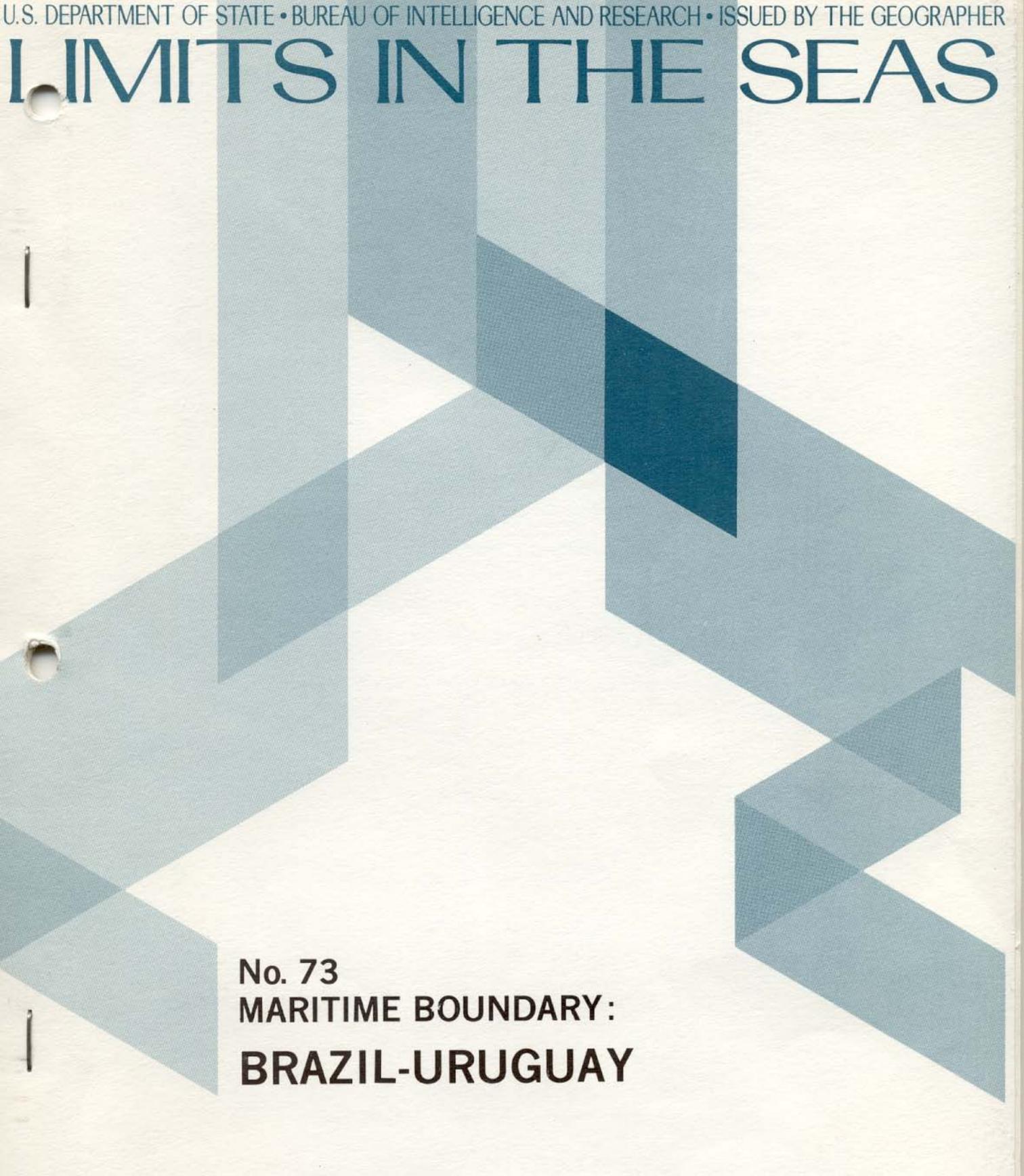


LIMITS IN THE SEAS



No. 73
MARITIME BOUNDARY:
BRAZIL-URUGUAY

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No. 73

Maritime Boundary: Brazil-Uruguay

September 30, 1976

Office of the Geographer
Bureau of Intelligence and Research

The Governments of the Federative Republic of Brazil and the Oriental Republic of Uruguay agreed on July 21, 1972, to their maritime boundary. Notes of ratification were exchanged between the Brazilian Embassy and the Uruguayan Minister of Foreign Affairs, and the agreement entered into force on June 12, 1975. Neither State is a party to the 1958 Geneva Convention on the Continental Shelf.

The text of the boundary agreement is as follows:

With reference to the treaties and other instruments on this subject in force between Uruguay and Brazil -- especially the Boundary Treaties of October 12, 1851, and May 15, 1852, and the related reports signed by the Boundary Commissioners, and, more recently, the Joint Declaration on Limits of Maritime Jurisdiction, signed by the Uruguayan and Brazilian Foreign Ministers on May 10, 1969, and the Joint Declaration of the Presidents of Uruguay and Brazil, signed on May 11, 1970 -- the Uruguayan-Brazilian Joint Boundary Commission met in Rio de Janeiro, as Your Excellence is aware, for its 38th conference, with the intention of formally executing the above-mentioned Joint Declaration on Limits of Maritime Jurisdiction and Article 6 of the above-mentioned Declaration of the Presidents of Uruguay and Brazil.

Consequently, in the Report drawn up at the 38th conference, held on October 12, 1971, the Uruguayan-Brazilian Joint Boundary Commission established the mouth of Chuy Stream, whose bed has been recognized as unstable since the first Boundary Commission Report of June 15, 1853, as follows:

"The location of the mouth of Chuy Stream shall be fixed at the point defined by the intersection of the line running from the present Chuy light in a direction nearly perpendicular to the general line of the coast, on the same bearing as the maritime lateral boundary (specified below), with the Atlantic Ocean.

The maritime lateral boundary between the two countries shall be defined by the rhumb line which, starting from the above-established point, shall run on a bearing of 128 sexagesimal degrees (counting from true north) to the outside limit of the territorial sea of both countries. The extension of that rhumb line running inland passes by the Chuy light. Both of the Commission Heads also state that the principal marker No. 1 (reference marker), erected by the Joint Boundary Commission 1853 near the left bank of Chuy Stream and on firm ground for better protection from the water, will be maintained in its original position, and that at the opportune time the necessary works to ensure that Chuy Stream will have its normal outlet at the above-established point will be undertaken."

In view of the foregoing, I have the honor to inform Your Excellency that the Uruguayan Government agrees to adopt, jointly, with the Brazilian Government, the measures necessary to ensure the prompt execution of the works to fix the mouth of Chuy Stream permanently at the point established by both parties.

This note and Your Excellency's note of this same date and context shall constitute an agreement on this matter.

I avail myself of this opportunity to renew to Your Excellency the expressions of my highest consideration.

A further exchange of notes concerning the implementation of the agreement was made on June 12, 1975. The text reads as follows:

I have the honor to inform Your Excellency that Uruguay (Brazil) has completed the domestic formalities for the approval of the text of the Agreement on the Final Establishment of the Chuy River Bank and the Lateral Sea Limit between the Oriental Republic of Uruguay and the Federative Republic of Brazil concluded at Montevideo by an exchange of notes dated July 21, 1972.

Consequently, I consider that this note and Your Excellency's note of similar content and date determine the entry into force today of the aforesaid Agreement on the Final Establishment of the Chuy River Bank and the lateral Sea Limit between the Oriental Republic of Uruguay and the Federative Republic of Brazil.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

ANALYSIS

The Brazil-Uruguay maritime boundary, plotted on the attached DMA/HC chart 24000, consists of a single rhumb line. Commencing at the mouth of the Chuy stream, the boundary extends seaward at a 128° azimuth (from true north) to the outer limit of the two states' territorial seas. Each country claims a 200-nautical mile territorial sea.

The boundary extends approximately 204 nautical miles from the Chuy stream; Pt. Palmar (Uruguay) and a Brazilian mainland point northeast of Chuy stream are the basepoints approximately 200 nautical miles from the terminal boundary point.

As stated in the agreement, the bearing of the boundary line was defined by a "line running from the present Chuy light in a direction nearly perpendicular to the general line of the coast." (Emphasis added.)

It is interesting to note that in a May 10, 1969, declaration (see Annex), the Foreign Minister of both countries stated that the two governments recognize "as the lateral limit of their respective maritime jurisdictions, the median line whose points are equidistant from the nearest points on the baseline." Apparently the Uruguayan-Brazilian Joint Boundary Commission decided that a simplified and normal line was equitable to both sides.

Annex

Declaration of Uruguay and Brazil on the Limits of Maritime Jurisdiction

The Minister of Foreign Affairs of the Oriental Republic of Uruguay, Venancio Flores, and the Minister of Foreign Affairs of the Federative Republic of Brazil, Jose de Magalhaes Pinto, meeting at Rio de Janeiro on May 10, 1969:

Determined to consolidate and expand the areas of cooperation between the two countries and faithful to the tradition of brotherly friendship which unites their respective peoples and Governments;

Mindful of the expectations and ideals set forth in the joint declaration signed at Brasilia by His Excellency, Jorge Pacheco Areco, President of the Oriental Republic of Uruguay, and His Excellency, Marshal Arthur da Costa e Silva;

Aware of the importance to the development of Brazil and Uruguay and to the welfare of their peoples of the protection of natural resources, particularly the living resources of the sea off the coast of both countries;

Desiring to complete the legal bases defined in the Agreement on Fishing and Conservation of Living Resources which calls for cooperation between the two countries in this important sector of their respective economies; and

Considering the precedents established by international doctrines and practices, multilateral conventions, and particularly Article 12 of the Geneva Convention on the Territorial Sea and Contiguous Zone for the purpose of determining the lateral border between maritime jurisdictions of neighboring countries;

Declare:

1. That the Uruguayan and Brazilian Governments recognize as the lateral limit of their respective maritime jurisdictions, the median line whose points are equidistant from the nearest points on the baseline, and which, starting at the point where the two countries' common border reaches the Atlantic Ocean, extends in the direction of the zones of the adjacent sea.
2. That both Governments, through the intermediary of the Joint Commission on the Limits and the Definition of the Border between Uruguay and Brazil assisted by the hydrographic services of both countries, decide to take the necessary steps to define and identify the median line referred to above as soon as possible in order perfectly to identify the respective areas of maritime jurisdiction and thus facilitate the orientation of ships and airplanes transiting the border area.

