

No. 37399

**Mexico
and
United States of America**

Treaty on maritime boundaries between the United Mexican States and the United States of America. Mexico City, 4 May 1978

Entry into force: *13 November 1997 by the exchange of instruments of ratification, in accordance with article III*

Authentic texts: *English and Spanish*

Registration with the Secretariat of the United Nations: *Mexico, 12 April 2001*

**Mexique
et
États-Unis d'Amérique**

Traité relatif aux frontières maritimes entre les États-Unis du Mexique et les États - Unis d'Amérique. Mexico, 4 mai 1978

Entrée en vigueur: *13 novembre 1997 par échange des instruments de ratification, conformément à l'article III*

Textes authentiques : *anglais et espagnol*

Enregistrement auprès du Secrétariat des Nations Unies : *Mexique, 12 avril 2001*

TREATY ON MARITIME BOUNDARIES BETWEEN THE UNITED MEXI-
CAN STATES AND THE UNITED STATES OF AMERICA

The Government of the United Mexican States and the Government of the United States of America:

Considering that the maritime boundaries between the two countries were determined for a distance of twelve nautical miles seaward by the Treaty to Resolve Pending Boundary Differences and Maintain the Rio Grande and Colorado River as the International Boundary Between the United Mexican States and the United States of America, signed on November 23, 1970;

Taking note of the Decree adding to Article 27 of the Political Constitution of the United Mexican States to establish an Exclusive Economic Zone of Mexico outside the Territorial Sea, and of the Fishery Conservation and Management Act of 1976 establishing a fishery conservation zone off the coast of the United States;

Bearing in mind that, by an exchange of notes dated November 24, 1976, they provisionally recognized maritime boundaries between the two countries between twelve and two hundred nautical miles seaward in the Gulf of Mexico and the Pacific Ocean;

Recognizing that the lines accepted by the exchange of notes dated November 24, 1976, are practical and equitable, and

Desirous of avoiding the uncertainties and problems that might arise from the provisional character of the present maritime boundaries between twelve and two hundred nautical miles seaward,

Have agreed as follows:

Article I

The United Mexican States and the United States of America agree to establish and recognize as their maritime boundaries in the Gulf of Mexico and in the Pacific Ocean, in addition to those established by the Treaty of November 23, 1970, the geodetic lines connecting the points whose coordinates are:

IN THE WESTERN GULF OF MEXICO

GM.W-1	25o58'30.57" Lat.N	96o 5'27.37" Long.W
GM.W-2	26o00'31.00" Lat.N	96o48'29.00" Long.W
GM.W-3	26o00'30.00" Lat.N	95o39'26.00" Long.W
GM.W-4	25o59'48.28" Lat.N	93o26'42.19" Long.W

IN THE EASTERN GULF OF MEXICO

GM.E-1	25o42'13.05" Lat.N	91o 5'24.08" Long.W
GM.E-2	25o46'52.00" Lat.N	90o29'41.00" Long.W
GM.E-3	25o41'56.52" Lat.N	88o23'05.54" Long.W

IN THE PACIFIC OCEAN

OP-1	32o35'22.11" Lat.N	117o27'49.42" Long.W
OP-2	32o37'37.00" Lat.N	117o49'31.00" Long.W
OP-3	31o07'58.00" Lat.N	118o36'18.00" Long.W
OP-4	30o32'31.20" Lat.N	121o51'58.37" Long.W

The coordinates of the geodetic points referred to above were determined with reference to the 1927 North American Datum.

Article II

North of the maritime boundaries established by Article I, the United Mexican States shall not, and south of said boundaries, the United States of America shall not, claim or exercise for any purpose sovereign rights or jurisdiction over the waters or seabed and subsoil.

Article III

The sole purpose of this Treaty is to establish the location of the maritime boundaries between the United Mexican States and the United States of America.

The maritime boundaries established by this Treaty shall not affect or prejudice in any manner the positions of either Party with respect to the extent of internal waters, of the territorial sea, of the high seas or of sovereign rights or jurisdiction for any other purpose.

Article IV

This Treaty shall be subject to ratification and shall enter into force on the date of exchange of the instruments of ratification which shall take place in Washington, D. C. at the earliest possible date.

Done at Mexico, May 4, 1978, in the Spanish and English languages, both texts being equally authentic.

For the Government of the United Mexican States:

[SANTIAGO ROEL]

For the Government of the United States of America:

[CYRUS VANCE]

LETTER OF TRANSMITTAL

THE WHITE HOUSE, *January 19, 1978.*

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to ratification, three treaties establishing maritime boundaries: the Treaty on Maritime Boundaries between the United States of America and the United Mexican States, signed at Mexico City on May 4, 1978; the Maritime Boundary Treaty between the United States of America and the Republic of Venezuela, signed at Caracas on March 28, 1978; and the Maritime Boundary Agreement between the United States of America and the Republic of Cuba, signed at Washington, December 16, 1977.

These treaties are necessary to delimit the continental shelf and overlapping claims of jurisdiction resulting from the establishing of a 200 nautical mile fishery conservation zone off the coasts of the United States in accordance with the Fishery Conservation and Management Act of 1976, and the establishment of 200 nautical mile zones by these neighboring countries.

The treaty with Mexico establishes the maritime boundary between the United States and Mexico for the area between twelve and two hundred nautical miles off the coasts of the two countries in the Pacific Ocean and Gulf of Mexico. In this regard, it supplements the Treaty to Resolve Pending Boundary Differences and Maintain the Rio Grande and Colorado River as the International Boundary between the United States of America and the United Mexican States, signed at Mexico November 23, 1970, which establishes maritime boundaries out to twelve nautical miles off the respective coasts. The treaty with Venezuela establishes the maritime boundary between the two countries in the Caribbean Sea, between Puerto Rico and the U.S. Virgin Islands and Venezuela where the 200 nautical mile zones overlap. The treaty with Cuba establishes the maritime boundary between the two countries in the Straits of Florida area and the eastern Gulf of Mexico where the 200 nautical mile zones overlap.

I believe that these treaties are in the United States interest. They are consistent with the United States interpretation of international law that maritime boundaries are to be established by agreement in accordance with equitable principles in the light of relevant geographic circumstances. They will facilitate law enforcement activities, and provide for certainty in resource development.

I also transmit for the information of the Senate the report of the Department of State with respect to each of these treaties.

I recommend that the Senate give early consideration to these treaties and advice and consent to their ratification.

JIMMY CARTER

LETTER OF SUBMITTAL

DEPARTMENT OF STATE,
Washington, December 27, 1978.

The PRESIDENT,
The White House.

THE PRESIDENT: I have the honor to submit to you, with a view to the transmittal thereof to the Senate for its advice and consent to ratification, the Treaty on Maritime Boundaries between the United States of America and the United Mexican States, signed at Mexico City, May 4, 1978. The Treaty establishes the maritime boundaries between the United States and Mexico for the areas between twelve and two hundred nautical miles off the respective coasts.

Prior to the establishment of 200 nautical mile zones, the United States and Mexico had established by treaty their maritime boundaries seaward to a distance of twelve nautical miles. This was accomplished in the Treaty to Resolve Pending Boundary Differences and Maintain the Rio Grande and Colorado River as the International Boundary between the United States of America and the United Mexican States, done at Mexico, November 23, 1970, and entered into force April 18, 1972. Agreement on maritime boundaries seaward to a distance of 200 nautical miles became necessary in 1976 when each government decided to establish zones to that distance.

Discussions between officials of both governments, held in the spring of 1976, led to an exchange of notes on November 24, 1976, establishing provisional maritime boundaries in accordance with equitable principles. After a year of experience with the provisional maritime boundaries, both governments came to the view that previously contemplated technical work was unnecessary and that they were satisfied that the provisional maritime boundaries should be made permanent. Agreement was reached through diplomatic correspondence on the text of a treaty which was signed on the occasion of Secretary Vance's visit to Mexico City on May 4, 1978;

The preamble to the treaty recites the fact that maritime boundaries out to twelve nautical miles have already been established between the two countries. It notes the United States Fishery Conservation and Management Act which establishes a 200 nautical mile fishery conservation zone off the coasts of the United States, and the Mexican Decree adding to Article 27 of the Political Constitution of Mexico which establishes a 200 nautical mile "exclusive economic zone" off the coast of Mexico. The Preamble also recalls the fact that the two countries have established provisional maritime boundaries by the exchange of notes of November 24, 1976, and that the lines thereby established are practical and equitable.

The operative portion of the treaty consists of four articles.

Article I sets out the specific geographic coordinates which define the maritime boundaries established by the treaty. The maritime boundary between the United States and Mexico consists of three segments: (1) in the western Gulf of Mexico extending eastward from the international boundary separating Texas from Mexico; (2) in the eastern Gulf of Mexico where the 200 nautical mile zones developed from the Louisiana coast and islands off the Yucatan coast overlap; and, (3) in the Pacific Ocean, extending westward from the international boundary separating California from Mexico.

In the western Gulf of Mexico the maritime boundary begins at the terminus of the twelve nautical mile boundary established by the 1970 treaty and extends through two turning points and then to a point which is 200 nautical miles from the coasts of the two countries, as de-zones overlap, as depicted on the map attached at Annex A.

In the eastern Gulf of Mexico the maritime boundary begins at the westernmost point at which the 200 nautical mile zones off the Louisiana and Yucatan coasts overlap, continues through a turning point, and terminates at the easternmost point at which the 200 nautical mile zones overlap as depicted on the map attached at Annex A.

In the Pacific Ocean the maritime boundary begins at the terminus of the twelve nautical mile boundary established by the 1970 treaty and extends through two turning points and then to a point which is 200 nautical miles from the coasts of the two countries, as depicted on the map enclosed at Annex B.

The maritime boundaries are geodetic lines which connect these points. The coordinates are determined with reference to the 1927 North American Datum and the Clarke 1866 ellipsoid.

The maritime boundaries described in Article I are negotiated boundaries developed on the basis of equitable principles in light of the relevant geographical circumstances. In developing the maritime boundaries the two countries referred to the delimitation principles of the 1958 Geneva Convention on the Continental Shelf to which the United States and Mexico are both parties, the criteria set forth by the International Court of Justice in the *North Sea Continental Shelf* Cases, and the principles utilized in determining the twelve nautical mile maritime boundaries under the 1970 treaty. Application of these principles to the factual circumstances off the coasts of the United States and Mexico resulted in agreement on the maritime boundaries described in Article I.

Article II describes the legal effect of the maritime boundaries. It provides that neither country shall claim or exercise for any purpose sovereign rights or jurisdiction over the waters or seabed and subsoil on the other country's side of the maritime boundary.

Article III clarifies that the sole purpose of the treaty is to establish the location of the maritime boundaries between the two countries, and that these maritime boundaries do not affect or prejudice either country's position with respect to the extent of internal waters, of the territorial sea, of the high seas or of sovereign rights or jurisdiction for any other purpose. A disclaimer of this character makes clear that agreement on the maritime boundaries does not constitute recognition of the jurisdiction that the other country may claim to exercise in the delimited area beyond that otherwise recognized by each country. In this connection, the United States and Mexico maintain different posi-

tions on the breadth of the territorial sea, as well as the nature of jurisdiction exercised within the 200 nautical mile zone, which are not affected by the treaty.

Article IV provides that the treaty will enter into force on the date of exchange of instruments of ratification.

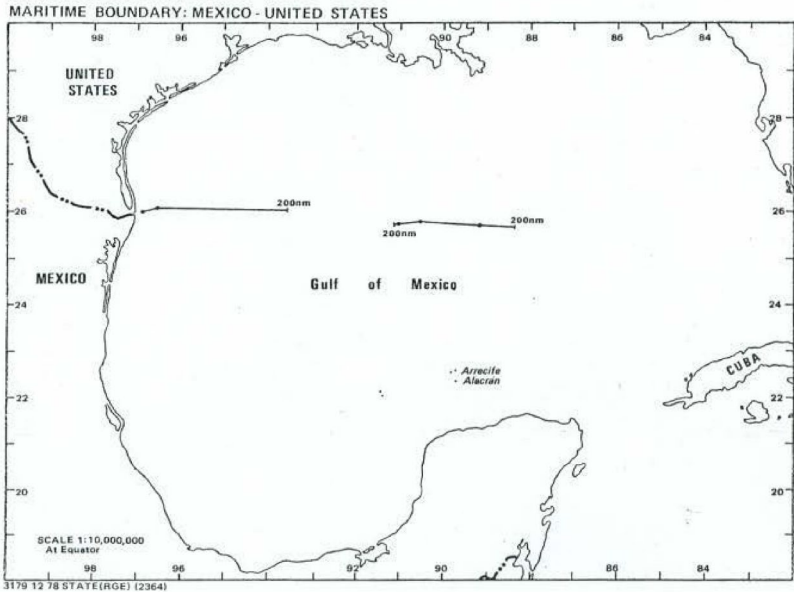
I recommend that this treaty be transmitted to the Senate as soon as possible for its advice and consent to ratification.

Respectfully submitted,

CYRUS VANCE.

Enclosures:

1. Annex A- Chart of the maritime boundary in the western Gulf of Mexico between the United States and Mexico.



2. Annex B- Chart of the maritime boundary in the Pacific Ocean between the United States and Mexico.

