

THREE TREATIES ESTABLISHING MARITIME
BOUNDARIES BETWEEN THE UNITED STATES AND
MEXICO, VENEZUELA AND CUBA

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

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, MAY 4, 1978 (EX. F,
96-1); THE MARITIME BOUNDARY TREATY BETWEEN THE
UNITED STATES OF AMERICA AND THE REPUBLIC OF
VENEZUELA, SIGNED AT CARACAS ON MARCH 28, 1978
(EX. G, 96-1); AND THE MARITIME BOUNDARY AGREE-
MENT BETWEEN THE UNITED STATES OF AMERICA AND
THE REPUBLIC OF CUBA, SIGNED AT WASHINGTON, DE-
CEMBER 16, 1977 (EX. H, 96-1)



JANUARY 23, 1979.—Treaties were read the first time and, together with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed for the use of the Senate

U.S. GOVERNMENT PRINTING OFFICE

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.

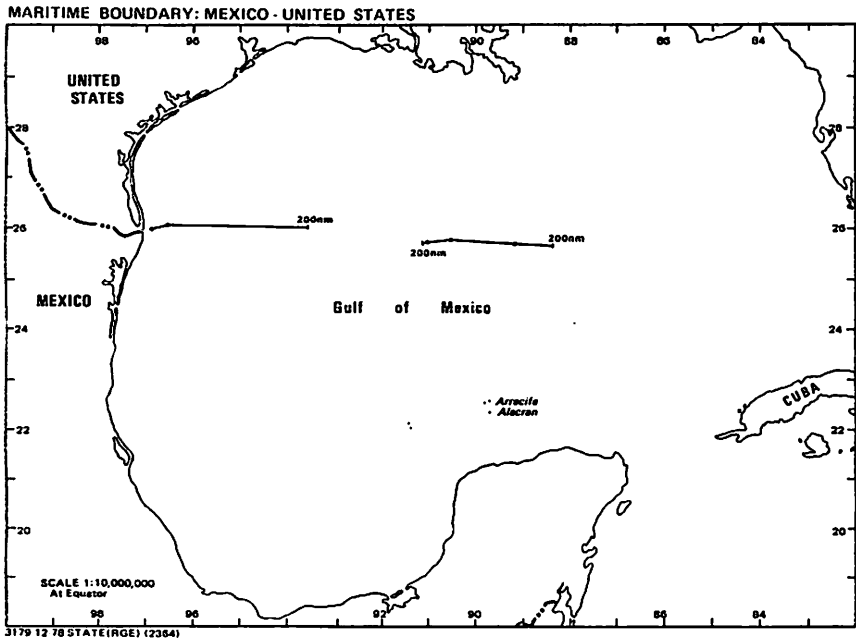
I recommend that this treaty be transmitted to the Senate as soon as possible for its advice and consent to ratification.

Respectfully submitted,

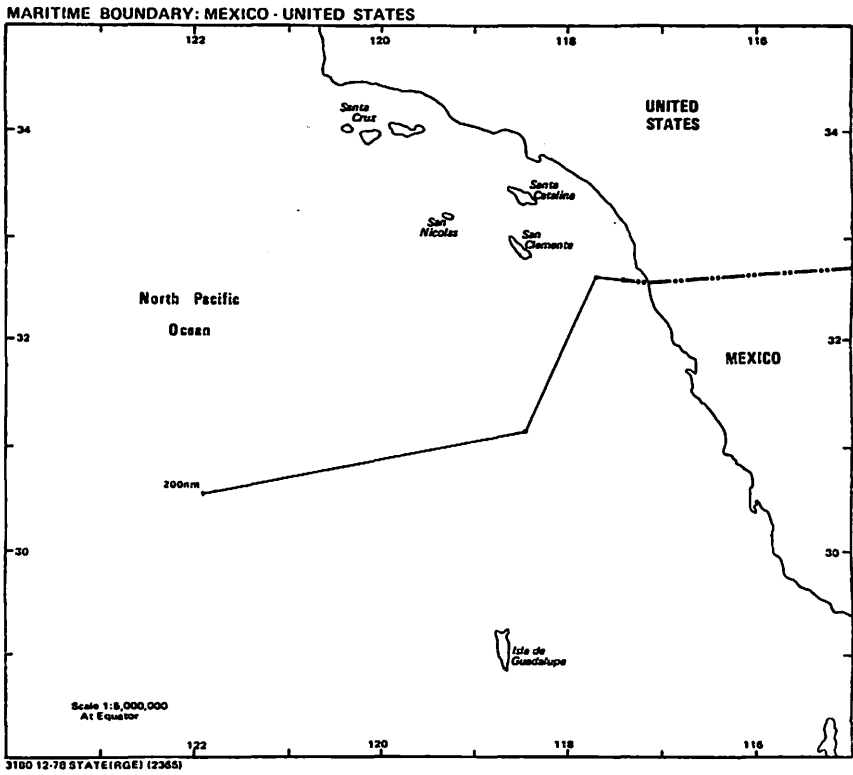
CYRUS VANCE.

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.



TREATY ON MARITIME BOUNDARIES BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED MEXICAN STATES

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

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 States of America and the United Mexican States, 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 States of America and the United Mexican States 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 25°58'30.57" Lat. N. 96°55'27.37" Long. W.

GM. W-2 26°00'31.00" Lat. N. 96°48'29.00" Long. W.

GM. W-3 26°00'30.00" Lat. N. 95°39'26.00" Long. W.

GM. W-4 25°59'48.28" Lat. N. 93°26'42.19" Long. W.

In the Eastern Gulf of Mexico:

GM. E-1 25°42'13.05" Lat. N. 91°05'24.89" Long. W.

GM. E-2 25°46'52.00" Lat. N. 90°29'41.00" Long. W.

GM. E-3 25°41'56.52" Lat. N. 88°23'05.54" Long. W.

In the Pacific Ocean :

OP-1 32°35'22.11" Lat. N. 117°27'49.42" Long. W.
 OP-2 32°37'37.00" Lat. N. 117°49'31.00" Long. W.
 OP-3 33°07'58.00" Lat. N. 118°36'18.00" Long. W.
 OP-4 30°32'31.20" Lat. N. 121°51'58.37" 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 States of America and the United Mexican States.

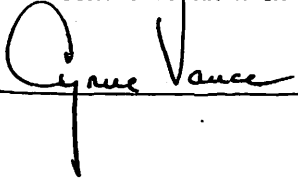
The maritime boundaries established by this Treaty shall not affect or prejudice in any manner the positions of either Party with respect to the extent of internal waters of the territorial sea, of the high seas or of sovereign rights or jurisdiction for any other purpose.

ARTICLE IV

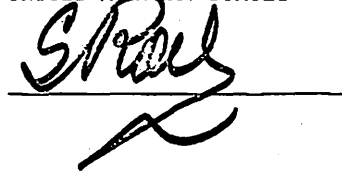
This Treaty shall be subject to ratification and shall enter into force on the date of exchange of the instruments of ratification which shall take place in Washington, D.C. at the earliest possible date.

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

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA



FOR THE GOVERNMENT OF THE
UNITED MEXICAN STATES



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 Maritime Boundary Treaty between the United States of America and the Republic of Venezuela, signed at Caracas on March 28, 1978. The Treaty establishes the maritime boundary between the United States and Venezuela in the area where 200 nautical mile zones established from both coasts overlap.

The establishment of a 200 nautical mile fishery conservation zone off the coasts of the United States, including Puerto Rico and the U.S. Virgin Islands, pursuant to the Fishery Conservation and Management Act of 1976, and of a 200 nautical mile zone off the coast of Venezuela, created the need for agreement on maritime boundaries in order to avoid enforcement problems and to provide for certainty in the development of resources in the area where such 200 nautical mile zones would overlap.

After a preliminary exchange of views through diplomatic channels in early 1978, negotiations were held in Washington on March 13 and 14, 1978, at which time the text of an agreement was developed. During these discussions the two countries referred to the delimitation principles of the 1958 Geneva Convention on the Continental Shelf to which the United States and Venezuela are both parties, and the criteria set forth by the International Court of Justice in the *North Sea Continental Shelf* Cases. The agreement was signed by Secretary Vance and Foreign Minister Consalvi on the occasion of the President's visit to Caracas on March 28, 1978.

The operative portion of the treaty consists of six articles.

Article I provides that the sole purpose of the treaty is to establish the location of the maritime boundary between the two countries.

Article II sets out the specific geographic coordinates which define the maritime boundary. This maritime boundary is approximately 299 nautical miles in length, and consists of twenty-two segments. Its easternmost point is an agreed trijunction point, approximately 67 nautical miles from Dutch, Venezuelan, and United States (St. Croix) territory. The turning points are negotiated points along the course of the boundary. The westernmost point of the boundary will be defined, in accordance with a formula set forth in the Article, when the maritime boundary between the United States and the Dominican Republic is established. The maritime boundary described in Article II is a negotiated boundary developed on the basis of equitable principles in light of the relevant geographic circumstances.

Article III provides that the coordinates set forth in Article II have been determined by reference to the 1927 North American Datum and the Clarke 1866 ellipsoid. Also, Article III notes the annexation of DMAHTC chart 25000 depicting the maritime boundary, but emphasizes that the chart is for illustrative purpose only.

Article IV describes the legal effect of the maritime boundary. 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 IV also contains a disclaimer which makes clear that agreement on the maritime boundary 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 Venezuela maintain different positions concerning the breadth of the territorial sea and the nature of jurisdiction that may be exercised within the 200 nautical mile zone.

Article V calls for direct negotiations between the two governments in the event of a dispute concerning the interpretation or application of the provisions of the treaty.

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

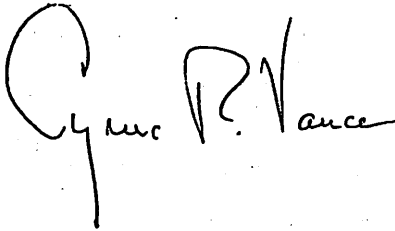
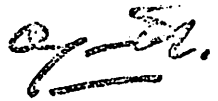
I recommend that this treaty be transmitted to the Senate as soon as possible for its advice and consent to ratification.

Respectfully submitted,

CYRUS VANCE.

Done at Caracas, March 28, 1978, in two copies, each in English and Spanish, both texts being equally authentic.

For the Government of the United States of America :

For the Government of the Republic of Venezuela :

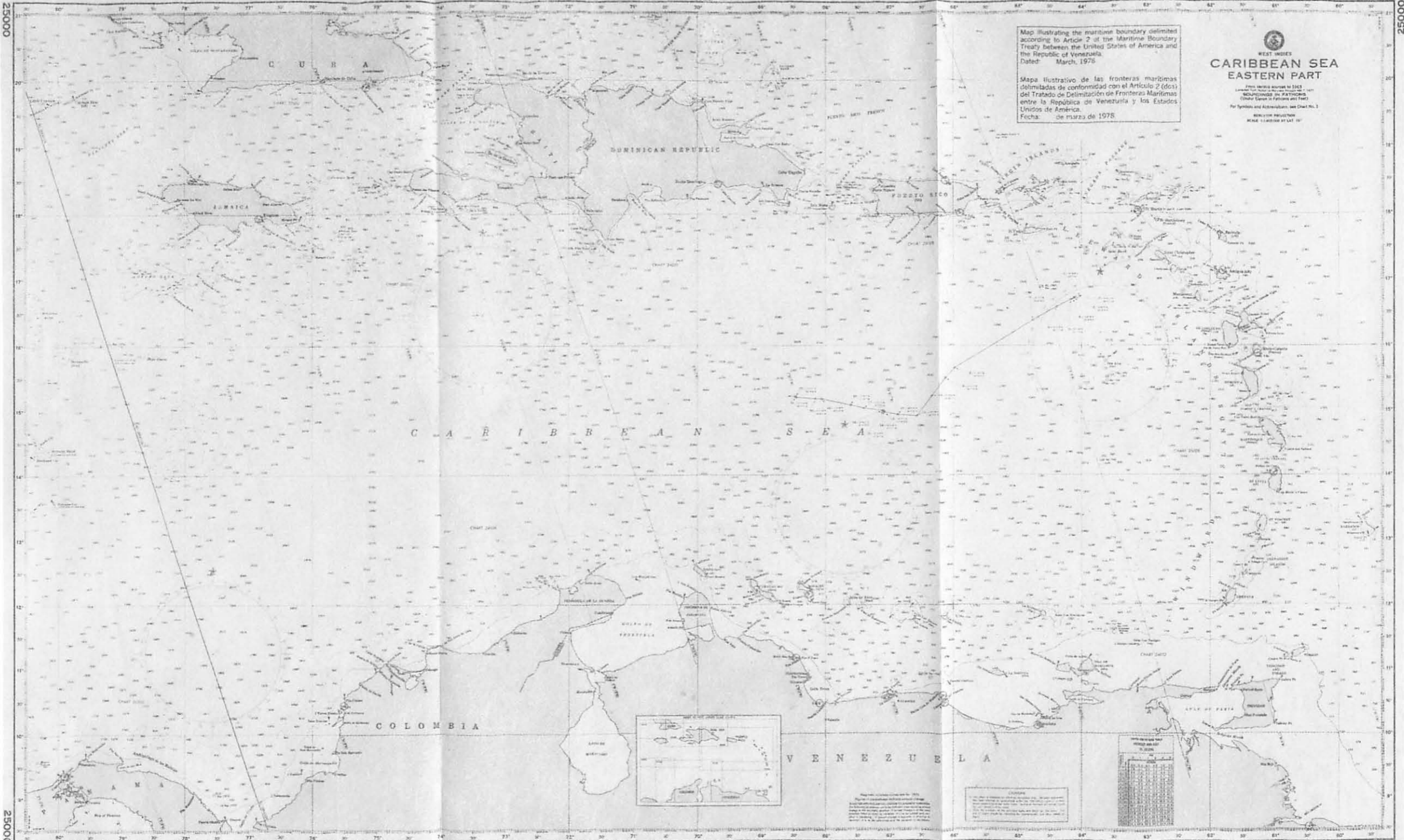
Map illustrating the maritime boundary delimited according to Article 2 of the Maritime Boundary Treaty Between the United States of America and the Republic of Venezuela.
 Dated: March, 1975

Mapa ilustrativo de las fronteras marítimas delimitadas de conformidad con el Artículo 2 (dos) del Tratado de Delimitación de Fronteras Marítimas entre la República de Venezuela y los Estados Unidos de América.
 Fecha: de marzo de 1975.

WEST INDIES
CARIBBEAN SEA
EASTERN PART

First Edition Numbered 11243
 Latest Edition Numbered 11243
 REVISIONS IN FATHOMS
 (Other Copies in Fathoms and Feet)

For Symbols and Abbreviations, see Chart No. 1
 SHEET NUMBER 11243
 MADE IN GREAT BRITAIN BY



MARITIME BOUNDARY TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF VENEZUELA

The Government of the United States of America and the Government of the Republic of Venezuela,

Reaffirming the cordial relations between the two countries,

Conscious of the need to establish a precise and equitable maritime boundary,

Have agreed as follows:

ARTICLE 1

The sole purpose of this Treaty is to establish, in accordance with international law, the maritime boundary between the United States of America and the Republic of Venezuela.

ARTICLE 2

The maritime boundary between the United States of America and Venezuela is determined by the geodetic lines connecting points 1-22, having the following coordinates:

<i>Latitude (north)</i>	<i>Longitude (west)</i>
1. 16°44'49''	64°01'08''
2. 16°43'22''	64°06'31''
3. 16°43'10''	64°06'59''
4. 16°42'40''	64°08'06''
5. 16°41'43''	64°10'07''
6. 16°35'19''	64°23'39''
7. 16°23'30''	64°45'54''
8. 15°39'31''	65°58'41''
9. 15°30'10''	66°07'09''
10. 15°14'06''	66°19'57''
11. 14°55'48''	66°34'30''
12. 14°56'06''	66°51'40''
13. 14°58'27''	67°04'19''
14. 14°58'45''	67°05'17''
15. 14°58'58''	67°06'11''
16. 14°59'10''	67°07'00''
17. 15°02'32''	67°23'40''
18. 15°05'07''	67°36'23''
19. 15°10'38''	68°03'46''
20. 15°11'06''	68°09'21''
21. 15°12'33''	68°27'32''
22. 15°12'51''	68°28'56''

and along an azimuth of 274.23 degrees true from point 22, in the event that the maritime boundary of the United States of America extends westward, until the trijunction with a third State is reached. In no case shall this trijunction point be further westward than latitude 15°14'28''N longitude 68°51'44''W.

ARTICLE 3

The latitude and longitude of the points described in Article 2 have been determined on the 1927 North American Datum, Clarke 1866 ellipsoid.

The maritime boundary has, for illustrative purposes only, been depicted on nautical chart No. 25000, published by the Hydrographic Center, Defense Mapping Agency, Washington, D.C., Sixth Edition, February 12, 1977, which is annexed to and forms an integral part of this Treaty.

ARTICLE 4

It is understood by the two Governments that south of the maritime boundary the United States of America shall not, and north of the maritime boundary the Republic of Venezuela shall not, for any purpose, claim or exercise sovereign rights or jurisdiction over the waters or seabed and subsoil. The establishment of this maritime boundary does not affect or prejudice in any manner the positions of either Government with respect to the sovereign rights or jurisdiction of either State, the rules of international law concerning the exercise of jurisdiction over the waters or seabed and subsoil, or any other matter relating to the law of the sea.

ARTICLE 5

Any dispute concerning the interpretation or application of the provisions of this Treaty shall be resolved by direct negotiations between the two Governments.

ARTICLE 6

This Treaty is subject to ratification in accordance with the constitutional procedures of the two States, and will enter into force on the date of exchange of instruments of ratification.

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 Maritime Boundary Agreement between the United States of America and the Republic of Cuba, signed at Washington, December 16, 1977. The treaty establishes the maritime boundary between the United States and Cuba in the Straits of Florida area and in the eastern Gulf of Mexico where the 200 nautical mile zones nautical mile zones would overlap.

The establishment of a 200 nautical mile fishery conservation zone off the coast of the United States pursuant to the Fishery Conservation and Management Act of 1976, and of a 200 nautical mile zone off the coast of Cuba pursuant to Decree Law No. 2 of February 24, 1977, created the need for agreement on the maritime boundary in order to avoid enforcement problems and to provide for certainty in the development and exploitation of resources in the area where such 200 nautical mile zones would overlap.

Discussions between officials of the two governments were held on this subject in New York and Havana during the early part of 1977. It was agreed that more technical work was needed before a maritime boundary could be established and that data and charts needed to be exchanged to facilitate an understanding. Pending further negotiations, the two governments agreed, through an exchange of notes dated April 27, 1977, on a line which would serve as a *modus vivendi* for 1977. Following the exchange of relevant data and charts and further negotiations in Washington, representatives of the two governments signed a boundary agreement on December 17, 1977.

The operative portion of the treaty consists of five articles.

Article I sets out the specific geographic coordinates which define the maritime boundary as depicted on the map enclosed at Annex A. The maritime boundary is 313 nautical miles in length, and consists of twenty-six geodetic line segments connecting twenty-seven points. Its eastern terminus is a trijunction point measured from United States, Cuban and Bahamian territory. Its western terminus is in the eastern Gulf of Mexico 200 nautical miles from the coasts of the two countries. The maritime boundary described in Article I is a negotiated boundary developed on the basis of equitable principles in light of the relevant geographic circumstances.

Article II clarifies the technical data which was used in determining the maritime boundary. It lists the relevant maps and notes that the computational bases are the Clarke 1866 ellipsoid and the 1927 North American Datum.

Article III describes the legal effect of the maritime boundary. 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 IV establishes that the sole purpose of the treaty is to establish the maritime boundary. It also contains a disclaimer which makes clear that agreement on the maritime boundary 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 Cuba maintain different positions concerning the breadth of the territorial sea and the nature of jurisdiction that may be exercised within the 200 nautical mile zone.

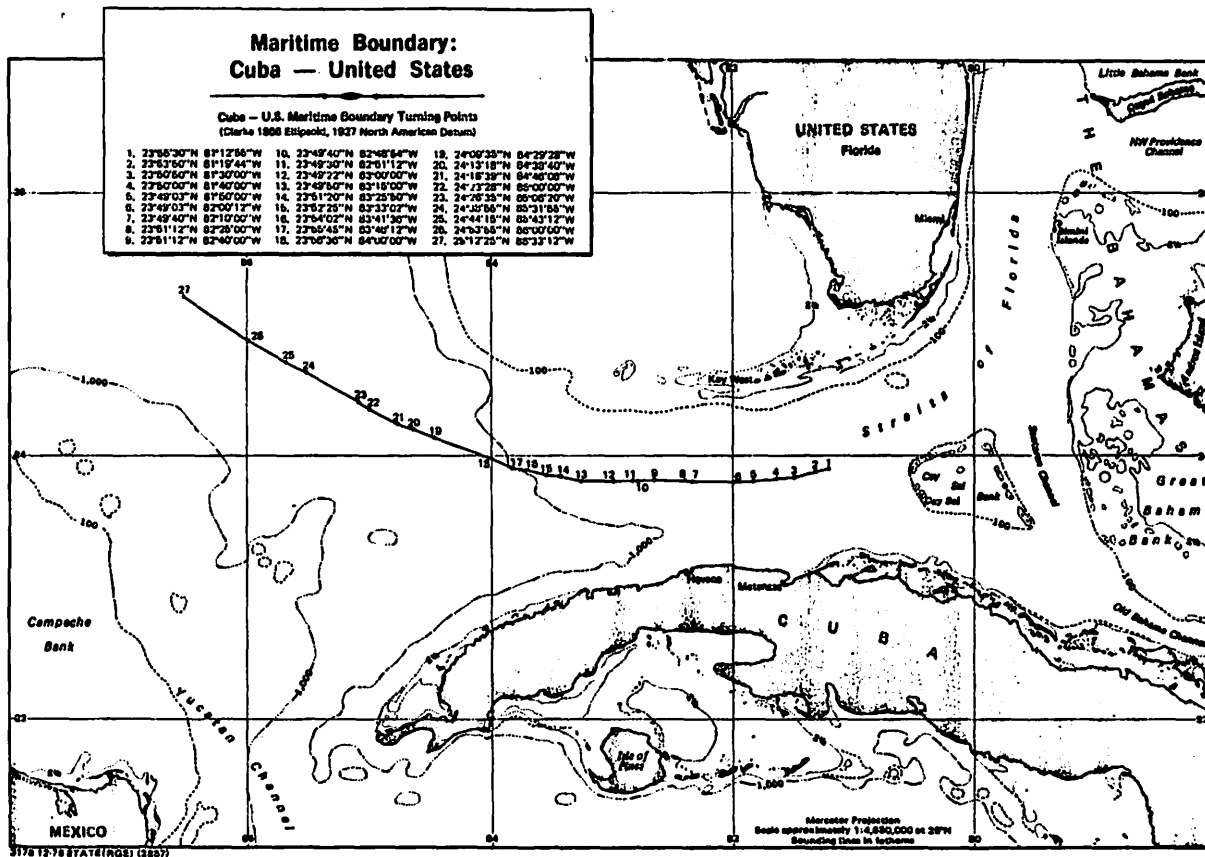
Article V provides that the treaty will enter into force on the date of exchange of instruments of ratification. Since the maritime boundary set forth in the treaty differs in some respects from that established by the *modus vivendi* of April 27, 1977, Article V also provides that the maritime boundary set forth in the treaty will be applied provisionally for two years from January 1, 1978. Both countries have acted in accordance with this provision.

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.

Enclosure: Annex A—Chart of the maritime boundary between the United States and Cuba.



MARITIME BOUNDARY AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF CUBA

Desirous of establishing the maritime boundary between the United States of America and the Republic of Cuba, as a result of the enactment, by the Government of the United States of America, of Public Law No. 94-265 of April 13, 1976, and by the Government of the Republic of Cuba, of Decree—Law No. 2 of February 24, 1977, the two Governments have agreed as follows:

ARTICLE I

The maritime boundary between the United States of America and the Republic of Cuba shall be determined by the geodetic lines connecting the following coordinates:

<i>Latitude (north)</i>	<i>Longitude (west)</i>
1. 23°55'30"	81°12'55"
2. 23°53'50"	81°19'44"
3. 23°50'50"	81°30'00"
4. 23°50'00"	81°40'00"
5. 23°49'03"	81°50'00"
6. 23°49'03"	82°00'12"
7. 23°49'40"	82°10'00"
8. 23°51'12"	82°25'00"
9. 23°51'12"	82°40'00"
10. 23°49'40"	82°48'54"
11. 23°49'30"	82°51'12"
12. 23°49'22"	83°00'00"
13. 23°49'50"	83°15'00"
14. 23°51'20"	83°25'50"
15. 23°52'25"	83°33'02"
16. 23°54'02"	83°41'36"
17. 23°55'45"	83°48'12"
18. 23°58'36"	84°00'00"
19. 24°09'35"	84°29'28"
20. 24°13'18"	84°38'40"
21. 24°16'39"	84°46'08"
22. 24°23'28"	85°00'00"
23. 24°26'35"	85°06'20"
24. 24°38'55"	85°31'55"
25. 24°44'15"	85°43'12"
26. 24°53'55"	86°00'00"
27. 25°12'25"	86°33'12"

ARTICLE II

The geodetic and computational bases used are the Clarke 1866 ellipsoid, the 1927 North American Datum, and the following charts:

Charts published by the National Ocean Survey of the United States of America:

- Chart NOS No. 11438, 6th Edition, September 20, 1975;
- Chart NOS No. 11439, 13th Edition, June 7, 1975;
- Chart NOS No. 11441, 27th Edition, July 24, 1976;
- Chart NOS No. 11442, 16th Edition, April 10, 1976;
- Chart NOS No. 11445, 15th Edition, July 24, 1976.

Charts published by the Instituto Cubano de Hidrografia of the Republic of Cuba:

- Chart ICH No. 15001, 1st Edition, October 1, 1975;
- Chart ICH No. 15002, 1st Edition, March 1, 1976;
- Chart ICH No. 15003, 1st Edition, September 1, 1975;
- Chart ICH No. 15004, 1st Edition, October 1, 1975;
- Chart ICH No. 15005, 1st Edition, October 1, 1975;
- Chart ICH No. 15006, 1st Edition, May 1, 1975.

ARTICLE III

South of the maritime boundary the United States of America shall not, and north of the maritime boundary the Republic of Cuba shall not, claim or exercise sovereign rights or jurisdiction over the waters or seabed and subsoil.

ARTICLE IV

This Agreement, the sole purpose of which is to establish the location of the maritime boundary between the United States of America and the Republic of Cuba, shall not prejudice or affect the positions of either Party concerning: the nature of the sovereign rights exercised by States; the rules of international law with respect to the exercise of jurisdiction over the waters or seabed and subsoil; or any other matter relating to the law of the sea.

ARTICLE V

This Agreement is subject to ratification in accordance with the respective constitutional procedures of the two States.

The Parties agree to apply the terms of this Agreement provisionally from January 1, 1978, for a period of two years, and it will enter into force permanently on the date of exchange of instruments of ratification.

Done at Washington, December 16, 1977, in English and Spanish, both texts being equally authentic.

For the Government of the United States of America :

For the Government of the Republic of Cuba :

Mich. B. Feldman

Osierda