

PERU

SUMMARY OF CLAIMS

TYPE	DATE	SOURCE	LIMITS	NOTES
TERRITORIAL SEA	Aug 47	Presidential Decree No. 781	200nm	
	Aug 52	Joint Declaration on the Maritime Zone	200nm	With Chile and Ecuador, claimed 200nm territorial seas. <i>This claim is not recognized by the U.S.</i> U.S. protested claim in 1948, 1986, 1987, 1988 and 1992; and conducted operational assertions in 1980, 1985-1988, 1990-1994 (overflights).
	Nov 65	Law No. 15720	200nm	Sovereignty over airspace.
	Jul 79	Constitution, Arts. 98/99	200nm	Airspace; preserved freedoms of "international communication."
	Dec 93	Constitution, Article 54	200nm	Reiterates excessive claim.
CONTINENTAL SHELF	Aug 47	Presidential Decree No. 781	200nm	
FISHING ZONE/EEZ	Aug 47	Presidential Decree No. 781	200nm	Exclusive fishing zone.
	Jan 56	Supreme Decree No. 22 (amended 1965)		Regulated foreign fishing in 200nm territorial sea.
MARITIME BOUNDARIES	Aug 52	Joint Declaration on the Maritime Zone		Maritime boundary agreement with Chile and Ecuador EIF, whereby each declares a 200nm territorial sea.
	Feb 75	Agreement		Agreement with Ecuador EIF.
LOS CONVENTION	Dec 82			Voted for, did not sign Convention. Has not ratified.

MARITIME BOUNDARY AGREEMENTS

PERU - CHILE

U.S. ANALYSIS

The following comments regarding an agreement between Chile and Peru, proclaimed on 18 August 1952, are extracted from Limits in the Seas, No. 86, "Maritime Boundary: Chile-Peru" of 2 July 1979.

Although according to the 1952 declaration the maritime zone of each state is bounded by the specific parallel of latitude on which the seaward terminus of the land territory is situated, the agreed-upon parallel of latitude is actually located slightly to the north of the land boundary terminus.

The maritime boundary extends along the 18°23'03" parallel of South latitude, which coincides with the parallel of latitude on which the Peru-Chile land boundary marker No. 1 has been placed. Marker No. 1 lies a short distance to the northeast of the Chile-Peru coastal boundary point.

The seaward limit of the maritime boundary is not clearly defined in the declaration. On [the map attached to this LIS] the maritime boundary is depicted as extending 200 nm from each coast. Owing to coastal configurations, the Peruvian segment of the boundary extends farther seaward than the Chilean segment. Point C on the map is situated 200 nm from Chile (i.e., from the land boundary terminus that is the nearest point on the Chilean coast); however, this point is approximately 120 nm from the nearest point on Peru's coast. The point on this parallel of latitude 200 nm from Peru (i.e., from Pta. San Juan) is not reached until point P; this point is more than 360 nm from the land boundary terminus.

The maritime boundary traverses rather deep water; depths reach 2,500-3,000 fathoms (1500-1800 feet). Areas of less than 100 fathoms are virtually non-existent along this portion of the South American coast.

PERU - ECUADOR

The following excerpts from an agreement between Ecuador and Peru, and the analysis which follows, are extracted from Limits in the Seas, No. 88, "Maritime Boundary: Ecuador-Peru" of 2 October 1979.

IV

...The maritime zone of an island or group of islands belonging to one declarant country and situated less than 200 nm from the general maritime zone of another declarant country shall be bounded by the parallel of latitude drawn from the point of which the land frontier between the two countries reaches the sea.

U.S. ANALYSIS

The Ecuador-Peru maritime boundary and the special maritime frontier zone are illustrated on the map [attached to LIS No. 88]. According to the 1952 Declaration on the Maritime Zone, the maritime boundary extends seaward on the parallel of latitude of the seaward terminus of the land boundary. Hito, or pillar, No. 1, established by the Rio de Janeiro Protocol in 1942 and demarcated by the Ecuador-Peru Mixed Demarcation Commission, is situated at Boca de Capones at 3° 23'33.96"S., 80° 19'16"W. There seems to be some question as to whether this point defines the latitude of the maritime boundary. An aide-memoire received by the United States Government from the Ecuadorean Government described the boundary in the following manner:

The de jure boundary line between Ecuador and Peru begins in the mouth of the Tumbes River in the Pacific Ocean. Consequently, the parallel which by law should serve as the maritime boundary between Ecuador and Peru has the following latitudinal coordinates:

3° 23'33.96" S.

The de facto maritime boundary which corresponds to the Boca Capones parallel, the point at which the 1942 line reaches the sea, has the following coordinates:

3° 13'33.96" S.