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LIMITS IN THE SEAS



No. 69

MARITIME BOUNDARY:

COLOMBIA - ECUADOR

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No. 69

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The Governments of Colombia and Ecuador signed a maritime boundary agreement on August 23, 1975. Ratifications were exchanged and the treaty went into force on December 22, 1975. Its full text is as follows:

The Governments of Colombia and Ecuador, based on the fruitful friendship governing relations between the two countries, and considering:

That their interests in the South Pacific region are identical and that it is therefore necessary to establish close cooperation between them, with a view to adopting, with respect to those marine and submarine areas over which they exercise or may hereafter exercise sovereignty, jurisdiction or supervision, adequate measures for the preservation, conservation and rational utilization of the resources existing therein;

That it is their duty to ensure for their peoples the necessary conditions for subsistence and to provide them with the means for their economic development, for which reason they are entitled to use for their benefit the resources owned by them and to prevent their predatory exploitation; and

That it is advisable to establish a delimitation of their respective marine and submarine areas,

They have for this purpose designated their Plenipotentiaries, as follows:

His Excellency the President of Colombia; Dr. Indalecio LIEVANO Aguirre, Minister of Foreign Relations;

His Excellency the President of Ecuador; Dr. Antonio Jose LUCIO Paredes, Minister of Foreign Relations,

Who have agreed as follows:

Article 1

To determine, as a limit between their respective marine and submarine areas which are now established or that may be established in future, the line of the geographical parallel intersecting that point at which the international terrestrial border line between Ecuador and Colombia reaches the sea.

Article 2

To establish beyond 12 nautical miles starting from the coast, a special zone, 10 nautical miles in width, on either side of the parallel which is the marine limit between the two countries, for the purpose of ensuring that the accidental presence of local fishermen of either country in that zone should not be considered a violation of the marine boundary. This is not a recognition of any rights to engage in fishing or hunting activities within said

special zone.

Article 3

To recognize and respect the procedures used by each State at present, and those that may be used in future, for exercising its sovereignty, jurisdiction or supervision in those marine and submarine areas which are adjacent to its coast as far as 200 miles, in conformity with the determinations made or to be made by each country and the regulations pertaining to their respective legislations.

Article 4

To recognize the right of each country to determine the baselines starting from which the width of the territorial sea should be measured by following straight baselines joining the outermost points of their coasts, and to abide by the provisions now adopted or to be adopted by each country for this purpose.

Article 5

To develop the most comprehensive cooperation between the two countries for protecting the renewable and non-renewable resources which are within the marine and submarine areas over which they exercise sovereignty, jurisdiction or supervision or may exercise them in future, and using such resources for the benefit of their peoples and their national development.

Article 6

To give each other the greatest possible facilities for purpose of developing the activities of exploitation and utilization of the living resources in their respective marine jurisdictional areas through an exchange of information, cooperation in scientific research, technical cooperation and encouraging the establishment of mixed ownership companies.

Article 7

To coordinate, as far as possible, the laws and regulations adopted by each country in its sovereign capacity on the matter of issuance of fishing registration and fishing licenses.

Article 8

To encourage the most comprehensive international cooperation for the purpose of coordinating those measures for conservation applied by each State in the marine areas under its sovereignty or jurisdiction, particularly in reference to those species that migrate from their respective jurisdictional areas, by taking into account the recommendations of the pertinent regional organizations and the most reliable scientific data. Such international cooperation shall not interfere with the sovereign right of each State to adopt, within their respective marine jurisdictional areas, such rules and regulations as they

consider advisable.

Article 9

To encourage the most comprehensive cooperation in facilitating an expeditious development of international navigation in the seas which are subject to their sovereignty or jurisdiction.

Article 10

This Agreement will go into force effective on the date when the proper ratification instruments are exchanged in the city of Bogota.

Article 11

This Agreement is signed in two copies the texts of which will be equally authentic and binding.

ANALYSIS

The delimitation of the maritime boundary between Colombia and Ecuador is plotted on U.S. Naval Oceanographic Chart 21033 (41st ed.).

On the attached map, line ABC depicts the maritime boundary. The boundary begins at the sea terminus of the Colombia-Ecuador land boundary (point A), which is situated approximately 1°27'24"N., 78°57'12"W. The maritime boundary extends 200 nautical miles seaward along the 1°27'24"N. parallel. Point C is 200 nautical miles along the boundary from point A. Measured from the coastlines of the two countries a 200-nautical-mile arc would extend beyond Point C¹.

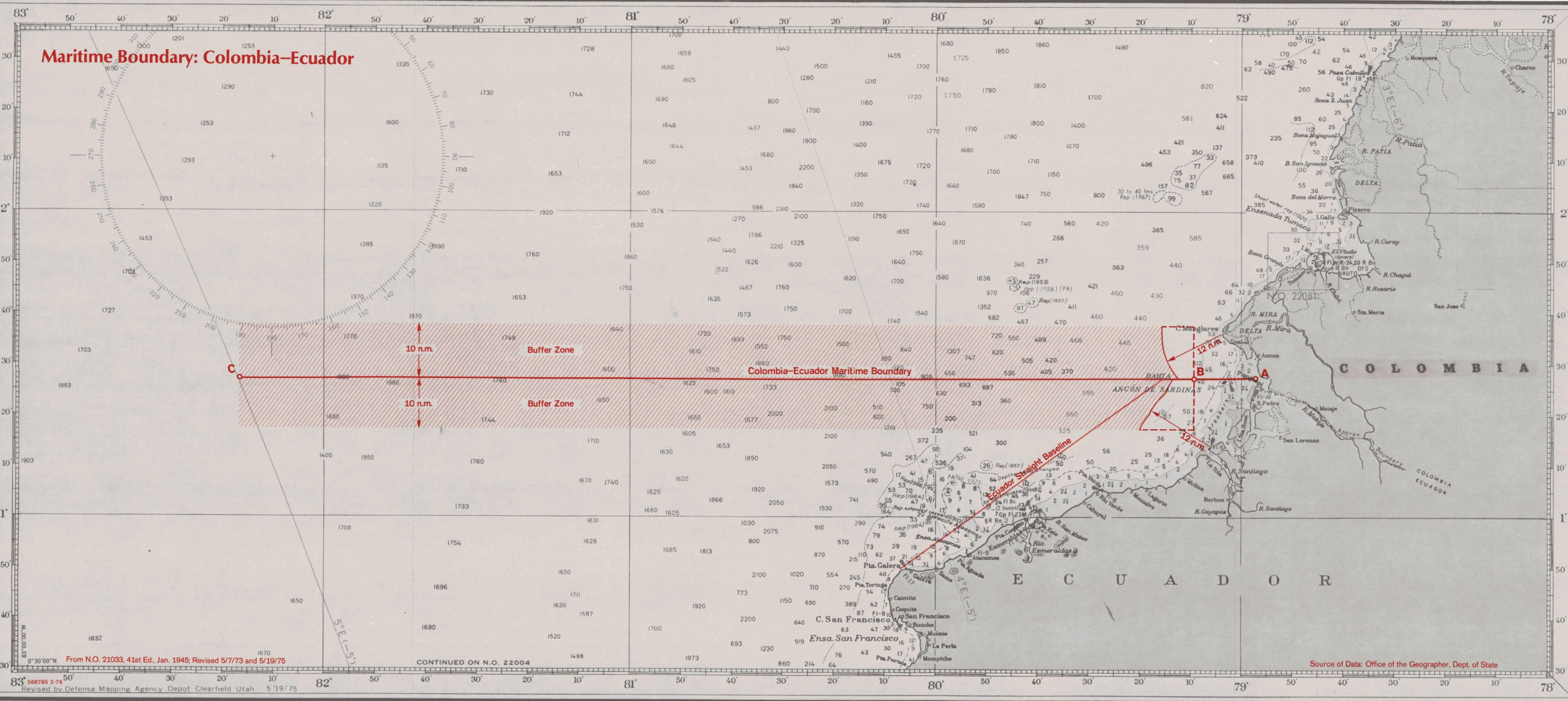
Article 3 of the agreement provides for the recognition of the procedures used by each country for exercising its sovereignty or jurisdiction seaward to 200 nautical miles from the baselines. Ecuador currently claims a 200-nautical-mile territorial sea while Colombia claims a 12-nautical-mile territorial sea. On the official map attached to the agreement, the zone between the outer limit of Colombia's territorial sea and its 200-nautical-mile limit is shaded and labeled "continental shelf or special jurisdiction zone to be established by Colombia."

¹ The Colombia-Ecuador maritime boundary depicted on the map attached to Limits in the Seas No. 42, "Straight Baselines: Ecuador," is incorrect. Ecuador's "buffer zone" is landward of its straight baseline and in claimed Ecuadorean internal waters. It is possible that Ecuador may measure the 12 nautical miles from its straight baseline and thereby place the "buffer zone" seaward of its claimed internal waters. As stated in Article 2, the "buffer zone" is not a recognition of any fishing or hunting rights within the zone, but rather it is a zone in which accidental presence by local fishermen will not be considered a violation of the agreement.

Article 2 establishes a fishing "buffer zone" 10 nautical miles in width on each side of the boundary. The agreement is not entirely clear on the landward terminus of this zone. The article states that the zone is to be established beyond 12 nautical miles measured "from the coast." Point B is 12 nautical miles seaward on the boundary from boundary starting point A. If point A is to be interpreted to mean "the coast," then the area within the dashed red lines on the attached map should also be considered the "buffer zone." If, however, "the coast" means the closest territory from each country, then the "buffer zone" begins at two different places along the boundary.

It is interesting to note that under both of these interpretations, part of

Maritime Boundary: Colombia-Ecuador



From N.O. 21033, 41st Ed., Jan. 1945; Revised 5/7/73 and 5/19/75

CONTINUED ON N.O. 22004

Source of Data: Office of the Geographer, Dept. of State