

Decree 18581-RE (concerning straight baselines in the Pacific Ocean, 14 October 1988

The First Vice President and Acting President of the Republic and the Minister of Foreign Relations and Worship

Whereas

1. Article 6 of our Constitution establishes the complete and exclusive sovereignty of the Costa Rican State over its territorial waters to a distance of 12 miles from the low-water line along its coasts, In accordance with the principles of International law.
2. The principles and standards of international law in force recognize the right of the coastal States to establish the breadth of their territorial sea from the normal low-water line or from straight baselines that join the most salient points of the coast.
3. Our coasts on the Pacific Ocean present a special configuration because of the presence of Islands and deep inlets that have historically constituted areas of great economic significance to the country.
4. This special configuration of our coasts on the Pacific Ocean makes it possible, with the application of the new principles of the Law of the Sea, to draw straight baselines that, joining the most salient points of the coast, create a region whose reality and economic significance are clearly demonstrated by its prolonged use. This region coincides in general with the superjacent waters of the continental shelf of our Pacific coast, i.e., with the 200-meter isobath.
5. The Ministry of Foreign Relations and Worship has already sent to the Legislative Assembly for processing and subsequent approval the United Nations Convention on the Lay of the Sea, signed at Montego Bay, Jamaica, on December 19, 1982, by a vast majority of the countries that represent all the legal and political systems in the world.
6. The regulations of the Convention that refer to the zones of national jurisdiction, including the system of drawing straight baselines, reflect contemporary International practice and have been considered to derive from prevailing International customary law.
7. In accordance with international law, the coastal State may determine the baselines from which the breadth of its territorial sea is measured, combining normal baselines with straight baselines depending on the circumstances.

Decrees

Article I - The width of the territorial sea of the Republic will be measured, in the Pacific Ocean, from the following baselines:

- A. In accordance with the normal baseline method: from San Francisco Point, also known as Medero (10° 17' 36" N., 85° 51' 19"W), to Punta Guiones (9° 54' 18" N., 85° 40' 15" W), and from Punta Llorona (8° 35' 03" N, 83° 43' 25" W.) to Punta Salsipuedes (8° 26' 32" N., 83° 34' 13" W.).
- B. In accordance with the straight baselines method: from a point that coincides with the southern extreme of the line that encloses the mouth of Salinas Bay, the line, as determined by the Cleveland Award, to Punta Descartes (11° 01' 25" N., 85° 45' 25" W) to Punta Blanca (10° 57' 02" N., 85° 53' 16" W); from Punta Blanca to Punta Santa Elena

(10° 53' 29" N., 85° 57' 11" W.); from Santa Elena to the westernmost key of the Murcielago Islands Group (10° 51' 16" N., 85° 58' 50" W.); from the westernmost key of the Murcielago Islands to Cabo Velas or Morro Hermoso (10° 21' 25" N., 85° 52' 39" W.); from Cabo Velas or Morro Hermoso to Punta San Francisco (10° 17' 36" N., 85° 51' 19" W.); from Punta Guiones (9° 54' 18" N., 85° 40' 15" W) to the southwest tip of Cabo Blanco Island (9° 32' 20" N., 85° 06' 54" W.); from the southwest tip of Cabo Blanco Island to the southwest tip of Isla Del Cano (8° 42' 24" N., 83° 53' 30" W.); from the southwest tip of Isla Del Cano to Punta Llorona on the Osa Peninsula (8° 35' 03" N., 83° 43' 25" W.); from Punta Salsipuedes (8° 26' 32" N., 83° 34' 13" W.) to the extreme southern end of the international border line with Panama at Punta Burica.

Article 2 - The National Geographic Institute will draw these lines to adequate scale or scales to make the locations clear on maps, in accordance with the geographic coordinates corresponding to the geodesic datum known as "Ocatepeque". The State will make such maps public.

Article 3 - Waters situated inside these straight baselines form part of the internal waters of the Republic. However, taking into account that in these waters are located several Important ports on the Pacific coast, the right of innocent passage to ships of all nations is permitted, in accordance with the principles and norms of international law.

Article 4 - The locations of normal and straight baselines described above are indicated on a map at 1: 500,000 scale prepared by the Geographic Institute of Costa Rica. This map, duly authenticated by the Ministry of Foreign Relations and Worship, forms an Integral part of this decree.

Article 5 - This Decree is valid from the 15th of November 1988, inclusive.

Given in the Presidency of the Republic, San Jose, on the 14th of October 1988

Jorge Manuel Dengo

The Minister of Foreign Relations and Worship, A.I.

Carlos Rivera Bianchini