between the practical lateral line and the "simplified" line agreed upon in the treaty.)

The final segments of the boundary were constructed by equidistance on specially constructed large-scale charts and verified by "computer" calculations to eliminate problems due to projections and to mechanical deficiencies, e.g., width of line of chart, distortion due to instability of base map, if any, etc.

As in the Gulf of Mexico, the segments between turning points relate to the great circles which connect the points. The final point of the maritime boundary is precisely 12 nautical miles from a cape on the western side of Point Loma (California) and one on the northwest shore of the northern island of los Coronados.