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LIMITS IN THE SEAS

No. 65

CONTINENTAL SHELF & TERRITORIAL SEA BOUNDARIES:

GERMAN DEMOCRATIC REPUBLIC & POLAND

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German Democratic Republic and Poland

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To delimit their respective territorial sea and continental shelf boundaries in the adjacent waters and subsoil of the Baltic Sea, the Governments of the German Democratic Republic (GDR) and the Polish People's Republic signed an agreement on October 29, 1968. Its full text is as follows:

Agreement between the Polish People's Republic and the German Democratic Republic on the delimitation of the continental shelf in the Baltic Sea.

Prompted by the desire to act in accordance with the provisions of the Convention on the Continental Shelf, done in Geneva on April 29, 1958, to contribute to the exploration and exploitation of the natural resources of the continental shelf in the Baltic Sea, and Council of State of the Polish People's Republic and the Council of State of the German Democratic Republic have resolved to conclude this Agreement, and to this end have designated as their plenipotentiaries:

For Poland, Adam Kruczkowski, Under Secretary of State of the Ministry of Foreign Affairs of Poland, and

For the German Democratic Republic, Oskar Fischer, Under Secretary of State of the Ministry of Foreign Affairs of the German Democratic Republic, Who, having communicated their full powers which were found to be in proper and due form, agreed as follows:

Article 1.

The median line delimiting the continental shelf of the Polish People's Republic and of the German Democratic Republic shall be determined to accordance with Article 6 of the Geneva Convention on the Continental Shelf following the general principle of the median line every point of which is equidistant from the baselines from which the breadth of the territorial sea of each of the Contracting Parties is measured.

Article 2.

1. According to the principle established in Article 1, the median boundary line is formed by the following straight lines: the lines between the tangent point of the terrestrial boundaries of the two contracting parties in the Island of Uznam and point A, further between points A, B, C, D, E, F, G and H and the extension of the line between points G and H to the point equidistant from the nearest points of the baselines of the Polish People's Republic, the German Democratic Republic, and the Kingdom of Denmark.

2. The points referred to in sub-paragraph 1 above are the following geographical positions:

A. Latitude 54°01'42"N. Longitude 14°15'16" E.
B. Latitude 54°05'20"N. Longitude 14°20'11" E.

C. Latitude 54°10'08"N. Longitude 14°21'08" E.
D. Latitude 54°14'44"N. Longitude 14°23'11" E.
E. Latitude 54°17'05"N. Longitude 14°27'00" E.
F. Latitude 54°20'28"N. Longitude 14°29'54" E.
G. Latitude 54°23'56"N. Longitude 14°32'41" E.
H. Latitude 54°28'19"N. Longitude 14°35'51" E.

3. The geographic positions indicated in subparagraph 2 above are determined in latitudes North and longitudes East of the original Greenwich meridian, according to Maritime Chart No. 151 Edition 1965/10 of the Hydrographic Service of the German Democratic Republic.

4. The course of the boundary line is marked on the attached chart which shall be considered an integral part of this Agreement.

Article 3.

The provisions of this agreement shall in no way affect the legal status of the superjacent waters as high seas, or that of the airspace above those waters.

Article 4.

In accordance with Article 102 of the United Nations Charter, this Agreement shall be registered with the Secretariat of the United Nations.

Article 5.

This Agreement is subject to ratification and shall enter into force on the day when instruments of ratification are exchanged in Warsaw.

Done at Berlin on October 19, 1968, in two texts, in the Polish and German languages, both of which are equally authentic.

For the Polish People's Republic	For the German Democratic Republic
(Signed) Adam Kruczkowski	(Signed) Oskar Fischer

Article 1 of the Agreement specifies that the "general principle of the median line every point of which is equidistant" from the respective national baselines has been utilized to determine the lateral sea and shelf boundaries. Both states currently claim territorial sea breadths of 3 nautical miles.

Beginning at the coastal terminal of the land boundary situated at approximately 55°55'45" North and 14°13'42" East, the boundary extends generally northeastward to an unspecified location beyond Point H, approximately 30 nautical miles from the initial segment extending

from the land terminus to Point A specified in the Agreement. Seaward, the boundary defines the limits of the two national continental shelves which prolong from the respective land territories. Owing to the presence of the Danish island of Bornholm, lying on the same geologic continental shelf, the terminus of the GDR-Poland shelf boundary will require Danish agreement, which has not yet been negotiated.

According to Article 1, the GDR-Poland shelf limit extends northeastward along the azimuth of the line determined by Points G and H to a terminus equidistant from the baselines of the GDR, Poland, and Denmark. To achieve this status of triple equidistance, the G - H line will have to be extended approximately 3 nautical miles beyond Point H.

The maritime boundary, defined non-specifically as comprising "straight lines", connects the following points:

Agreement Points	Approximate Distance (n.m.)	Approximate Azimuth (°)
Terminal - A	6.28	18.65
A - B	5.04	43.78
B - C	5.04	17.57
C - D	3.94	23.85
D - E	4.28	38.45
F - G	4.11	32.51
G - H	5.04	29.46

The total length of the boundary is approximately 37.83 nautical miles. (If the Danish Government agrees with the equidistance concept, the boundary, of course, will extend approximately 3 nautical miles farther.) The eight segments average approximately 4.73 nautical miles in length. The longest, 6.28 nautical miles, extends from the coastline to Point A while the shortest, 3.94 nautical miles, connects points C and D. Coincidentally, three segments, A - B, B - C, and F - G, each measure approximately 5.04 nautical miles in length while two others, E - F and F - G, are 4.11 nautical miles in length.

The following tables indicate that the equidistance principle was utilized with the exception of the first segment. Minor discrepancies in distances to baseline probably relate to the scale and the projection of the chart utilized for the determination of baseline points. Larger-scale, non-Mercator charts may have indicated a greater degree of precision in locational determination.

Turning Points	Shortest Distances to GDR Basepoints (nautical miles)	GDR Basepoints	Shortest Distances to Polish Basepoints (nautical miles)	Polish Basepoints
A	5.17	Near Basin	6.05	Oder harborwork light
B	9.6	Near Basin	9.6	Oder harborwork light
C	13.3	NW Langeberg	13.4	Swieta Kiepa
D	16.2	Greifswalder Oie (east cape)	16.4	Swieta Kiepa Kikut
E	18.5	Greifswalder Oie (east cape)	18.6 18.5	Kikut Dziwnow Dolny
F	20.8	Greifswalder Oie (east cape)	20.8 20.7	Dziwnow Dolny Dziwnow Gorny
G	23.4	Greifswalder Oie (north cape)	23.5 23.2	Dziwnow Dolny Dziwnow Gorny
H	26.9	Greifswalder Oie (north cape)	26.9	Dziwnow Dolny Dziwnow Gorny

Note: Approximate distance to Bornholm from Point H - 32.7 nautical miles.

Summary

The GDR-Poland territorial sea boundary has been determined on the general principle of equidistance; thus, it includes the small GDR island of Greiswalder Oie. At least the initial segment, however, obviously represents a negotiated boundary that disregards the principle. Several other points, e.g., D and G, may have been modified slightly to effect mutual exchanges of areas. The lines connecting the specified points are defined in Article 2(1) as "straight" lines, language that could presumably refer to geodesics. Article 2(3) and (4), however references the depiction of the lines on a specific official chart[1] -- a Mercator-projection nautical chart of the Seehydrographer Dienst of the GDR. Straight lines on this chart represent rhumb lines rather than geodesics. In view of the short length of the various segments, only small areas could be affected by the differences in line type.

The GDR is a party to the Convention on the Territorial Sea and the Contiguous Zone (December 27, 1973) with a declaration concerning Article 26 and 28 and a reservation concerning Article 20. The first two articles concern signature and accession to the Convention while the last-named relates to passage through the territorial sea. Poland is not a party to the Convention.

Both states are parties to the Convention on the Continental Shelf. The GDR has made a declaration concerning Articles 8 and 10, which again relate to signature of an accession

[1] *Oderbucht,* No. 151, 1:150,000, Seehydrographischer Dienst, edition 10, 1965.

to the Convention.

German Democratic Republic-Poland: Continental Shelf Boundary

○ Terminal or turning point

Source of Data: Office of the Geographer, Department of State

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