

THE TREATIES WITH THE REPUBLIC OF CUBA AND
THE GOVERNMENT OF THE UNITED MEXICAN
STATES ON THE DELIMITATION OF MARITIME
BOUNDARIES

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

THE TREATY BETWEEN THE UNITED STATES OF AMERICA AND
THE REPUBLIC OF CUBA ON THE DELIMITATION OF THE CONTI-
NENTAL SHELF IN THE EASTERN GULF OF MEXICO BEYOND 200
NAUTICAL MILES, AND THE TREATY BETWEEN THE GOVERN-
MENT OF THE UNITED STATES OF AMERICA AND THE GOVERN-
MENT OF THE UNITED MEXICAN STATES ON THE DELIMITA-
TION OF THE MARITIME BOUNDARY IN THE EASTERN GULF OF
MEXICO, BOTH OF WHICH WERE SIGNED AT WASHINGTON ON
JANUARY 18, 2017



DECEMBER 18, 2023.—Treaty was read the first time, and together with
the accompanying papers, referred to the Committee on Foreign Rela-
tions and order to be printed for the use of the Senate

U.S. GOVERNMENT PUBLISHING OFFICE

LETTER OF TRANSMITTAL

THE WHITE HOUSE, *December 18, 2023.*

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith two bilateral maritime boundary Treaties: the Treaty between the United States of America and the Republic of Cuba on the Delimitation of the Continental Shelf in the Eastern Gulf of Mexico beyond 200 Nautical Miles (the “United States-Cuba Treaty”), and the Treaty between the Government of the United States of America and the Government of the United Mexican States on the Delimitation of the Maritime Boundary in the Eastern Gulf of Mexico (the “United States-Mexico Treaty”) (together, the “Treaties”), both of which were signed at Washington on January 18, 2017. I also transmit, for the information of the Senate, the report of the Department of State with respect to the Treaties.

The purpose of the Treaties is to establish our continental shelf boundaries in the eastern Gulf of Mexico with Cuba and Mexico in areas beyond 200 nautical miles from shore. The United States-Cuba Treaty establishes a maritime boundary of approximately 30 nautical miles in length, and the United States-Mexico Treaty establishes a maritime boundary of approximately 79 nautical miles in length. The boundaries define the limit within which each country may exercise maritime jurisdiction with respect to its portion of the continental shelf. The boundaries address the only remaining area in the Gulf of Mexico where the maritime boundaries between the United States and its neighbors had not been agreed.

The United States-Cuba Treaty also establishes procedures for addressing the possibility of oil and gas reservoirs that extend across the continental shelf boundary, which will help protect related United States interests. With respect to Mexico, such procedures were developed and set forth in a separate agreement that is already in force, as described in the report of the Department of State accompanying this message.

I believe the Treaties to be fully in the interest of the United States. In light of the relevant coastal geography, the Treaties allocate approximately two-thirds of the area in question to the United States, and they provide legal certainty with respect to United States sovereign rights and jurisdiction over the continental shelf.

I recommend that the Senate give early and favorable consideration to the Treaties, and give its advice and consent to ratification.

JOSEPH R. BIDEN, Jr.

(III)

LETTER OF SUBMITTAL

DEPARTMENT OF STATE,
Washington, October 17, 2023.

The PRESIDENT,
The White House.

I have the honor to submit to you, with a view to the transmittal to the Senate for its advice and consent to ratification, two bilateral treaties delimiting the maritime boundaries between the United States and our neighbors in the eastern Gulf of Mexico. The Treaty between the United States of America and the Republic of Cuba on the Delimitation of the Continental Shelf in the Eastern Gulf of Mexico beyond 200 Nautical Miles (the “U.S.-Cuba Treaty”), and the Treaty between the Government of the United States of America and the Government of the United Mexican States on the Delimitation of the Maritime Boundary in the Eastern Gulf of Mexico (the “U.S.-Mexico Treaty”), were each signed at Washington on January 18, 2017. For purposes of illustration only, the boundaries are depicted on maps attached to the Treaties.

The Treaties define the limits within which each Party may exercise its sovereign rights over the seabed and subsoil of the continental shelf in the area in the eastern Gulf of Mexico beyond 200 nautical miles from any country (*i.e.*, beyond the limits of the Parties’ respective exclusive economic zones, or EEZs). Previous U.S. bilateral treaties with each country establish the maritime boundaries in areas within 200 nautical miles: specifically, (1) the Treaty to Resolve Pending Boundary Differences and Maintain the Rio Grande and Colorado River as the International Boundary, signed at Mexico City, November 23, 1970, which entered into force April 18, 1972 (“1970 U.S.-Mexico Treaty”); (2) the Treaty on Maritime Boundaries between the United States of America and the United Mexican States, signed at Mexico City, May 4, 1978, which entered into force November 13, 1997 (“1978 U.S.-Mexico Treaty”); and (3) the Maritime Boundary Agreement between the United States of America and the Republic of Cuba, signed at Washington, December 16, 1977 (“1977 U.S.-Cuba Treaty”), which has not entered into force and is pending Senate advice and consent. In addition, the Treaty between the Government of the United States of America and the Government of the United Mexican States on the Delimitation of the Continental Shelf in the Western Gulf of Mexico beyond 200 Nautical Miles, signed at Washington on June 9, 2000 (“2000 U.S.-Mexico Treaty”), which entered into force on January 17, 2001, delimits an area of continental shelf beyond 200 nautical miles in the western Gulf of Mexico.

The two Treaties submitted herein, pertaining to an area of continental shelf in the eastern Gulf of Mexico beyond 200 nautical

miles from any country, delimit the final remaining part of the U.S. maritime boundaries in the Gulf of Mexico. They achieve the U.S. objective of delimiting boundaries consistent with the approach taken in previous boundary treaties with Cuba and Mexico and will enhance international recognition with respect to U.S. sovereign rights and jurisdiction over the continental shelf.

Breadth of the continental shelf

The 1958 Convention on the Continental Shelf (the “1958 Convention”), to which the United States and Mexico (but not Cuba) are parties, provides that the continental shelf of a coastal State extends beyond a depth of 200 meters to “where the depth of superjacent waters admits of the exploitation of the natural resources” of the shelf. The 1982 United Nations Convention on the Law of the Sea (the “1982 Convention”), to which Mexico and Cuba are parties and which the United States regards as customary international law in this respect, provides the modern, internationally accepted definition of the continental shelf. Article 76 of the 1982 Convention provides that the continental shelf of a coastal nation extends (1) 200 nautical miles from the coastal baselines (typically the low-water line along the coast) or (2) to the outer edge of the continental margin, whichever is farther seaward. Under either criterion of the 1982 Convention (*i.e.*, 200 nautical miles or the continental margin) as well as under the 1958 Convention, the coastal nation has exclusive control over the exploration and exploitation of the natural resources, including critical minerals and hydrocarbons, of the continental shelf.

With respect to seabed areas beyond 200 nautical miles from the coastal baselines, paragraphs 2 to 7 of Article 76 provide the detailed rules that must be met to qualify as continental shelf of a coastal nation. The United States considers that these provisions reflect customary international law. During the negotiations of the 2017 treaties, all three countries agreed that, based on the detailed rules in Article 76, each country is entitled to continental shelf in the entire area beyond the 200-mile EEZ limit allocated to that country under the Treaties.

Maritime Boundaries

The U.S.-Cuba Treaty consists of nine articles and two annexes. The U.S.-Mexico Treaty consists of nine articles and one annex. The form and content of the two treaties are similar to each other and are also similar to previous maritime boundary treaties between the United States and Mexico and between the United States and Cuba.

Article I of each Treaty describes the continental shelf boundary between the United States and the other Party in the eastern Gulf of Mexico beyond 200 nautical miles as geodetic lines connecting the listed points. The U.S.-Mexico Treaty lists coordinates for seven turning and terminal points, and the U.S.-Cuba Treaty lists coordinates for two terminal points connected by a single geodetic line. In keeping with the methodology used in previous U.S. maritime boundary treaties in the Gulf of Mexico, these lines represent equidistant lines drawn from the respective coastline of each Party, including from islands.

Article II of each Treaty sets out the technical parameters of the boundary. Specifically, Article II states that the geodetic and computational bases used to determine the boundary are, in the case of the U.S.-Cuba Treaty, the World Geodetic System 1984 (“WGS84”), and in the case of the U.S.-Mexico Treaty, both WGS84 and the International Terrestrial Reference Frame 2008 (“ITRF2008”), which it specifies shall be considered identical. This article is needed to ensure that the Treaty boundaries are applied uniformly and accurately by the United States, Cuba, and Mexico, as well as all other users. Article II of each Treaty further clarifies that the western end of the new U.S.-Mexico boundary and the eastern end of the new U.S.-Cuba boundary connect to the terminal points of the boundaries that have previously been agreed with each country for areas within 200 nautical miles of shore. For the other terminal point of each boundary line, the coordinates specified in Article I in each Treaty are identical, such that the U.S.-Mexico and U.S.-Cuba boundary lines are coterminous; clarifying the method by which this shared point was chosen, Article II of each Treaty states that this point represents a single “tri-point,” equidistant from all three countries. (Cuba and Mexico simultaneously negotiated their own equidistance-based maritime boundary treaty in this area, and it too terminates at this tri-point.) Further, Article II states that, for the purpose of illustration only, a map depicting the boundary is attached to the Treaty as an annex (Annex 1 in the case of the U.S.-Cuba Treaty, and the only Annex in the case of the U.S.-Mexico Treaty).

Article III of each Treaty sets forth the agreement of the Parties that, on the opposite side of each maritime boundary, each Party will not “claim or exercise for any purpose sovereignty, sovereign rights, or jurisdiction over the seabed and subsoil.” This is consistent with standard language in all modern U.S. maritime boundary agreements. Because the boundary in each of these two Treaties delimits the continental shelf beyond 200 nautical miles from the coast, this Article mentions only the seabed and subsoil, and not the “waters,” which are not part of the continental shelf.

While negotiating the U.S.-Mexico Treaty, however, it was discovered that owing to coastal changes and updated measurements, some of the terminal points of the boundary segments delimited in the 1978 U.S.-Mexico Treaty may in fact currently fall slightly less than 200 nautical miles from shore. Accordingly, Article IV of the new U.S.-Mexico Treaty clarifies that, to the extent that any portion of the new boundary line ever falls within 200 nautical miles of the coastal baselines (*i.e.*, where the United States or Mexico claims an exclusive economic zone), that portion of the boundary also applies with respect to sovereign rights or jurisdiction over the “waters,” in addition to the seabed and subsoil. Article IV is the only provision of the new Treaty that also by its terms applies with respect to the boundary line set forth in the 2000 U.S.-Mexico Treaty regarding the continental shelf boundary beyond 200 nautical miles in the western Gulf of Mexico. While problems in the absence of Article IV may not have been likely as a practical matter (and there is no indication that such problems have arisen with respect to the 2000 boundary), this technical provision and its application to both continental shelf areas of the Gulf of Mexico be-

yond 200 nautical miles will help avoid ambiguity. No such provision was needed in the U.S.-Cuba Treaty; the terminal point of the adjacent 1977 U.S.-Cuba boundary is not less than 200 nautical miles offshore.

Transboundary reservoirs

Article V of the U.S.-Mexico Treaty, and Articles IV and V of the U.S. Cuba Treaty, contain provisions pertaining to possible hydrocarbon reservoirs that may extend across the continental shelf boundary (hereinafter, “transboundary reservoirs”).

To date, there has not been any drilling for hydrocarbons by any country in the eastern Gulf of Mexico beyond 200 nautical miles. These two Treaties do not in any way compel the United States or either other Party to explore or exploit the natural resources in the area on its side of the boundary beyond 200 nautical miles, nor do they prohibit such activity (except in a narrow buffer zone along the U.S.-Cuba boundary where drilling is temporarily prohibited, as described below); that decision remains in the discretion of each country, consistent with applicable international law. Instead, provisions in the treaties address the potential need for cooperation and periodic consultation between the Parties in protecting their respective interests pertaining to transboundary reservoirs.

Article V of the U.S.-Mexico Treaty states that “[t]he maritime boundary set forth in Article I will constitute a delimitation line as defined in Article 2 of the 2012 Transboundary Hydrocarbon Reservoirs Agreement, such that the provisions of that Agreement become applicable to the maritime boundary upon entry into force of this Treaty.” This provision refers to the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico, which was signed at Los Cabos on February 20, 2012, and entered into force on July 18, 2014 (the “2012 U.S.-Mexico Transboundary Hydrocarbon Reservoirs Agreement”). The 2012 U.S.-Mexico Transboundary Hydrocarbon Reservoirs Agreement establishes a cooperative process for managing the maritime boundary region and addresses the joint utilization of transboundary reservoirs.

The provisions of the 2012 U.S.-Mexico Transboundary Hydrocarbon Reservoirs Agreement will apply with respect to the boundary in this new U.S.-Mexico Treaty upon its entry into force. By its terms, the 2012 Transboundary Hydrocarbon Reservoirs Agreement applies with respect to the “Delimitation Line,” which Article 2 of that agreement defines as “the maritime boundaries in the Gulf of Mexico delimited in the 1970 U.S.-Mexico Treaty, the 1978 U.S.-Mexico Treaty and the 2000 U.S.-Mexico Treaty, and *any future maritime boundary in the Gulf of Mexico delimited between the Parties, as agreed*” (emphasis added).

Between the United States and Cuba, there is no analogous, previous agreement on transboundary hydrocarbons. The United States has an interest in greater cooperation with Cuba on such issues, however, both to protect U.S. interests in any transboundary resources and to develop and maintain a better understanding of the Cuban regulatory regime for offshore hydrocarbon development within areas under Cuban jurisdiction, including to encour-

age Cuba to follow international best practices with respect to any such activity, such as with respect to safety and protection of the marine environment. Consequently, as described below, Articles IV and V of the U.S.-Cuba Treaty are almost identical to the provisions to which the United States and Mexico agreed in the 2000 U.S.-Mexico Treaty concerning the continental shelf beyond 200 nautical miles in the western Gulf of Mexico.

Article IV(1) creates a buffer zone, called “the Area,” which comprises a continental shelf area with a breadth of 1.4 nautical miles on each side of the boundary. Within the Area, the Parties agree to a moratorium on petroleum and natural gas drilling or exploitation through December 31, 2026. By its terms, the moratorium does not apply to other continental shelf activities. Each Party’s right to authorize or permit such drilling or exploitation outside the Area on its side of the boundary is unaffected by this moratorium.

Article IV(2) provides that the Area is shown on an illustrative map at Annex 2 of the Treaty.

Article IV(3) establishes that the Parties may modify the period of the moratorium applicable in the Area by mutual agreement through an exchange of diplomatic notes. This provision will enable the Parties to shorten or to extend the duration of the moratorium should they both agree.

Article IV(4) requires each Party, on its side of the boundary within the Area and in accordance with its national laws and regulations, to facilitate requests from the other Party to authorize geological and geophysical studies for determining the possible presence and distribution of transboundary reservoirs.

Article IV(5) requires that each Party, with respect to the Area in its entirety and in accordance with its national laws and regulations, share geological and geophysical information in its possession to determine the possible existence and location of transboundary reservoirs.

Article IV(6) obliges each Party, if it has knowledge of the existence or possible existence of any transboundary reservoir, to notify the other Party.

Article V of the Treaty details a mechanism for communication and cooperation between the Parties with respect to the Area and the possible existence and location of transboundary reservoirs.

Article V(1) provides that the Parties, with respect to the Area during the moratorium period, shall:

- meet at least once per year for the purpose of identifying, locating, and determining the geological and geophysical characteristics of transboundary reservoirs as geological and geophysical information is generated that facilitates the Parties’ knowledge about the possible existence of such reservoirs (including information provided under Article IV(5) and IV(6));

- seek to reach agreement for the efficient and equitable exploitation of such transboundary reservoirs; and

- consult within sixty days of receipt of a written request by a Party through diplomatic channels, to discuss matters related to possible transboundary reservoirs.

Article V(2) further requires, with respect to the Area, that following the moratorium period, the Parties shall:

- inform the other Party both of its decisions to lease, license, grant concessions, or otherwise make available portions of the Area for petroleum or natural gas exploration or development and when petroleum or natural gas resources are to commence production; and
- ensure that entities it authorizes to undertake activities in the Area observe the terms of the Treaty.

Dispute resolution and consultations

Article VI of each Treaty requires the Parties to consult to discuss any issue regarding the interpretation or implementation of the Treaty upon the written request by a Party through diplomatic channels.

Article VIII of each Treaty provides that any dispute concerning the interpretation or application of the Treaty must be resolved by negotiation or other peaceful means as may be agreed upon by the Parties.

Final clauses

Article VII of each Treaty provides that the boundary established in the Treaty does 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 (including, as the U.S.-Cuba Treaty makes express, with respect to the contiguous zone and the exclusive economic zone). This is a standard provision in modern U.S. maritime boundary treaties and helps ensure, for example, that the boundaries cannot be misconstrued as somehow respecting or acquiescing in any unlawful maritime claims made by Cuba or Mexico.

Article IX of each Treaty specifies that an exchange of diplomatic notes or instruments of ratification is necessary before the Treaty will enter into force. Specifically, Article IX of the U.S.-Cuba Treaty provides that it will enter into force on the date of the last *note verbale* in which the Parties indicate that their internal legal requirements have been satisfied. Article IX of the U.S.-Mexico Treaty provides that it will enter into force thirty days after the date on which the Parties exchange instruments of ratification.

The Treaties are self-executing. No new legislation is needed for the United States to meet its obligations under the Treaties.

All interested agencies and departments join the Department of State in recommending that these two Treaties delimiting the continental shelf boundary beyond 200 nautical miles between the United States and Cuba and Mexico, respectively, be transmitted to the Senate as soon as possible for its advice and consent to ratification.

Respectfully submitted,

ANTONY J. BLINKEN.

Enclosures: As stated.

**Treaty between the United States of America and the Republic of Cuba on the
Delimitation of the Continental Shelf in the Eastern Gulf of Mexico beyond 200
Nautical Miles**

The United States of America and the Republic of Cuba (hereinafter "the Parties");

Recalling the Maritime Boundary Agreement between the United States of America and the Republic of Cuba, signed on December 16, 1977 (the "1977 Maritime Boundary Agreement");

Desiring to establish, in accordance with international law, and on the basis of equidistance, the continental shelf boundary between the United States of America and the Republic of Cuba in the Eastern Gulf of Mexico beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured;

Affirming that the provisions of international law pertaining to the seaward extent of the continental shelf are reflected in Article 76 of the 1982 United Nations Convention on the Law of the Sea; and

Taking into account the possibility that there could exist petroleum or natural gas reservoirs that extend across the continental shelf boundary, and the need for cooperation and periodic consultation between the Parties in protecting their respective interests in such circumstances;

Have agreed as follows:

Article I

The continental shelf boundary between the United States of America and the Republic of Cuba in the Eastern Gulf of Mexico beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured shall be determined by geodetic lines connecting the following coordinates:

- | | | |
|----|------------------|------------------|
| 1. | 25° 12' 26.28" N | 86° 33' 11.91" W |
| 2. | 25° 29' 16.44" N | 87° 00' 49.44" W |

Article II

1. The geodetic and computational base used to determine the boundary set forth in Article I is the World Geodetic System 1984 ("WGS84").

2. For purposes of Article I:

- (a) Boundary point number 1 is boundary point 27 (25° 12' 25" N, 86° 33' 12" W) of the 1977 Maritime Boundary Agreement. This point, which was originally determined with reference to the North American Datum 1927 and the Clarke 1866 ellipsoid, has been transformed to the WGS84 datum.
- (b) Boundary point number 2 represents a "tri-point," equidistant from the United States, the Republic of Cuba, and a third State.

3. For the purpose of illustration only, the boundary line in Article I is shown in Annex 1 to this Treaty.

Article III

South of the continental shelf boundary set forth in Article I, the United States of America shall not, and north of said boundary, the Republic of Cuba shall not, claim or exercise for any purpose sovereign rights or jurisdiction over the seabed and subsoil.

Article IV

1. Due to the possible existence of petroleum or natural gas reservoirs that may extend across the boundary set forth in Article I (hereinafter referred to as "transboundary reservoirs"), the Parties, during a period ending December 31, 2026, shall not authorize or permit petroleum or natural gas drilling or exploitation of the continental shelf within one and four-tenths (1.4) nautical miles on each side of the boundary set forth in Article I. (This two and eight-tenths (2.8) nautical mile area hereinafter shall be referred to as the "Area".)

2. For the purpose of illustration only, the Area set forth in paragraph 1 is shown in Annex 2 to this Treaty.

3. The Parties, by mutual agreement through an exchange of diplomatic notes, may modify the period set forth in paragraph 1.

4. With respect to the Area on its side of the boundary (1.4 nautical miles), each Party, in accordance with its national laws and regulations, shall facilitate requests from the other Party to authorize geological and geophysical studies to help determine the possible presence and distribution of transboundary reservoirs.

5. With respect to the Area in its entirety (2.8 nautical miles), each Party, in accordance with its national laws and regulations, shall share geological and geophysical information in its possession in order to determine the possible existence and location of transboundary reservoirs.

6. If a Party has knowledge of the existence or possible existence of a transboundary reservoir in the Area, it shall notify the other Party.

Article V

1. With respect to the Area in its entirety (2.8 nautical miles), during the period set forth in paragraph 1 of Article IV:

- (a) as geological and geophysical information is generated that facilitates the Parties' knowledge about the possible existence of transboundary reservoirs, including notifications by Parties, in accordance with paragraphs 5 and 6 of Article IV, the Parties shall meet at least once per year for the purpose of identifying, locating and determining the geological and geophysical characteristics of such reservoirs;
- (b) the Parties shall seek to reach agreement for the efficient and equitable exploitation of such transboundary reservoirs; and
- (c) the Parties shall, within sixty days of receipt of a written request by a Party through diplomatic channels, consult to discuss matters related to possible transboundary reservoirs.

2. With respect to the Area in its entirety (2.8 nautical miles), following the expiry of the period set forth in paragraph 1 of Article IV:

- (a) a Party shall inform the other Party of its decisions to lease, license, grant concessions, or otherwise use or make available portions of the Area on its side of the boundary for petroleum or natural gas exploration or development and shall also inform the other Party when petroleum or natural gas resources are to commence production; and
- (b) a Party shall ensure that entities it authorizes to undertake activities within the Area shall observe the terms of this Treaty.

Article VI

Upon written request by a Party through diplomatic channels, the Parties shall consult to discuss any issue regarding the interpretation or implementation of this Treaty.

Article VII

The continental shelf boundary 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 contiguous zone, of the exclusive economic zone, of the high seas, or with respect to sovereign rights or jurisdiction for any other purpose.

Article VIII

Any dispute concerning the interpretation or application of this Treaty shall be resolved by negotiation or other peaceful means as may be agreed upon by the Parties.

Article IX

This Treaty shall enter into force on the date of the last note verbale in which the Parties indicate that their internal legal requirements have been satisfied.

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

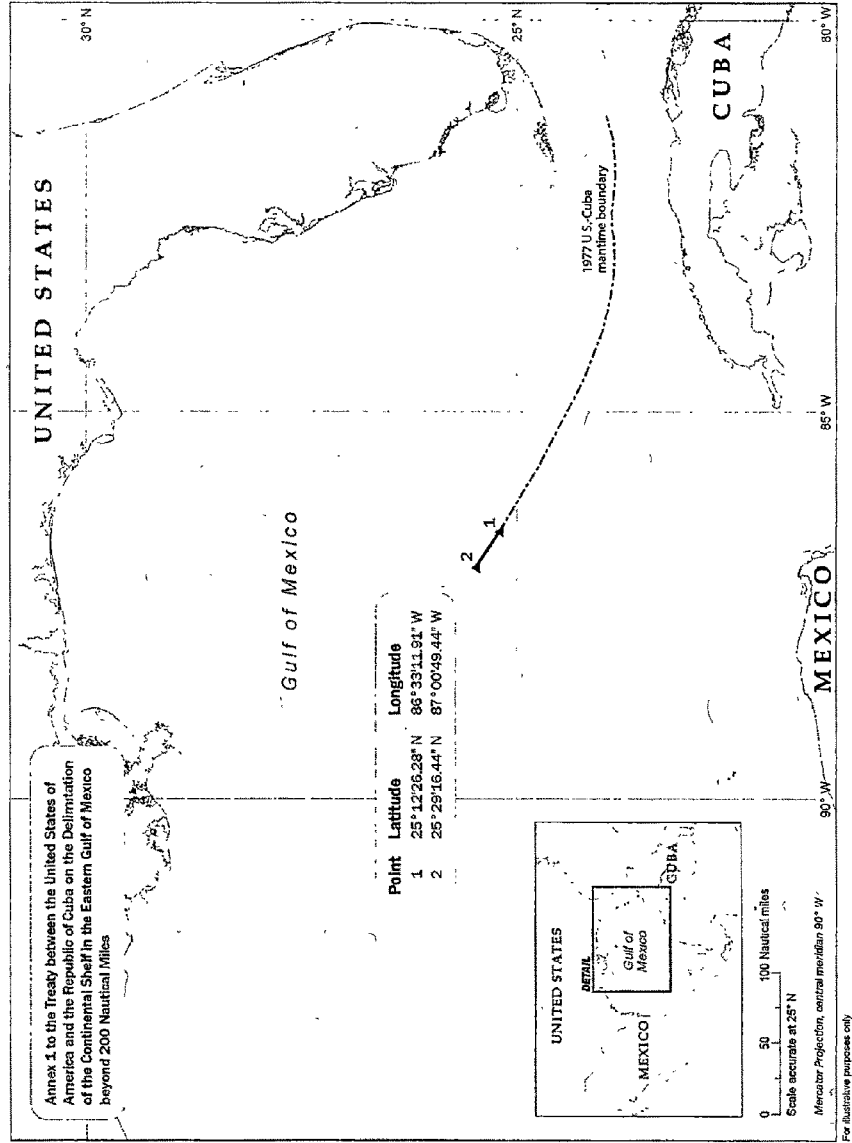
DONE at Washington, this 18th day of January, 2017, in duplicate, in the English and Spanish languages, both texts being equally authentic.

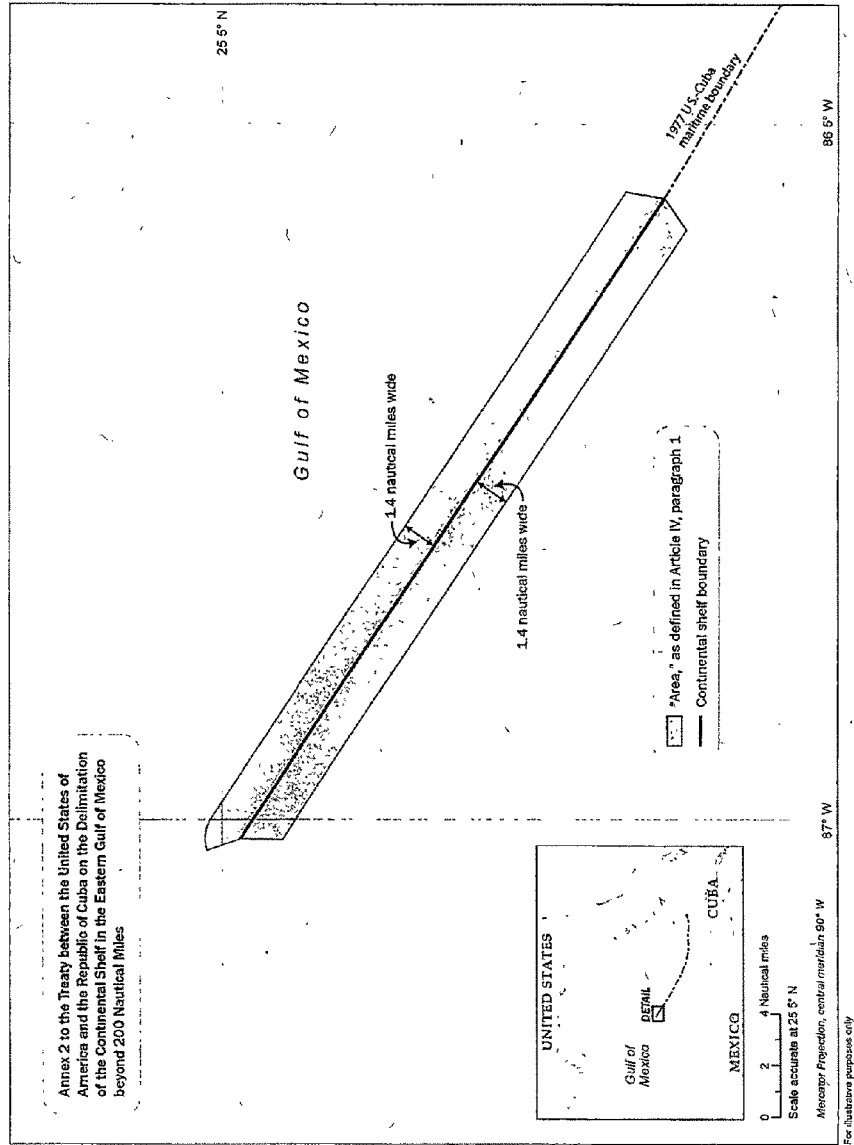
FOR THE UNITED STATES
OF AMERICA:



FOR THE REPUBLIC OF CUBA:







**TREATY BETWEEN THE GOVERNMENT OF THE UNITED STATES OF
AMERICA AND THE GOVERNMENT OF THE UNITED MEXICAN STATES
ON THE DELIMITATION OF THE MARITIME BOUNDARY IN THE
EASTERN GULF OF MEXICO**

The Government of the United States of America and the Government of the United Mexican States (hereinafter "the Parties");

Considering that the maritime boundaries between the Parties were determined on the basis of equidistance for a distance between twelve and two hundred nautical miles seaward from the baselines from which the breadth of the territorial sea is measured in the Gulf of Mexico and the Pacific Ocean by the Treaty on Maritime Boundaries between the United States of America and the United Mexican States, signed on May 4, 1978 (the "1978 Treaty on Maritime Boundaries");

Recalling that the maritime boundaries between the Parties were determined on the basis of equidistance for a distance of twelve nautical miles seaward from the baselines from which the breadth of the territorial sea is measured 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;

Recalling further that the continental shelf boundary between the Parties was determined on the basis of equidistance in areas beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured by the Treaty between the Government of the United States of America and the Government of the United Mexican States on the Delimitation of the Continental Shelf in the Western Gulf of Mexico beyond 200 Nautical Miles, signed on June 9, 2000 (the "2000 Treaty on the Continental Shelf");

Desiring to establish, in accordance with international law, and on the basis of equidistance, the continental shelf boundary between the United States of America and the United Mexican States in the Eastern Gulf of Mexico beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured;

Taking into account the possibility that there could exist petroleum or natural gas reservoirs that extend across the continental shelf boundary, and the need for cooperation and periodic consultation between the Parties in protecting their respective interests in such circumstances;

Recalling the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico, signed on February 20, 2012 (the "2012 Transboundary Hydrocarbon Reservoirs Agreement");

Bearing in mind the importance of cooperation to protect the marine environment, including with respect to pollution contingency plans and areas in the Gulf of Mexico beyond 200 nautical miles from shore;

Have agreed as follows:

Article I

The continental shelf boundary between the United States of America and the United Mexican States in the Eastern Gulf of Mexico beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured shall be determined by geodetic lines connecting the following coordinates:

- | | | |
|----|------------------|------------------|
| 1. | 25° 41' 57.90" N | 88° 23' 05.62" W |
| 2. | 25° 41' 54.18" N | 88° 20' 02.64" W |
| 3. | 25° 41' 07.43" N | 88° 10' 18.18" W |
| 4. | 25° 40' 02.86" N | 87° 57' 09.24" W |
| 5. | 25° 36' 49.79" N | 87° 19' 30.71" W |
| 6. | 25° 35' 24.99" N | 87° 03' 05.03" W |
| 7. | 25° 29' 16.44" N | 87° 00' 49.44" W |

Article II

1. The geodetic and computational bases used to determine the boundary set forth in Article I are the World Geodetic System of 1984 ("WGS84") and the International Terrestrial Reference Frame 2008 ("ITRF2008").

2. For purposes of Article I:

(a) WGS84 and ITRF2008 shall be considered to be identical; and

(b) Boundary point number 1 is boundary point GME-3 (25° 41' 56.52" N., 88° 23' 05.54" W.) of the 1978 Treaty on Maritime Boundaries. This point, which was originally determined with reference to the North American Datum of 1927, has been transformed to the WGS84 and ITRF2008 reference frames.

(c) Boundary point number 7 represents a "tri-point," equidistant from the United States of America, the United Mexican States, and a third State.

3. For the purpose of illustration only, the boundary line in Article I is drawn on the map that appears as the Annex to this Treaty.

Article III

South of the continental shelf boundary set forth in Article I, the United States of America shall not, and north of said boundary, the United Mexican States shall not claim or exercise for any purpose sovereign rights or jurisdiction over the seabed and subsoil.

Article IV

To the extent that any portion of the boundary lines between the United States of America and the United Mexican States set forth in Article I or in the 2000 Treaty on the Continental Shelf delimits at any time an area within 200 nautical miles of the baselines from which the breadth of the territorial sea is measured, such portion of the boundary line shall apply with respect to sovereign rights and jurisdiction over the seabed, subsoil, and waters.

Article V

The maritime boundary set forth in Article I will constitute a delimitation line as defined in Article 2 of the 2012 Transboundary Hydrocarbon Reservoirs Agreement, such that the provisions of that Agreement become applicable to the maritime boundary upon entry into force of this Treaty.

Article VI

Upon written request by a Party through diplomatic channels, the Parties shall consult to discuss any issue regarding the interpretation or implementation of this Treaty.

Article VII

The continental shelf boundary 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 VIII

Any dispute concerning the interpretation or application of this Treaty shall be settled by negotiation or other peaceful means as may be agreed upon by the Parties.

Article IX

This Treaty shall enter into force 30 (thirty) days after the date on which the Parties exchange instruments of ratification.

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

DONE at Washington, this 18th day of January, 2017, in duplicate, 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:



