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LIMITS IN THE SEAS

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WASHINGTON COLLEGE OF LAW
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No. 85
MARITIME BOUNDARIES:
THE GAMBIA-SENEGAL



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LIMITS IN THE SEAS

No. 85

MARITIME BOUNDARY: The Gambia-Senegal

March 23, 1979

Office of the Geographer
Bureau of Intelligence and Research

INTRODUCTION

On June 4, 1975, the Governments of the Republic of The Gambia and the Republic of Senegal signed an agreement delimiting maritime boundaries in the North Atlantic Ocean. Instruments of ratification were exchanged and the treaty entered into force on August 27, 1976. The full text is as follows:

The Government of the Republic of Senegal and
The Government of the Republic of The Gambia

Considering the ties of friendship existing
between their two nations;

Being motivated by the principles of the
Charter of the United Nations and the Charter of the
Organisation of African Unity;

Determined to establish and to maintain between
them conditions favourable for the development of
co-operation between the Republic of Senegal and the
Republic of The Gambia;

Desiring to settle peacefully the problem of
the maritime boundaries between States;

Have concluded between them the present Treaty
fixing the maritime boundaries between the Republic
of Senegal and the Republic of The Gambia, and have
agreed as follows:

ARTICLE ONE

The maritime boundary to the North commences from
the point of intersection of the land boundary with
the coast and follows the parallel of latitude
13°35'36" North.

ARTICLE TWO

The maritime boundary to the South commences from
the point T of intersection of the land boundary
situated to the South of the River Allahein (or
San Pedro) with the coast and of which the
co-ordinates are:

Latitude : 13°03'51" North;
Longitude: 16°44'49" West.

From point T, the maritime boundary proceeds in a south-westerly direction as far as point M of which the co-ordinates are:

Latitude : 13°01'21" North;
Longitude: 16°45'19" West.

From point M, the maritime frontier proceeds in a northerly direction as far as point P of which the co-ordinates are:

Latitude : 13°03'27" North;
Longitude: 16°45'22" West.

From point P, the maritime frontier follows the parallel of latitude 13°03'27" North.

ARTICLE THREE

The boundaries defined in Articles One and Two above have been delimited on the basis of the French Chart No. 6125 on the scale of 1:300,500 (latitude 13°40') agreed by the Government of the Republic of The Gambia and the Government of the Republic of Senegal and of which an enlarged extract is annexed to the present Treaty.

PART II - GENERAL PROVISIONS

ARTICLE FOUR

The present Treaty will be ratified by each State according to its own constitutional procedures.

It will enter into force from the date of the exchange of instruments of ratification.

ARTICLE FIVE

The Treaty will be registered at the Secretariat-General of the United Nations Organisation at the Secretariat-General of the Organisation of African Unity and at the Permanent Senegalo-Gambian Secretariat.

Done at Banjul, on 4th June 1975 in two original texts in the French language and the English language, both texts being equally authentic.

On behalf of the Republic of Gambia:
Sir Dawda Kairaba JAWARA
For the Republic of Senegal:
Leopold Sedar SENGHOR.

ANALYSIS

The following analysis is based on the depiction of the boundaries on DMAHTC chart No. 51032 and on an enlarged extract of French Chart No. 6125, which was annexed to the treaty. Geodesic distances have been calculated by computer and may be based on a spheroid different from the one utilized by the two countries. Slight discrepancies may, therefore, appear in any comparison.

The Gambia has an Atlantic Ocean coastal front approximately 32 miles long.¹ It is bordered on its three land sides by Senegal which necessitated the negotiation of both a northern and southern maritime boundary.

Northern Boundary

The northern maritime boundary extends from The Gambia-Senegal land boundary terminus seaward along the 13°35'36" north parallel of latitude to an undetermined outer limit (see attached map).² The current national marine claims of these states are as follows:³

1. All mileage figures in this study are nautical miles (1 n.m. = 6,076 feet = 1,852 meters).
2. The northern land boundary terminus was established by the Anglo-French treaty of August 10, 1889, and clarified by the Anglo-French proces-verbal of June 9, 1891.
3. The United States does not recognize any state's claim to a territorial sea breadth in excess of 3 miles. In the UN Law of the Sea negotiations, however, the United States has expressed its willingness to accept a maximum territorial sea breadth of 12 miles within the framework of a comprehensive and acceptable Law of the Sea treaty.

The Gambia: 50-mile territorial sea.
Senegal: 150-mile territorial sea;
200-mile economic zone.

The point along the treaty parallel of latitude which is 200 miles from Senegal is only 171 miles from Cape Verde. A point on this line equidistant from the nearest Cape Verde and Sengalese baseline would be situated at approximately 13°35'36"N, 20°25'50"W -- 185 miles from each coast. This point would be approximately 214 miles from The Gambia.

Southern Boundary

The southern maritime boundary consists of three segments with no specified seaward limit. Beginning at The Gambia-Senegal land boundary terminus (point T), the line runs in a south-westerly direction for 0.70 miles to point M.⁴ At point M the boundary turns to the north-west and continues for 0.11 miles to point P. From point P the line extends west along the parallel of 13°03'27" North latitude.

From an analysis of the treaty maps, it appears that points M and P have been derived geometrically by developing construction lines in the inshore area. Point M calculates to be very close to the mid-point of line A-B'. Point M is slightly nearer to Sengalese territory (0.64 miles) than to Gambian territory (0.70 miles).

To establish point P, the two states first developed a triangle, A-mid-point of the mouth of the Allahein River (situated approximately where the letter T is on the inset map) - B - A. The straight-line distances from the river mouth to points A and B are basically the same. The angle A - mouth of river - B was bisected and drawn to line A-B. Point P has been located on line A-B' on the parallel of latitude at which the bisector intersected line A-B.

4. The coordinates of point T, not cited in earlier treaties, probably have been agreed to by The Gambia and Senegal.

Line M-P is a segment of line A-B'. The closest territory to point P, however, is the land boundary terminus, point T.

The reason for this initial jog in the boundary can best be explained by saying that it was one negotiated method which resulted in an equitable solution agreeable to both parties.