

No. 49590

**Bahamas
and
Cuba**

Agreement between the Commonwealth of the Bahamas and the Republic of Cuba for the delimiting line between their maritime zones (with schedule and map). Nassau, 3 October 2011

Entry into force: *9 March 2012 by notification, in accordance with article V*

Authentic texts: *English and Spanish*

Registration with the Secretariat of the United Nations: *Bahamas and Cuba, 22 May 2012*

**Bahamas
et
Cuba**

Accord entre le Commonwealth des Bahamas et la République de Cuba sur la ligne de délimitation de leur frontière maritime commune (avec annexe et carte). Nassau, 3 octobre 2011

Entrée en vigueur : *9 mars 2012 par notification, conformément à l'article V*

Textes authentiques : *anglais et espagnol*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Bahamas et Cuba, 22 mai 2012*

[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT BETWEEN THE COMMONWEALTH OF THE
BAHAMAS AND THE REPUBLIC OF CUBA FOR THE DELIMITING
LINE BETWEEN THEIR MARITIME ZONES**

The Commonwealth of The Bahamas and The Republic of Cuba, hereinafter referred to as "The Parties".

REAFFIRMING the close and traditional bonds of friendship, mutual respect and understanding between the two Caribbean States;

CONSIDERING the right of the Parties to establish their Territorial Seas, Contiguous Zones, Exclusive Economic Zones and Continental Shelves, in accordance with international law and particularly with the United Nations Convention on the Law of the Sea, adopted in Montego Bay in 1982, to which Cuba and The Bahamas are States Parties;

CONSIDERING the right of The Bahamas, as an archipelagic state, to declare archipelagic baselines enclosing archipelagic waters, in a manner consistent with the United Nations Convention on the Law of the Sea;

CONSIDERING the right of the Republic of Cuba to declare the baselines delimiting its waters, pursuant to the United Nations Convention on the Law of the Sea;

TAKING INTO ACCOUNT the principles of International Law respecting the delimitation of maritime zones and relevant provisions of the United Nations Convention on the Law of the Sea;

ACKNOWLEDGING that cooperation between neighbouring states is beneficial to the rational and optimal exploitation and management of living and non-living marine resources;

DESIROUS of establishing the limits of the Territorial Sea, Exclusive Economic Zone and Continental Shelf between the Parties.

HAVE AGREED as follows:

ARTICLE I

- a) The delimitation line which delimits the maritime zones between the Parties shall be defined by geodetic lines joining the coordinates specified in Schedule No. I to this Agreement.
- b) The delimitation line defined in paragraph (a) constitutes the maritime boundary and delimits the sovereignty or jurisdiction of the Parties, as applicable, between their territorial seas, contiguous zones, exclusive economic zones and continental shelves declared presently or as may be declared at any time in the future.
- c) The delimitation line defined in paragraph (a) is shown, for illustrative purposes only, on the diagram attached to this agreement as Schedule No. II.
- d) The geodetic reference system used is the World Geodetic System 1984 (WGS 84). The following charts have also been consulted:

| Charts Used by The Bahamas | | |
|----------------------------|--|---|
| No. | Title | Publisher/Edition |
| 11461 | Straits of Florida, Southern Portion | National Imagery and Mapping Agency, 1996 |
| 27060 | Cayo Lavela to Cayo Verde | Defense Mapping Agency, (DMA)1996 |
| 27040 | Cayo Verde to Cabo Lucrecia | DMA, 1995. |
| 26240 | Crooked Island Passage to Punta De Maisi | DMA, 1995 |
| 26260 | Passage Between Acklins Island, Haiti and Caicos Islands | DMA, 1988 |
| 27005 | Key West to San Juan | DMA 1996 |

| Charts Used by Cuba | | |
|----------------------------|---|---|
| No. | Title | Publisher/Edition |
| 11201 | Cuba | Hydrographic and Geodetic Service of the Republic of Cuba (SHGC)/2002 |
| 11402 | Central Part of Cuba | SHGC/2001 |
| 11403 | Eastern Part of Cuba | SHGC/2004 |
| 11427 | Cayo Bahía de Cadiz to Cayo Frigoso | SHGC/2001 |
| 11431 | Bahía de Manatí to Punta Lucrecia | SHGC/1998 |
| 4001 | Isla de Cuba to Bermuda Islands | Cuban Institute of Hydrography (ICH) 1991 |
| 4101 | Straits of Florida | ICH/1991 |
| 4102 | Jacksonville Port to Little Bahama Bank | ICH/1991 |
| 4103 | Northern Part of the Bahama Islands | ICH/1991 |
| 4104 | Central Part of the Bahama Islands | ICH/1991 |
| 4105 | Southern Part of the Bahama Islands | ICH/1991 |
| 11428 | Cayo Frigoso to Cayo Caimán Grande de Santa María | ICH/2001 |
| 11429 | Cayo Caimán Grande de Santa María to Cayo Verde | SHGC/2001 |
| 11430 | Cayo Verde to Bahía de Manatí | SHGC/2005 |
| 11432 | Bahía de Vita to Cayo Moa | SHGC/2004 |
| 11433 | Cayo Moa to Punta de Maisi | SHGC/1998 |

ARTICLE II

This Agreement shall be binding upon both Parties, without prejudice to the eventual positions that either may freely adopt in any conferences on the Law of the Sea, in any international fora or in the conclusion of Agreements with other States regarding delimitation of maritime boundaries.

ARTICLE III

The Parties agree that neither shall make any claims nor exercise any sovereignty, sovereign rights or jurisdiction over the waters, the sea-bed and sub-soil which are found in the territorial sea, exclusive economic zone or continental shelf of the other Party, as they have been delimited in this Agreement.

ARTICLE IV

The Parties agree to cooperate, subject to agreements which may be elaborated subsequently, in the following areas:

- a) navigational safety and safety of life at sea, including search and rescue;
- b) hydrographic surveys;
- c) marine scientific research;
- d) preservation and protection of the marine environment;
- e) dealing with illegal acts affecting the safety of navigation, illegal trafficking in narcotic drugs and psychotropic substances and the smuggling of migrant by sea;
- f) conservation and management of living resources which occur within the EEZ of both parties, as provided for in the United Nations Convention on the Law of the Sea;
- g) management and exploitation of common hydrocarbon reserves which extend across the maritime boundary defined in this Agreement; and
- h) such other areas of common interest as the Parties may agree.

ARTICLE V

This Agreement shall enter into force on the date of the last notification exchanged between the Parties, through the Diplomatic Channel informing of their fulfilment of internal procedures for its Ratification.

IN WITNESS WHEREOF, the undersigned, having been duly authorized by their respective Governments, have signed this Agreement.