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LIMITS IN THE SEAS

No. 68

TERRITORIAL SEA AND CONTINENTAL SHELF BOUNDARY:

GUINEA-BISSAU - SENEGAL

This paper is one of a series issued by The Geographer, Bureau of Intelligence and Research of the Department of State. The aim of the series is to set forth the basis for national arrangements for the measurement of the territorial sea or the division of the continental shelf of maritime nations.

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March 15, 1976

Office of the Geographer
Bureau of Intelligence and Research

France and Portugal exchanged notes on April 26, 1960, regarding the maritime boundary between Senegal and Portuguese Guinea. Senegal gained independence on August 20, 1960, while Portuguese Guinea became the independent state of Guinea-Bissau on September 10, 1975. The maritime boundary is presumed to be still in force.

The following decree concerning the Exchange of Notes appeared in the Journal Officiel de la Republique Francais on May 31, 1960.

MINISTRY OF FOREIGN AFFAIRS

> Decree No. 60-504 of May 25, 1960, publishing the Exchange of Notes between France and Portugal regarding the maritime boundary between Senegal and Portuguese Guinea, signed April 26, 1960.
>
> On the report of the Prime Minister and the Minister of Foreign Affairs;
>
> Considering Articles 52-55 of the Constitution;
>
> Considering Decree No. 53-192 of March 14, 1953, concerning the ratification and publication of international commitments undertaken by France,
>
> The President of the Republic hereby decrees:

Article 1. The Exchange of Notes between France and Portugal regarding the maritime boundary between Senegal and Portuguese Guinea, signed April 26, 1960, shall be published in the Journal Officiel of the French Republic.

Article 2. The Prime Minister and the Minister of Foreign Affairs shall be responsible for carrying out this decree.

Done at Paris, May 25, 1960.

C. de Gualle

By the President of the Republic:
Michel Debre
Prime Minister

Maurice Couve de Murville
Minister of Foreign Affairs

EMBASSY OF FRANCE IN PORTUGAL

Lisbon, April 26, 1960

His Excellency
Antonio de Oliveira Salazar,
President of the Council,
Acting Minister of Foreign Affairs
Lisbon.

Mr. President:

Pursuant to the talks held in Lisbon September 8-10, 1959, with a view to defining the maritime boundary between the Republic of Senegal and the Portuguese Province of Guinea, talking into account the Geneva Conventions of April 29, 1958, drafted by the United Nations Conference on the Law of the Sea, I have the honor, on behalf of the French Republic and the community, to propose to Your Excellency of the following:

To the external limit of the territorial seas, the boundary would be defined by a straight line, running at 240°, starting from the intersection of the extension of the land boundary and the low-water mark, represented for that purpose by the Cape Roxo light.

With regard to the contiguous zones and the continental shelf, the delimitation would consist of the straight line extension in the same direction of the territorial sea boundary.

In the spirit of friendship and neighborly relations that has always existed between our countries, the competent authorities would favor, as appropriate, mutual cooperation between natural or juristic persons authorized to exercise rights on one side or the other of the line defined above.

I should be grateful if Your Excellency would inform me whether these proposals meet with the approval of the Portuguese Government.

Accept, Mr. President, the assurances of my very high consideration.

Signed: B. de Menthon

MINISTRY OF FOREIGN AFFAIRS

Office of the Minister

Lisbon, April 26, 1960

Mr. Ambassador:

I have the honor to acknowledge receipt of Your Excellency's note of April 26, 1960, which reads as follows:

[Same text as above note]

I have the honor to inform Your Excellency that the terms of your note transcribed above meet with the approval of the Portuguese Government, with the understanding that the aforesaid note and this reply should constitute the instruments of the agreement reached on the subject between the two Governments.

I take this opportunity to present to you, Mr. Ambassador, the assurance of my highest consideration.

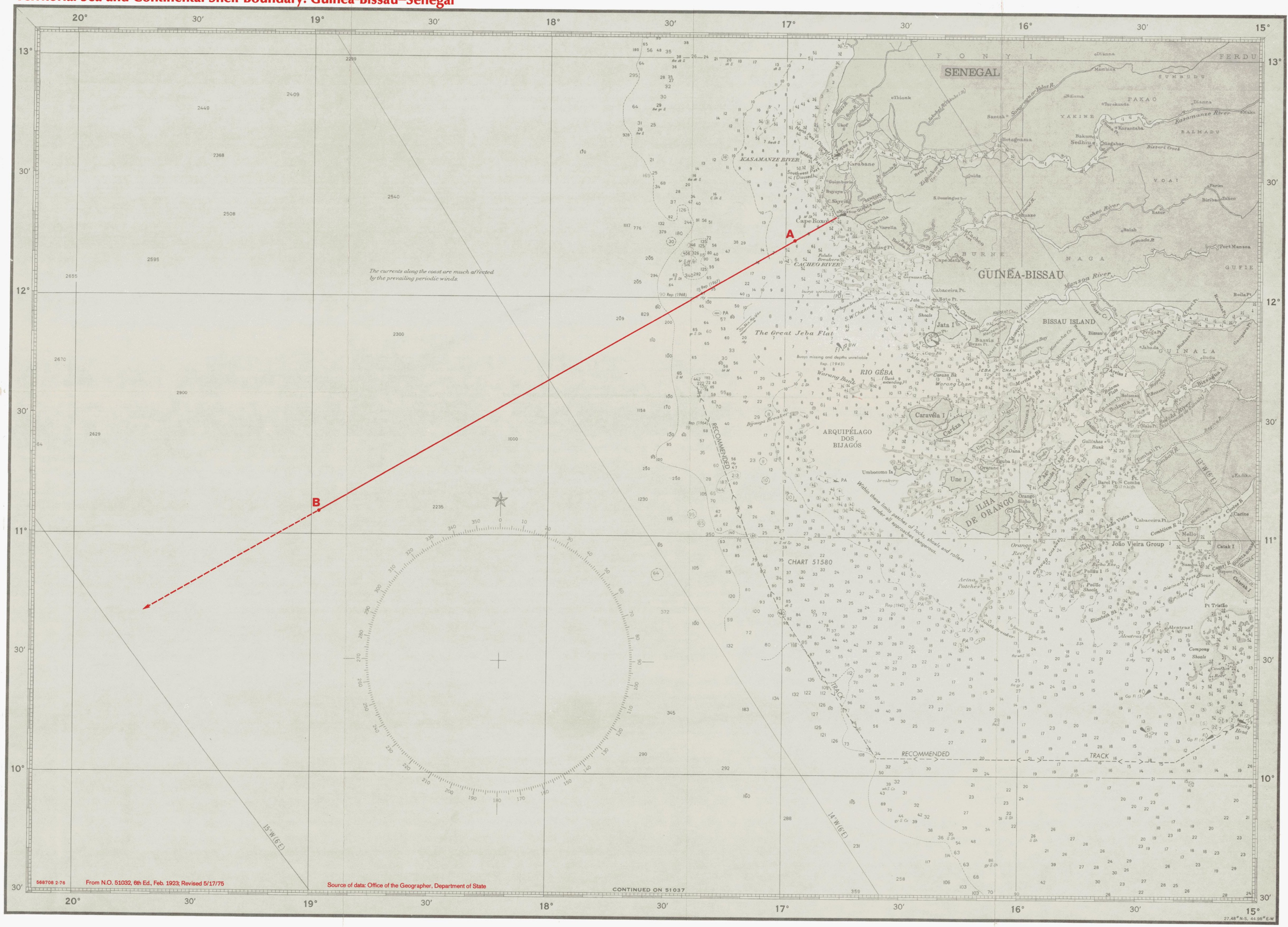
A. O. Salazar
Minister of Foreign Affairs

ANALYSIS

The maritime boundary between Guinea-Bissau and Senegal is plotted on the attached U.S. Naval Oceanographic Chart 51032 (6th ed).

The territorial sea boundary is defined in the Exchange of Notes as a straight-line 240° azimuth (assumed to be from true north) from "the intersection of the extension of the land boundary and the low-water mark, represented for that purpose by the Cape Roxo light." The outer limit of the territorial sea boundary is not specified. Presently, Senegal claims a 12-nautical-mile territorial sea limit while Guinea-Bissau claims a 150-nautical-mile limit. The letters A and B on the attachment map indicate the claimed extents of Senegal's and Guinea-Bissau's territorial sea limits, respectively, along the boundary.

The outer limit of the continental shelf boundary is not clearly defined in the Exchange of Notes. The boundary between the respective shelf areas is considered to be the straight-line extension of the territorial sea boundary. This extension is depicted on the attached map by a dashed red line.

Neither the territorial sea boundary nor the continental shelf boundary is based on the equidistance principle.

Territorial Sea and Continental Shelf Boundary: Guinea-Bissau–Senegal