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**SPAIN
and
FRANCE**

Treaty on boundaries between Spain and France from the valley of Andorra to the Mediterranean (with additional act). Signed at Bayonne on 26 May 1866

Final Act approving annexes and regulations relating to the above-mentioned Treaty. Signed at Bayonne on 11 July 1868

Authentic texts: Spanish and French.

Filed and recorded at the request of Spain on 21 September 1982.

**ESPAGNE
et
FRANCE**

Traité de délimitation de la frontière entre l'Espagne et la France depuis le val d'Andorre jusqu'à la Méditerranée (avec acte additionnel). Signé à Bayonne le 26 mai 1866

Acte final approuvant les annexes et les règlements relatifs au Traité susmentionné. Signé à Bayonne le 11 juillet 1868

Textes authentiques : espagnol et français.

Classés et inscrits au répertoire à la demande de l'Espagne le 21 septembre 1982.

[TRANSLATION — TRADUCTION]

TREATY¹ ON BOUNDARIES BETWEEN SPAIN AND FRANCE
FROM THE VALLEY OF ANDORRA TO THE MEDITER-
RANEAN

Her Majesty the Queen of the Spains and His Majesty the Emperor of the French, desiring to fix definitively the common frontier of their States and the rights, usages and privileges of the border populations of the two nations between the province of Gerona and the department of the Pyrénées-Orientales from the Valley of Andorra to the Mediterranean, in order to complete from sea to sea the work so successfully commenced and continued in the Treaties of Bayonne of 2 December 1856² and 14 April 1862³ and at the same time perpetually to consolidate order and good relations between Spanish and French in that eastern part of the Pyrenees in the same manner as over the rest of the frontier, from the mouth of the Vidasoa to the valley of Andorra, have deemed it necessary to record in a third and last special Treaty, constituting a continuation of the two mentioned above, the stipulations viewed by them as most suitable for achieving that end, and have for that purpose appointed as their plenipotentiaries:

Her Majesty, the Queen of the Spains: Don Francisco María Marín, Marquis de la Frontera, Knight Grand Cross of the Royal Orders of Charles III and Isabella the Catholic, Knight of the Military Order of Saint John of Jerusalem, Grand Officer of the Imperial Order of the Légion d'Honneur, Senator of the Kingdom, Minister Plenipotentiary, Major-Domo for the week of Her Majesty, etc., etc., and Don Manuel de Monteverde y Bethancourt, Field Marshall of the National Armies, Knight Grand Cross of the Royal Orders of Charles III, of Saint Hermenegild and of Isabella the Catholic, twice Knight of the Military Order of Saint Ferdinand, Knight Commander of the Imperial Order of the Légion d'Honneur, Lord of the Bed-chamber of Her Majesty in office, and regular member of the Royal Academy of Sciences of Madrid, etc., etc.;

And His Majesty the Emperor of the French: Mr. Camille-Antoine Callier, Division General, Knight Commander of the Imperial Order of the Légion d'Honneur, Knight Grand Cross of the Royal Order of Isabella the Catholic, Knight, Second Class, with star, of the Red Eagle of Prussia, etc., etc., and Mr. Georges, Count Sérurier, Minister Plenipotentiary, Officer of the Imperial Order of the Légion d'Honneur, extraordinary regular Knight Commander of the Royal Order of Charles III, of the Order of Saints Maurice and Lazarus, of the Order of Christ of Portugal, etc., etc.

who, having communicated to each other their full powers, found in good and due form; having sought out, explained and discussed all the titles that have survived the deleterious action of time, from the age-old origin of the disputes

¹ Came into force on 7 March 1869, i.e., 15 days after the promulgation (effected on 20 February 1869) of the Final Act of Delimitation dated 11 July 1868, in accordance with article XXXII.

² United Nations, *Treaty Series*, vol. 1142, p. 317.

³ *British and Foreign State Papers*, 1861-1862, vol. LII, p. 156 (French text); Hertslet, *The Map of Europe by Treaty*, vol. II, p. 1510 (excerpts only).

to be resolved; after hearing the allegations of the interested parties, exploring the places concerned and devoting themselves to establishing and conciliating, with all possible equity, the pretensions and rights asserted on both sides; and taking as a basis the corrected article forty-two of the Treaty of the Pyrenees and the Convention signed in consequence thereof at Llivia in 1660,¹ have agreed as follows:

Article I. The line of common boundaries of the Kingdom of Spain and the French Empire between the province of Gerona and the department of the Pyrénées-Orientales, starting from the peak of Valira, bordering on the district of Maranges and the valleys of Carol and Andorra, shall follow the Pyrenean spur which encloses on the south the valley of Carol, passing through the points Puig Pedrós, Fuente de Bovedó, Padró de la Tosa, Puig Farinós, Colón rock, peak of La Tosa and rock of El Talayador.

Article II. From the rock of El Talayador the line shall descend along the ravine of Los Mollars or Los Mollasos until it reaches the Mitjana highway, the alignment of which it shall follow until it enters the ravine known as Canal de la Graille; it shall descend along this channel until it meets the stream of San Pedro, and then along the stream of San Pedro to the point where the cadastral limit of La Tour-de-Carol leaves it, and, following that limit, the international line shall proceed along its sinuities as far as the Iron Cross, a boundary marker common to Guils, Saneja and La Tour.

Article III. From the Iron Cross, the boundary shall continue to the river Aravó or of Carol via the different points that determine the existing uncontested limits between Saneja on the one hand and La Tour and Enveitg on the other.

Article IV. After passing the river Aravó, the demarcation shall proceed along the line which Puigcerdá and Enveitg recognize as their common boundary from the said river to the diversion channel that conducts the waters to Puigcerdá.

Article V. The frontier shall cross the channel and, via the line that now separates the territories of Puigcerdá and Ur, shall proceed to the Llivia bridge over the Reur River, at which point the districts of Puigcerdá, Ur and Bourg-Madame abut, the last-mentioned being the commune referred to by the name Hix in the Llivia Convention.

Article VI. From the Llivia bridge the limit-line shall descend the course of the Reur, which divides Puigcerdá from Bourg-Madame, to its confluence with the Segre in accordance with what is determined by the International Commission of Engineers, as prescribed by article XIII of the additional instrument of today's date relating to the entire frontier.

Article VII. After passing the Segre, the international line between Bourg-Madame and Aja shall follow the limit adopted by both towns as far as the territory of Palau.

Article VIII. From there, instead of the highly irregular course of the first portion of the frontier between Palau and Aja, the new demarcation agreed upon between the interested parties shall be adopted, consisting of two straight lines which meet near the bank or margin of Las Colominas, whereafter the demarcation shall continue along the second part of the present frontier line to the river Lavanera, where Aja and Palau cease to abut.

¹ See note 1, p. 393.

Article IX. The boundary shall cross the river Lavanera and go on to the mouth of the stream which the Spanish call río Envolante or barranco de Palau and the French, Vilalloquent brook; it shall ascend this Vilalloquent and Palau brook as far as a bifurcation and proceed to the Coll de Marcé.

Article X. From there the boundary line shall go to take the road from Puigcerdá to Barcelona and continue along it without leaving it until the Cruz de Mayans, entering between the Solana del Plan de Baladós of the district of Palau and the Solana de Saltegal belonging to Puigcerdá.

Article XI. From the Cruz de Mayans the border shall proceed along the crest which runs into the height known as Bagarret de Mayans or Cima de Coma Morera, dividing the district of Tosas from that of Palau.

Article XII. From the said height the line shall continue along the summit between the Spanish valley of Rivas and French Cerdaña, passing through the Plá de Salinas and Puig Mal and on to the peak of Eina, at which this crest unites with the principal chain of the Pyrenees.

Article XIII. From the peak of Eina the boundary shall run along the top of the principal ridge as far as the Coll de Panisás, with only two exceptions; the first, between the pass of Las Manzanas and La Damproy, where it shall descend slightly on the southern slope, passing round the territory of the French commune of Coustouges, which touches the rivers Muga and Mayor; and the second, from the Ras de Muxé to the Castillo de Cabrera, running slightly down the northern slope in order to leave the sanctuary of Salinas in Spain.

Article XIV. From the Coll de Panisás the boundary shall proceed to the ruined hermitage of Our Lady of the same name, where the military zone of the French fort of Bellegarde begins, and shall follow the demarcation thereof, complying, as shall be set out in the Record of Demarcation, with the prescriptions of the Treaty of 12 November 1764¹ and with the existing landmarks, up to a place in the Sierra de Puig Mal which the Spanish call Las Fontetas, situated on the crest of the Pyrenees.

Article XV. From there the international line shall continue along the same crest, called by the French Les Albères, and, passing through the Torre de Caproig, shall end at the Cova Foradada, situated on the shore of the Mediterranean, adjacent to the cape of Cerbère, which shall remain in France.

Article XVI. The perimeter of the jurisdictional district of the Spanish town of Llívia, enclaved in France, starting from the Pontarró de Xidosa, situated on the road from Puigcerdá to Llívia, and heading southward, shall proceed successively through the Mojón (landmark) den Puñet, Paso dels Bous en Campo Ras, sierra of Concellabre, sierra of Santa Leocadia and that of Picasola and, after a few sinuosities contiguous to the districts of Err and Ro, shall reach the Fuente del Estany, follow the road from Ro to Llívia and go to El Tosal del Tarrasol, which is a hill on the left bank of the Segre. After passing that river, the demarcation shall ascend along the banks of Astange and Palmanill to a cross carved in stone and shall continue through the landmark of the Ribera des Valls, the Tosa de Ventolá, Prat del Rey, ravine of Tudor and the Carrerada de Tudor to Angoustrine, then on until it stops at a point in the Sierra de Angoustrine which shall be designated in the Record of Demarcation. From this place it shall proceed

¹ *British and Foreign State Papers*, 1865-1866, vol. LV1, p. 224 (English text).

through the Cross of the Oratory, Las Esquerras, La Coma and El Tudó de Flori and El Tosal de Piedra Larga, closing the circuit at El Pontarró de Xidosa. In this demarcation the existing limits shall serve as a guide in so far as they are not opposed to what is specified here.

Article XVII. To obviate any doubts and disputes, both between private persons and between the public services of the two countries, concerning the international boundary summarily indicated in the preceding articles, the said boundary shall be demarcated as soon as possible with durable, suitably placed landmarks.

This operation shall be carried out by Spanish and French officials, in the presence of delegates of the municipalities concerned qualified to provide local indications, but having no other mission than to apprise themselves of the demarcation made between their respective territories and give testimony concerning it.

There shall be drawn up a General Record of Demarcation, all of whose provisions shall have the same force and validity as if they were an essential part of the present Treaty.

Article XVIII. The inhabitants of Guils, with their livestock and their belongings, shall have free passage however and whenever they wish between Puig Farinós, Roca Colón and Pico de la Tosa, in order to communicate with the lands which the said town has adjacent to the Bovedó spring.

Article XIX. The livestock of Guils and that of La Tour-de-Carol shall jointly enjoy all the natural pastures now existing in the land circumscribed by a line which, starting from the point where the international frontier leaves the stream of San Pedro, a short distance above the hamlet of that name, follows the frontier to the stream of Llinás, ascends it to the Coll de la Somera, there proceeding along the Mitjana highway to the river Tartarés, whose bed it follows against the stream until it reaches the crest of a slight undulation that leads to El Talayador; from there it goes to Eagle Rock and along the southern edge of the forest of La Tour until it meets the Mitjana highway, along which it returns to the point at which this ancient way crosses the river Tartarés; thereafter it descends that river and the stream of San Pedro, which branches off from it, to the starting point. Be it understood that on all this common pasture-land, neither French nor Spanish shall hereafter have the right to break up the ground, plant, build or undertake anything that would change the nature and intended use of the soil.

To legitimate this present state of things, which differs from the former state, and to nullify any pretension to the contrary, the French Government shall pay to Guils, within the first year of operation of this Treaty, a remuneration in cash equal to half the value of all the natural pastures comprised in the space enclosed by the line just described from the starting point in the stream of San Pedro to El Talayador, passing through the Coll de la Somera, and the one running from El Talayador to the Pico de la Tosa, proceeding along the crest to Eagle Rock and continuing along the same ridge, which the Spanish call Sierra de la Baga and the French, Lo Cim del Bosch, to Castillo rock or peak, and then along the top of the sierra of La Tour to the point closest to the starting point in the stream of San Pedro, where the new line closes the perimeter. Notwithstanding, two portions in which the former usages have not changed must be excluded from this land, namely: one comprised between the Mitjana highway and the